

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 17, 2008**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 P.M. on September 17, 2008 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

**BOARD MEMBERS
PRESENT:**

Lynne M. Cooper, Citizen Member, President
Florence Jones-Clarke, R.N., M.S., Vice President
Brenda Hale, R.N., Secretary
Peregrin C. Francisco, R.N., M.S.A.
Joyce A. Hahn, PhD., APRN, NEA-BC
John M. Horn, L.P.N.
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Lawrence L. Logan, Citizen Member
Judith E. Piersall, R.N., B.S.N.
G. Maxine Ponn, L.P.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry Manager
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General

**ESTABLISHMENT OF
A QUORUM:**

With twelve members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Jeanette G. Brown, R.N. 0001-148070; C.N.S. Applicant
Ms. Brown appeared.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:15 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Brown. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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 9:24 A.M.

Ms. Hale 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. Lindsay moved to accept the recommended decision of the agency subordinate to deny the Jeanette Brown's application for registration as a clinical nurse specialist.

The motion was seconded and carried unanimously.

Kelly Stovall, L.P.N. 0002-033596

Ms. Stovall appeared, accompanied by her husband.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Stovall. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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. Hale 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. Selig moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Kelly Stovall with said suspension stayed upon entry into the Health Practitioners Intervention Program and compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Jill Stefanchin, R.N. 0001-195476

Ms. Stefanchin appeared, accompanied by her husband.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:45 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Stefanchin. Additionally, Ms.

Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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 10:00 A.M.

Ms. Hale 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. Selig moved to accept and amend the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Jill Stefanchin with said suspension stayed contingent upon proof of entry into a participation contract with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Glenn Harris, R.N. 0001-137735

John Warley, Esquire appeared on behalf of Mr. Harris.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:07 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Harris. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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 10:09 A.M.

Ms. Hale 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. Jones-Clarke moved to accept the recommended decision of the agency subordinate to place Glenn Harris on probation with terms for a period of two years of actual nursing practice.

The motion was seconded and carried unanimously.

Barbara Simons, L.P.N. 0002-049050

Ms. Simons appeared.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:12 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Simons. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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 10:18 A.M.

Ms. Hale 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. Lane moved to reject the recommended decision of the agency subordinate and to require Barbara Simons to complete the National Council of State Boards of Nursing course "Ethics of Nursing Practice" within sixty days.

The motion was seconded and carried unanimously.

RECESS: The Board recessed at 10:20 A.M.

RECONVENTION: The Board reconvened at 10:40 A.M.

Valencia Belle, R.N. 0001-203122

Gregory Cassis, Esquire appeared on behalf of Ms. Belle.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:00 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Belle. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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 11:15 A.M.

Ms. Hale 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. Piersall moved amend the recommended decision of the agency subordinate to dismiss Finding of Fact 5 and to impose a \$750 monetary penalty upon Valenica Belle.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Sushil Bhatla, R.N. 0001-200875

Mr. Bhatla did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to indefinitely suspend Sushil Bhatla's right to renew his license to practice professional nursing for a period of not less than two years and until such time as he can appear before the Board and demonstrate that he is safe and competent to resume practice.

The motion was seconded and carried unanimously.

Farrah F. Canada, C.N.A. 1401-094004

Ms. Canada did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Farrah Canada, C.N.A.

The motion was seconded and carried unanimously.

Sandra S. Householder, L.P.N. 0002-017788

Ms. Householder did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Sandra Householder, L.P.N.

The motion was seconded and carried unanimously.

Valerie F. Moore, L.P.N. 0002-019793

Ms. Moore did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Valerie Moore for not less than two years and until such time as she can demonstrate to the Board that she is capable to resume practice.

The motion was seconded and carried unanimously.

Jeffrey Strong, R.N. 0001-106105

Mr. Strong did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Jeffrey Strong for not less than two years and until such time as he can demonstrate to the Board that he is safe and competent to resume practice.

The motion was seconded and carried unanimously.

Heather L. Thelin, C.N.A. 1401-104330

Ms. Thelin did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to revoke Heather Thelin's right to renew her nurse aide certificate and to enter a finding of misappropriation of patient property.
The motion was seconded and carried unanimously.

Colleen Jones, R.N. 0001-129315

Ms. Jones did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Colleen Jones, R.N.
The motion was seconded and carried unanimously.

