

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
FEBRUARY 12, 2019**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:15 A.M., on February 12, 2019, in Training Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Joyce Hahn, Ph.D., R.N., NEA-BC, FNAP, *Chairperson*
Laura Cei, B.S., L.P.N., C.C.R.P.
Stephanie Quinby, L.M.T.

STAFF PRESENT: Charlette Ridout, R.N., M.S., C.N.E., Deputy Executive Director

**ADMINISTRATIVE
PROCEEDINGS**

STAFF PRESENT: Lavanya Jagadish, Adjudication Specialist

OTHERS PRESENT: Claire Morris, R.N., N.H.A., Discipline Case Manager
Cathy Hanchey, Senior Licensing/Discipline Specialist
Calvin Herron – **joined at 9:50 a.m.**
Janell Herron – **joined at 9:50 a.m.**
Kelly Zegelian – **joined at 9:50 a.m.**
Jonathan Zegelian – **joined at 9:50 a.m.**

**CONFERENCE
SCHEDULED:**

Alicia Ann Petain, L.M.T. Applicant by Exam
Ms. Petain did not appear.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:17 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Petain. Additionally, Ms. Cei moved that Ms. Ridout, Ms. Jagadish, and Ms. Morris 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 9:25 A.M.

Ms. Cei 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. Cei moved to issue an Order to Approve Alicia Ann Petain's Application for Licensure by Examination to practice as a Licensed Massage Therapist. 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. Petain unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Petain 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.

**CONFERENCE
SCHEDULED:**

Jarrett DeWayne Herron, L.M.T. 0019-015045

Mr. Herron appeared, accompanied by his parents, Calvin and Janell Herron.

Mrs. Kelly Zegelian joined the meeting at 9:50 a.m.
Mr. Jonathan Zegelian joined the meeting at 9:50 a.m.
Mr. Calvin Herron joined the meeting at 9:50 a.m.
Ms. Janell Herron joined the meeting at 9:50 a.m.
Mr. Jarrett Herron left the meeting at 9:58 a.m.
Mr. Calvin Herron left the meeting at 9:58 a.m.
Ms. Janell Herron left the meeting at 9:58 a.m.

CLOSED MEETING: Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:58 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Herron. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 10:08 A.M.

Ms. Cei 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.

CLOSED MEETING: Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:10 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Herron. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 10:13 A.M.

Ms. Cei 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. Quinby moved to refer the matter regarding Jarrett DeWayne Herron to a Formal Hearing of the Board of Nursing. The motion was seconded and carried unanimously.

Mrs. Zegelien, Mr. Zegelien, and Ms. Morris left the meeting at 10:15 a.m.

CONFERENCE
SCHEDULED:

Chanda R. Samuels, C.N.A. Applicant by Examination
Ms. Samuels appeared.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:49 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Samuels. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 11:01 A.M.

Ms. Cei 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. Cei moved to issue an Order to Approve Chanda R. Samuel's application to take the nurse aide examination for certification as a nurse aide and issue an unrestricted certificate after successful completion of the exam. 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. Samuels unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Samuels 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.

Ms. Hanchey left the meeting at 11:05 a.m.

**CONFERENCE
SCHEDULED:**

Dwayne Pittman, L.M.T. 0019-009513

Mr. Pittman did not appear. Jarrett McCormack, Esquire, attorney for Mr. Pittman did not appear.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:08 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Pittman. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 11:31 A.M.

Ms. Quinby 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. Quinby moved to offer Dwayne Pittman a Consent Order for Revocation of his license to practice as a Licensed Massage Therapist in lieu of a Formal Hearing. The motion was seconded and carried

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

Ms. Quinby left the meeting at 11:35 A.M.

The Committee recessed at 11:40 A.M.

The Committee reconvened at 1:00 P.M.

**CONFERENCE
SCHEDULED:**

Nicole Elise Jones, C.N.A. Reinstatement Applicant 1401-155639

Ms. Jones appeared, accompanied by her mother and brother.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:34 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 1:41 P.M.

Ms. Cei 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. Cei moved to issue an Order to Deny Nicole Elise Jones' Application for Reinstatement of her certificate to practice as a Nurse Aide based on a single incident of neglect. 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. Jones unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Jones 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.

**CONFERENCE
SCHEDULED:**

Aerial Yvette Johnson, C.N.A. Reinstatement Applicant 1401-095112
Ms. Johnson appeared.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Johnson. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 2:36 P.M.

Ms. Cei 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. Cei moved to issue an Order to Approve Aerial Yvette Johnson's Application for Reinstatement of her certificate to practice as a Nurse Aide contingent upon successful completion of the nurse aide exam or providing evidence of nursing related activities in the preceding two years. 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. Johnson unless

a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Johnson 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.

**CONFERENCE
SCHEDULED:**

Niesha Marie Clark, L.P.N. Applicant by Examination
Ms. Clark appeared.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:07 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Clark. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 3:31 P.M.

Ms. Cei 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. Cei moved to issue an Order to Approve Niesha Marie Clark's application to take the NCLEX-PN examination for certification as a practical nurse and issue an unrestricted certificate after successful completion of the exam. 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. Clark unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Clark 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.

**CONFERENCE
SCHEDULED:**

Myesha L. Jones, C.N.A. Applicant by Examination
Ms. Jones appeared.

CLOSED MEETING:

Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:52 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 4:04 P.M.

Ms. Cei 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. Cei moved to issue an Order to Approve Myesha L. Jones' application to take the nurse aide examination for certification as a nurse aide and issue an unrestricted certificate after successful completion of the exam. 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. Jones unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Jones 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.

CONFERENCE
SCHEDULED:

Katlynn Marie Rettman, R.N. 0001-260932

Ms. Rettman appeared, accompanied by her attorney, Kim M. Crump, Esquire.

CLOSED MEETING: Ms. Cei moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Rettman. Additionally, Ms. Cei moved that Ms. Ridout and Ms. Jagadish 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 5:32 P.M.

Ms. Cei 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. Cei moved to offer Katlynn Marie Rettman a Consent Order for the Indefinite Suspension of her license to practice as a professional nurse in lieu of a formal hearing, with said Suspension Stayed contingent upon verification of Ms. Rettman's entry into the Health Practitioners

Monitoring Program and thereafter remaining in compliance with the terms of the monitoring contract with the Health Practitioners Monitoring Program.

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

ADJOURNMENT:

The Board adjourned at 5:35 P.M.



Charlette N. Ridout, R.N., M.S., C.N.E.