

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
October 20, 2014**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:46 A.M. on October 20, 2014 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS PRESENT:**  
Evelyn Lindsay, LPN; Chair  
Guia Caliwagan, RN, MAN  
Marie Gerardo, MS, RN, ANP-BC  
Kelly S. McDonough, DNP, RN  
Jennifer Phelps, LPN

**STAFF PRESENT:** Brenda Krohn, RN, MS; Deputy Executive Director  
Jane Elliott, RN, PhD; Discipline Staff  
Amy Davis, Executive Assistant

**OTHERS PRESENT:** James Rutkowski, Assistant Attorney General  
Nursing students from South University, Virginia Beach Campus

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

**FORMAL HEARINGS:** **LaQuetta Bottoms, CNA Reinstatement Applicant 1401-111756**  
Ms. Bottoms did not appear.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Andrea Pegram, court reporter with Andrea Pegram Reporting, recorded the proceedings.

**CLOSED MEETING:** Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:53 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bottoms. Additionally, Dr. McDonough moved that Ms. Krohn, Dr. Elliott, Ms. Davis and Mr. Rutkowski 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 9:59 A.M.

Dr. McDonough 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.

Ms. Caliwagan 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. Gerardo moved that the Board of Nursing deny reinstatement of the nurse aide certificate of LaQuetta Bottoms. 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.

**RECESS:**

The Board recessed at 10:01 A.M.

**RECONVENTION:**

The Board reconvened at 11:03 A.M.

**FORMAL HEARINGS:**

**Carolina Johnson, LPN 0002-077824**

Ms. Johnson did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Andrea Pegram court reporter with Andrea Pegram Reporting, recorded the proceedings.

Naima Fellers, Senior Investigator, Department of Health Professions; Kimberly Lynch, Senior Investigator, Department of Health Professions and Sharon Poznanczyk, RN, Licensed Nursing Home Administrator, Westminster Canterbury were present and testified.

**CLOSED MEETING:**

Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:29 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Johnson. Additionally, Dr. McDonough moved that Ms. Krohn, Dr. Elliott, Ms. Davis and Mr. Rutkowski 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 11:38 A.M.

Dr. McDonough 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.

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

**ACTION:**

Ms. Gerardo moved that the Board of Nursing continue the practical nursing license of Carolina Johnson on indefinite suspension, but stay the suspension contingent upon proof of entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried. Ms. Gerardo, Dr. McDonough, Ms. Lindsay and Ms. Phelps were in favor of the motion. Ms. Caliwagan opposed the motion.

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 11:41 A.M.

**RECONVENTION:**

The Board reconvened at 1:15 P.M.

**FORMAL HEARINGS:**

**Sonja Williams, CNA Reinstatement Applicant**

Ms. Williams appeared.

Wendy Deaner, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Andrea Pegram, court reporter with Andrea Pegram Reporting, recorded the proceedings.

Joyce Shelton-Jones, Senior Investigator, Department of Health Professions was present and testified.

**CLOSED MEETING:**

Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:58 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Williams. Additionally, Dr. McDonough moved that Ms. Krohn, Dr. Elliott, Ms. Davis and Mr. Rutkowski 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 3:13 P.M.

Dr. McDonough 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.

Ms. Phelps moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Deaner. The motion was seconded and carried unanimously.

**ACTION:**

Dr. McDonough moved that the Board of Nursing deny reinstatement of the nurse aide certificate of Sonja Williams. Further, to revoke the right of Ms. Williams to renew her nurse aide certificate and to enter a finding of misappropriation of patient property against her into the Virginia Nurse Aide Registry. 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 3:15 P.M.

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Brenda Krohn, MS, RN  
Deputy Executive Director

**VIRGINIA BOARD OF NURSING  
TELEPHONE CONFERENCE CALL  
October 20, 2014**

A telephone conference call meeting of the Virginia Board of Nursing was held October 20, 2014 at 8:30 A.M. The Board members participating in the meeting were:

Jane R. Ingalls, RN, PhD; Chair	Jeanne Holmes, Citizen Member
Guia Caliwagan, RN, MAN	Evelyn Lindsay, LPN
Joanne Garcia, Citizen Member	Kelly McDonough, DNP, RN
Marie Gerardo, MS, RN, ANP-BC	Jennifer Phelps, LPN

Others participating in the meeting were:

James Rutkowski, Assistant Attorney General, Board Counsel  
Wayne Halbleib, Assistant Attorney General  
Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director  
Brenda Krohn, RN, MS; Deputy Executive Director  
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director  
Amy Davis, Executive Assistant  
Jane Elliott, RN, PhD; Discipline Staff  
Wendy Deaner, Adjudication Specialist  
Amanda Blount, Adjudication Specialist  
David Kazzie, Adjudication Specialist

The meeting was called to order by Dr. Ingalls. With eight members of the Board participating, a quorum was established. A poll of those participating showed that a good faith effort to convene a regular meeting within the week was not possible.

Wayne Halbleib, Assistant Attorney General presented evidence that the continued nursing practice Christina Love, LPN 0002-090474 may present a substantial danger to the health and safety of the public.

Ms. Lindsay moved to summarily suspend the license of Christina Love pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license in lieu of a formal hearing. The motion was seconded and carried unanimously.

Wayne Halbleib, Assistant Attorney General presented evidence that the continued nursing practice Gary Sites, CMT 0019-010231 may present a substantial danger to the health and safety of the public.

Ms. Caliwagan moved to summarily suspend the massage therapy certificate of Gary Sites pending a formal administrative hearing and to offer a consent order for revocation of his certification in lieu of a formal hearing. The motion was seconded and carried unanimously.

Wayne Halbleib, Assistant Attorney General presented evidence that the continued nursing practice Wesley Veney, CMT 0019-011480 may present a substantial danger to the health and safety of the public.

Ms. Lindsay moved to summarily suspend the massage therapy certificate of Wesley Veney pending a formal administrative hearing and to offer a consent order for revocation of his certification in lieu of a formal hearing. The motion was seconded and carried unanimously.

The meeting was adjourned at 9:27 A.M.

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Brenda Krohn, RN, MS  
Deputy Executive Director

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Brenda Krohn, RN, MS  
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