Melissa Woods, R.N. 0001-178056

Ms. Woods did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Melisa Woods for not less than two years and until such time as she can appear before the Board and demonstrate that she is safe and competent to resume practice.
The motion was seconded and carried unanimously.

Mariama Baidoo, C.N.A. 1401-108011

Ms. Baidoo did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Mariama Baidoo, C.N.A.
The motion was seconded and carried unanimously.

Tamara Mowles Bryan, L.P.N. 0002-055221

Ms. Bryan did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Tamara Bryan and require her to complete the National Council of State Boards of Nursing course "Ethics of Nursing Practice" within sixty days.
The motion was seconded and carried unanimously.

Nellie L.W. Cobb, C.N.A. 1401-104195

Ms. Cobb did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Nellie Cobb, C.N.A.
The motion was seconded and carried unanimously.

Elizabeth A. Grogg, C.N.A. 1401-108330

Ms. Grogg did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to reprimand Elizabeth Grogg, C.N.A.
The motion was seconded and carried unanimously.

Laura M. C. Holdren, C.N.A. 1401-021191

Ms. Holdren did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Laura Holdren with a finding of abuse.

The motion was seconded and carried unanimously.

Gladys M. Owens, C.N.A. 1401-058452

Ms. Owens did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to revoke Gladys Owens' right to renew her nurse aide certificate.

The motion was seconded and carried unanimously.

Selena H. Shanklin, R.N. 0001-124945

Ms. Shanklin did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Selena Shanklin for not less than two years and until such time a she is able to resume the safe and competent practice of professional nursing.

The motion was seconded and carried unanimously.

Kimberly Smith White, L.P.N. 0002-044665

Ms. White did not appear.

Ms. Francisco moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Kimberly White for not less than two years and until such time as she is able to resume the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:17 A.M. for the purpose of deliberation to reach a decision regarding agency subordinate recommendations. Additionally, Ms. Hale moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Mr. Kleiner, Ms. Tiller, Ms. Davis and Mr. Casway to 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 12:21 P.M.

Ms. Hale 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.

Deborah J. Allen, R.N. 0001-140092

Ms. Allen did not appear.

Ms. Lane moved to reject the recommended decision of the agency subordinate and refer the case of Deborah Allen, R.N. to the Board of Nursing or a panel thereof for a formal hearing.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan and Ms. Ponn were in favor of the motion. Ms. Piersall and Dr. Selig opposed the motion.

Barbara Callis, L.P.N. 0002-062177

Ms. Callis did not appear.

Ms. Lane moved to reject the recommended decision of the agency subordinate and to issue an order to indefinitely suspend the practical nursing license of Barbara Callis for not less than six months and impose a \$500 monetary penalty. The motion was seconded and carried. Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Piersall and Ms. Ponn were in favor of the motion. Ms. Francisco, Dr. Hahn, Ms. Hale, Mr. Horn and Dr. Selig opposed the motion. Ms. Cooper abstained.

Susan S. Fine, R.N. 0001-127216

Ms. Fine did not appear.

Ms. Jones-Clarke moved to reject the recommended decision of the agency subordinate and issue an order to indefinitely suspend the professional nursing license of Susan Fine, stay said suspension upon proof of entry into and remaining in compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried. Ms. Francisco, Ms. Jones-Clarke, Ms. Hale, Ms. Lane, Ms. Lindsay, Mr. Logan, and Ms. Ponn were in favor of the motion. Ms. Cooper, Dr. Hahn, Mr. Horn, Ms. Piersall and Dr. Selig opposed the motion.

Kimberlee B. Frayser, R.N. 0001-129011

Ms. Frayser did not appear.

Ms. Jones-Clarke moved to accept the recommended decision of the agency subordinate to place Kimberlee Frayser on probation with terms for three years of active employment as a professional nurse.

The motion was seconded and carried. Ms. Cooper, Ms. Jones-Clarke, Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Mr. Logan, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Lane and Ms. Lindsay opposed the motion.

James W. Greene, C.N.A. 1401-027211

Mr. Greene did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of James Greene. with a finding of abuse.

The motion was seconded and carried. Ms. Hale, Ms. Francisco, Dr. Hahn, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Piersall, Ms. Ponn and Dr. Selig

were in favor of the motion. Ms. Cooper and Ms. Jones-Clarke opposed the motion.

