

FEB 03 2014
DHP

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: AMY GRIFFEY, C.N.A., L.P.N. APPLICANT
Certificate No. 1401-155989
0002-090458

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Amy Griffey, C.N.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Griffey's application for licensure by examination to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Amy Griffey, C.N.A., was issued Certificate No. 1401-155989 to practice as a nurse aide in Virginia on October 3, 2012. The certificate is scheduled to expire on October 31, 2014. Ms. Griffey also holds an expired certificate to practice as a nurse aide in North Carolina. Finally, she reports holding a certificate to practice as a nurse aide in Massachusetts.
2. By application received November 4, 2013, Amy Griffey applied for licensure by examination as a practical nurse in the Commonwealth of Virginia. Ms. Griffey declared Virginia as her primary state of residence.
3. In Ms. Griffey's application for licensure by examination as a practical nurse, she answered "No" to the question of whether she has a mental, physical, or chemical dependency condition which could interfere with her current ability to practice nursing, when, in fact, Ms. Griffey's psychiatrist wrote in a letter dated December 13, 2013, that Ms. Griffey has been diagnosed with mixed anxiety and depression, coupled with adult onset attention deficit disorder, inattentive type. In addition, Ms. Griffey stated in her application that

her convictions listed in Finding of Fact No. 4 were due to the adverse effects of the medication she was taking for her mental health issues.

4. Ms Griffey was convicted of petit larceny, a crime involving moral turpitude, as follows:

a. On November 29, 2012, in the Virginia Beach, Virginia, Circuit Court. The court imposed a sentence of 30 days' imprisonment, all suspended.

b. On September 28, 2012, in the Chesapeake, Virginia, Circuit Court. The court suspended her sentence and banned her from the store from which she stole property for 18 months.

5. Ms. Griffey submitted to the Board several letters of recommendation from her nursing school instructors.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(1) and (6) of the Code of Virginia (1950), as amended ("Code"), and 18 VAC 90-20-300(A)(1)(b) of the Regulations Governing the Practice of Nursing.

2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(4) of the Code.

3. Ms. Griffey otherwise meets the requirements of § 54.1-3020 of the Code.

CONSENT

Amy Griffey, C.N.A., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;

3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;

4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice as a nurse aide and her application for licensure by examination to practice practical nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The application of Amy Griffey for licensure by examination as a practical nurse is APPROVED. Upon successful completion of the NCLEX-PN examination, Ms. Griffey shall be issued an unrestricted license to practice as a practical nurse in the Commonwealth.
2. Amy Griffey, C.N.A., is hereby REPRIMANDED.
3. Ms. Griffey shall maintain a course of conduct in her capacity as a practical nurse and nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Consent 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 upon request.

Consent Order—Amy Griffey, C.N.A., L.P.N. Applicant
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FOR THE BOARD:

Jay P. Douglas

Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: February 5, 2014

SEEN AND AGREED TO:

Amy Griffey
Amy Griffey, C.N.A.

~~State of California~~
COMMONWEALTH OF VIRGINIA,

COUNTY/CITY OF San Diego, TO WIT: Amy Lynn Griffey

Subscribed and sworn to before me, LaGardula B. Boston, a Notary Public, this 31st day of January, 2014.

My commission expires Dec 1, 2015.

Registration Number _____

LaGardula B. Boston
NOTARY PUBLIC

Certified True Copy

By *L. Boston*
Virginia Board Of Nursing