

VIRGINIA:

BEFORE THE BOARD OF NURSING

**IN RE: ANTHONY WATSON, C.N.A.
Certificate No.: 1401-029535**

ORDER

In accordance with §§ 2.2-4019, 2.2-4021 and 54.1-2400 (10) of the Code of Virginia (1950), as amended ("Code"), an informal conference was conducted on behalf of the Virginia Board of Nursing ("Board") on October 10, 2013, in Henrico County, Virginia. Mr. Watson was not present and was not represented by legal counsel. Nancy Durrett, R.N., M.S., serving as Agency Subordinate for the Board, submitted a Recommended Decision for consideration.

On November 19, 2013, a quorum of the Board met to receive and act upon the Recommended Decision of the Agency Subordinate. Mr. Watson was not present nor was he represented by legal counsel.

Based upon its review of the Recommended Decision of the Agency Subordinate, the Board makes the following Findings of Fact and Conclusions of Law and issues the following Order.

FINDINGS OF FACT

1. Anthony Watson was issued Certificate No. 1401-029535 to practice as a nurse aide in Virginia on September 21, 1991. The certificate is scheduled to expire on September 30, 2013.
2. By letter dated September 11, 2013, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Mr. Watson notifying him that an informal conference would be held on October 10, 2013. The Notice was sent by certified and first class mail to 1416 Talbert Drive, Richmond, Virginia 23224, the address of record on file with the Board of Nursing. The certified mail receipt card and the exhibits sent by certified mail were returned to the Board office as they were unclaimed by Mr. Watson. The Notice sent by regular mail was not returned to the Board office. The Agency Subordinate

concluded that adequate notice was provided to Mr. Watson and the informal conference proceeded in his absence.

3. Mr. Watson is unable to practice safely as a nurse aide due to mental illness and substance abuse as evidenced by the following:

a. Mr. Watson was admitted to Tucker Pavilion, a psychiatric division of CJW Medical Center, on March 16, 2013, due to depression, suicidal ideation, and a self-inflicted burn, and at discharge he was diagnosed with mood disorder NOS, psychotic disorder NOS, and polysubstance abuse.

b. Mr. Watson was admitted to VCU Health Systems, Richmond Virginia, on February 24, 2013, for chest pain after recent use of cocaine.

4. Mr. Watson told the Department of Health Professions' Investigator ("DHP Investigator") that he had been in and out of recovery for about 7 years and was sober for 11 months before his relapse.

5. Mr. Watson was recently diagnosed with diabetes.

6. Mr. Watson has never worked full-time as a certified nurse aide ("C.N.A.") and only worked part-time as C.N.A. to earn extra money.

7. Mr. Watson's certificate was mandatorily suspended in 1996 as the result of a felony conviction; his certificate was reinstated in 1998.

8. Mr. Watson contacted the Health Practitioners' Monitoring Program but he decided that he could not afford the program.

9. The DHP investigator was unable to contact Mr. Watson after May, 2013.

CONCLUSIONS OF LAW

Finding of Fact #3 constitutes a violation of § 54.1-3007(6) of the Code.

ORDER

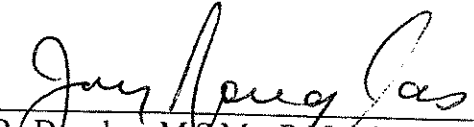
WHEREFORE, it is hereby ORDERED as follows:

1. The right of Anthony Watson to renew his nurse aide certificate is INDEFINITELY SUSPENDED for a period of not less than two years.
2. The certificate will be recorded as suspended and no longer current.
3. At such time as Mr. Watson shall petition the Board for reinstatement of his certificate, an administrative proceeding will be convened to determine whether he is capable of resuming safe and competent practice as a nurse aide. Mr. Watson shall be responsible for any fees that may be required for the reinstatement and renewal of the certificate prior to issuance of the certificate to resume practice.

Pursuant to § 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 a public record, and shall be made available for public inspection and copying upon request.

Since Mr. Watson failed to appear at the informal conference, this Order shall be considered final. Mr. Watson has the right to appeal this Order directly to the appropriate Virginia circuit court. As provided by Rule 2A:2 of the Supreme Court of Virginia, Mr. Watson has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within 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, at Perimeter Center, 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

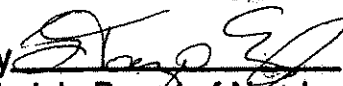
FOR THE BOARD



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

Entered: December 12th, 2013

Certified True Copy

By 

Virginia Board of Nursing