

**VIRGINIA:**

**BEFORE THE BOARD OF NURSING**

**IN RE:**

**ANTHONY D. WATSON**

**ORDER**

Pursuant to §9-6.14:12 and §54.1-110 of the Code of Virginia (1950), as amended (the "Code"), a formal administrative hearing was held before the Board of Nursing (the "Board") on September 23, 1998, in Henrico County, Virginia, to receive and act upon the application for reinstatement of the certificate of Anthony D. Watson to practice as a certified nurse aide in the Commonwealth, which was mandatorily suspended by the Department of Health Professions on July 24, 1998, pursuant to §54.1-2409 of the Code of Virginia, and to receive and act upon evidence that Mr. Watson may have violated certain laws and regulations governing nurse aide practice in Virginia. The case was presented by Mary Elizabeth Shelton, Senior Legal Assistant, Administrative Proceedings Division. Howard M. Casway, Assistant Attorney General, was present as legal counsel for the Board. Mr. Watson was present and was not represented by 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. Anthony D. Watson previously held Certificate No. 1401-029535 issued by the Virginia Board of Nursing.
2. By Order entered on or about June 21, 1996, by the Circuit Court of the City of Richmond, Manchester Courthouse, Virginia, Mr. Watson was convicted of one (1) count of feloniously and unlawfully break and enter in the daytime a dwelling with the intent to commit a larceny therein, a felony. He was sentenced to five (5) years incarceration, suspended for ten (10) years, conditioned upon good behavior, supervised probation, make restitution in the sum of \$250, payment of defendant's costs, and payment of court costs.
3. By Order entered on or about July 24, 1998, by the Department of Health Professions, Mr.

Watson's certificate to practice as a certified nurse aide was mandatorily suspended due to the above-referenced conviction.

4. Mary M. Nash, Probation and Parole Officer, Department of Corrections, Richmond, Virginia, submitted a letter to the Board stating that Mr. Watson has remained on probation for a lengthy time due to payment of court costs, but that he is compliant in reporting, has presented no problems, and appears to have a stable family life as well as community involvement.
5. Since approximately July 1997, Mr. Watson has been employed at Parham Healthcare and Rehabilitation Center, Richmond, Virginia, as a certified nurse aide and as a restorative nursing aide. By letter dated September 8, 1998, Michele Berg, R.N., D.O.N., reported that Mr. Watson's work record as a certified nurse aide was flawless; he was professional, prompt and met every schedule needs requested; and he exhibited a kind demeanor and caring attitude to residents. Penny Eissenberg, O.T.R., Rehabilitation Director, reported in a letter dated September 8, 1998, that Mr. Watson is a diligent hardworking employee who has a natural and easy rapport with his patients.

#### **CONCLUSIONS OF LAW**

Based upon Finding of Fact No. 2, the Board concludes that Anthony D. Watson has violated §54.1-3007(4) of the Code of Virginia (1950), as amended. Further, pursuant to §54.1-2409 of the Code Mr. Watson's application for reinstatement is properly before the Board, and the Board may order reinstatement of his certificate upon such terms and conditions as it deems appropriate by an affirmative vote of three-fourths of the members of the Board.

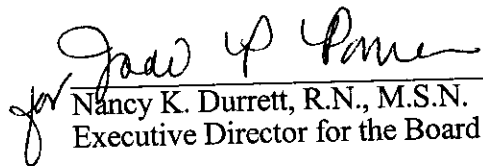
#### **ORDER**

WHEREFORE, the Virginia Board of Nursing, by affirmative vote of at least three-fourths of the members of the Board, effective upon entry of this Order, hereby ORDERS that Certificate No. 1401-029535, issued to Anthony D. Watson to practice as a certified nurse aide in the Commonwealth of Virginia, be and hereby is REINSTATED.

Pursuant to § 9-6.14:14 of the Code of Virginia (1950), as amended, 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.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Anthony D. Watson, C.N.A., has thirty (30) days from the service date in which to appeal this decision by filing a Notice of Appeal with Nancy K. Durrett, R.N, Executive Director, Board of Nursing, 6606 West Broad Street, Fourth Floor, Richmond, Virginia 23230-1717. The service date shall be defined as the date Mr. Watson actually received this decision or the date it was mailed to him, whichever occurred first. In the event this decision is served upon him by mail, three (3) days are added to that period.

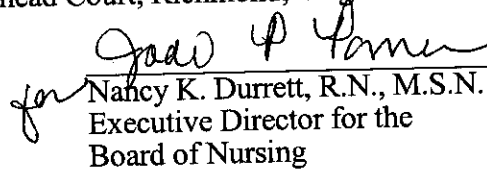
FOR THE BOARD

  
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Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the Board of Nursing

ENTERED: October 2, 1998

Certificate of Service

I hereby certify that a certified true copy of the foregoing Order was mailed on this day to Anthony D. Watson, C.N.A., at 3220 Snead Court, Richmond, Virginia 23224.

  
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Nancy K. Durrett, R.N., M.S.N.  
Executive Director for the  
Board of Nursing

October 2, 1998  
DATE