

**VIRGINIA BOARD OF NURSING
MINUTES
March 23, 2016**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 8:45 A.M. on March 23, 2016 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Joana Garcia, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN
Louise Hershkowitz, CRNA, MSHA
Kelly McDonough, DNP, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, Rn, CPNP
William Traynham, LPN, CSAC

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Wayne Halbleib, Assistant Attorney General
James Schliessmann, Assistant Attorney General
Anne Joseph, Deputy Director, Administrative Proceedings Division
David Kazzie, Adjudication Specialist

ESTABLISHMENT OF A QUORUM:

With eleven members of the Board present, a panel was established

CONSIDERATION OF POSSIBLE SUMMARY SUSPENSIONS:

Wayne Halbleib, Assistant Attorney General presented evidence that the continued nursing practice of Sharon Alls, RN 0001193817 may present a substantial danger to the health and safety of the public.

Mr. Monson moved to summarily suspend the registered nursing license of Sharon Alls 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.

James Schliessmann, Assistant Attorney General presented evidence that the nursing practice of Meghan McCormack, RN 0001199050 may present a substantial danger to the health and safety of the public.

Ms. Phelps moved to summarily suspend the registered nursing license of Megan McCormack, 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.

ADJOURN:

The meeting was adjourned at 9:07 A.M.

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
MINUTES
March 23, 2016**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:15 A.M. on March 23, 2016 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Joana Garcia, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A QUORUM:

With five members of the Board present, a panel was established

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Selena Hevener, LPN 0002078134
Ms. Hevener appeared.

CLOSED MEETING:

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:18 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hevener. Additionally, Ms. Gerardo moved that Ms. Douglas, Ms. Krohn, Ms. Douglas 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 9:27 A.M.

Ms. Gerardo 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. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Selena Hevener on probation for a period of 12 months of active practice in employment as a licensed practical nurse with terms and conditions. The motion was seconded and carried unanimously.

Sharon D. Alls, RN 0001193817

Ms. Alls did not appear.

Ms. Gerardo moved that the Board of Nursing reject the recommended decision of the agency subordinate and refer the matter regarding Sharon Alls to a formal hearing. The motion was seconded and carried unanimously.

Stephanie W. Key, LPN 0002053579

Ms. Key did not appear.

Dr. Hahn moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Stephanie Key and require her to provide the Board with verification that she has completed National Council of State Boards of Nursing online courses “Disciplinary Actions: What Every Nurse Should Know” and “Ethics in Nursing Practice”. The motion was seconded and carried unanimously.

Coreen L. Hillman, RN 0001242581

Ms. Hillman did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension of the right of Coreen Hillman to renew her license to practice professional nursing until such time as she is able to demonstrate that she can resume safe and competent practice. The motion was seconded and carried unanimously.

Brittany S. Kelly, CNA 1401137338

Ms. Kelly did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Brittany Kelly with a finding of abuse. The motion was seconded and carried unanimously.

Adrian R. Kestner, RN 0001213064

Ms. Kestner did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Adrian Kestner and require her to pay a monetary penalty of \$250 to the Board within 90 days of entry of the Order. The motion was seconded and carried unanimously.

Carrie K. Spinner, LPN 0002080248

Ms. Spinner did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Carrie Spinner until such time as she is able to demonstrate that she can resume the safe and competent to practice of practical nursing. The motion was seconded and carried unanimously.

Philissa Taylor-Plunkett, RN 0001188804

Ms. Taylor-Plunkett did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension of the registered nurse license of Philissa Taylor-Plunkett until such time as she is able to demonstrate that she can resume safe and competent practice. The motion was seconded and carried unanimously.

Alisha G. Smith, LPN 0002077736

Ms. Smith did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Alisha Smith and that her practical nursing license be indefinitely suspended until such time as she can appear before the Board and demonstrate that he is safe and competent to practice. The motion was seconded and carried unanimously.

Ashley N. Sullivan, RN 0001230085

Ms. Sullivan did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Ashley Sullivan, but stay the suspension contingent upon Ms. Sullivan's enrollment into the Health Practitioners Monitoring Program and compliance with the Program thereafter. The motion was seconded and carried unanimously.

Jennifer L. Woodward, LPN 0002076855

Ms. Woodward did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Jennifer Woodward for not less than one year and until such time as she can come before the Board and show that she is safe and competent to resume nursing practice. The motion was seconded and carried unanimously.

Amy Reynolds, RMA 0031004881

Ms. Reynolds did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Amy Reynolds and require her to complete the National Council of State Boards of Nursing online courses "Medication Errors: Detection and Prevention" and "Documentation: A Critical Aspect of Client Care" within 60 days of entry of the Order. The motion was seconded and carried unanimously.

