

VIRGINIA BOARD OF NURSING
VIRTUAL FORMAL HEARINGS
May 17, 2021

TIME AND PLACE: The virtual Webex meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on May 17, 2021.

Due to COVID-19 declared state of emergency and consistent with Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provision of §2.2-3708.2 in the Freedom of Information Act, the Board convened a virtual meeting to consider such regulatory and business matters as was presented on the agenda for the Board to discharge its lawful purposes, duties, and responsibilities.

**BOARD MEMBERS
PARTICIPATING
VIRTUALLY:**

Marie Gerardo, MS, RN, ANP-BC, President
Margaret J. Friedenberg, Citizen Member
A Tucker Gleason, PhD, Citizen Member
Brandon Jones, MSN, RN, CEN, NEA-BC
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Jennifer Phelps, BS, LPN, QMHP-A, CSAC (joined at 9:22 A.M.)
Felisa Smith, RN, MSA, MSN/Ed., CNE

**STAFF PARTICIPATING
VIRTUALLY:**

Jay Douglas, RN, MSM, CSAC, FRE, Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
Advance Practice
Claire Morris, RN, LNHA, Deputy Executive Director
Francesca Iyengar, RN, MSN, Discipline Case Manager
Sylvia Tamayo-Suijk, Senior Discipline Specialist
Sally Ragsdale, Discipline Specialist
Huong Vu, Executive Assistant

**OTHERS PARTICIPATING
VIRTUALLY:**

Charis Mitchell, Assistant Attorney General, Board Counsel
David Kazzie, Adjudication Consultant, Administrative Proceedings
Division (APD)
Cynthia Gaines, Adjudication Specialist, APD
Julia Bennett, Deputy Executive Director, APD
Rebecca Ribley, Adjudication Specialist, APD
Ann Tiller, Compliance Manager, Board of Nursing
Renee White, Investigator Supervisor, DHP Enforcement
Jennifer Challis, Investigator Supervisor, DHP Enforcement
Investigator M. Holder

ESTABLISHMENT OF A

PANEL: With six members of the Board present, a panel was established.

FORMAL HEARING: **Candi Nichole Cressel, CNA Reinstatement Applicant
1401-136845**

Ms. Cressel did not participate.

David Kazzie, Adjudication Consultant for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Cheryl Renee Lane, court reporter with Veteran Reporters, recorded the proceeding.

Renee White, Senior Investigator, Department of Health Professions, participated and testified.

CLOSED MEETING: Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:29 A.M., for the purpose of deliberation to reach a decision in the matter of Candi Nichole Cressel. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Iyengar, Ms. Tamayo-Suijk, Ms. Vu, and Ms. Mitchell, Board counsel, attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was properly seconded by Ms. Friedenberg. A roll call was taken and the motion carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:36 A.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was properly seconded by Ms. Friedenberg. A roll call was taken and the motion carried unanimously.

ACTION: Mr. Jones moved that the Board of Nursing deny the reinstatement of Candi Nichole Cressel's certificate to practice as a nurse aide in the Commonwealth of Virginia. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Cressel at her address of record. The motion was properly seconded by Ms. Friedenberg. A roll call was taken and the motion carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 9:38 A.M.

RECONVENTION: The Board reconvened in open session at 10:04 A.M.

FORMAL HEARING: **Francois Atra, LPN** **0002-090616**

Mr. Atra participated.

Cynthia Gaines, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Cheryl Renee Lane, court reporter with Veteran Reporters, recorded the proceeding.

Jennifer Challis, Senior Investigator, Department of Health Professions, participated and testified.

CLOSED MEETING: Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:20 A.M., for the purpose of deliberation to reach a decision in the matter of Francois Atra. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Iyengar, Ms. Tamayo-Suijk, Ms. Vu, and Ms. Mitchell, Board counsel, attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was properly seconded by Ms. Friedenber. A roll call was taken and the motion carried unanimously.

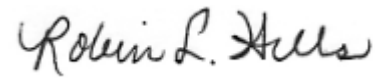
RECONVENTION: The Board reconvened in open session at 11:34 A.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was properly seconded by Ms. Friedenber. A roll call was taken and the motion carried unanimously.

ACTION: Mr. Jones moved that the Board of Nursing dismiss the case against Francois Atra. The basis for this decision will be set forth in a final Board Order which will be sent to Mr. Atra at his address of record. The motion was properly seconded by Dr. McQueen-Gibson. A roll call was taken and the motion carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 11:35 A.M.

A handwritten signature in cursive script that reads "Robin L. Halls".

For Jay Douglas, RN, MSM, CSAC, FRE
Executive Director