

**VIRGINIA BOARD OF NURSING
MINUTES
September 16, 2015**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on September 16, 2015 in Board Room 4, 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
Louise Hershkowitz, CNRA, MSHA
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Mark D. Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
William Traynham, LPN, CSAC

BOARD MEMBERS ABSENT:

Joana Garcia, Citizen Member

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Gloria D. Mitchell-Lively, RN, MSN, MBA; Deputy Executive Director
Jodi Power, RN, JD; Deputy Executive Director
Amy Davis, Executive Assistant
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel
Corie Tillman Wolf, Assistant Attorney General
Cynthia Gaines, Adjudication Specialist

ESTABLISHMENT OF A QUORUM:

With eleven members of the Board present, a quorum was established

CONSIDERATION OF POSSIBLE SUMMARY SUSPENSION:

Corie Tillman Wolf, Assistant Attorney General presented evidence that the continued practice of Christina Davis, RN may present a substantial danger to the health and safety of the public.

Mr. Monson moved to summarily suspend the multistate privilege of Christina Davis to practice as a professional nurse in Virginia pending a formal administrative hearing and to offer a consent order for indefinite suspension of her

privilege to practice in Virginia in lieu of a formal hearing. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:13 A.M.

Gloria D. Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director

VIRGINIA BOARD OF NURSING

Panel - A

MINUTES

September 16, 2015

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:31 A.M. on September 16, 2015 in Board Room 3, 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
Louise Hershkowitz, CRNA, MSHA
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC

STAFF PRESENT: Gloria D. Mitchell-Lively, RN, MSN, MBA; Deputy Executive Director
Jodi Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A QUORUM:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Michelle Love, RN 0001-209102

Ms. Love appeared.

CLOSED MEETING: Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:39 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Love. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively, 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 9:40 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.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Michelle Love. The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:43 A.M., for the purpose of deliberation to reach a decision in the matter of agency subordinate recommendations. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively, 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 9:52 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.

Connie Williams, CNA 1401-106720

Ms. Williams did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Connie Williams until such time as she can provide proof to the Board of successful completion of the National Council of State Boards of Nursing online course “Accountability and Legal Liability” and to issue Ms. Williams a reprimand. The motion was seconded and carried unanimously.

Angela C. Woodruff, LPN 0002-060303

Ms. Woodruff did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Angela Woodruff until such time as she can provide to the Board verification that she has completed a nursing refresher course approved by the Board. The motion was seconded and carried unanimously.

Abigail Lebron-Cannon, RN 0001-223718

Ms. Lebron-Cannon did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Abigail Lebron-Cannon until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

Diane Branzelle, CNA 1401-115145

Ms. Branzelle did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certification of Diane Branzelle and that a finding of neglect be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Kevin Collins, CNA 1401-112988

Mr. Collins did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certification of Kevin Collins and that a finding of abuse be entered against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Lyndell Knight, CNA 1401-107829

Ms. Knight did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Lyndell Knight. The motion was seconded and carried unanimously.

Eric McGlone, CNA 1401-154468

Mr. McGlone did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Eric McGlone and that a finding of abuse be entered against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Corey Royal, CNA 1401-097106

Mr. Royal did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Corey Royal. The motion was seconded and carried unanimously.

Pricilia C. Fox, LPN 0002-075841

Ms. Fox did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to order Pricilia Fox to have a physical evaluation by a Board approved orthopedist or neurosurgeon and a mental health/chemical dependency evaluation by a mental health specialist satisfactory to the Board and have written reports of the evaluations, including diagnosis, recommended courses of therapy, prognoses and any recommendations sent to the Board within 90 days after this order is entered. Upon receipt of the evaluation, The Board may request that Ms. Fox appear at an administrative proceeding in order to consider the recommendations and make a final disposition of this matter. The motion was seconded and carried unanimously.

Avante V. Carter, LPN 0002-082921

Ms. Carter did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Avante Carter until such time as she provides evidence that she has completed the required National Council of State Boards of Nursing online courses which shall be in addition to any continuing education courses required for future license renewal or reinstatement and to reprimand Ms. Carter. The motion was seconded and carried unanimously.

Cynthia Waldo, RN 0001-240276

Ms. Waldo did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension of the license of Cynthia Waldo to practice professional nursing and to reprimand Ms. Waldo. The motion was seconded and carried unanimously.

Cassandra Gittens, LPN 0002-074995

Ms. Gittens did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the practical nursing license of Cassandra Gittens. The motion was seconded and carried unanimously.

