

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
November 14, 2005**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 1:55 P.M. on November 14 2005, in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

**BOARD MEMBERS  
PRESENT:**

Judith E. Piersall, R.N., B.S.N, President, Chairperson  
Linda D. Gross, Citizen Member  
Woody B. Hanes, R.N., M.S.N., F.N.P.  
John M. Horn, L.P.N.  
Florence Jones-Clarke, R.N., M.S.  
Patricia M. Selig, R.N., F.N.P., Ph.D.

**STAFF PRESENT:**

Jay P. Douglas, R.N., M.S.M. C.S.A.C., Executive Director  
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry Manager  
Susan Bell Rosen, R.N., F.N.P., J.D., Deputy Executive Director, Discipline  
Amy Davis, Administrative Assistant  
Donna Lee, Senior Discipline Specialist

**OTHERS PRESENT:**

Emily O. Wingfield, Assistant Attorney General  
Nursing students from ACDC; Virginia Commonwealth University; Obici;  
Southside Virginia Community College, Chase City

**ESTABLISHMENT OF  
A QUORUM:**

With six (6) members of the Board present, a quorum was established.

**FORMAL HEARINGS  
SCHEDULED:**

**Julia K. Cash, R.N. 0001-143044**

Ms. Cash appeared.

Rachel Welch, Adjudication Specialist, represented the Commonwealth. Ms. Wingfield was legal counsel for the Board. Patti Hambright recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions; Karen Hanson, friend, were present and testified.

**CLOSED MEETING:**

Mr. Horn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 2:41 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cash. Additionally, Mr. Horn moved that Ms. Douglas, Ms. Rosen, Ms. Power, Ms. Davis, Ms. Lee and Ms. Wingfield 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 3:08 P.M.

Mr. Horn 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. Selig moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Welch and amended by the Board.

The motion was seconded and carried unanimously.

Ms. Gross moved that the Board of Nursing reinstate the professional nursing license of Ms. Cash.

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.

FORMAL HEARINGS  
SCHEDULED:

**Dorothy P. Jordan Sawyer, C.N.A. Reinstatement Applicant 1401-028301**

Ms. Sawyer appeared.

Jane A. Smith, Adjudication Specialist, represented the Commonwealth. Ms. Wingfield was legal counsel for the Board. Patti Hambright, recorded the proceedings.

CLOSED MEETING:

Mr. Horn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 3:36 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Sawyer. Additionally, Mr. Horn moved that Ms. Douglas, Ms. Power, Ms. Rosen, Ms. Davis, Ms. Lee and Ms. Wingfield 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 4:07 P.M.

Mr. Horn 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. Selig moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Smith.

The motion was seconded and carried unanimously.

Ms. Hanes moved that the Board of Nursing deny Ms. