

VIRGINIA BOARD OF NURSING
MINUTES
November 16, 2016
Panel – A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on November 16, 2016 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN
Jeanne Holmes, Citizen Member
Dustin Ross, DNP, MBA, RN, NE-BC
William Traynham, LPN, CSAC

STAFF PRESENT:

Jodi P. Power, RN, JD; Deputy Executive Director
Jane Elliott, RN, PhD, Discipline Staff
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

With seven members of the Board present, a panel was established

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

CLOSED MEETING:

Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:03 A.M., for the purpose of deliberation to reach a decision in the matter of agency subordinate recommendations. Additionally, Ms. Holmes moved that Ms. Power, Dr. Elliott, Ms. Graham and Ms. Mitchell 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 9:10 A.M.

Ms. Gerardo 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.

Melissa Ann Mottesheard, RN 0001-242550

Ms. Mottesheard did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Melissa Ann

Mottesheard to practice professional nursing but stay the suspension contingent upon Ms. Mottesheard's re-entry into the Virginia Health Practitioners' Program (HPMP) and remaining in compliance thereafter. The motion was seconded and carried unanimously.

Asia Horton Shorter, LPN 0002-069522

Ms. Shorter did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Asia Horton Shorter and to indefinitely suspend her right to renew her license to practice professional nursing and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Brenda L. Blevins, LPN 0002-085784

Ms. Blevins did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Brenda L. Blevins to practice practical nursing for a period of not less than two years from the date of entry of the Order and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Abbigale Collins, CNA 1401-160593

Ms. Collins did not appear.

Ms. Gilliam moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time contingent upon Abbigale Collins' entry into the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date the Order is entered and thereafter require Ms. Collins to comply with all terms and conditions of the HPMP. The motion was seconded and carried unanimously.

Cody White, CNA 1401-173453

Ms. White did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Cody White to practice as a nurse aide and enter a Finding of Misappropriation of patient property against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Michelle Louise Stevans, LPN 0002-036767, CMT 0019-013861

Ms. Stevans did not appear, but submitted a written response.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Michelle Louise Stevans to practice practical nursing and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Michelle Louise Stevans to practice massage therapy. The motion was seconded and carried unanimously.

Cynthia Lynne Williams, RN 0001-254845

Ms. Williams did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Cynthia Lynne Williams to practice professional nursing and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

LeighAnn D. Fleming, RN 0001-234908

Ms. Fleming did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand LeighAnn D. Fleming and indefinitely suspend her license to practice professional nursing and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Lori Beth Bailey, LPN 0002-073054

Ms. Bailey did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Lori Beth Bailey to practice practical nursing and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Jessica Marie Martin, RN 0001-244888

Ms. Martin did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jessica Marie Martin and continue her license to practice professional nursing on probation for not less than one year with terms and conditions as previously set forth in the Board's Order entered November 6, 2014. The motion was seconded and carried unanimously.

Roxanna Marie Calix, CNA 1401-126112

Ms. Calix did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to continue Ms. Calix on indefinite probation with terms and conditions for a period of not less than two years of active employment practice as a certified nurse aide. The motion was seconded and carried unanimously.

Grace Mariam Eva Lee King, CNA 1401-148375

Ms. King did not appear.

Mr. Traynham moved that the Board of Nursing to modify the recommended decision of the agency subordinate to take no action contingent upon Grace Mariam Eva Lee King's entry into Health Practitioners' Monitoring Program (HPMP) within 60 days from entry of the Board Order and thereafter require Ms. King to remain compliant with terms and conditions specified by HPMP. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:15 A.M.

Jodi Power, RN, JD
Deputy Executive Director

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 16, 2016
Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:05 P.M. on November 16, 2016 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN
Jeanne Holmes, Citizen Member
Dustin Ross, DNP, MBA, RN, NE-BC
William Traynham, LPN, CSAC

STAFF PRESENT: Jodi Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel
Nursing students from South University

ESTABLISHMENT OF A PANEL:
With seven members of the Board present, a panel was established

FORMAL HEARINGS: **April D. Miller, RN 0001-166623**
Mr. Miller did not appear.

Amy Weiss, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Mary Treta, court reporter with Crane-Snead & Associates, recorded the proceedings.

Kevin Pultz, Senior Investigator, Department of Health Professions, Sharon Squires, Senior Investigator, Department of Health Professions, Ananda Kablack, RN, Augusta Nursing and Rehabilitation Center, and Robin Moran, RN, former Director of Nursing for Avante at Waynesboro, were present and testified.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:35 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Miller. Additionally, Ms. Holmes moved that Ms. Power, Ms. Graham and Ms. Mitchell 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 1:44 P.M.

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

ACTION:

Ms. Gerardo moved that the Board of Nursing indefinitely suspend April D. Miller's license to practice professional nursing until such time she can appear before the Board and prove that she is safe and competent to practice. 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 1:50 P.M.

Jodi Power, RN, JD
Deputy Executive Director

VIRGINIA BOARD OF NURSING
MINUTES
November 16, 2016
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on November 16, 2016 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Kelly McDonough, DNP, RN; Vice President
Louise Hershkowitz, CRNA, MSHA
Trula Minton, MS, RN
Mark Monson, Citizen Member
Rebecca Poston, PhD, RN, CPNP-PC

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Linda Kleiner, RN; Discipline Staff
Huong Vu, Executive Assistant

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Cindy R. Salay, RN 0001-063200
Ms. Salay appeared.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:04 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Salay. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Kleiner, Ms. Vu and Ms. Barrett 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 9:10 A.M.

