

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 10, 2012**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on September 10, 2012 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS
PRESENT: Patricia M. Selig, RN, FNP, PhD; President
Allison Gregory, RN, LNP
John M. Horn, LPN
Evelyn Lindsay, LPN
William Traynham, LPN, CSAC

STAFF PRESENT: Jay P. Douglas, RN, MSM, CSAC; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Darlene Graham, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General
Nursing students from Fortis College and John Tyler Community College

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

FORMAL HEARINGS: **JoAnn Davis, RN 0001-173576**
Ms. Davis did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Sherry Foster, Senior Investigator, Department of Health Professions; Chris Bowers, Case Manager, Health Practitioners Monitoring Program; and Anita Atkins, Pharmacist, Director of Pharmacy, Johnston Willis Hospital were 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 9:22 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Davis. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 9:33 A.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.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved that the Board of Nursing indefinitely suspend the right to renew her license to practice as a registered nurse in Virginia and the multistate privilege to practice in Virginia. 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:

Cynthia Moore, CNA 1401-014073

Ms. Moore did not appear.

Olivia Exterovich, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Helene Kelly, Senior Investigator, Department of Health Professions; and Nancy Chilla, Director of Nursing, Mount Vernon Nursing and Rehab Center were 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 10:01 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Moore. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 10:12 A.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.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Exterovich and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing indefinitely suspend the nurse aide certificate of Cynthia Moore, stay the suspension contingent upon entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Program. 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: **Alusine Sankoh-Cole, CNA 1401-090158**
Mr. Sankoh-Cole did not appear.

Olivia Exterovich, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Naima Fellers, 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 10:44 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Sankoh-Cole. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 10:51 A.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.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Exterovich and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing revoke the nurse aide certificate of Alusine Sankoh-Cole with a finding of abuse. 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: **Jeannette M. Jones, LPN 0002-059405**
Ms. Jones appeared, accompanied by a friend, Anthony Jefferson.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Jennifer Challis, Senior Investigator, Department of Health Professions; and Anthony Jefferson were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(7) of the *Code of Virginia* at 11:31 A.M for consultation with and the provision of legal advice by the Assistant Attorney General in the matter of Ms. Jones. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 11:45 A.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.

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 12:33 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 12:51 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.

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

ACTION: Ms. Lindsay moved that the Board of Nursing indefinitely suspend the practical nursing license of Jeannette Jones and stay the suspension contingent upon entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Program. 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:

Yvonnda P. Sisk, RN 0001-085825

Ms. Sisk appeared, represented by Barbara Queen, Esq. and accompanied by a friend, Jim Nestner.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Kelli Moss, Senior Investigator, Department of Health Professions; Norma Chambers, Nurse Manager, Henrico Doctors Hospital; Jim Nestner and Barbara Headen, Associate Chief Nursing Operator were present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(15) of the *Code of Virginia* at 3:02 P.M., for the purpose of consideration and discussion of medical records of Ms. Sisk that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Lindsay moved that Ms. Sisk, Ms. Queen, Mr. Kazzie, Ms. Boyd, Douglas, Ms. Krohn, Ms. Graham 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 3:29 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.

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 4:52 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Sisk. Additionally, Ms. Lindsay moved that Douglas, Ms. Krohn, Ms. Graham 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 5:20 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.

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

ACTION:

Ms. Lindsay moved that the Board of Nursing place the professional nursing license of Yvonnda Sisk on indefinite probation with terms for not less than one year of active employment as a professional 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:

Robin L. Willis, LPN 0002-064718

Ms. Willis appeared, represented by Margaret Hardy, Esq.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Kelly Ashley, Senior Investigator, Department of Health Professions; April Paulos, LPN, Mizpah Health Care Center; Timley Shelton, Risk Management Nurse, Mizpah Health Care Center; and Ann Carlton Gresham, Assistant Administrator, Mizpah Health Care Center were 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 7:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Willis. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 7:56 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.

ACTION:

Ms. Lindsay moved that the Board of Nursing dismiss the case in the matter of Robin Willis. 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:

Ronald Blevins, RN 0001-227288

Mr. Blevins appeared.

James Rutkowski, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Comiller Boyd, court reporter, recorded the proceedings.

Lisa Elgin, Senior Investigator, Department of Health Professions; and Sheri Hammock, Director CCU, Danville Regional Medical Center were 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 9:14 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Blevins. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Graham 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 9:54 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.

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

ACTION: Ms. Gregory moved that the Board of Nursing indefinitely suspend the multistate privilege of Ronald Blevins to practice as a professional nurse in Virginia. 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 10:02 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director