

**VIRGINIA BOARD OF NURSING
MINUTES
March 20, 2019**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:01 A.M. on March 20, 2019 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN, ANP-BC, Second Vice President
Ann Tucker Gleason, PhD, Citizen Member
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP, FAAN
Dixie McElfresh, LPN
Meenakshi Shah, BA, RN

STAFF PRESENT:

Jodi Power, RN, JD, Senior Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director
Charlette N. Ridout, RN, MS, CNE; Deputy Executive Director
Claire Morris, RN, LNHA, Discipline Case Manager
Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel – joined later
James Rutkowski, Assistant Attorney General, Board Counsel
Nurse Aide students and faculty from Louisa County Public Schools
Nurse Aide students and faculty from Park View High School
Practical Nursing students and faculty from Massanutten Technical Center
Clinical Nurse Leader students from University of Virginia

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Tammy Hammock Garbee, RN **0001-195801**
Ms. Garbee did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to require Ms. Garbee within 60 days from the date of entry of the Order to provide written proof satisfactory to the Board of successful completion of the following NCSBN course *Documentation: A Critical Aspect of Client Care* with an editorial change removing “the” in last line of Finding of Fact #2a. The motion was seconded and carried unanimously.

Mr. Rutkowski left and Ms. Mitchell joined the meeting at 9:05 A.M. to serve as Board Counsel.

CLOSED MEETING:

Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:13 A.M., for the purpose of consideration of the agency subordinate recommendations.

Additionally, Ms. McElfresh moved that Dr. Hills, Ms. Power, Ms. Morris, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 9:35 A.M.

Ms. McElfresh 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.

Jennifer Lynne Hultzman, RN 0001-180580
Ms. Hultzman did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jennifer Lynne Hultzman and to indefinitely suspend the license of Ms. Hultzman to practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

**Rachel Anne Lewis Hill, RN Maryland License No. R109383 with
Multistate Privilege**
Ms. Hill did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Rachel Anne Lewis Hill and to require her within 60 days from the date of entry of the Order to provide written proof satisfactory to the Board of successful completion of the following NCSBN course: *Professional Boundaries in Nursing*. The motion was seconded and carried unanimously.

Peggy Sue Jeffers, RN 0001-2511445
Ms. Jeffers did not appear.

Dr. Hahn moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Peggy Sue Jeffers, require her within 60 days from the date of entry of the Order to provide written proof satisfactory to the Board of successful completion of the following NCSBN course: *Righting a Wrong: Ethics and Professionalism in Nursing*, and require Ms. Jeffers within 60 days from the date of entry of the Order to provide a written report of a substance abuse evaluation by a specialist satisfactory to the Board. The motion was seconded and carried unanimously.

Stephen Anthony Spears, RN

0001-250240

Mr. Spears did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Stephen Anthony Spears and to indefinitely suspend the license of Mr. Spears to practice professional nursing in the Commonwealth of Virginia. The suspension will be stayed upon proof of Mr. Spears' entry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Melody Allen Pettit, LPN

0002-051302

Ms. Pettit did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Melody Allen Pettit and to require her within 60 days from the date of entry of the Order to provide written proof satisfactory to the Board of successful completion of the following NCSBN courses: *Documentation: A Critical Aspect of Client Care* and *Righting a Wrong: Ethics and Professionalism in Nursing*. The motion was seconded and carried unanimously.

Victoria Wagner, RN

0001-278842

Ms. Wagner did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time against the license of Victoria Wagner to practice professional nursing in the Commonwealth of Virginia contingent upon Ms. Wagner's continued compliance with all terms and conditions of her contracts with HAVEN and with the Virginia Health Practitioners' Monitoring Program (HPMP) for the period specified by the contracts. The motion was seconded and carried unanimously.

Stephanie Marie Moulton, RMA

0031-009882

Ms. Moulton did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Stephanie Marie Moulton. The motion was seconded and carried unanimously.

Mary Elizabeth Lucado Hatfield, RN

0001-144831

Ms. Hatfield did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Mary Elizabeth Lucado Hatfield and to require Ms. Hatfield within 90 days of Order entry to submit a written report of a chemical dependency evaluation conducted by a Board-approved specialist. The motion was seconded and carried unanimously.

Cynthia C. Brawley, LPN **0002-066681**
Ms. Brawley did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Cynthia C. Brawley to practice practical nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Roseline Mansah Ankuvie, CNA **1401-155806**
Ms. Ankuvie did not appear but submitted a written response.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to continue Ms. Ankuvie on probation with terms and conditions until she has completed two years of active nurse aide practice from the date of the previous Board's Order (December 1, 2017). The motion was seconded and carried unanimously.

Leslie Burton, CNA **1401-142537**
Ms. Burton did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Leslie Burton. The motion was seconded and carried unanimously.

Christal D. O'Bier, CNA **1401-063496**
Ms. O'Bier did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Christal D. O'Bier. The motion was seconded and carried unanimously.