Julie Hall Megaro, RN 0001217867

Ms. Megaro did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Julie Hall Megaro and to indefinitely suspend her registered nursing license, but stay the suspension contingent upon her entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Melanie H. L. Jones, RN 0001178815

Ms. Jones did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Melanie Jones and require her to complete National Council of State Boards of Nursing online courses “Professional Accountability and Legal Liability for Nurses” and “Sharpening Critical Thinking Skills” within 60 days of entry of the Order. The motion was seconded and carried unanimously.

Maneika D. Shifflett, RN 0001137754; LNP 0024171646

Ms. Shifflett did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Maneika Shifflett. The motion was seconded and carried unanimously.

Denise H. Patterson, RN 0001152244

Ms. Patterson did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Denise Patterson until such time as she can come before the Board and show that she is safe and competent to resume nursing practice. The motion was seconded and carried unanimously.

Stacey Reynolds, RN 0001122637

Ms. Reynolds did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate continue Stacey Reynolds on probation and to modify the terms of probation of the Order of the Board entered August 26, 2014. The motion was seconded and carried unanimously.

April M. Smith, RN 0001198857

Ms. Smith did not appear.

Ms. Caliwagan moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of April Smith for not less than two years and until such time as she can appear before the Board and demonstrate that she is able to resume the safe and competent practice of nursing. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:50 A.M.

Brenda Krohn, RN, MS
Deputy Executive Director

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 23, 2016
Panel -A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:02 A.M. on March 23, 2016 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Joana Garcia, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel
Nurse aide students from Louisa County Public Schools
Nursing students from Lynchburg College and Southside Virginia Community College

ESTABLISHMENT OF A QUORUM:

With five members of the Board present, a panel was established

FORMAL HEARINGS:

Doreen Facey-Biggs, RN Reinstatement Applicant 0001230040
Ms. Facey-Biggs appeared, accompanied by her boyfriend.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Patricia Dewey, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Garcia moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:50 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Facey-Biggs. Additionally, Ms. Garcia moved that Ms. Douglas, Ms. Krohn, 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 11:11 A.M.

Ms. Garcia 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 Ms. Joseph and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Gilliam moved that the Board of Nursing reinstate the registered nursing license of Doreen Facey-Biggs and issue her a license that is valid in Virginia only. 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 11:14 A.M.

RECONVENTION:

The Board reconvened at 11:22 A.M.

FORMAL HEARINGS:

Cecilia Agyapong, CNA 1401130645

Ms. Agyapong appeared, represented by Leon Demsky, Esquire.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Karen Booke, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:15 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Agyapong. Additionally, Ms. Gerardo moved that Ms. Douglas, Ms. Krohn, 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 12:27 P.M.

Ms. Gerardo 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. Garcia moved that the Board of Nursing dismiss the case in the matter of Cecilia Agyapong due to clear and convincing evidence. The motion was seconded and carried. Ms. Gilliam, Ms. Gerardo, Ms. Garcia and Ms. Caliwagan were in favor of the motion. Dr. Hahn 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 12:28 P.M.

RECONVENTION: The Board reconvened at 1:06 P.M.

FORMAL HEARINGS: **Richard E. Clayton, RN Reinstatement Applicant 0001128803**
Mr. Clayton appeared.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Patricia Dewey, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Garcia moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:49 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Clayton. Additionally, Ms. Garcia moved that Ms. Douglas, Ms. Krohn, 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 2:27 P.M.

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

ACTION: Ms. Caliwagan moved that the Board of Nursing reinstate the registered nursing license of Richard Clayton and issue a license that is valid in Virginia only. 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 2:31 P.M.

RECONVENTION: The Board reconvened at 2:43 P.M.

FORMAL HEARINGS: **Amanda Gallier, CNA 1401144968; RMA 0031004961**
Ms. Gallier did not appear.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

James Wall, Senior Investigator, Department of Health Professions; and Chris Bowers, Intake/Admissions Coordinator, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Gilliam moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gallier. Additionally, Ms. Gilliam moved that Ms. Douglas, Ms. Krohn, 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.

Ms. Gilliam 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 present by Mr. Kazzie.

