

0031-007514

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OCT 21 2013

VIRGINIA:

BEFORE THE BOARD OF NURSING

VA BD OF NURSING

IN RE:

WENDY C. TOSH, R.M.A. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Wendy C. Tosh, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Tosh's application for registration by examination to practice as a medication aide in Virginia.

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

FINDINGS OF FACT

1. By application received July 26, 2013, Wendy C. Tosh applied for registration by examination as a medication aide in the Commonwealth of Virginia.
2. On November 29, 2007, in the Circuit Court of Danville, Virginia, Ms. Tosh was convicted of credit card fraud and two counts of credit card forgery, all felonies. She was sentenced to a total of six years incarceration, with five years and nine months suspended. Upon release from incarceration, Ms. Tosh was placed on supervised probation for one year and six months. She was ordered to make restitution in the amount of \$64.00, plus court costs.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Ms. Tosh otherwise meets the requirements of § 54.1-3042 of the Code.

CONSENT

Wendy C. Tosh, 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 application for registration by examination to practice 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. The application of Wendy C. Tosh for registration by examination as a medication aide is APPROVED. Upon successful completion of the medication aide examination, Ms. Tosh shall be issued an unrestricted registration to practice as a medication aide in the Commonwealth.
2. Ms. Tosh is hereby REPRIMANDED.
3. Ms. Tosh shall maintain a course of conduct in her capacity as a medication aide commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Registration of Medication Aides.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Consent 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, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: October 23rd, 2013

SEEN AND AGREED TO:

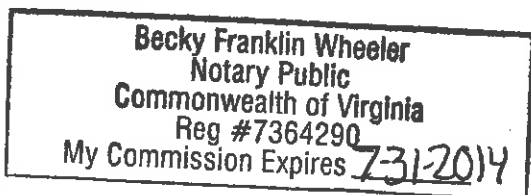
Wendy C. Tosh
Wendy C. Tosh

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

Subscribed and sworn to before me, Becky Franklin Wheeler, a Notary Public, this 16th day of October, 2013.

My commission expires July 31, 2014

Registration Number 7364290



Becky Franklin Wheeler
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board of Nursing