

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: BERNARD T. KAMGANG, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-133505

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 November 18, 2013, in Henrico County, Virginia, to receive and act upon Bernard T. Kamgang's application for reinstatement of his certificate to practice as a nurse aide in Virginia, and to inquire into evidence that Mr. Kamgang may have violated certain laws governing nurse aide practice in Virginia. The case was presented by Cynthia E. Gaines, Adjudication Specialist, Administrative Proceedings Division. Charis Mitchell, Assistant Attorney General, was present as legal counsel for the Board. Mr. Kamgang 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. Bernard T. Kamgang, C.N.A., was issued Certificate No. 1401-133505 to practice as a nurse aide in the Commonwealth of Virginia on November 12, 2009. Said certificate was mandatorily suspended pursuant to § 54.1-2409 of the Code by Order of the Department of Health Professions entered on September 26, 2012.
2. This mandatory suspension was based on a June 19, 2012, felony conviction for a hit and run in Chesterfield County, Virginia.

3. Mr. Kamgang submitted an application for reinstatement of his certificate to practice as a nurse aide which was received by the Board on September 18, 2013.
4. Mr. Kamgang provided evidence that he has paid all court costs and restitution associated with the conviction underlying the mandatory suspension.
5. Mr. Kamgang testified that the accident still weighs on him and his record is clean outside of this incident. Mr. Kamgang provided four character reference letters.
6. A representative for Caring Companions has stated that Mr. Kamgang will be rehired in the capacity as a nurse aide if his certificate is reinstated.

CONCLUSIONS OF LAW

The Board concludes that:

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code.
2. Mr. Kamgang otherwise meets the requirements for reinstatement of his certificate to practice as a nurse aide.

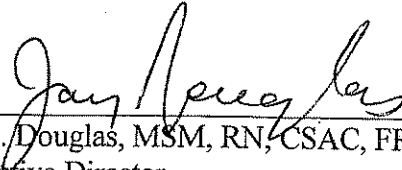
ORDER

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

1. The Certificate of Bernard T. Kamgang to practice as a nurse aide in the Commonwealth of Virginia is hereby REINSTATED.
2. Mr. Kamgang shall maintain a course of conduct in his capacity as a 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.

FOR THE BOARD



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

December 17th, 2013

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, R.N., M.S.M., C.S.A.C., 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 *draham*
Virginia Board of Nursing