ACTION: Ms. Gerardo moved that the Board of Nursing revoke the right to renew the medication aide registration of Amanda Gallier and to revoke her nurse aide certificate. 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 3:20 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director

VIRGINIA BOARD OF NURSING
MINUTES
March 23, 2016
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:15 A.M. on March 23, 2016 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
William Traynham, LPN, CSAC; Vice President
Louise Hershkowitz, CRNA, MSHA
Kelly McDonough, DNP, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP

BOARD MEMBER ABSENT:
Trula Minton, MS, RN

STAFF PRESENT: Jodi P. Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Laurie A. Calhoun, RN 0001219408

Ms. Calhoun did not appear. Eileen Talamante, Esquire, appeared on behalf of Ms. Calhoun.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:24 A.M., for the purpose of consideration of agency subordinate recommendation. Additionally, Ms. Phelps moved that Ms. Power, Ms. Graham and Ms. Mitchell 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 9:35 A.M.

Ms. Phelps 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. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Laurie Calhoun and to indefinitely suspend the registered nursing license of Ms. Calhoun, but stay the suspension contingent upon her re-entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:37 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Phelps moved that Ms. Power, Ms. Graham and Ms. Mitchell 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 10:04 A.M.

Ms. Phelps 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.

Nadira Carey, LPN 0002078222

Ms. Carey did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Nadira Carey and to indefinitely suspend her practical nursing license until such time as she is able to demonstrate that she can resume the safe and competent practice of practical nursing and that she be assessed a monetary penalty of \$100 to be paid to the Board prior to the reinstatement of her license. The motion was seconded and carried unanimously.

Kyle E. Goodman, LPN 0002087627

Mr. Goodman did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Kyle Goodman contingent upon his entry into the Health Practitioners Monitoring Program within 60 days of the entry of the Boards Order and his continued compliance thereafter. The motion was seconded and carried unanimously.

Billie J. Gutshall, LPN 0002086988

Ms. Gutshall did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the practical nursing license of Billie Gutshall. The motion was seconded and carried unanimously.

Dana Love, CNA 1401090084

Ms. Love did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Dana Love and to suspend the nurse aide certificate of Ms. Love, but stay the suspension contingent upon her re-entry into and compliance with, the Health Practitioners Monitoring Program. The motion was seconded and carried. Mr. Traynham, Dr. McDonough, Mr. Monson, Ms. Phelps and Dr. Poston were in favor of the motion. Ms. Hershkowitz opposed the motion.

Desiree Rexrode, CNA 1401087650

Ms. Rexrode did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Desiree Rexrode and to enter a finding of misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Jordan N. Higgs, RMA 0031006999

Ms. Higgs did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the medication aide registration of Jordan Higgs until such time as she can appear demonstrate that she is safe and competent to resume medication aide practice. The motion was seconded and carried unanimously.

Carole Pearson, LPN 0002067894

Ms. Pearson did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Carole Pearson and to indefinitely suspend her practical nursing license for not less than one year and until such time as she can appear before the Board and demonstrate that she is safe and competent to practice. The motion was seconded and carried unanimously.

Karen M. Morris, RN 0001098310

Ms. Morris did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Karen Morris, but stay the suspension contingent upon her entry into the Health Practitioners Monitoring Program and thereafter complying with all terms and conditions for the period specified by the Program. The motion was seconded and carried unanimously.

Kimberly Vandergriff, RN 0001090173

Ms. Vandergriff did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of

Kimberly Vandergriff, but stay the suspension contingent upon her compliance with all terms and conditions of a Recovery Monitoring Contract with the Health Practitioners Intervention Program for the period specified by the Program. The motion was seconded and carried unanimously. The motion was seconded and carried unanimously.

Paula V. Schifferli, RN 0001162494

Ms. Schifferli did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Paula Schifferli until such time as she is able to demonstrate that she can resume the safe and competent practice of nursing. The motion was seconded and carried unanimously.

Eve T. Wood, RN 0001148622

Ms. Wood did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Eve Wood for a period of not less than two years. The motion was seconded and carried unanimously.

Heather Jo Gunn-Deaner, CNA 1401133761

Ms. Gunn-Deaner did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Health Jo Gunn-Deaner until such time as she can appear before the Board and show that she is safe and competent to practice. The motion was seconded and carried unanimously.

Karen Riddick Sligh, RMA 0031004786; CNA 1401157690

Ms. Sligh did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Karen Riddick Sligh. Further, that the right to renew her nurse aide certificate be suspended for not less than two years and her right to renew her medication aide registration be suspended for not less than two years. The motion was seconded and carried unanimously.

Melissa A. Bowman, RMA 0031006674

Ms. Bowman did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the medication aide registration of Melissa Bowman until such time as she can appear before the Board and show that she is safe and competent to practice. The motion was seconded and carried unanimously.

Laura E. Hall, RMA 0031004368

Ms. Hall did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the medication aide registration of Laura Hall for not less than two years. The motion was seconded and carried unanimously.