Sandra Hicks, L.P.N. 0002-046793

Ms. Hicks did not appear.

Ms. Hale moved to amend the recommended decision of the agency subordinate to include requiring Sandra Hicks to complete the National Council of State Boards of Nursing course “Medication Errors – Detection and Prevention” as well as “Documentation – A Critical Aspect of Client Care” within sixty days of the order being final.

The motion was seconded and carried unanimously.

Juanita F. Malone, C.N.A. 1401-052256

Ms. Malone did not appear.

Ms. Jones-Clarke moved to reject the recommended decision of the agency subordinate and refer the case of Juanita Malone to the Board of Nursing or a panel thereof for a formal hearing.

The motion was seconded and carried unanimously.

August S. Olinger, R.N. 0001-194797

Ms. Olinger did not appear.

Ms. Hale moved to reject the recommended decision of the agency subordinate and to issue an order to take no action at this time contingent upon proof of August Olinger’s entry into the Health Practitioners Intervention Program within ninety days and remaining in compliance with the Health Practitioners Intervention Program.

The motion was seconded and carried unanimously.

Diane Potter, L.P.N. 0002-047799

Ms. Potter did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Diane Porter until such time as she can appear before the Board and demonstrate that she is safe and competent to resume the practice of practical nursing.

The motion was seconded and carried unanimously.

Travis Wyatt, L.P.N. 0002-037564

Mr. Wyatt did not appear.

Ms. Jones-Clarke moved to reject the recommended decision of the agency subordinate and to issue an order to accept the findings of fact and conclusions of law and impose no sanction at this time.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Hale, Dr. Hahn, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Ponn were in favor of the motion. Ms. Cooper, Ms. Francisco, Mr. Horn, Ms. Piersall and Dr. Selig opposed the motion.

William Dean, R.N. 0002-160434

Mr. Dean did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of William Dean for not less than two years and until such time as he can appear before the Board and demonstrate that he is safe and competent to resume practice.

The motion was seconded and carried unanimously.

Sylvester Britt, R.N. 0001-07640

Mr. Britt did not appear.

Ms. Cooper moved to accept the recommended decision of the agency subordinate to reprimand Sylvester Britt, R.N.

The motion was seconded and carried unanimously.

John Breau, R.N. 0001-143183

Mr. Breau did not appear.

Ms. Piersall moved to accept the recommended decision of the agency subordinate to reprimand John Breau, R.N.

The motion was seconded and carried unanimously.

Michaela Foster, C.N.A. 1401-081723

Ms. Foster did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Michaela Foster with a finding of abuse.

The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 12:30 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:25 P.M. on September 17, 2008 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS
PRESENT: Florence Jones-Clarke, R.N., M.S., Vice President
Brenda L. Hale, R.n.
Patricia C. Lane, R.N., B.S.N.
Lawrence L. Logan, Citizen Member
Judith E. Piersall, R.N., B.S.N.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Ishneila Moore, Assistant Attorney General
Students from Virginia State University and Bon Secours School of Nursing

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

FORMAL HEARINGS: **Virginia Plaugher, R.N. 0001-202377**
Ms. Plaugher appeared, accompanied by attorney, Margaret Hardy.

William Clay Garrett, Assistant Attorney General and Emily Tatum, Adjudication Specialist, represented the Commonwealth. Ishneila Moore, Assistant Attorney General was legal counsel for the Board. Sandra Spinner, court reporter, recorded the proceedings.

Sue Zich, Senior Investigator, Department of Health Professions; Barbara Barb, R.N., Shenandoah Memorial Hospital; Marcia Tatum-Spence, L.P.N., Shenandoah Memorial Hospital; Lisa Stokes, R.N., Shenandoah Memorial Hospital; Pat Vietenhal, R.N., former employee of Shenandoah Memorial Hospital; David Perry, Sargeant, Woodstock Fire Department; Blaine Plaugher, spouse; were present and testified.

CLOSED MEETING: Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 7:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Plaugher. Additionally, Ms. Hale moved that Ms. Mitchell, Ms. Lee and Ms. Moore 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 8:20 P.M.

Ms. Hale 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. Logan moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Garrett and amended by the Board.

