

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 12, 2010**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on October 12, 2010 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Peregrin C. Francisco, R.N., M.S.A., Chairperson
Joyce A. Hahn, PhD., APRN, NEA-BC

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director

OTHERS PRESENT: James Rutkowski, Adjudication Specialist

CONFERENCES
SCHEDULED: **Ruth Moran, R.N. Reinstatement Applicant 0001-098311**
Ms. Moran appeared.

CLOSED MEETING: Dr. Hahn 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 9:34 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Moran. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 9:52 A.M.

Dr. Hahn 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: Dr. Hahn moved to issue an order to reinstate the license of Ruth Moran to practice as a professional nurse contingent upon verification of entry into the Health Practitioners Monitoring Program within 30 days of entry of the order and thereafter remaining in compliance with the terms of the contract with the Health Practitioners Monitoring Program. Further, Dr. Hahn moved to issue an order of reprimand to Ruth Moran and impose a monetary penalty of \$500 to be paid within ninety days of entry of the order.
The motion was seconded and carried unanimously.

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

received from Ms. Moran 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 Order shall be vacated.

CONFERENCES

SCHEDULED:

Jeffrey Worth, C.N.A. 1401-050449; R.M.A. 0031-002886

Mr. Worth did not appear.

CLOSED MEETING:

Dr. Hahn 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 10:01 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Worth. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 10:08 A.M.

Dr. Hahn 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:

Dr. Hahn moved to offer Jeffrey Worth a consent order for revocation of his nurse aide certificate with a finding of abuse and for revocation of his medication aide registration 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 Mr. Worth and the Board.

CONFERENCES

SCHEDULED:

Shelia Duncan, C.N.A. Reinstatement Applicant 1401-024816

Ms. Duncan did not appear.

CLOSED MEETING:

Dr. Hahn 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 10:10 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Duncan. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 10:15 A.M.

Dr. Hahn 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:

Dr. Hahn moved to issue an order deny Shelia Duncan's petition for reinstatement of her certificate to practice as a nurse aide in Virginia. The motion was seconded and carried unanimously.

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

**CONFERENCES
SCHEDULED:**

Myra Feldman, R.N. Reinstatement Applicant 0001-086745
Ms. Feldman appeared.

CLOSED MEETING:

Dr. Hahn 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 10:46 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Feldman. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 11:03 A.M.

Dr. Hahn 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:

Dr. Hahn moved to issue an order reinstate the license of Myra Feldman to practice as professional nurse and place her on probation for one year of employment as a professional nurse.
The motion was seconded and carried unanimously.

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

CONFERENCES

SCHEDULED:

Kimberly Marshall, L.P.N. 0002-076699; R.N. Applicant

Ms. Marshall appeared, accompanied by her husband.

CLOSED MEETING:

Dr. Hahn 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 1:28 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Marshall. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 1:45 P.M.

Dr. Hahn 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:

Dr. Hahn moved to issue an order to approve Kimberly Marshall's application to take the NCLEX-RN examination contingent upon completion of 350 precepted clinical hours by a Board approved preceptor and with an agreement with Board approved nursing education program per Guidance Document 90-28. The motion was seconded and carried unanimously.

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

CONFERENCES

SCHEDULED:

Ashley Eastman, C.N.A. 1401-120491; R. M.A. 0031-002524

Ms. Eastman appeared, accompanied by her husband and her daughter.

CLOSED MEETING:

Dr. Hahn 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 2:32 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Eastman. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 2:44 P.M.

Dr. Hahn 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:

Dr. Hahn moved to offer Ashley Eastman a consent order for indefinite suspension of her nurse aide certificate and to suspend the right to renew her medication aide registration in lieu of a formal hearing, with said suspension stayed contingent upon Ms. Eastman remaining in compliance with the terms of the Health Practitioners Monitoring Program. 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. Eastman and the Board.

CONFERENCES

SCHEDULED:

Tabitha Gillespie, R.M.A. 0031-003473

Ms. Gillespie appeared.

CLOSED MEETING:

Dr. Hahn 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 3:31 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Gillespie. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 3:42 P.M.

Dr. Hahn 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:

Dr. Hahn moved to issue an Order of reprimand to Tabitha Gillespie and to offer Ms. Gillespie a consent order for indefinite suspension of her right to renew her medication aide registration for a period of not less than one year. The motion was seconded and carried unanimously.

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

CONFERENCES

SCHEDULED: **Robin Pack, C.N.A. 1401-133033**
Ms. Pack appeared.

CLOSED MEETING: Dr. Hahn 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 4:14 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Pack. Additionally, Dr. Hahn moved that Ms. Krohn and Mr. Rutkowski 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 4:19 P.M.

Dr. Hahn 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: Dr. Hahn moved to close the case and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 4:30 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 12, 2010**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 11:20 A.M. on October 12, 2010 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Peregrin C. Francisco, R.N., M.S.A., Chairperson
Joyce A. Hahn, PhD., APRN, NEA-BC

STAFF PRESENT: Linda Kleiner, R.N. Discipline Case Manager

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Dr. Hahn 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 11:20 A.M. for the purpose of deliberation regarding case disposition. Additionally, Dr. Hahn moved Ms. Kleiner attend the closed meeting because her presence in the closed meeting is deemed necessary, and her presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 11:30 A.M.

Dr. Hahn 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 practical nurses were reviewed.

ACTION: Dr. Hahn moved to close one of the above cases undetermined at this time.
The motion was seconded and carried unanimously.

Dr. Selig moved to offer one of the above individuals a prehearing consent order in lieu of further administrative proceedings.

ADJOURNMENT: The Committee adjourned at 11:30 A.M.

Linda Kleiner, R.N.
Discipline Case Manager

