

VIRGINIA BOARD OF NURSING
VIRTUAL FORMAL HEARINGS
January 26, 2021
Panel - B

TIME AND PLACE: The virtual Webex meeting of the Virginia Board of Nursing was called to order at 9:06 A.M. on January 26, 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 Board convened a virtual meeting to consider such regulatory and business matters as was presented on the agenda for the Board to discharge its lawful purposes, duties, and responsibilities.

**BOARD MEMBERS
PARTICIPATING
VIRTUALLY:**

Mark Monson, Citizen Member; First Vice-President
Louise Hershkowitz, CRNA, MSHA
Brandon Jones, MSN, RN, CEN, NEA-BC
Dixie McElfresh, LPN
Meenakshi Shah, BA, RN
Felisa Smith, RN, MSA, MSN/Rd, CNE

**STAFF PRESENT
AT DHP:**

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Darlene Graham, Senior Discipline Specialist
Huong Vu, Executive Assistant

**STAFF PARTICIPATING
VIRTUALLY:**

Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
Advance Practice
Francesca Iyengar, MSN, RN; Discipline Case Manager
Huong Vu, Executive Assistant

**OTHERS PARTICIPATING
VIRTUALLY:**

James Rutkowski, Assistant Attorney General, Board Counsel
Lauren Hayward, Virginia Western University
Amy Ressler, Health Practitioners' Monitoring Program (HPMP) Director
Etta Bruton
Jennifer Deschenes, Deputy Executive Director, Board of Medicine
Ann Tiller, Compliance Manager, Board of Nursing
Renee White, Senior Investigator, DHP Enforcement
Madeline Holder, Senior Investigator, DHP Enforcement
Gayle Miller, Senior Investigator, DHP Enforcement
Marcella Luna, Investigator Supervisor, DHP Enforcement

Cynthia Gaines, Adjudicative Specialist, Administrative Proceedings Division (APD)
Lori Pound, Adjudicative Specialist, APD
Grace Stewart, Adjudicative Specialist, APD
Mandy Wilson, Adjudicative Specialist, APD
David Robinson, Adjudicative Specialist, APD
Tammie Jones, Adjudicative Consultant, APD
Julia Bennett, Deputy Executive Director, APD

ESTABLISHMENT OF A
PANEL:

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

FORMAL HEARINGS:

**Julia Wilcher Hoffman Jackson, RN Reinstatement Applicant
0001-166728**

Ms. Jackson did not participate.

Cynthia Gaines, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Mercedes Kiddick-Williams, court reporter, Veteran Reporters, recorded the proceeding.

Renee White, Senior Investigator, Department of Health Professions, and Amy Ressler, Health Practitioners' Monitoring Program (HPMP) Director participated and testified.

CLOSED MEETING:

Ms. Shah moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:38 A.M., for the purpose of deliberation to reach a decision in the matter of Julia Wilcher Hoffman Jackson. Additionally, Ms. Shah moved that Ms. Douglas, Dr. Hills, Ms. Iyengar, Ms. Graham, Ms. Vu and Mr. Rutkowski, Board counsel, 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 properly seconded by Ms. Smith. A roll call was taken and the motion carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:42 A.M.

Ms. Shah 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 properly seconded by Ms. Smith. A roll call was taken and the motion carried unanimously.

ACTION: Mr. Jones moved that the Board of Nursing deny the application of Julia Wilcher Hoffman Jackson for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and continue her indefinite suspension. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Jackson at her address of record. The motion was properly seconded by Ms. Hershkowitz. A roll called 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 panel.

RECESS: The Board recessed at 9:50 A.M.

RECONVENTION: The Board reconvened in open session at 11:00 A.M.

FORMAL HEARINGS: **April Jean Holford, RMA Reinstatement Applicant 0031-010372**

Ms. Lawson participated.

Grace Stewart and Mandy Wilson, Adjudication Specialists for the Department of Health Professions, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Mercedes Kiddick-Williams, court reporter, Veteran Reporters, recorded the proceeding.

Shawn Ledger and Matthew Halphen, Senior Investigators, Department of Health Professions, Jill Stech, and Delphine Cooper, LPN, Resident Care Director at Spring Arbor, participated and testified.

Due to technical issues of connecting, the Board decided to end the meeting at 11:40 A.M. and re-starting the meeting at 12:25 P.M.

CLOSED MEETING: Ms. Shah moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:43 P.M., for the purpose of deliberation to reach a decision in the matter of April Jean Holford. Additionally, Ms. Shah moved that Ms. Douglas, Dr. Hills, Ms. Iyengar, Ms. Graham, Ms. Vu and Mr. Rutkowski, Board counsel, 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 properly seconded by Ms. Smith. A roll call was taken and the motion carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:58 P.M.

Ms. Shah 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 properly seconded by Ms. Smith. A roll call was taken and the motion carried unanimously.

ACTION: Ms. McElfresh moved that the Board of Nursing deny the application of April Jean Holford for reinstatement of her registration to practice as a medication aide in the Commonwealth of Virginia and continue her indefinite suspension. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Holford at her address of record. The motion was properly seconded by Ms. Hershkowitz. 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 panel.

RECESS: The Board recessed at 2:01 P.M.

RECONVENTION: The Board reconvened in open session at 2:50 P.M.

FORMAL HEARINGS: **Alex S. Caulker, CNA Reinstatement Applicant** **0014-031980**

Due to the technical issues of connecting to the hearings for Alex S. Caulker. The Chair granted the continuance of the hearing to a later date.

ADJOURNMENT: The Board adjourned at 2:59 P.M.

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