

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 20, 2014**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on November 17, 2014 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
Jane R. Ingalls, RN, PhD; President
Evelyn Lindsay, LPN
Kelly S. McDonough, DNP, RN
Trula Minton, MS, RN
Jennifer Phelps, LPN, QMHP-A

BOARD MEMBER ABSENT:
Marie Gerardo, MS, RN, ANP-BC

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: James Rutkowski, Assistant Attorney General
Nursing students from Germanna Community College RN program

ESTABLISHMENT OF A QUORUM:
With five members of the Board present, a panel was established.

FORMAL HEARINGS: **Selenia Meade, RN Reinstatement Applicant 0001-201921**
Ms. Meade appeared, represented by Hunter Jamerson, Esquire.

Amanda Blount, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane Snead Reporting, recorded the proceedings.

Ashley Moran, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(15) of the *Code of Virginia* at 9:35 A.M., for the purpose of consideration and discussion of medical/mental health records of Selenia Meade that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Graham and Mr. Rutkowski 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 seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:22 A.M.

Ms. Minton 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 seconded and carried unanimously.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:40 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Meade. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Graham and Mr. Rutkowski 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 seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:04 A.M.

Ms. Minton 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 seconded and carried unanimously.

Dr. McDonough moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing issue an order of reprimand to Selenia Meade and to reinstate her professional nursing license contingent upon her re-entry into the Health Practitioners Monitoring Program and continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and 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.

FORMAL HEARINGS: **Dulce Turrubiates, LPN Reinstatement Applicant 0002-090917**

Ms. Turrubiates appeared, represented by Thomas Hunter, Esquire.

Amanda Blount, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt court reporter with Crane Snead Reporting, recorded the proceedings.

Gayle Miller, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:02 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Turrubiates. Additionally,

Ms. Minton moved that Ms. Krohn, Ms. Graham and Mr. Rutkowski 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 seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:25 P.M.

Ms. Minton 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 seconded and carried unanimously.

Ms. Phelps moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing reinstate the practical nursing license of Dulce Turrubiates. The motion was seconded and carried. Dr. Ingalls, Ms. Minton, Ms. Lindsay, and Ms. Phelps were in favor of the motion. Dr. McDonough opposed the motion. Additionally, Ms. Lindsay moved that the Board of Nursing issue an order of reprimand to Dulce Turrubiates. The motion was seconded and 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 12:30 P.M.

RECONVENTION: The Board reconvened at 1:00 P.M.

CONSIDERATION OF A CONSENT ORDER:

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:00 P.M. for the purpose of deliberation to consider a consent order. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Douglas, Ms. Krohn, Ms. Graham and Mr. Rutkowski 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 seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:03 P.M.

Ms. Minton 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 seconded and carried unanimously.

Sally Phillips, RN 0001-230175

Ms. Minton moved that the Board accept the consent order to accept the voluntary surrender for indefinite suspension of the professional nursing license of Sally Phillips. The motion was seconded and carried unanimously.

FORMAL HEARINGS:

Denise Causey, LPN Reinstatement Applicant 0002-055050

Ms. Causey appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane Snead Reporting, recorded the proceedings.

Kevin Almeida, Senior Investigator was present and testified.

CLOSED MEETING:

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Causey. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Graham and Mr. Rutkowski 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 seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:06 P.M.

Ms. Minton 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 seconded and carried unanimously.

Dr. McDonough moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Causey and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Phelps moved that the Board of Nursing deny the application for reinstatement of the practical nursing license of Denise Causey. The motion was seconded and 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 2:15 P.M.

Brenda Krohn, MS, RN
Deputy Executive Director