Suzanne Griffin, RN 0001-153051

Ms. Griffin did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Suzanne Griffin, but stay the suspension contingent upon her entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Regina A. R. Williams, LPN 0002-046938

Ms. Williams did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Regina Williams, but stay the suspension contingent upon her re-entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Terri Jones (Kipley), RN 0001-167691

Ms. Jones (Kipley) did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Terri Jones (Kipley), but stay the suspension contingent upon

her compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Julie Hamby, RN 0001-165379

Ms. Hamby did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Julie Hamby and that she complete the National Council of State Boards of Nursing online course “Medication Errors: Detection and Prevention” within 90 days of entry of the order. The motion was seconded and carried unanimously.

Alisha Raines, LPN 0002-074709

Ms. Raines did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Alisha Raines. The motion was seconded and carried unanimously.

Meghan Coglio, LPN 0002-086425

Ms. Coglio did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Meghan Coglio, but stay the suspension contingent upon her re-entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:55 A.M.

Gloria D. Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 16, 2015
Panel -A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:00 A.M. on September 16, 2015 in Board Room 3, 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
Louise Hershkowitz, CRNA, MSHA
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC (joined later)

STAFF PRESENT:

Gloria D. Mitchell-Lively, RN, MSN, MBA; Deputy Executive Director
Jodi Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A QUORUM:

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

FORMAL HEARINGS:

Christy Gatlin, LPN 0002-076901

Ms. Gatlin did not appear when the formal hearing was convened. She arrived at 11:10 A.M. and was present when the decision was made.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

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

CLOSED MEETING:

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:18 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gatlin. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively, 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 11:31 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.

Ms. Caliwagan 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. Hershkowitz moved that the Board of Nursing reprimand Christy Gatlin and indefinitely suspend her license to practice as a practical nurse until such time as she can appear before the Board and prove 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.

Dr. Poston joined the meeting.

FORMAL HEARINGS:

Aerial Y. Johnson, CNA 1401-195112

Ms. Johnson appeared.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions; and Rebecca Eddings, Casualty Specialist, ALFA Insurance Company were present and testified.

CLOSED MEETING:

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:28 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Johnson. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively, 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 2:50 P.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.

Ms. Caliwagan 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. Phelps moved that the Board of Nursing indefinitely suspend the nurse aide certificate of Aerial Johnson 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: **Tasheema Delaney, CNA 1401-166265**

Ms. Delaney appeared.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:15 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Delaney. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively, 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 3:20 P.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.

Ms. Caliwagan 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. Hershkowitz moved that the Board of Nursing indefinitely suspend the nurse aide certificate of Tasheema Delaney for a period of not less than one year and until such time as she can appear before the Board and prove 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.

FORMAL HEARINGS: **Stephanie Morris, LPN 0002-084263**

Ms. Morris did not appear.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Laura Pezzula, Senior Investigator, Department of Health Professions and Samuel Puckett, Pharmacist, Centra Virginia Baptist Hospital were present and testified.

CLOSED MEETING: Ms. Gerardo 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. Morris. Additionally, Ms. Gerardo moved that Ms. Mitchell-Lively, 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 3:50 P.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.

Ms. Caliwagan 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. Hershkowitz moved that the Board of Nursing indefinitely suspend the practical nursing license of Stephanie Morris until such time as she can appear before the Board and prove 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 3:50 P.M.

Gloria D. Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
MINUTES
September 16, 2015
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:30 A.M. on September 16, 2015 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

William Traynham, LPN, CSAC; Vice President
Regina Gilliam, LPN
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Trula Minton, MS, RN
Mark Monson, Citizen Member

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Deputy Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A QUORUM:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Ebony Rahman, CNA 1401-138601
Ms. Rahman appeared.

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 9:34 A.M., for the purpose of consideration of agency subordinate recommendation. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 9:39 A.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. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Ebony Rahman

and that a finding of abuse be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Michael P. Persch, RN 0001-246822

Mr. Persch did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Michael Persch and that no further action be taken against him contingent upon his compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Shanice Sims, CNA 1401-152184

Ms. Sims did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Shanice Sims and that a finding of abuse be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Tiffani Turner, CNA 1401-157777

Ms. Turner did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Tiffani Turner and that a finding of abuse be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Sheila D. Vipperman, RN 0001-136663

Ms. Vipperman did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Sheila Vipperman, but stay the suspension contingent upon her re-entry into the Health Practitioners Monitoring Program and thereafter complying with all terms and conditions of the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Kellie J. Wilkinson, LPN 0002-067037

Ms. Wilkinson did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Kellie Wilkinson, but stay the suspension contingent upon her re-entry into the Health Practitioners Monitoring Program and thereafter complying with all terms and conditions of the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Gloria J. Lindsay, CNA 1401-001741

Ms. Lindsay did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Gloria Lindsay and that a finding of abuse be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Jolita Newby, CNA 1401-156395

Ms. Newby did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jolita Newby. The motion was seconded and carried unanimously.

