

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 23, 2008**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:25 A.M., in Hearing Room 3, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Brenda Hale, R.N., Chairperson
G. Maxine Ponn, L.P.N.

OTHERS PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Mary Beth Shelton, Adjudication Specialist
Others observing:
Gerald Canaan, Attorney
Kim Beasley, Paralegal
Jennifer Challis, Senior Investigator, Department of Health Professions
Maureen Schnittger, Investigator, Department of Health Professions
Two nursing students from Bon Secours School of Nursing

**CONFERENCES
SCHEDULED:** **Cynthia Mellender, L.P.N. 0002-057720**
Ms. Mellender appeared, accompanied by attorney, Pamela Branch.

CLOSED MEETING: Ms. Ponn 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 10:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Mellender. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 11:20 A.M.

Ms. Ponn 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. Ponn moved to issue an Order to take no action at this time, contingent upon Ms. Mellender completing the National Council of State Boards of Nursing course "Ethics of Nursing Practice" within 45 days and obtaining a substance abuse evaluation by a Board approved addictionologist within 90 days. Final disposition will be determined after receipt of said evaluation.
The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Suzanne Cunningham, R.N. 0001-092156

Ms. Cunningham appeared, accompanied by attorney, Carolyn Carpenter.

Linda Stasco, former Assistant Director of Nursing, Manor Care Stratford Hall was present and provided information in the matter of Ms. Cunningham.

CLOSED MEETING:

Ms. Ponn 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 12:33 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cunningham. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 1:25 P.M.

Ms. Ponn 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. Ponn moved to issue an Order of reprimand to Suzanne Cunningham and require Ms. Cunningham to complete the National Council of State Boards of Nursing courses "Documentation: A Critical Aspect of Client Care" and "Medication Errors: Detection and Prevention" within 45 days of entry of the order.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Cunningham unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Cunningham 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 decision of this conference committee shall be vacated.

CONFERENCES
SCHEDULED:

Loraine Abrams-Nardone, R.N. 0001-070662

Ms. Abrams-Nardone appeared, accompanied by husband, Lawrence Nardone.

CLOSED MEETING:

Ms. Ponn 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 3:00 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Abrams-Nardone. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 3:09 P.M.

Ms. Ponn 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. Ponn moved to close the case and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED: **Sherlena Newton-Cottrell, L.P.N. 0002-069449**

Ms. Newton-Cottrell appeared.

CLOSED MEETING: Ms. Ponn 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 3:53 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Newton-Cottrell. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 4:02 P.M.

Ms. Ponn 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. Ponn moved to issue an order of reprimand to Sherlena Newton-Cottrell. The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Newton-Cottrell unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Newton-Cottrell 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 decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED: **Zubair Rucker, L.P.N. 0002-050210**

Mr. Rucker appeared.

CLOSED MEETING: Ms. Ponn 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 5:17 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Rucker. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 5:30 P.M.

Ms. Ponn 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. Ponn moved to close the case and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Michelle Shelton, R.N. 0001-170274
Mr. Shelton appeared.

CLOSED MEETING: Ms. Ponn 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 6:08 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Shelton. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Mary Beth Shelton 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 6:25 P.M.

Ms. Ponn 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. Ponn moved to issue an Order of reprimand to Michelle Shelton and require Ms. Shelton to complete the National Council of State Boards of Nursing course “Ethics of Nursing Practice”. The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Shelton unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Shelton

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 decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Joy Griffith, C.M.T. 0019-005333

Ms. Griffith did not appear.

CLOSED MEETING:

Ms. Ponn 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 6:30 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Griffith. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 6:37 P.M.

Ms. Ponn 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. Ponn moved to offer Joy Griffith a consent order for voluntary surrender for indefinite suspension of her massage therapy certificate in lieu of a formal hearing.

The motion was seconded and carried unanimously.

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

CONFERENCES

SCHEDULED:

Robin Heldreth, R.N. 0001-080634

Ms. Heldreth did not appear.

CLOSED MEETING:

Ms. Ponn 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 6:45 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Heldreth. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 6:53 P.M.

Ms. Ponn 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. Ponn moved to offer Robin Heldreth a consent order for indefinite suspension of her license until such time as can appear before the Board and prove that she is safe and competent to practice.

The motion was seconded and carried unanimously.

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

CONFERENCES

SCHEDULED:

Augustine Williamson, C.M.T. 0019-002703

Mr. Williamson did not appear.

CLOSED MEETING:

Ms. Ponn 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 7:00 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Williamson. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 7:10 P.M.

Ms. Ponn 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. Ponn moved to refer the case of Augustine Williamson to the Board of Nursing or a panel thereof for a formal hearing.

CONFERENCES

SCHEDULED:

Rebecca Parks (Dangerfield), L.P.N. 0002-056053

Ms. Parks did not appear.

CLOSED MEETING:

Ms. Ponn 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 7:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Parks. Additionally, Ms. Ponn moved that Ms. Mitchell and Ms. Shelton 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 7:20 P.M.

Ms. Ponn 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. Ponn moved to refer the case of Rebecca Parks to the Board of Nursing or a panel thereof for a formal hearing.
The motion was seconded and carried unanimously

ADJOURNMENT:

The Board adjourned at 7:20 P.M.

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

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 21, 2008**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 10:30 A.M., in Training Room 2, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Lawrence L. Logan, Citizen Member, Chairperson
Joyce A. Hahn, PhD., APRN, NEA-BC

OTHERS PRESENT: Jane Elliott, R.N., Ph.D., Discipline Staff
LaRhonda, Carter, Adjudication Specialist

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Mr. Logan 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 10:30 A.M. for the purpose of deliberation regarding case disposition. Additionally, Mr. Logan moved that Dr. Elliott, Ms. Kleiner and Ms. Carter 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 10:45 A.M.

Mr. Logan 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.

Investigative reports regarding two registered nurses and 1 licensed practical nurse were reviewed.

ACTION: Mr. Logan moved to close two of the above cases as they have completed the monitoring requirements as contained in the orders issued. The motion was seconded and carried unanimously.

Mr. Logan moved to offer one of the above individuals a pre-hearing consent order in lieu of further administrative proceedings. The motion was seconded and approved unanimously.

ADJOURNMENT: The Committee adjourned at 10:45 A.M.

Jane Elliott, R.N., Ph.D.
Discipline Staff