

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
April 21, 2015**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on April 21, 2015 in Board Room 4, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Louise Hershkowitz, CRNA, MSHA, Chairperson
Trula Minton, MS, RN
Mark Monson, Citizen Member (Observing)

STAFF PRESENT: Gloria Mitchell-Lively, RN, MSN, MBA, Deputy Executive Director

OTHERS PRESENT: Wendy Deaner, Adjudication Specialist

CONFERENCES

SCHEDULED: **Gail Weatherill, RN 0001-081545**
Ms. McCain appeared accompanied by three friends.

CLOSED MEETING: Ms. Minton 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 10:25 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Weatherill. Additionally, Ms. Minton moved that Ms. Mitchell-Lively and Ms. Deaner 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 10:42 A.M.

Ms. Minton 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: Ms. Minton moved to issue an Order of reprimand to Ms. Weatherill and require her to complete (1) NCSBN course: *Professional Accountability and Legal Liability for Nurses*; within 60 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. Weatherill unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Weatherill 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:

Sarah Acheampong, LPN 0002-072021

Ms. Acheampong appeared, accompanied by her attorney, John Drury, Esquire.

CLOSED MEETING:

Ms. Minton 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 12:09 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Acheampong. Additionally, Ms. Minton moved that Ms. Mitchell-Lively and Ms. Deaner 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 12:40 P.M.

Ms. Minton 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:

Ms. Minton moved to issue an Order of reprimand to Ms. Acheampong and place her probation for a period of not less than 2 years of employment as a practical 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. Acheampong unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Acheampong 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:

Tabitha Jenkins, LPN 0002-086609

Ms. Jenkins appeared.

CLOSED MEETING:

Ms. Minton 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 1:58 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Jenkins. Additionally, Ms. Minton moved that Ms. Mitchell-Lively and Ms. Deaner 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 2:13 P.M.

Ms. Minton 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:

Ms. Minton moved to offer Ms. Jenkins a consent order for the indefinite suspension of her license with the suspension stayed contingent upon verification of her entry into the Health Practitioner's Monitoring Program (HPMP), and remaining compliant with the terms of the program 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 Ms. Jenkins and the Board.

**CONFERENCES
SCHEDULED:**

Dee Waits, RN 0001-223717
Ms. Waits appeared.

CLOSED MEETING:

Ms. Minton 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 2:49 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Waits. Additionally, Ms. Minton moved that Ms. Mitchell-Lively and Ms. Deaner 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 3:02 P.M.

Ms. Minton 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:

Ms. Minton moved to offer Ms. Waits a consent order for the indefinite suspension of her license with the suspension stayed contingent upon verification of her entry into the Health Practitioner's Monitoring Program (HPMP), or a similar program in the state of Alabama, and remaining compliant with the terms of the program 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 Ms. Waits and the Board.

CONFERENCES

SCHEDULED:

Jon Dyer, RN 0001-202614

Mr. Dyer appeared accompanied by his attorney, Margaret Hardy, Esquire, and Allison Dyer, his wife.

CLOSED MEETING:

Ms. Minton 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 4:42 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Dyer. Additionally, Ms. Minton moved that Ms. Mitchell-Lively and Ms. Deaner 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 4:51 P.M.

Ms. Minton 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:

Ms. Minton moved to close the case and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 4:55 P.M.

Gloria D. Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director