

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
August 18, 2014**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:15 A.M. on August 18, 2014 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS PRESENT:**

Joyce A. Hahn, PhD, APRN, NEA-BC; Vice President  
Louise Hershkowitz, CRNA, MSHA  
Jeanne Holmes, Citizen Member  
Evelyn Lindsay, LPN  
William Traynham, LPN, CSAC

**STAFF PRESENT:** Brenda Krohn, RN, MS; Deputy Executive Director  
Linda Kleiner, RN; Discipline Case Manager  
Darlene Graham, Senior Discipline Specialist

**OTHERS PRESENT:** James Rutkowski Assistant Attorney General

**ESTABLISHMENT OF A QUORUM:**

With five members of the Board present, a quorum was established.

**FORMAL HEARINGS:** **Avante Carter, LPN 0002-082921**  
Ms. Carter 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.

Debra Hay-Pierce, Senior Investigator, Department of Health Professions; Kevin Pultz, Senior Investigator, Department of Health Professions; and Tabitha Payne, RN, Director of Nursing, Trinity Mission of Charlottesville were present and testified.

**CLOSED MEETING:** Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:15 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carter. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Kleiner, 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 10:30 A.M.

Ms. Lindsay 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. Hershkowitz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Holmes moved that the Board of Nursing issue a reprimand to Avante Carter and require her to complete three National Council of State Boards of Nursing online courses “Professional Accountability and Legal Liability for Nurses”; “Righting a Wrong: Ethics and Professionalism in Nursing”; and “Sharpening Critical Thinking Skills” within 60 days of entry of the order. The motion was seconded and carried. Ms. Holmes, Ms. Lindsay and Mr. Traynham were in favor of the motion. Ms. Hershkowitz opposed the motion and Dr. Hahn abstained.

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:**

**Geraldine Davis, RN Texas Multistate Privilege (632007)**

Ms. Davis did not appear.

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.

Pamela Kinchloe, Senior Investigator; Department of Health Professions and Nailey Cole, RN, Owner of Precious Care at Home Services were present and testified.

**CLOSED MEETING:**

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:32 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Davis. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Kleiner, 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 11:40 A.M.

Ms. Lindsay 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Lindsay moved that the Board of Nursing indefinitely suspend the multistate privilege of Geraldine Davis to practice in Virginia. 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:**

**Audrey Hollar, RN 0001-117631**

Ms. Hollar did not appear.

Ann Joseph, Deputy Director, Administrative Proceedings Division represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane Snead Reporting, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions was present and testified.

**CLOSED MEETING:**

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:54 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hollar. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Kleiner, 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 12:00 P.M.

Ms. Lindsay 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Holmes moved that the Board of Nursing continue the registered nursing license of Audrey Hollar on indefinite suspension and issue a reprimand to Ms. Hollar. 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:**

**Tara S. Allison, RN 0001-240978**

Ms. Allison did not appear.

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

Kelly Ashley, Senior Investigator, Department of Health Professions; and Benitee Towler-Moore, RN, Director of Patient Care Services at Sentara Norfolk General Hospital were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:43 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Allison. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Kleiner, 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 12:53 P.M.

Ms. Lindsay 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. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Willis 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 and indefinitely suspend the registered nursing license of Tara Allison, but stay the suspension contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in 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.

RECESS: The Board recessed at 12:55 P.M.

RECONVENTION: The Board reconvened at 1:35 P.M.

FORMAL HEARINGS: **Tarina Lemon, RN 0001-219618**

Ms. Lemon appeared, represented by Margaret Hardy, attorney.

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.

Lane Raker, RN, Senior Investigator, Department of Health Professions; Sasha Lee, RN, co-worker of Ms. Lemon; and Michelle Kollmar, Nurse Care Partner were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:09 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lemon. Additionally, Ms. Lindsay 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 3:26 P.M.

Ms. Lindsay 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.

Mr. Traynham 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. Holmes moved that the Board of Nursing issue an order of reprimand and place Tarina Lemon on probation with terms and conditions for one year of employment. The motion was seconded and carried. Ms. Hershkowitz, Ms. Holmes, Ms. Lindsay and Mr. Traynham were in favor of the motion. Dr. Hahn opposed the motion.

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: **Betsy Faye Edmonds, CNA 1401-111810**  
Ms. Edmonds did not appear.

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

Ron Houser, Senior Investigator, Department of Health Professions was present and testified. Nicole Tabor, Administrator, Team Nurse testified by phone.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:51 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Edmonds. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Graham, Ms. Kleiner 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 3:55 P.M.

Ms. Lindsay 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. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines.

The motion was seconded and carried unanimously.

ACTION: Mr. Traynham moved that the Board of Nursing revoke the nurse aide certificate of Betsy Edmonds and to enter a finding of neglect against her into the Virginia Nurse Aide Registry. 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: **Penny S. Hodge, CNA 1401-090437**

Ms. Hodge did not appear.

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

Carole Crutchfield, Senior Investigator, Department of Health Professions; and Denecia Wright, CNA were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hodge. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Kleiner, 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 4:45 P.M.

Ms. Lindsay 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Deaner.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved that the Board of Nursing revoke the nurse aide certificate of Penny Hodge and to enter a finding of abuse against her into the Virginia Nurse Aide Registry. 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 4:50 P.M.

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Brenda Krohn, RN, MS  
Deputy Executive Director