Virginia Sineno, RN 0001-176281

Ms. Sineno did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Virginia Sineno and order her to complete the following National Council of State Boards of Nursing online courses “Professional Accountability and Legal Liability for Nurses” “Documentation: A Critical Aspect of Client Care” and “Sharpening Critical Thinking Skills” within 60 days of entry of the order. The motion was seconded and carried unanimously.

Sarah D. Wheeler, RN 0001-216969

Ms. Wheeler did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Sarah Wheeler until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

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 9:43 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 9:55 A.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.

Amanda Gibson, LPN 0002-080380

Ms. Gibson did not appear.

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

Lasone K. Cannon, LPN 0002-088260

Ms. Cannon did not appear.

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

Hugo A. Cortez, RN 0001-243354

Mr. Cortez did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Hugo Cortez and that he be ordered to complete the National Council of State Boards of Nursing online course “Documentation: A Critical Aspect to Client Care” within 60 days of entry of the order. The motion was seconded and carried unanimously.

Lisa Mickey, CNA 1401-031312

Ms. Mickey did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Lisa Mickey. The motion was seconded and carried unanimously.

Roxanna M. Calix, CNA 1401-126112

Ms. Calix did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Roxanna Calix on indefinite probation for not less than two years subject to terms and conditions. The motion was seconded and carried unanimously.

Megan Scoville, LPN 0002-085052

Ms. Scoville did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Megan Scoville until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 10:00 A.M.

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 16, 2015
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:15 A.M. on September 16, 2015 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
William Traynham, LPN, CSAC; Vice President
Regina Gilliam, LPN
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Trula Minton, MS, RN
Mark Monson, Citizen Member

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Deputy Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel
Nursing students from Riverside College of Professional Nursing

ESTABLISHMENT OF A QUORUM:
With six members of the Board present, a panel was established.

FORMAL HEARINGS: **Beverly Daniels, LPN 0002-049741**
Ms. Daniels appeared.

Wendy Deaner 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; and Marsha Frazier, RN, former employee at Hallmark Youth Care were present and testified.

RECESS: The Board recessed at 10:27 A.M.

RECONVENTION: The Board reconvened at 10:42

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 11:57 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Daniels. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 12:10 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.

ACTION: Dr. McDonough moved that the Board of Nursing dismiss the case due to a lack of sufficient evidence. 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 12:11 P.M.

RECONVENTION: The Board reconvened at 12:18 P.M.

FORMAL HEARINGS: **Laurie Estness, LPN 0002-033071**
Ms. Estness did not appear.

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

John Turner, Senior Investigator, Department of Health Professions; and Mary Wiltshire Fields, Case Manager, Health Practitioners Monitoring Program 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 12:32 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Estness. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 12:35 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.

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

ACTION: Ms. Holmes moved that the Board of Nursing reprimand Laurie Estness and to continue the practical nursing license of Ms. Estness on indefinite suspension

until such time as she can appear before the Board and prove 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.

RECESS: The Board recessed at 12:40 P.M.

RECONVENTION: The Board reconvened at 1:20 P.M.

FORMAL HEARINGS: **Cathy Bennett, LPN Reinstatement Applicant 0002-051194**
Ms. Bennett appeared.

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

Brad Wilson, Pastor; Carol Hussey, DPT, current employer; Dr. Robert Cassidy, previous employer; Deborah Warren, mother of Ms. Bennett; and Gayle Miller, Senior Investigator, Department of Health Professions 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 2:15 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bennett. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 2:31 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.

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

ACTION: Dr. McDonough moved that the Board of Nursing deny reinstatement of the practical nursing license of Cathy Bennett and to continue her on indefinite suspension. The motion was seconded and carried. Ms. Gilliam, Dr. McDonough, Ms. Minton, Mr. Monson and Mr. Traynham were in favor of the motion. Ms. Holmes 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.

RECESS: The Board recessed at 2:32 P.M.

RECONVENTION: The Board reconvened at 2:40 P.M.

FORMAL HEARINGS: **James P. Farrar, Jr; CNA 1401-154740; RMA 0031-006325**
Mr. Farrar did not appear.

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

Steve Keene, Senior Investigator, Department of Health Professions and Rebecca Britt, Case Manager, Health Practitioners Monitoring Program 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 2:57 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Farrar. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 3:00 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.

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

ACTION: Ms. Holmes moved that the Board of Nursing reprimand James Farrar and to continue the nurse aide certificate and medication aide registration of Mr. Farrar on indefinite suspension until such time as 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 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 3:05 .M.

Brenda Krohn, RN, MS
Deputy Executive Director