

VIRGINIA BOARD OF NURSING
VIRTUAL FORMAL HEARINGS
March 24, 2021 - Panel A

TIME AND PLACE: The virtual Webex meeting of the Virginia Board of Nursing was called to order at 10:14 A.M. on March 24, 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
James Hermansen-Parker, MSN, RN, PCCN-K
Jennifer Phelps, BS, LPN, QMHP-A, CSAC
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Maria Mercedes Olivieri, LMT (**LMT case only**)

**STAFF PARTICIPATING
VIRTUALLY:**

Jay Douglas, RN, MSM, CSAC, FRE, Executive Director
Claire Morris, RN, LNHA, Deputy Executive Director
Patricia Dewey, RN, BSN, Discipline Case Manager
Sylvia Tamayo-Suijk, Discipline Team Coordinator
Sally Ragsdale, Discipline Specialist
Huong Vu, Executive Assistant

**OTHERS PARTICIPATING
VIRTUALLY:**

Charis Mitchell, Assistant Attorney General, Board Counsel
Krista Samuels, Assistant Attorney General
David Kazzie, Adjudication Consultant, Administrative Proceedings Division (APD)
Grace Stewart, Adjudication Specialist, APD
David Robinson, Adjudication Specialist, APD
Cynthia Gaines, Adjudication Specialist, APD
Tammie Jones, Adjudication Consultant, APD
Rebecca Ribley, Adjudication Specialist, APD
Mandy Wilson, Adjudication Specialist, APD
Julia Bennett, Deputy Executive Director, APD
Ann Tiller, Compliance Manager, Board of Nursing
Christine Smith, Education Program Manager, Board of Nursing
Sarah King, Senior Investigator, DHP Enforcement
Deborah DiFalco, Regional Manager, DHP Enforcement
Amber Gray, Senior Investigator, DHP Enforcement

Marcella Luna, Investigator Supervisor, DHP Enforcement
Matthew Halphen, Senior Investigator, DHP Enforcement
Francis Johnson
Etta Brutton
Client A
Amanda
Tanisha Lawrence

ESTABLISHMENT OF A
PANEL:

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

FORMAL HEARING:

Andrew Preston Rainey, LMT

0019-015296

Mr. Rainey participated and was represented by William Tunner, his legal counsel.

Grace Stewart and David Robinson, Adjudication Specialists for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Andrea Pegram, court reporter with Andrea Pegram Court Reporting, recorded the proceeding.

Sarah King, Senior Investigator, Department of Health Professions, participated and testified. Shaunna Keller, Psy.D., participated and testified.

RECESS:

The Board recessed at 10:27 A.M.

RECONVENTION:

The Board reconvened in open session at 10:30 A.M.

RECESS:

The Board recessed at 11:08 A.M.

RECONVENTION:

The Board reconvened in open session at 11:17 A.M.

RECESS:

The Board recessed at 12:17 P.M.

RECONVENTION:

The Board reconvened in open session at 12:31 P.M.

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 1:44 P.M., for the purpose of deliberation to reach a decision in the matter of Andrew Preston Rainey. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Ms. Tamayo-Suijk, Ms. Vu, Ms. Ragsdale, 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. Friedenbergl. A roll call was taken and the motion carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:24P.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. Olivieri. A roll call was taken and the motion carried unanimously.

ACTION: Mr. Hermansen-Parker moved that the Board of Nursing issue an order of reprimand to Andrew Preston Rainey. The basis for this decision will be set forth in a final Board Order which will be sent to Mr. Rainey at his address of record. The motion was properly seconded by Dr. Gleason. 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 2:26 P.M.

Dr. McQueen-Gibson and Ms. Olivieri left the meeting at 2:26 P.M.

RECONVENTION: The Board reconvened in open session at 3:00 P.M.

FORMAL HEARING: **Mary Elton Milby Self, RN Reinstatement Applicant 0001-138705**

Ms. Self participated.

Cynthia Gaines, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Andrea Pegram, court reporter with Andrea Pegram Court Reporting, recorded the proceeding.

Amber Gray, 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 3:55 P.M., for the purpose of deliberation to reach a decision in the matter of Mary Elton Milby Self. Additionally, Dr. Gleason moved that Ms. Douglas, Ms.

Morris, Ms. Tamayo-Suijk, Ms. Vu, Ms. Ragsdale, 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 4:23 P.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. Hermansen-Parker moved that the Board of Nursing approve Mary Elton Milby Self's application for reinstatement to practice as a professional nurse in the Commonwealth of Virginia, suspend the license, stay the suspension contingent upon continued compliance with the Health Practitioners' Monitoring Program (HPMP), issue a reprimand, require completion of a Board approved refresher course within 180 days of entry of Order and provide proof of completion to the Board of Nursing and HPMP. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Self at her address of record. The motion was properly seconded by Dr. Gleason. 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 4:24 P.M.

RECONVENTION: The Board reconvened in open session at 4:31 P.M.

FORMAL HEARING: **Amy Elizabeth Chittum, RN Reinstatement Applicant 0001-227730**

Ms. Chittum participated.

David Kazzie, Adjudication Consultant for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Andrea Pegram, court reporter with Andrea Pegram Court Reporting, recorded the proceeding.

Amber Gray, Senior Investigator, Department of Health Professions, participated and testified.

CLOSED MEETING: Mr. Hermansen-Parker moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:26 P.M., for the purpose of deliberation to reach a decision in the matter of Amy Elizabeth Chittum. Additionally, Mr. Hermansen-Parker moved that Ms. Douglas, Ms. Morris, Ms. Tamayo-Suijk, Ms. Vu, Ms. Ragsdale, 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 5:44 P.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. Hermansen-Parker moved that the Board of Nursing approve Amy Elizabeth Chittum's application for reinstatement to practice as a professional nurse in the Commonwealth of Virginia, suspend the license, stay the suspension contingent upon entry into and compliance with the Health Practitioners' Monitoring Program (HPMP), issue a reprimand, require completion of a Board approved refresher course within 180 days of entry of Order and provide proof of completion to the Board of Nursing and HPMP. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Chittum 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.

ADJOURNMENT: The Board adjourned at 5:46 P.M.

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