Ms. Phelps 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. Monson moved that the Board of Nursing reject the recommended decision of the agency subordinate and refer this matter to a formal hearing. The motion was seconded and carried unanimously.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:16 A.M., for the purpose of consideration of agency subordinate recommendations regarding the remaining subordinate recommendations. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Kleiner, Ms. Vu and Ms. Barrett 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 9:44 A.M.

Ms. Phelps 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.

Justin Earl Newberry, RN 0001-260808

Mr. Newberry did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Justin Earl Newberry to practice professional nursing, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Katherine Marie Harrell Norman, RN 0001-085736

Ms. Norman did not appear.

Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Katherine Marie Harrell Norman; require Ms. Norman undergo a mental health evaluation, to include a psychological evaluation conducted by a Board-approved specialist; a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis, and any other recommendations sent to the Board, within 90 days of the entry of the Order. The motion was seconded and carried unanimously.

Tammy Sturgill Gaul, RN 0001-149324

Ms. Gaul did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Tammy Sturgill Gaul and to indefinitely suspend her license to practice professional nursing, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Oseh Thoranka, LPN 0002-087776

Ms. Thoranka did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Oseh Thoranka; to assess a monetary penalty in the amount of \$150.00 to be paid to the Board by certified check or money order within 90 days from the date of entry of the Order; and to require successful completion of NCSBN course: "Righting a Wrong: Ethics and Professionalism in Nursing" within 90 days from the date of entry of the Order. The motion was seconded and carried unanimously.

Shanequa Olympia Mays, LPN 0002-090222

Ms. Mays did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Shanequa Olympia Mays. The motion was seconded and carried unanimously.

Bedelia McCoy Hall, CNA 1401-101360

Ms. Hall did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Bedelia McCoy Hall to practice as a nurse aide and enter a Finding of Misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Savannah Parks, CNA 1401-160588

Ms. Parks did not appear.

Ms. Hershlowitz moved that the Board of Nursing modify the recommended decision of the agency subordinate and to indefinitely suspend the certificate of Savannah Parks to practice as a nurse aide, and enter a Finding of Single Incident of Neglect against her in Virginia Nurse Aide Registry. The motion was seconded and carried. Dr. McDonough, Ms. Hershkowitz, Ms. Minton, and Dr. Poston were in favor of the motion. Mr. Monson and Ms. Phelps opposed the motion.

Philip Lynn Thomas, RN 0001-132117

Mr. Thomas did not appear.

Dr. McDonough moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Philip Lynn Thomas to practice as professional nursing for a period of not less than one year and the suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Melissa Elaine Holloway, LPN 0002-068344

Ms. Holloway did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Melissa Elaine Holloway and to indefinitely suspend her license to practice practical nursing, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Siobhon Michelle Watson, CNA 1401-088638

Ms. Watson did not appear.

Ms. Hershkowitz moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Siobhon Michelle Watson and to delete violation of the Virginia Code §54.1-3007(2)(8) and 18VAC90-25-100(2)(e) in the Recommended Findings of Facts and Conclusions of Law. The motion was seconded and carried. Dr. McDonough, Ms. Hershkowitz, Ms. Minton, Ms. Phelps, and Dr. Poston were in favor of the motion. Mr. Monson opposed the motion.

Aleshia White, CNA 1401-141337

Ms. White did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Aleshia White on indefinite probation with terms and conditions. The motion was seconded and carried unanimously.

Shane'll Jenkins, CNA 1401-127042

Ms. Jenkins did not appear.

Mr. Monson moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer this matter to a formal hearing. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:45 A.M.

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

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 16, 2016
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:04 A.M. on November 16, 2016 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Kelly McDonough, DNP, RN; Vice President
Louise Hershkowitz, CRNA, MSHA
Trula Minton, MS, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC (left at 12 pm)
Stephanie Quinby, CMT (for CMT case only)

STAFF PRESENT:

Jodi Power, RN, JD; Deputy Executive Director (left at 11:30 am)
Jay Douglas, MSM, RN, CSAC, FRE; Executive Director (joined at 1:00 pm)
Linda Kleiner, RN; Discipline Case Manager
Huong Vu, Executive Assistant

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Soon Ja Kim, CMT 0019-003046
Ms. Kim did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Juan Ortega, court reporter with Crane-Snead & Associates, recorded the proceedings.

Tonya James, Compliance Case Manager, Virginia Board of Nursing was present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:15 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Kim. Additionally, Ms. Phelps moved that Ms. Power, Ms. Kleiner, Ms. Vu and Ms. Barrett 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 11:19 A.M.

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

ACTION:

Ms. Quinby moved that the Board of Nursing reprimand Soon Ja Kim and revoke her certificate to practice as a massage therapist. 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 11:20 A.M.

RECONVENTION:

The Board reconvened at 1:00 P.M.

FORMAL HEARINGS:

Jasmine B. Turner, CNA Applicant
Ms. Turner appeared.

Steven Bulger, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Juan Ortega, court reporter with Crane-Snead & Associates, recorded the proceedings.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:16 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Turner. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Kleiner, Ms. Vu and Ms. Barrett 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 1:21 P.M.

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

ACTION:

Ms. Hershkowitz moved that the Board of Nursing approve Jasmine B. Turner's application to practice as a certified nurse aide and issue an unrestricted certificate contingent upon passing the National Nurse Aide exam. 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 1:25 P.M.

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