Robinette Payne, CNA 1401159227

Ms. Payne did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Robinette Payne until such time as she can appear before the Board and demonstrate that she is safe and competent to practice. The motion was seconded and carried unanimously.

Tina Culligan, CNA 1401133548

Ms. Culligan did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Tina Culligan. The motion was seconded and carried unanimously.

Jessica L. Smith, LPN 0002063609

Ms. Smith did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Jessica Smith until such time as she can appear before the Board and show that she is safe and competent to practice. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 10:05 A.M.

Jodi P. Power, RN, JD
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 23, 2016
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:08 A.M. on March 23, 2016 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
William Traynham, LPN, CSAC; Vice President
Louise Hershkowitz, CRNA, MSHA
Kelly McDonough, DNP, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP
Joseph Schibner, IV, CMT Advisory Board Member

BOARD MEMBER ABSENT:
Trula Minton, MS. RN

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director (joined later)
Jodi P. Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel
Kristina Page, CMT Advisory Board Member (observing)

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

FORMAL HEARINGS: **DaeShawn Bullard, CMT 0019013581**
Mr. Bullard did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Juan Ortega, court reporter with Crane-Snead & Associates, recorded the proceedings.

Kelli Moss, Senior Investigator, Department of Health Professions; Perrsha Perry, Assistant Manager, Massage Envy; and Detective Dwayne Stone, Henrico County Police Department, Special Victims Unit were present and testified.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:45 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Bullard. Additionally, Ms. Phelps moved that Ms. Power, Ms. Graham and Ms. Mitchell 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 10:52 P.M.

Ms. Phelps 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.

Dr. Poston 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: Mr. Monson moved that the Board of Nursing revoke the massage therapy certificate of DaeShawn Bullard. 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.

Mr. Schibner and Ms. Page left the meeting since the massage therapy hearings had been concluded.

RECESS: The Board recessed at 10:55 A.M.

RECONVENTION: The Board reconvened at 11:00 A.M.

Ms. Douglas joined the meeting.

FORMAL HEARINGS: **Valerie Lewis-Springfield, RN Reinstatement Applicant 0001260537**
Ms. Lewis-Springfield did not appear.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Juan Ortega, court reporter with Crane-Snead & Associates, recorded the proceedings.

Marcella Luna, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:23 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lewis-Springfield. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Power, Ms. Graham and Ms. Mitchell 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 11:30 A.M.

Ms. Phelps 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. Monson 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. Hershkowitz moved that the Board of Nursing deny the reinstatement of Valeria Lewis-Springfield and continue her registered nursing license on indefinite suspension until such time as she can appear before the Board and prove that she is safe and competent to practice. 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.

Ms. Douglas left the meeting.

RECESS:

The Board recessed at 11:35 A.M.

RECONVENTION:

The Board reconvened at 1:00 P.M.

FORMAL HEARINGS:

Esther Carter, CNA 1401147136

Ms. Carter appeared, accompanied by her son, Isaac Kamah.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Juan Ortega, court reporter with Crane-Snead & Associates, recorded the proceedings.

Laura Pezzulo, Senior Investigator, Department of Health Professions; and Isaac Kamah were present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:02 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carter. Additionally, Ms. Phelps moved that Ms. Power, Ms. Graham and Ms. Mitchell 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 2:28 P.M.

Ms. Phelps 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. Monson 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. Hershkowitz moved that the Board of Nursing place Esther Carter on probation with for terms and conditions for one year of employment as a certified nurse aide. The motion was seconded and carried. Mr. Traynham, Ms. Hershkowitz, Dr. McDonough, Ms. Phelps and Dr. Poston were in favor of the motion. Mr. Monson 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.

FORMAL HEARINGS: **Kristine A. Olson-Harley, RN 0001077952**
Ms. Olson-Harley did not appear.

Amy Weiss, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Juan Ortega, court reporter with Crane-Snead & Associates, recorded the proceedings.

Robin Carroll, Senior Investigator, Department of Health Professions; and Rebecca Britt, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Phelps 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. Olson-Harley. Additionally, Ms. Phelps moved that Ms. Power, Ms. Graham and Ms. Mitchell 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 3:02 P.M.

Ms. Phelps 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.

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

ACTION: Mr. Monson moved that the Board of Nursing reprimand Kristine Olson-Harley and continue her registered nursing license on indefinite suspension for a period of not less than one year and until such time as she can appear before the Board and prove that she is safe and competent to practice. 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 3:04 P.M.

Jodi Power, RN, JD
Deputy Executive Director