

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:           MATTHEW E. SHEPHERD, C.N.A. REINSTATEMENT APPLICANT**  
**Certificate No.: 1401-016596**

**ORDER**

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended (“Code”), a Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) met on December 12, 2013, in Henrico County, Virginia, to receive and act upon Matthew Shepherd’s application for reinstatement of his certificate to practice as a nurse aide in Virginia, and to inquire into evidence that Mr. Shepherd may have violated certain laws governing the practice in Virginia. Mr. Shepherd was not present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1.     Matthew E. Shepherd, C.N.A., was issued Certificate No. 1401-016596 to practice as a nurse aide in the Commonwealth of Virginia on August 8, 1990. Said certificate expired on August 31, 1994.
2.     Mr. Shepherd submitted an application for reinstatement of his certificate to practice as a nurse aide which was received by the Board on July 15, 2013.
3.     By letter dated November 12, 2013, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Shepherd notifying him that an informal conference would be held on December 12, 2013. The Notice was sent by certified and first class mail to P. O. Box 283, Fredericksburg, Virginia 22504, the address of record on file with the Board of Nursing.

4. On December 31, 1996, Mr. Shepherd was convicted of felony shoplifting in the Circuit Court of the City of Fredericksburg, Virginia.

5. Mr. Shepherd stated to the Committee, that at the time of his felony conviction he was homeless. He stated that he served one month in jail, then was moved to a treatment facility.

6. Mr. Shepherd stated that he attends Narcotics Anonymous and Alcoholics Anonymous three times a week. He reports that his date of sobriety is December 28, 2003.

7. Mr. Shepherd stated that he is currently employed as a sitter for Family Horizons Health Care, Stafford, Virginia, and will be hired as a nurse aide with this agency after obtaining his certification.

#### **CONCLUSIONS OF LAW**

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

2. Mr. Shepherd otherwise meets the requirements for reinstatement of his certificate to practice as a nurse aide in Virginia.

#### **ORDER**

On the basis of the foregoing, the Committee hereby ORDERS as follows:

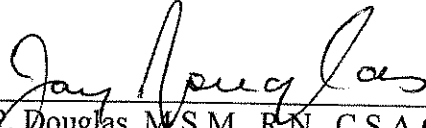
1. The application of Matthew Shepherd for reinstatement of his certification to practice as a nurse aide is APPROVED. Upon successful completion of the NNAAP examination, Mr. Shepherd shall be issued an unrestricted to practice as a nurse aide in the Commonwealth.

2. Mr. Shepherd shall maintain a course of conduct in his capacity as a certified nurse aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Nursing Regulations.

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.

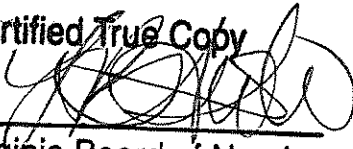
Pursuant to Section 54.1-2400(10) of the Code, Mr. Shepherd may, not later than 5:00 p.m., on **February 17, 2014**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:

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

ENTERED: January 13<sup>th</sup>, 2014

This Order shall become final on **February 17, 2014**, unless a request for a formal administrative hearing is received as described above.

**Certified True Copy**  
  
By \_\_\_\_\_  
Virginia Board of Nursing