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VA BD OF NURSING

VIRGINIA:

1401-16307B
BEFORE THE BOARD OF NURSING

IN RE: DARLENE BRAITHWAITE, C.N.A. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Darlene Braithwaite, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Braithwaite's application for certification by examination to practice as a nurse aide in Virginia.

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

FINDINGS OF FACT

1. Darlene Braithwaite submitted an application for certification by examination as a nurse aide in the Commonwealth, which was received by the Board on June 17, 2013.
2. On November 29, 2012, Ms. Braithwaite was convicted in the Municipal Court of the Township of South Brunswick, New Jersey, of theft of movable property, a misdemeanor involving moral turpitude.
3. Ms. Braithwaite has paid all costs and fines associated with the conviction.

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of § 54.1-3007(4) of the Code.
2. Ms. Braithwaite otherwise meets the requirements of § 54.1-3023 of the Code.

CONSENT

Darlene Braithwaite, 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 certification by examination 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 Darlene Braithwaite for certification by examination as a nurse aide in Virginia is hereby APPROVED and upon successful completion of the NNAAP examination, she shall be issued an unrestricted certificate to practice as a nurse aide.
2. Ms. Braithwaite is hereby REPRIMANDED.
3. Ms. Braithwaite shall maintain a course of conduct in her 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 upon request.

FOR THE BOARD

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

ENTERED: August 29, 2013

SEEN AND AGREED TO:

Darlene Braithwaite
Darlene Braithwaite

~~COMMONWEALTH OF VIRGINIA,~~ STATE of New Jersey
COUNTY/CITY OF Middlesex, TO WIT:

Subscribed and sworn to before me, Eva Nowak, a Notary Public, this 23 day of August, 2013.

My commission expires

Registration Number

EVA NOWAK
Notary Public
State of New Jersey
My Commission Expires Aug. 24, 2017
I.D.# 2290878

Eva Nowak
NOTARY PUBLIC

Certified True Copy

By [Signature]
Virginia Board Of Nursing