

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: VICKEARA L. GREEN, L.P.N. REINSTATEMENT
License No.: 0002-085517

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 July 16, 2014, in Henrico County, Virginia, to receive and act upon the application of Vickeara L. Green for reinstatement of her license to practice practical nursing in Virginia, which was mandatorily suspended on December 19, 2013, and to inquire into evidence that Ms. Green may have violated certain laws and regulations governing practical nursing practice in Virginia. The case was presented by Tammie D. Jones, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Ms. Green was 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. Vickeara L. Green was issued License No. 0002-085517 to practice practical nursing in the Commonwealth of Virginia on August 18, 2011. Said license was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on December 19, 2013. Ms. Green testified that Virginia is her primary state of residence.
2. Ms. Green submitted an application for reinstatement of her license to the Board on May 12, 2014.
3. Pursuant to a Final Decision and Order entered October 28, 2013, by the Maryland Board of

Nursing, Ms. Green's practical nursing license, multistate privilege to practice practical nursing, and nursing assistant certificate were permanently revoked. Said action led to the mandatory suspension of Ms. Green's license to practice practical nursing in Virginia.

4. From December 27, 2013 to February 14, 2014, Ms. Green knowingly practiced practical nursing at Sunrise Senior Living, Silver Spring, Maryland, without a valid license or multistate privilege to practice pursuant to the Nurse Licensure Compact.

5. On May 7, 2013, in the Circuit Court for Baltimore City, Maryland, Ms. Green pled guilty and was convicted of conspiracy to commit bribery of a public employee, a misdemeanor involving moral turpitude.

6. On August 9, 2006, Ms. Green fraudulently obtained a geriatric nursing assistant certificate and on or about December 1, 2006, she fraudulently obtained a medication aide certificate, from the Maryland Board of Nursing, although she had not taken any board-approved training courses or passed the required competency examinations. Ms. Green obtained the certificates by paying a sum of money to a Maryland Board of Nursing employee. Said action resulted in the above-referenced conviction and formed the basis for the Maryland permanent revocations on October 28, 2013, leading to the mandatory suspension of her license in Virginia.

7. On the application for reinstatement of her Virginia license dated May 7, 2014, when asked to list all of her employers since her license was suspended or revoked, Ms. Green failed to reveal her employment at Sunrise Senior Living.

8. On the employment history form she submitted to the investigator with the Department of Health Professions on May 30, 2014, Ms. Green failed to provide her dates of employment at Sunrise Senior Living.

9. On the application for employment with Sunrise Senior Living dated August 13, 2013, Ms. Green answered "no" to the question "have you ever received a verdict other than not guilty in any kind of criminal proceeding, including but not limited to felonies, misdemeanors or traffic related offenses," when, in fact, she had pled guilty to the above-referenced criminal conviction. Ms. Green also answered "no" to the question "were you disciplined during your employment" [at Ginger Cove Health Center]; however, she was

counseled on several occasions.

10. On August 12, 2011, Ms. Green submitted an application for licensure as a practical nurse by endorsement and declared Virginia as her primary state of residence.

11. On June 11, 2012, Ms. Green surrendered her Virginia driver's license and was issued a Maryland driver's license, based on her providing a Maryland address of record to establish in-state residency for her daughter's college tuition. Ms. Green failed to notify the Virginia Board of Nursing or the Maryland Board of Nursing of her change in residency status and failed to apply for nursing licensure in Maryland in compliance with the Nurse Licensure Compact.

12. On the application for employment with Bay Woods of Annapolis, Maryland, dated April 18, 2013, Ms. Green provided a Maryland residential address.

13. On the Probation/Supervision Order entered with the Circuit Court of Baltimore, Maryland, on May 7, 2013, Ms. Green provided a Maryland residential address. At the hearing, she testified that she provided the wrong address to the court. Further, as a provision for the probation, she had to receive permission for changing her address. She has not received such permission. On her application for reinstatement, she listed a Virginia address and testified at the hearing that her primary state of residence is Virginia.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.
2. Finding of Fact No. 4 constitutes a violation of §§ 54.1-3007(3) and 54.1-3008(A)(2) and (5) of the Code.
3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(4) of the Code.
4. Finding of Fact No. 6 constitutes a violation of § 54.1-3007(1), (3) and (5) of the Code and 18 VAC 90-20-300(A)(1)(a) of the Regulations Governing the Practice of Nursing ("Regulations").
5. Finding of Fact No. 7 constitutes a violation of § 54.1-3007(1), (3) and (5) of the Code and 18

VAC 90-20-300(A)(1)(b) of the Regulations.

6. Finding of Fact No. 8 constitutes a violation of § 54.1-3007(2) and (3) of the Code and 18 VAC 90-20-300(A)(2)(n) of the Regulations.

7. Finding of Fact No. 9 constitutes a violation of § 54.1-3007(2), (3) and (5) of the Code and 18 VAC 90-20-300(A)(2)(e) of the Regulations.

8. Findings of Fact Nos. 10-13 constitute a violation of §§ 54.1-3007(2) and (5) and 54.1-3033 of the Code and 18 VAC 90-20-181 and 90-20-300(A)(2)(p)¹ of the Regulations.

ORDER

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

1. The application of Vickeara L. Green for reinstatement of License No. 0002-085517 to practice practical nursing in the Commonwealth of Virginia is hereby DENIED, due to a failure to obtain the affirmative vote for reinstatement of three-fourths of the members of the Board at the hearing. Further, it is hereby ORDERED that the license of Vickeara L. Green be REVOKED.

2. The license shall be recorded as revoked. Pursuant to § 54.1-2408.2 of the Code, should Ms. Green seek reinstatement of her license after three years, 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. The reinstatement of Ms. Green's license shall require the affirmative vote of three-fourths of the members at a meeting of the Board.


3. This Order shall be applicable to Ms. Green's multistate licensure privileges, if any, to practice practical nursing in the Commonwealth of Virginia.

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

¹ Effective November 21, 2013, the violation that appeared previously in 18 VAC 90-20-300(A)(2)(o), '[v]iolating any provision of this chapter,' has been renumbered as 18 VAC 90-20-300(A)(2)(p).

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

for 

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

August 15, 2014

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, MSM, RN, CSAC, FRE, 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