

VIRGINIA:

0002089643
BEFORE THE BOARD OF NURSING

IN RE: NICOLE Y. HALIDAY, L.P.N. APPLICANT

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Nicole Y. Haliday, as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Haliday's application for licensure by examination to practice as a practical nurse in Virginia.

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

FINDINGS OF FACT

1. Nicole Y. Haliday submitted an application for licensure by examination to practice as a practical nurse on March 27, 2013. Her primary state of residence is Virginia.
2. Ms. Haliday has been convicted of one felony and two misdemeanors. Specifically:
 - a. On July 8, 2004, Ms. Haliday was convicted in the Circuit Court for the City of Norfolk, Virginia, of one count of petit larceny, a misdemeanor. She was sentenced to 12 months incarceration with all 12 months suspended and ordered to pay fines and costs. She paid the fines and costs on March 5, 2005.
 - b. On January 23, 2007, Ms. Haliday was convicted in the Circuit Court for the City of Chesapeake, Virginia, of one count of possession of burglarious tools, a felony, and one count of petit larceny, a misdemeanor. She was sentenced to three years and 60 days incarceration with three years and 50 days suspended, she was placed on supervised probation for at least one year, and she was ordered to pay court costs. Ms. Haliday was released from probation on June 17, 2008.

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. Haliday otherwise meets the requirements of § 54.1-3020 of the Code.

CONSENT

Nicole Y. Haliday, 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 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 licensure to practice as a practical nurse 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 Nicole Y. Haliday for licensure by examination as a practical nurse is hereby APPROVED. Upon successful completion of the National Counsel Licensure Examination – Practical Nurse (NCLEX-PN), Ms. Haliday shall be issued an unrestricted license to practice as a practical nurse in Virginia.
2. Nicole Y. Haliday is hereby REPRIMANDED.
3. Ms. Haliday shall maintain a course of conduct in her capacity 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

for Jay P. Douglas
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:

Nicole Haliday
Nicole Y. Haliday

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

Subscribed and sworn to before me, Nicole Y Haliday, a Notary Public, this 23 day of July, 2013.

My commission expires June 30 2015.

Registration Number 7148276.

Dawn Patton Bustin
NOTARY PUBLIC

Dawn Patton Bustin
Notary Public
Commonwealth of Virginia
My Commission expires June 30, 2016
Registration Number 7148276

Certified True Copy

By [Signature]
Virginia Board Of Nursing