

VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
VIRTUAL FORMAL HEARING
MINUTES
February 17, 2021

TIME AND PLACE: The virtual Webex hearing of the Committee of the Joint Boards of Nursing and Medicine was called to order at 9:00 A.M., on February 17, 2021.

Due to COVID-19 declared state of emergency and consistent with Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provision of §2.2-3708.2 in the Freedom of Information Act, the Committee convened a virtual meeting to consider such regulatory and business matters as was presented on the agenda for the Committee to discharge its lawful purposes, duties, and responsibilities.

**COMMITTEE MEMBERS
PARTICIPATED
VIRTUALLY:**

Marie Gerardo, MS, RN, ANP-BC, Chair
Louise Hershkowitz, CRNA, MSHA;
Ann Tucker Gleason, PhD
Lori Conklin, MD
David Archer, MD

MEMBERS ABSENT: Karen Ransone, MD

**STAFF PARTICIPATED
VIRTUALLY:**

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Lelia Claire Morris, RN, LNHA; Deputy Executive Director; Board of Nursing
Darlene Graham, Senior Discipline Specialist
Huong Vu, Executive Assistant; Board of Nursing
Sally Ragsdale, Discipline Specialist

**OTHERS PARTICIPATED
VIRTUALLY:**

Erin Barrett, Assistant Attorney General; Board Counsel
Camron Jordan, Court Reporter, Veteran Reporters
Anne Joseph, Adjudication Consultant, Administrative Proceedings Division (APD)
Sarah Rogers, Senior Investigator, Department of Health Professions Enforcement

**ESTABLISHMENT OF
A QUORUM:**

Ms. Gerardo called the meeting to order and established that a quorum consisting of 5 members was present.

CONSENT ORDER CONSIDERATION

Heather M. Poe, LNP

0024-173082

Ms. Hershowitz moved that the Committee of the Joint Boards of Nursing and Medicine accept the consent order to continue the license of Heather M. Poe to practice as a nurse practitioner in the Commonwealth of Virginia on indefinite suspension with suspension stayed upon proof of Ms. Poe's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was properly seconded by Dr. Conklin. A roll call was taken and the motion carried unanimously.

FORMAL HEARING:

Thomas James Fernandez, LNP Reinstatement Applicant
0024- 161198

Mr. Fernandez participated.

Anne Joseph, Adjudication Consultant for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Camron Jordan, court reporter with Veteran Reporters, recorded the proceeding.

CLOSED MEETING:

Dr. Gleason moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 10:05 A.M. for the purpose of deliberation to reach a decision in the matter of Thomas James Fernandez. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Ms. Graham, Ms. Vu and Ms. Barrett, Board Counsel, 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 properly seconded by Ms. Hershkowitz. A roll call was taken and the motion carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:14 A.M.

Dr. Gleason moved that the Committee of the Joint Boards of Nursing and Medicine 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 properly seconded by Ms. Hershkowitz. A roll call was taken and the motion carried unanimously.

ACTION:

Ms. Hershkowitz moved to approve the application of Thomas James Fernandez for reinstatement of his license to practice as a nurse

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practitioner in the Commonwealth of Virginia. The basis for this decision will be set forth in a final Board Order which will be sent to Mr. Fernandez at his address of record. The motion was properly seconded by Dr. Archer. A roll call was taken and the motion 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 quorum.

ADJOURNMENT: The meeting was adjourned at 10:17 A.M.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director