Carolyn Lewis Dean Burns, LPN **0002-038535**
Ms. Burns did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to require Ms. Burns within 60 days from the date of entry of the Order to provide written proof satisfactory to the Board of successful completion of the following NCSBN courses: *Righting a Wrong: Ethics and*

Professionalism in Nursing and Sharpening Critical Thinking Skills. The motion was seconded and carried unanimously.

Joannou J. Olinger, LPN

0002-066622

Ms. Olinger did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Joannou J. Olinger's right to renew her license to practice as a practical nurse in the Commonwealth of Virginia. The suspension is stayed upon proof of Ms. Olinger's entry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Vicki Rena Rutherford, RN

0001-205493

Ms. Rutherford did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Vicki Rena Rutherford to practice professional nursing in the Commonwealth of Virginia. Said suspension will be stayed upon proof of Ms. Rutherford's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and continued compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Donna J. Whitcomb, RN

0001-190346

Ms. Whitcomb did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Donna J. Whitcomb to practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:38 A.M.

Jodi Power, RN, JD
Senior Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 20, 2019**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:00 A.M. on March 20, 2019 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN, ANP-BC, Second Vice President
Ann Tucker Gleason, PhD, Citizen Member
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP, FAAN
Dixie McElfresh, LPN
Meenakshi Shah, BA, RN

STAFF PRESENT:

Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director
Charlette N. Ridout, RN, MS, CNE, Deputy Executive Director
Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Practical Nursing students and faculty from Massanutten Technical Center
Nurse Aide students and faculty from Park View High School
Clinical Nurse Leader students from University of Virginia
Nurse Aide students and faculty from Louisa County Public Schools (left at 1:45 p.m.)

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Leslie Sheppard Peters, RN Reinstatement Applicant **0001-149666**
Ms. Peters did not appear.

Cynthia Gaines, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Holly M. Bush, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Patricia Dewey, Former Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:13 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Peters. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Ridout, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 11:33 A.M.

Dr. Gleason 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. Gaines and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. McElfresh moved that the Board of Nursing deny the application of Leslie Sheppard Peters for reinstatement of her license 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.

RECESS:

The Board recessed at 11:36 A.M.

Nurse Aide students and faculty from Park View High School left the meeting. Clinical Nurse Leader students from University of Virginia left the meeting.

RECONVENTION:

The Board reconvened at 1:00 P.M.

FORMAL HEARINGS:

Ashley Kenyada Brooks, LPN

0002-088097

Ms. Brooks did not appear.

Tammie Jones, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Holly M. Bush, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Pamela Hubbard, RN, DON, Continuum Pediatrics and Melissa Darden, LPN, Courtland Health and Rehabilitation, were present and testified. James Wall, Senior Investigator, Department of Health Professions testified via telephone.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:59 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Brooks. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 2:18 P.M.

Dr. Gleason 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. Jones, and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Dr. Hahn moved that the Board of Nursing indefinitely suspend the multistate privilege of Ashley Kenyada Brooks to practice practical nursing in the Commonwealth of Virginia for a period of not less than two years. 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: **Melissa Rene Thacker Blair, RN Reinstatement Applicant 0001-191537**
Ms. Blair appeared.

Ms. Blair's Notice was issued less than 30 days prior to the date of the hearing. Therefore, the Board of Nursing offered Ms. Blair a continuance and she declined, choosing to proceed with the hearing.

David Kazzie, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Holly M. Bush, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Alan Burton, Senior Investigator, Department of Health Professions testified via telephone. Renee White, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:36 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Blair. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Ridout, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 5:09 P.M.

Dr. Gleason 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 Mr. Kazzie, and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. McElfresh moved that the Board of Nursing deny the reinstatement of the license of Melissa Rene Thacker Blair to practice professional nursing in the Commonwealth of Virginia, continue the license on indefinite suspension, and stay the suspension contingent upon Ms. Blair's entry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with the with all terms and conditions of the HPMP for the period specified by the HPMP. 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 5:12 P.M.

Robin L. Hills, DNP, RN, WHNP
Deputy Executive Director

VIRGINIA BOARD OF NURSING
Consideration of Consent Order
March 20, 2019

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:43 A.M. on March 20, 2019 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA, President
Laura F. Cei, BS, LPN, CCRP
Margaret Friedenber. Citizen Member
Marie Gerardo, MS, RN, ANP-BC, Second Vice President
Ann Tucker Gleason, PhD, Citizen Member
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP, FAAN
Dixie McElfresh, LPN
Trula Minton, MS, RN
Meenakshi Shah, BA, RN

STAFF PRESENT:

Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director
Jodi P. Power, RN, JD, Senior Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director
Charlette N. Ridout, RN, MS, CNE, Deputy Executive Director
Claire Morris, RN, LNHA, Discipline Case Manager
Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF CONSENT ORDER:

Randall Mark Brown, LMT 0019-003015

Dr. Hahn moved to accept the consent order of voluntary surrender for indefinite suspension of Randall Mark Brown's license to practice massage therapy in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:45 A.M.

Robin L. Hills, DNP, RN, WHNP
Deputy Executive Director