

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: MELINDA L. HAYES, R.N.
License No.: 0001-156621**

ORDER

Pursuant to §§ 2.2-4020, 54.1-110 and 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was held before a panel of the Board of Nursing ("Board") on June 2, 2014, in Henrico County, Virginia, to inquire into evidence that Melinda L. Hayes, R.N., may have violated certain terms and conditions imposed on her, as set forth in the Order of the Board entered on May 17, 2011, and to inquire into evidence that she may have violated certain laws and regulations governing nursing practice in Virginia. The case was presented by Amanda E. M. Blount, Adjudication Specialist, Administrative Proceedings Division. Charis A. Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Hayes was not present and was not represented by legal counsel. The proceedings were recorded by a certified court reporter.

Upon consideration of the evidence presented, the Board adopted the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Melinda L. Hayes, R.N., held License No. 0001-156621 to practice professional nursing in the Commonwealth of Virginia, which was issued on October 27, 1997. Her primary state of residence is Ohio. Said license was suspended by Consent Order of the Board entered May 17, 2011 ("Board's Order"), with said suspension stayed contingent upon Ms. Hayes' compliance with certain terms and conditions. The stay of indefinite suspension was thereafter summarily rescinded on March 26, 2014, pursuant to a notice of Ms. Hayes' dismissal from the Health Practitioners' Monitoring Program ("HPMP") on March 21, 2014.

2. Based upon the representations of Amanda E. M. Blount, Adjudication Specialist, and Commonwealth's Exhibits #1 and #3, the Notice of Formal Hearing and Statement of Particulars, and the

Affidavit of Mailing, the presiding officer ruled that adequate notice was provided to Ms. Hayes and the hearing proceeded in her absence.

3. Ms. Hayes was dismissed from HPMP on March 21, 2014, for her continued use of alcohol, her failure to enter and complete treatment as recommended, her failure to comply with the urine toxicology screening program, and her failure to submit monthly reports.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact No. 3 constitutes a violation of Term No. 6 of the Board's Order.

ORDER

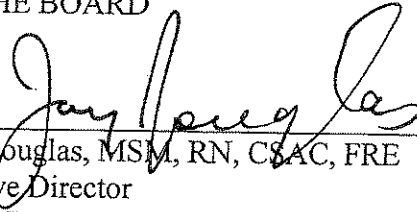
WHEREFORE, the Virginia Board of Nursing, effective upon entry of this Order, hereby ORDERS as follows:

1. Melinda L. Hayes, R.N., is hereby REPRIMANDED.
2. License No. 0001-156621 issued to Melinda L. Hayes, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby CONTINUED on INDEFINITE SUSPENSION for not less than two years.
3. The license of Ms. Hayes will be recorded as SUSPENDED and no longer current. Should Ms. Hayes seek reinstatement of her license consistent with this Order, she shall be responsible for any fees that may be required for the reinstatement of her license prior to issuance of her license to resume practice.
4. At such time as Ms. Hayes shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is able to return to the safe and competent practice of professional nursing.
5. This Order shall be applicable to Ms. Hayes' multistate licensure privileges, if any, to practice professional nursing.

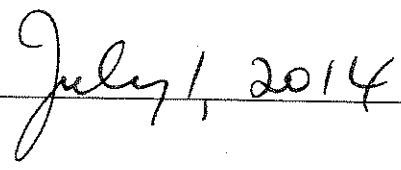
Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in

the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE BOARD



Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director
Virginia Board of Nursing



ENTERED

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By 
Virginia Board Of Nursing