

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
INFORMAL CONFERENCES
October 27, 2014**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on October 27, 2014 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Joyce Hahn, PhD, APRN-CNS, NEA-BC, FNAP - Chairperson
Joana Garcia, Citizen Member

STAFF PRESENT: Gloria Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director

OTHERS PRESENT: Wendy Deaner, Senior Adjudication Analyst
Anne Joseph, Deputy Director, Administrative Proceedings Division joined later.

CONFERENCES
SCHEDULED:

Kimberly Mills, R.N., Reinstatement Applicant 0001-063654 (suspended)
Ms. Mills appeared.

CLOSED MEETING: Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 9:20 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Mills. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:43 A.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION: Ms. Garcia moved to issue an Order to reinstate the license of Ms. Mills to practice as a licensed practical nurse and issue an unrestricted license. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Mills, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Mills within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Tiffany Nelson, L.P.N., 0002-074593
Ms. Nelson appeared.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 10:16 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Nelson. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:26 A.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION:

Ms. Garcia moved to issue an Order of reprimand to Ms. Nelson. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Nelson, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Nelson within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Daniel Bayliss, R.N., Applicant
Mr. Bayliss appeared.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 11:08 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Bayliss. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:14 A.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION:

Ms. Garcia moved to issue an order to approve Mr. Bayliss' application to take the NCLEX examination for licensure as a registered nurse in Virginia. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Mr. Bayliss, unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Bayliss within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated

**CONFERENCES
SCHEDULED:**

Christina Lovern, R.N., Reinstatement Applicant 0001-213964 (suspended)
Ms. Lovern appeared.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 11:38 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lovern. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:47 A.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION:

Ms. Garcia moved to issue an Order to reinstate the license of Ms. Lovern to practice as a registered nurse, and issue an unrestricted license. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Lovern, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lovern within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Erin Everitt, R.N., 0001-208301
Ms. Everitt appeared.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 1:32 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Everitt. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 1:43 P.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION:

Ms. Garcia moved to offer Ms. Everitt a Consent Order for indefinite suspension of her license, in lieu for a formal hearing, with said suspension stayed contingent upon verification of Ms. Everitt's entry into Health Practitioners' Monitoring Program (HPMP); and remaining in compliance with the terms of the recovery monitoring with HPMP . The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Everitt, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Everitt within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

Ms. Joseph joined the meeting.

CONFERENCES
SCHEDULED:

Michael St. John, R.N., Applicant
Mr. St. John appeared, accompanied by his fiancée, Jennifer Thompson.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 2:10 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. St. John. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 2:16 P.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION: Ms. Garcia moved to issue an Order to approve Mr. St. John's application for licensure by endorsement as a registered nurse in Virginia, and remaining in compliance with the terms of the recovery monitoring contract with the Health Practitioners' Monitoring Program (HPMP). The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Mr. St. John, unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. St. John within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED: **Nicole Staton, R.N., 0001-225944**
Ms. Staton did not appear..

CLOSED MEETING: Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 2:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Staton. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 2:30 P.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION: Ms. Garcia moved to offer Ms. Staton a Consent Order for indefinite suspension of her license, in lieu for a formal hearing. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Staton and the Board.

CONFERENCES
SCHEDULED:

Jessica Bomar, R.N., 0001-237139

Ms. Bomar appeared, accompanied by her attorney, Eileen Talamante.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 3:35 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bomar. Additionally, Ms. Garcia moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:50 P.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION:

Ms. Garcia moved to issue an Order to Ms. Bomar to obtain a mental health and substance abuse evaluation by a board approved mental health provider within ninety days. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Bomar, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bomar within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Rebecca Tolbert, L.P.N., Reinstatement Applicant 0002-053554 (suspended)

Ms. Tolbert appeared, accompanied by her mother, Kathy Tolbert.

CLOSED MEETING:

Ms. Garcia moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 4:30 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Tolbert. Additionally, Ms. Tolbert moved that Ms. Mitchell and Ms. Deaner attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 4:45 P.M.

Ms. Garcia moved that the Special Conference Committee of 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.

ACTION:

Ms. Garcia moved to issue an Order to reinstate the license of Ms. Tolbert to practice as a licensed practical nurse, contingent upon Ms. Tolbert remaining in compliance with the terms of the monitoring contract with the Health Practitioners' Monitoring Program (HPMP). The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Tolbert, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Tolbert within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The Board adjourned at 4:50 P.M.



Gloria Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director