

VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARD OF NURSING AND MEDICINE
BOARD OF NURSING
MINUTES
April 8, 2015

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine and the Board of Nursing was convened at 10:45 A.M., in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Wayne Reynolds, DO; Joint Board Member, Board of Medicine

COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE MEMBERS PRESENT:
Wayne Reynolds, DO; Joint Board Member, Board of Medicine
Marie Gerardo, MS, RN, ANP-BC; Joint Board Member, Board of Nursing
Jane Ingalls, PhD, RN; Joint Board Member, Board of Nursing
Kelly McDonough, DNP, RN; Joint Board Member, Board of Nursing
Jennifer Phelps, LPN, QMHP; Board of Nursing
Mark D. Monson, Citizen Member, Board of Nursing

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director, Board of Nursing
Gloria D. Mitchell-Lively, RN, MSN, MBA; Deputy Executive Director, Board of Nursing
Amy Davis, Executive Assistant, Board of Nursing

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

FORMAL HEARING: **Cynthia McFarland, RN 0001-107161, LNP 0024-164507, Authorization to Prescribe 0017-164507**
Ms. McFarland did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Rebecca Quigley, court reporter from Crane Snead Reporting, recorded the proceedings.

Helene Kelley, former Senior Investigator, Department of Health Professions testified by telephone. Kandi Kelley, Office Manager, PL Physicians was present and testified. Dr. Pamela Mancini, PL Pediatrics testified by telephone.

CLOSED MEETING: Ms. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine and the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:45 A.M. for the purpose to reach a decision in the matter of Ms. McFarland. Additionally, Ms. Gerardo moved that Ms. Douglas, Ms. Davis and Ms. Mitchell 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 12:05 P.M.

Ms. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine and 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. Jones and amended by the Board. The motion was seconded and carried unanimously.

Dr. McDonough moved that the Committee of the Joint Boards of Nursing and Medicine accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Committee. The motion was seconded and carried unanimously.

ACTION:

Dr. Ingalls moved that the Board of Nursing indefinitely suspend the right to renew the license of Cynthia McFarland to practice as a registered nurse for a period of not less than two years and until such time as she can appear before the Board and prove she is safe and competent to practice. The motion was seconded and carried unanimously.

Ms. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine revoke the right to renew the license of Cynthia McFarland to practice as a nurse practitioner and her authorization to prescribe. The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 12:10 P.M.

Gloria D. Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE OF THE
COMMITTEE OF THE JOINT BOARD OF NURSING AND MEDICINE
MINUTES
April 8, 2015

TIME AND PLACE: The meeting of the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine was convened at 1:00 P.M., in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Wayne Reynolds, DO; Joint Board Member, Board of Medicine
Marie Gerardo, MS, RN, ANP-BC; Joint Board Member, Board of Nursing
Jane Ingalls, PhD, RN; Joint Board Member, Board of Nursing

STAFF PRESENT: Gloria D. Mitchell-Lively, RN, MSN, MBA, Deputy Executive Director, Board of Nursing
Tammie Jones, Adjudication Specialist

CONFERENCE
SCHEDULED: **Dawn Rice, RN 0001-138400 LNP 0024-165075**
Ms. Rice appeared.

CLOSED MEETING: Ms. Gerardo moved that the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:58 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Rice. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively and Ms. Jones 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 2:20 P.M.

Ms. Gerardo moved that the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine 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: Dr. Ingalls moved to issue an order of reprimand to Dawn Rice and to reinstate her license to practice as a registered nurse contingent upon verification of entry into the Health Practitioners Monitoring Program within 30 days of the Order becoming final and remaining in compliance with the terms of the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Ms. Gerardo moved to issue an order to deny Ms. Rice's petition for reinstatement of her license to practice as a nurse practitioner. The motion was seconded and carried unanimously.

As provided by law, this decision shall become Final Order thirty days after service of such order on Ms. Rice unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Rice within such time. If service of the order is made by mail, 3 additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The meeting was adjourned at 2:.45 PM.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director