

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: GODFREY K. GATHUO, C.N.A., R.M.A. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Godfrey K. Gathuo, C.N.A., as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Gathuo'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. Godfrey K. Gathuo, C.N.A., was issued Certificate No. 1401-159744 to practice as a nurse aide by the Virginia Board of Nursing on May 8, 2013. Said certificate is set to expire on May 31, 2015. Pursuant to a Consent Order entered February 27, 2013, Mr. Gathuo's application for certification by examination as a nurse aide was approved and he was reprimanded due to convictions for petty larceny and unlawful sale of a motor vehicle.
2. By application received August 8, 2013, Mr. Gathuo applied for registration by examination as a medication aide in the Commonwealth of Virginia.
3. On May 24, 2010, in the General District Court of Lynchburg, Virginia, Mr. Gathuo was convicted of misdemeanor larceny. He was ordered to make restitution to Walmart in the amount of \$37.88. He was also ordered to pay fines and court costs totaling \$121.00, which were paid in full on May 24, 2010.
4. On June 28, 2012, in the General District Court of Lynchburg, Virginia, Mr. Gathuo was convicted of engaging in business as a motor vehicle dealer without first having obtained a license (unlawful sale of a motor vehicle), a misdemeanor. He was ordered to pay fines and court costs totaling \$301.00, which were paid in full on September 4, 2012.

CONCLUSIONS OF LAW

1. Findings of Fact Nos. 2 and 3 constitute a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended ("Code").
2. Mr. Gathuo otherwise meets the requirements of § 54.1-3042 of the Code.

CONSENT

Godfrey K. Gathuo, C.N.A., by affixing his signature hereon, agrees to the following:

1. He has been advised to seek advice of counsel prior to signing this document;
2. He acknowledges that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. He acknowledges that he 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 him;
4. He waives all such right to an informal conference;
5. He admits to the Findings of Fact and Conclusions of Law contained herein and waives his right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. He consents to the entry of the following Order affecting his 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 Godfrey K. Gathuo, C.N.A., for registration by examination as a medication aide is APPROVED. Upon successful completion of the medication aide examination, Mr. Gathuo shall be issued an unrestricted registration to practice as a medication aide in the Commonwealth.

2. Mr. Gathuo is hereby REPRIMANDED.

3. Mr. Gathuo shall maintain a course of conduct in his 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, M.S.M., R.N., C.S.A.C., F.R.E.
Executive Director, Virginia Board of Nursing

ENTERED: October 21st, 2013

SEEN AND AGREED TO:



Godfrey K. Gathuo, C.N.A.

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

Subscribed and sworn to before me, Jamie Leigh Campbell, a Notary Public, this 12 day of October, 2013.

My commission expires Sept 30, 2017.

Registration Number 7548181.

Jamie Leigh Campbell
NOTARY PUBLIC

Certified True Copy

By 
Virginia Board of Nursing

JAMIE LEIGH CAMPBELL
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEPT. 30, 2017
COMMISSION # 7548181