

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
FORMAL HEARING
October 9, 2013**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:30 A.M., in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Allison Gregory, RN, FNP-BC

COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE MEMBERS PRESENT:

Allison Gregory, RN, FNP-BC, Board of Nursing
Robert Hickman, MD, Board of Medicine
Louise D. Hartz, Citizen Member, Board of Nursing
Louise Hershkowitz, CRNA, MSHA

BOARD OF NURSING MEMBERS PRESENT:

Joyce A. Hahn, PhD, APRN, NEA-BC
Jeanne E. Holmes, Citizen Member
Evelyn Lindsay, LPN
William Traynham, LPN, CSAC

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, Executive Director
Gloria D. Mitchell, RN, MSN, MBA, Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General
James Rutkowski, Adjudication Specialist
Nursing students from Bon Secours School of Nursing

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

CLOSED MEETING:

Ms. Hershkowitz moved that Ms. Gregory, Dr. Hickman, Ms. Hartz and Ms. Hershkowitz of the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:38 A.M. for the purpose of deliberation to reach a decision regarding agency subordinate recommendations. Additionally, Ms. Hershkowitz moved that Ms. Douglas, Ms. G. Mitchell, Ms. Graham and Ms. C. Mitchell 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 9:46 A.M.

Ms. Hershkowitz 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 seconded and carried unanimously.

Kimberly Leftwich, RN 0001-160613, LNP 0024-166238

Ms. Leftwich did not appear.

Dr. Hickman moved to accept the recommended decision of the agency subordinate to include the change made to item 5 from July 20, 2012 to July 20, 2013 and to take no action against the nurse practitioner license of Kimberly Leftwich contingent upon her re-entry into the Health Practitioners Monitoring Program within 45 days of the entry of the order and upon her continued compliance with the Health Practitioners Monitoring Program thereafter. The motion was seconded and carried unanimously.

Cynthia Campbell, RN 0001-109366, NP 0024-109366

Ms. Campbell did not appear.

Ms. Hershkowitz moved to accept the recommended decision of the agency subordinate to take no action against the nurse practitioner license of Cynthia Campbell contingent upon her continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

FORMAL HEARING:

Nicole Cofer, RN 0001-218055, NP 0024-068302

Ms. Cofer appeared, represented by attorney John Franklin and attorney David Little.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Debroah Carter, court reporter from Commonwealth Reporters, recorded the proceedings.

Kim Martin, Senior Investigator, Department of Health Professions; Lisa Richardson, Medical Assistant, Sentara Princess Anne Neurology Specialists; and Susan Stemple, Director of Operations, Sentara Princess Anne Neurology Specialists were present and testified.

CLOSED MEETING:

Ms. Hershkowitz moved that the Committee of the Joint Boards of Nursing and Medicine and the panel of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:00 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cofer. Additionally, Ms. Hershkowitz moved that Ms. Douglas, Ms. Graham and Ms. C. Mitchell 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 1:55 P.M.

Ms. Hershkowitz moved that the Committee of the Joint Boards of Nursing and Medicine and the panel 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.

Ms. Hartz moved that the Committee of the Joint Boards of Nursing and 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. Hartz moved the Board of Nursing reprimand Nicole Cofer and to take no further action contingent upon Ms. Cofer's reentry into the Health Practitioners Monitoring Program within 30 days of entry of the order and thereafter remaining in compliance with the Health Practitioners Monitoring Program. Ms. Hartz, Ms. Holmes, and Ms. Lindsay were in favor of the motion. Mr. Traynham opposed the motion.

Ms. Hershkowitz moved that the Committee of the Joint Boards of Nursing and Medicine reprimand Nicole Cofer and to take no further action contingent upon Ms. Cofer's reentry into the Health Practitioners Monitoring Program within 30 days of entry of the order and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 2:30 P.M.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director
Board of Nursing