

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: WILLIAM LEE NICKENS, C.N.A. REINSTATEMENT APPLICANT
Certificate No.: 1401-100427

CONSENT ORDER

The Virginia Board of Nursing ("Board") and William Lee Nickens, as evidenced by his signature hereto, enter into the following Consent Order affecting Mr. Nickens' application for reinstatement of his certificate to practice as a nurse aide in Virginia.

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

FINDINGS OF FACT

1. William Lee Nickens was issued Certificate No. 1401-100427 to practice as a nurse aide by the Virginia Board of Nursing on October 11, 2003. Said certificate expired on October 31, 2009.
2. Mr. Nickens submitted an application for reinstatement of his certificate which was received by the Board on July 18, 2013.
3. On March 4, 2010, Mr. Nickens was convicted of possession of stolen property with the intent to sell, conspire to commit grand larceny and grand larceny, all felonies, in the Circuit Court of Wise County and City of Norton, Virginia.
4. On September 15, 2010, Mr. Nickens was convicted of theft \$500.00 or less, a misdemeanor, four counts of theft over \$500.00, and five counts of theft over \$1,000.00, felonies, in the Criminal Circuit Court of Sullivan County, Tennessee.
5. By letter dated June 27, 2013, Mr. Nickens' probation officer stated that he is in compliance with the conditions of his probation and is completing court-ordered community service hours. Further, Mr. Nickens has not had any major violations of his probation since his release from incarceration on April 30, 2013.

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. Otherwise, Mr. Nickens meets the requirements for reinstatement of his certificate to practice as a nurse aide.

CONSENT

William Lee Nickens, 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 reinstatement of his certificate to practice as a nurse aide in Virginia.

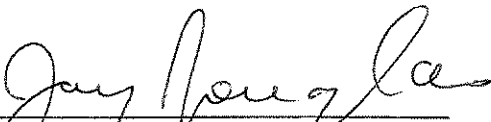
ORDER

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 William Lee Nickens for reinstatement of his certificate to practice as a nurse aide is APPROVED. Mr. Nickens shall be issued an unrestricted certificate to practice as a nurse aide in the Commonwealth.
2. Mr. Nickens is hereby REPRIMANDED.
3. Mr. Nickens shall maintain a course of conduct in his capacity as a certified 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 upon request.

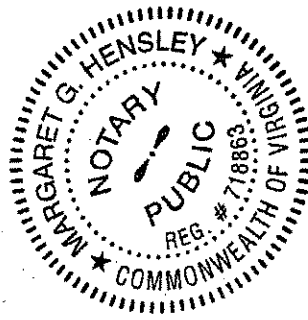
FOR THE BOARD


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

ENTERED: September 5th, 2013

SEEN AND AGREED TO:

William L. Nickens
William Lee Nickens



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

Subscribed and sworn to before me, Margaret G. Hensley, a Notary Public, this 26th day of August, 2013.

My commission expires 8/31/2016

Registration Number 718863

Margaret G. Hensley
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board Of Nursing