

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 28, 2019**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:09 A.M., on January 28, 2019 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Jennifer Phelps, BS, LPN, QMHPA, First Vice President
Laura F. Cei, BS, LPN, CCRP
Margaret Friedenberg, Citizen Member
Tucker Gleason, PhD, Citizen Member
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
Meenakshi Shah, BA, RN

STAFF PRESENT:

Jodi P. Power, RN, JD, Senior Deputy Executive Director – **left the meeting at 10:00 A.M.**
Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director for Advanced Practice – **joined the hearings at 10:00 A.M.**
Charlette Ridout, RN, MS, CNE, Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing Students from Bon Secours Memorial College
Senior Nursing Students from Rappahannock Community College

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Teresa G. Phillippi, LPN **0002-074401**
Ms. Phillippi did not appear.

Holly Woodcock, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Robin Carroll, Senior Investigator, Department of Health Professions, and Gretchen Miller, Health Practitioners' Monitoring Program Case Manager, testified via telephone.

CLOSED MEETING:

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 9:33 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Phillippi.

Additionally, Ms. Cei moved that Ms. Power, Ms. Ridout, 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 9:55 A.M.

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

ACTION:

Dr. Hahn moved that the Board of Nursing reprimand Teresa G. Phillippi and indefinitely suspend her license practice practical nursing in the Commonwealth of Virginia until such time she can appear before the Board and demonstrate that she is safe and competent to practice. The motion was seconded and carried unanimously.

This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

Ms. Power left the meeting at 10:00 A.M.

Dr. Hills joined the meeting at 10:00 A.M.

FORMAL HEARINGS:

Linda Glover, CNA

1401-042424

Ms. Glover appeared and was accompanied by Niesha Brown.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Marian McLean, Senior Investigator, Department of Health Professions, and Niesha Brown, were present and testified.

CLOSED MEETING:

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:03 A.M., for

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 1:38 P.M.

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

ACTION: Dr. Hahn moved that the Board of Nursing revoke the certificate of Sherrica Gaskin Battle to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried with four votes in favor of the motion. Ms. Phelps and Dr. Gleason opposed the motion.

This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

RECESS: The Board recessed at 1:40 P.M.

RECONVENTION: The Board reconvened at 2:20 P.M.

FORMAL HEARINGS: **Carey L. Trimble, RN** **0001-260510**
Ms. Trimble did not appear.

Lavanya Jagadish, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Alan Burton, Senior Investigator, Department of Health Professions, and Christopher Bowers, Health Practitioners' Monitoring Program Case Manager, testified via telephone.

CLOSED MEETING: Dr. Hahn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:51 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Trimble. Additionally, Dr. Hahn moved that Dr. Hills, 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 2:58 P.M.

Dr. Hahn 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. Shah moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jagadish and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Cei moved that the Board of Nursing reprimand Carey L. Trimble and indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia until such time that she can appear before the Board and prove she is competent and safe to practice. The motion was seconded and carried unanimously.

This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

FORMAL HEARINGS:

Christopher Harvey, CNA

1401-188923

Mr. Harvey did not appear.

Lavanya Jagadish, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Nikki Dvorak, Senior Investigator, Department of Health Professions, testified via telephone.

CLOSED MEETING:

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:20 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Harvey. Additionally, Ms. Cei moved that Dr. Hills, 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 3:29 P.M.

Ms. Cei 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. Gleason moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jagadish. The motion was seconded and carried unanimously.

ACTION: Ms. Shah moved that the Board of Nursing continue the certificate of Christopher Harvey to practice as a nurse aide in the Commonwealth of Virginia on indefinite suspension until such time that he can appear before the Board and prove he is safe and competent to practice. The motion was seconded and carried unanimously.

This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 3:31 P.M.

Robin L. Hills, DNP, RN, WHNP
Deputy Executive Director for Advanced
Practice