

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 21, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:34 A.M. on September 21, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President, Chair
Alice Clark, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel
Senior Nursing Students from Bon Secours Memorial College
Practical Nursing Students from St. Mary's School of Practical Nursing
Senior Nursing Students from Bryant & Stratton College

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Chantil Moniker Carter, RMA 0031-008852
Ms. Carter 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 & Associates, recorded the proceedings.

Ann Hardy, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:51 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carter. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 10:15 A.M.

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

ACTION:

Dr. McQueen-Gibson moved that the Board of Nursing indefinitely suspend the registration of Chantil Moniker Carter to practice as medication aide in the Commonwealth of Virginia for a period of not less than one year. 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 10:18 A.M.

RECONVENTION:

The Board reconvened at 10:26 A.M.

FORMAL HEARINGS:

Kena Denise Williams, RMA 0031-000986
Ms. Williams 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 & Associates, recorded the proceedings.

Carol Rowe, Patient A's sister and Power of Attorney, and Cynthia N. Payne, Administrator at Mayfair House Assisted Living, testified via telephone.

CLOSED MEETING:

Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:52 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Williams. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 11:11 A.M.

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

ACTION:

Ms. Hereford moved that the Board of Nursing indefinitely suspend the registration of Kena Denise Williams to practice as medication aide in the Commonwealth of Virginia until she can prove to the Board that she is safe and competent to practice as medication aide. The motion was seconded and carried with four votes in favor of the motion. Dr. Ross 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.

Ms. Douglas and the students left the meeting at 2:16 P.M.

FORMAL HEARINGS:

William Andrew Stanley, RMA 0031-009217
Mr. Stanley 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 & Associates, recorded the proceedings.

Laura Pezzulo, Senior Investigator, Department of Health Professions, and officer Josh Taylor, Marion Police Department, testified via telephone.

CLOSED MEETING:

Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:45 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Stanley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 12:01 P.M.

Ms. Clark 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. McQueen-Gibson 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: Ms. Hereford moved that the Board of Nursing revoke the registration of William Andrew Stanley to practice as a medication aide in the Commonwealth of 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.

RECESS: The Board recessed at 12:02 A.M.

RECONVENTION: The Board reconvened at 1:09 P.M.

FORMAL HEARINGS: **Janet Gardner Townley, RN Reinstatement 0001-134808**
Ms. Townley appeared.

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

Joyce Johnson, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING: Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Townley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 2:23 P.M.

Ms. Clark 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. Hereford 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: Dr. Ross moved that the Board of Nursing deny the application of Janet Gardner Townley for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and continue her license on indefinite suspension for

a period of not less than one year from the date of entry of the Order. 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: **Jessica Lynn Yao, RN Reinstatement 0001-257591**
Ms. Yao appeared.

Steve Bulger, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

CLOSED MEETING: Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Yao. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 4:18 P.M.

Ms. Clark 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. McQueen-Gibson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Bulger. The motion was seconded and carried unanimously.

ACTION: Dr. Ross moved that the Board of Nursing approve the application of Jessica Lynn Yao for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and place her on probation with terms. 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.

Students left the meetings at 4:20 P.M.

FORMAL HEARINGS: **Amy Bramlett Dooley, LPN 0002-081570**
Ms. Dooley did not appear.

Ann Joseph, Deputy Executive Director, Administrative Proceedings Division. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Jessica Wright, Senior Investigator, Department of Health Professions, was present and testified. Dawn France, Case Manager, Virginia Health Practitioners' Monitoring Program, testified via telephone.

CLOSED MEETING: Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Dooley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 4:52 P.M.

Ms. Clark 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. Ross 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. Hereford moved that the Board of Nursing reprimand Amy Bramlett Dooley and place her license to practice practical nursing in the Commonwealth of Virginia on indefinite suspension until such time that she can prove that she is safe and competent to practice nursing. 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: **Jamie Leigh Love, RN** **0001-224227**
Ms. Love did not appear.

Ann Joseph, Deputy Executive Director, Administrative Proceedings Division. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions, and Amy Stuart, Case Manager, Virginia Health Practitioners' Monitoring Program, testified via telephone.

CLOSED MEETING: Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:12 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Love. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, Ms. Vu 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 5:21 P.M.

Ms. Clark 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. McQueen-Gibson 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: Dr. Ross moved that the Board of Nursing revoke the license of Jamie Leigh love to practice professional nursing in the Commonwealth of 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

ADJOURNMENT: The Board adjourned at 5:23 P.M.

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