The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing continue Virginia Plaugher on indefinite suspension until such time as she submits to a mental health and substance abuse evaluation by a Board approved practitioner. The evaluation will be reviewed by the Board, if the evaluation is satisfactory, an unrestricted license will be issued. If the evaluation is not satisfactory, Ms. Plaugher will be referred to the Board for further action.

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 HEARING:

Georgia Aryee, L.P.N. Applicant

Ms. Aryee appeared, accompanied by her brother.

Peter Oppen, Adjudication Specialist, represented the Commonwealth. Ishneila Moore, Assistant Attorney General was legal counsel for the Board. Sandra Spinner, court reporter, recorded the proceedings.

Allan McDonald, Senior Investigator, Department of Health Professions; Jeffery Dodson, Sr.; Helen Hipps, R.N., Case Manager, Senior Care Associates; were present and testified.

CLOSED MEETING:

Ms. Hale moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Aryee. Additionally, Ms. Lindsay moved that Ms. Mitchell, Ms. Lee and Ms. Moore 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 approved unanimously.

RECONVENTION:

The Board reconvened in open session at 10:20 P.M.

Ms. Hale 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 approved unanimously.

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

Ms. Lane moved that the Board deny Georgina Aryee's application for licensure as a practical nurse. 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:

Esther Thaxton, R.N. Reinstatement Applicant 0001-142557

Ms. Thaxton did not appear.

Ms. Lane moved to continue Esther Thaxton on suspension until such time as she can exercise her right to appeal.

ADJOURNMENT:

The Board adjourned at 10:40 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

Panel - B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:12 P.M. on September 17, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS
PRESENT: Lynne M. Cooper, Citizen Member, President
Peregrin Francisco, R.N., M.S.A.
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
John M. Horn, L.P.N.
Evelyn Lindsay, L.P.N.
G. Maxine Ponn, L.P.N.
Patricia M. Selig, RN., F.N.P., Ph.D.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S. Deputy Executive Director, Medication Aide Registry Manager
Amy Davis, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

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

FORMAL HEARINGS: **Juanita Lee, R.N. Reinstatement Applicant 0001-161318**
Ms. Lee appeared, represented by attorney, Carl McAfee.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. Melissa Custis, court reporter, recorded the proceedings.

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

CLOSED MEETING: Ms. Lindsay 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. Lee. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway 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 2:41 P.M.

Ms. Lindsay 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. Francisco 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.

Mr. Horn moved that the Board of Nursing grant the application the reinstate the license of Juanita Lee to practice professional nursing.

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 2:45 P.M.

RECONVENTION: The Board reconvened at 3:00 P.M.

FORMAL HEARING: **Angela Barbour, C.N.A. Reinstatement Applicant 1401-090527**

Ms. Barbour appeared, accompanied by her mother and uncle.

Amanda Mitchell, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. Melissa Custis, court reporter, recorded the proceedings.

Clarence Doss, Deputy Sheriff, Amherst County Sheriff's Office testified by telephone.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:35 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Barbour. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway 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 approved unanimously.

RECONVENTION: The Board reconvened in open session at 3:45 P.M.

Ms. Lindsay 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 approved unanimously.

Ms. Ponn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell and amended by the Board.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board grant the application to reinstate the nurse aide certificate of Angela Barbour.

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. Hahn left the meeting.

FORMAL HEARINGS:

Rita Cyrus, C.N.A. 1401-022798; R.N. Applicant

Ms. Cyrus appeared, represented by attorney, Gary Coates.

LaRhonda Carter, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. Melissa Custis, court reporter, recorded the proceedings.

Lisa Elgin, R.N., Senior Investigator, Department of Health Professions; Julie Smith, L.P.N., Centra Health and Campbell County Schools were present and testified.

RECESS:

The Board recessed at 4:45 P.M.

RECONVENTION:

The Board reconvened at 4:50 P.M.

Bryan Jones, parent of a patient of Ms. Cyrus was present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:15 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cyrus. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway 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 6:38 P.M.

Ms. Lindsay 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. Selig moved to accept the findings of fact and conclusions of law as presented by Ms. Carter and amended by the Board. The motion was seconded and carried unanimously.

Mr. Horn moved to issue a reprimand to Rita Cyrus.

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 6:40 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director, Medication Aide Registry Manager