

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE D
INFORMAL CONFERENCES
August 7, 2019**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 1:00 P.M., on August 7, 2019 in Hearing Room 3, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Ann Tucker Gleason, PhD, Citizen Member- Chairperson
Cynthia Swineford, RN, MSN, CNE

STAFF PRESENT: Jodi Power, RN, JD, Senior Deputy Executive Director
Terri Clinger, DNP, RN, CPNP-PC, Deputy Executive Director

OTHERS PRESENT: Anne Joseph, Deputy Director, Adjudication Proceedings Division
Alexandra Aloba, Senior Investigator, Enforcement Division

**CONFERENCES
SCHEDULED:** **Theresa Toman, RN 0001-156336**
Ms. Toman appeared, accompanied by her father, Henry Watts.

CLOSED MEETING: Ms. Swineford moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 2:07 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Toman. Additionally, Ms. Swineford moved that Ms. Power, Dr. Clinger and Ms. Joseph 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.

Ms. Aloba left the meeting.

RECONVENTION: The Committee reconvened in open session at 2:31 P.M.

Ms. Swineford moved that the Special Conference Committee of 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.

ACTION: Ms. Swineford moved to offer Theresa Toman a Consent Order for the indefinite suspension of her license to practice professional nursing, in lieu of a Formal Hearing and until such time as she comes before the Board and demonstrates sufficient evidence that she is safe and competent to return to the practice of professional nursing. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Toman and the Board.

CONFERENCES
SCHEDULED:

Sharon L. Vail, RN 0001-277554
Ms. Vail appeared.

CLOSED MEETING:

Ms. Swineford moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 3:32 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Vail. Additionally, Ms. Swineford moved that Ms. Power, Dr. Clinger and Ms. Joseph 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 3:53 P.M.

Ms. Swineford moved that the Special Conference Committee of 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.

ACTION:

Ms. Swineford moved to issue an Order of reprimand to Sharon L. Vail and require Ms. Vail to provide proof of completion of the following three NCSBN courses within 90 days of entry of Order: *“Professional Accountability & Legal Liability for Nurses”*, *“Righting a Wrong: Ethics and Professionalism in Nursing”*, and *“Sharpening Critical Thinking Skills”*. The motion was seconded and carried unanimously.

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

CONFERENCES
SCHEDULED:

Sonya Randall, LPN 0002-034683
Ms. Randall did not appear.

Ms. Swineford moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 4:07 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Randall. Additionally, Ms. Swineford moved that Ms. Power, Dr. Clinger and Ms. Joseph 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 4:34 P.M.

Ms. Swineford moved that the Special Conference Committee of 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.

ACTION: Ms. Swineford moved to offer Sonya Randall a Consent Order for the indefinite suspension of her license to practice practical nursing, in lieu of a Formal Hearing and until such time as she comes before the Board and demonstrates sufficient evidence that she is safe and competent to return to the practice of practical nursing. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Randall and the Board.

**CONFERENCES
SCHEDULED:**

Shelly Palmisano, LPN 0002-065940
Ms. Palmisano did not appear.

CLOSED MEETING: Ms. Swineford moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 4:39 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Palmisano. Additionally, Ms. Swineford moved that Ms. Power, Dr. Clinger and Ms. Joseph 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 4:59 P.M.

Ms. Swineford moved that the Special Conference Committee of 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.

ACTION: Ms. Swineford moved to refer the matter of Shelly Palmisano to a Formal Hearing of the Board or a panel thereof. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 5:00 P.M.

A handwritten signature in cursive script, appearing to read "Jodi Power".

Jodi Power, RN, JD
Senior Deputy Executive Director