

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH
BOARD OF NURSING**

IN RE:

Phedocia Downs

Applicant

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ORDER DENYING CERTIFICATION

Jurisdiction

This matter comes before the District of Columbia Board of Nursing pursuant to D.C. Official Code § 3-1202.04(b)(1) (2001) otherwise known as the Health Occupations Revision Act (“HORA”). The “HORA” provides for the regulation of the practice of home health aides by the D.C. Board of Nursing.

Background

On May 24, 2014 a “Notice of Intent to Deny Certification”¹ was delivered to Phedocia Downs at her address of record. The “Notice” contained information advising

¹ The “Notice” stated the following:

The basis of the contemplated action is certain information received by the Board which, if proven to be true, justifies taking the proposed action pursuant to D.C. Official Code § 3-1205.14(c) (2012 Repl.). The basis of the Board’s proposed denial is that your criminal background check revealed that you have been convicted of a crime involving moral turpitude, which for these purposes, is one contrary to good morals, pursuant to D.C. Official Code § 3-1205.14(a)(4)(C) (2012 Repl.).

Between April 2008 and August 2008, you engaged in a theft-scheme involving \$500 plus. You were found guilty on March 16, 2010. You were also found guilty of embezzlement on the same date.

Ms. Downs that she had twenty (20) days in which to request a hearing. Ms. Downs did not request a hearing within the time prescribed or at any time thereafter.

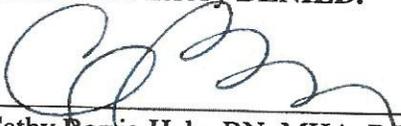
17 DCMR § 4103.1 provides:

If a person who was sent a notice of a proposed action ... does not mail or deliver a request for a hearing within the time and in the manner required under this section, a board may, without a hearing, take the action contemplated in the notice.

ORDER

Based upon the aforementioned it is hereby **ORDERED** that the application of Phedocia Downs for certification as a home health aide is hereby **DENIED**.

7/22/14
Date


Cathy Borris-Hale, RN, MHA, BSN
Chairman
Board of Nursing

As mandated by federal law, 42 USC § 11101 and 45 CFR § 60, "the National Practitioner Data Bank – Health Integrity and Protection Data Bank," this disciplinary action shall be reported to the U.S. Department of Health and Human Services.



Certified true copy
A. Jones