

VIRGINIA:

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BEFORE THE BOARD OF NURSINGIN RE: MARISSA SEALES-ASH, C.N.A., L.P.N. APPLICANT
Certificate No.: 1401-143759**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Marissa Seales-Ash, as evidenced by her signature hereto, enter into the following Consent Order affecting Seales-Ash's certificate to practice as a nurse aide and her application for licensure to practice practical nursing in Virginia.

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

FINDINGS OF FACT

1. Marissa Seales-Ash, C.N.A., was issued Certificate No. 1401-143759 to practice as a nurse aide in Virginia on April 12, 2011. Said certificate expired on April 30, 2013. She was previously certified to practice as a nurse aide in the State of Colorado.
2. Ms. Seales-Ash submitted an application for licensure by examination to practice practical nursing, which was received by the Board on April 18, 2013, declaring Virginia as her primary state of residence.
3. Ms. Seales-Ash has suffered the following criminal convictions:
 - a. On February 5, 2007, in the General District Court of Virginia Beach, Virginia, she was convicted of misdemeanor shoplifting. She was sentenced to 90 days' incarceration, with all 90 days suspended on the condition that she be of good behavior for 3 years, and ordered to pay a fine and costs.
 - b. On August 25, 2009, in the Circuit Court of Virginia Beach, she was convicted of possession of marijuana. She was sentenced to 30 days in jail, with all 30 days suspended, placed on unsupervised probation for 1 year, ordered to complete the VASAP program, and ordered to pay court costs.
4. Ms. Seales-Ash submitted evidence that she has satisfied the terms of her conviction orders.

5. On her application for certification by endorsement to practice as nurse aide in Virginia, which was received by the Board on April 11, 2011, Ms. Seales-Ash failed to reveal her criminal convictions.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3(a) constitutes a violation of § 54.1-3007(4) of the Code of Virginia (1950), as amended (“Code”).
2. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(1) of the Code and 18 VAC 90-25-100(1)(b) of the Regulations Governing Certified Nurse Aides.
3. Ms. Seales-Ash otherwise meets the requirements of § 54.1-3020 of the Code.

CONSENT

Marissa Seales-Ash, C.N.A., 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 certificate to practice as a nurse aide and her application for licensure to practice practical nursing in Virginia.

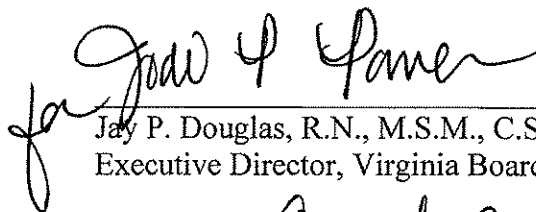
ORDER

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 Marissa Seales-Ash, C.N.A., for licensure by examination as a practical nurse is APPROVED. Upon successful completion of the NCLEX-PN examination, Ms. Seales-Ash shall be issued an unrestricted license to practice practical nursing in Virginia.
2. Ms. Seales-Ash is hereby REPRIMANDED.
3. Ms. Seales-Ash shall maintain a course of conduct in her capacity as a certified nurse aide and as a practical nurse 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 2, 2013

SEEN AND AGREED TO:



Marissa Seales-Ash

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

Subscribed and sworn to before me, Linwood Miller, a Notary Public, this 22 day of July, 2013.

My commission expires August 31, 2015.

Registration Number 277611.



NOTARY PUBLIC

Certified True Copy

By L. Brath

Virginia Board Of Nursing