

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: MICHELLE GAYDEN, L.P.N. REINSTATEMENT APPLICANT
License No.: 0002-070269

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Nursing ("Board") met on October 6, 2015, in Henrico County, Virginia, to receive and act upon Michelle Gayden's application for reinstatement of her license to practice practical nursing in Virginia and to inquire into evidence that Ms. Gayden may have violated certain laws and regulations governing practical nursing practice. Ms. Gayden was present and was not represented by counsel.

Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Michelle Gayden, L.P.N., was issued License No. 0002-070269 to practice as a practical nurse in the Commonwealth of Virginia on November 12, 2004. Said license expired on June 30, 2007. Ms. Gayden previously held License No. LP40496 to practice as a practical nurse and Certificate No. A00020488 to practice as a certified nurse assistant and geriatric nursing assistant in Maryland, both of which were permanently revoked on September 3, 2014. Ms. Gayden's primary state of residence is Pennsylvania.

2. By letter dated September 9, 2015, the Board of Nursing sent a Notice of Informal Conference ("Notice") to Ms. Gayden notifying her that an informal conference would be held on October 6, 2015. The Notice was sent by certified and first class mail to 517 Walnut Street, York, Pennsylvania, 17403, the address of record on file with the Board of Nursing.

3. By Order entered September 3, 2014, the Maryland Board of Nursing permanently revoked Ms. Gayden's license to practice as a practical nurse.

4. In its September 3, 2014, Order, the Maryland Board of Nursing made findings that during the course of her employment as operator of an assisted living facility in Baltimore, Maryland, Ms. Gayden committed numerous documentation and medication errors, she failed to maintain a delegating nurse for the facility, she failed to provide for the requisite 45-day delegating nurse assessments for the residents housed at the facility, and she maintained an unkempt and unsanitary facility.

5. On her January 7, 2015, application for reinstatement of her license to practice practical nursing in Virginia, Ms. Gayden answered NO to the questions pertaining to the investigation and discipline of any licenses, even though her Maryland licenses to practice as a practical nurse and a nurse aide were permanently revoked by the Maryland Board of Nursing in September 2014.

6. Ms. Gayden stated that the problems cited at the facility stemmed from the fact that she was overwhelmed by the duties and responsibilities of an owner of an assisted living facility.

CONCLUSIONS OF LAW

1. Finding of Fact No. 3 constitutes a violation of § 54.1-3007(7) of the Code.
2. Finding of Fact No. 4 constitutes a violation of § 54.1-3007(2), (5), and (8) of the Code and 28 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing.
3. Finding of Fact No. 5 constitutes a violation of § 54.1-3007(1) of the Code and 28 VAC 90-20-300(A)(1)(b) of the Regulations.
4. The Committee concludes that Ms. Gayden has not demonstrated satisfactory evidence that she is prepared to resume practical nursing practice in a safe and competent manner.


ORDER

On the basis of the foregoing, the Committee hereby ORDERS that the application of Michelle Gayden, L.P.N., for the reinstatement of her license to practice practical nursing in Virginia is DENIED.

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 on request.

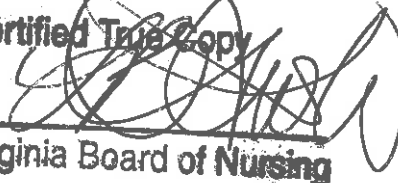
Pursuant to Section 54.1-2400(10) of the Code, Ms. Gayden may, not later than 5:00 p.m., on **December 1, 2015**, notify Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that she desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE COMMITTEE:


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

ENTERED: October 29, 2015

This Order shall become final on **December 1, 2015**, unless a request for a formal administrative hearing is received as described above.

Certified True Copy
By 
Virginia Board of Nursing