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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

KRISTY LEE MILLER, C.N.A., R.M.A.

Certificate No.: 1401-143564

Registration No.: 0031-005425

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Kristy Lee Miller, C.N.A., R.M.A., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Miller's certificate to practice as a nurse aide and registration to practice as a medication aide in Virginia.

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

FINDINGS OF FACT

1. Kristy Lee Miller, C.N.A., R.M.A., was issued Certificate No. 1401-143564 to practice as a nurse aide by the Virginia Board of Nursing on March 30, 2011. Said certificate is set to expire on March 31, 2013. Ms Miller was issued Registration No. 0031-005425 to practice as a medication aide by the Board on October 28, 2011. Said registration is set to expire on February 28, 2013.
2. On October 15, 2008, in the General District Court of Tazewell County, Virginia, Ms. Miller was convicted of knowingly giving a false report as to the commission of a crime to a law enforcement official with the intent to mislead, a misdemeanor.
3. On her application for nurse aide certification dated February 5, 2011, and on her application for medication aide registration dated August 5, 2011, Ms. Miller answered "no" to the question of whether she had ever been convicted, pled guilty to, or pled *Nolo Contendere* to the violation of any federal state, or other statute or ordinance constituting a felony or misdemeanor when, in fact, she had been convicted of the misdemeanor offense referenced in Finding of Fact No. 2.
4. On March 8, 2012, in the General District Court of Tazewell County, Ms. Miller was convicted of misdemeanor shoplifting.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2 and 4 constitute violations of § 54.1-3007(4) of the Code of Virginia (1950), as amended (“Code”).
2. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(1) of the Code, 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides, and 18 VAC 90-60-120(1)(b) of the Regulations Governing the Registration of Medication Aides.

CONSENT

Kristy Lee Miller, C.N.A., R.M.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 certified nurse aide and as a medication aide 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. Kristy Lee Miller, C.N.A., R.M.A., is hereby REPRIMANDED.

2. Ms. Miller shall maintain a course of conduct in her capacity as a certified nurse aide and as a medication 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 upon request.

FOR THE BOARD

Jay P. Douglas

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

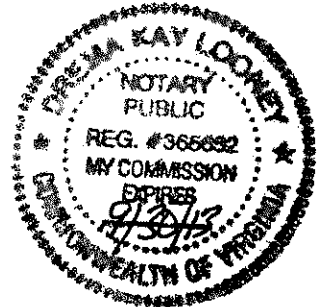
Certified True Copy

By *[Signature]*
Virginia Board of Nursing

ENTERED: June 25th, 2012

SEEN AND AGREED TO:

Kristy Lee Miller
Kristy Lee Miller, C.N.A., R.M.A.



COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Sazewell, TO WIT:

Subscribed and sworn to before me, Drema Kay Looney, a Notary Public, this 18 day of June, 2012.

My commission expires 9/30/13.

Registration Number 365652.

Drema Kay Looney
NOTARY PUBLIC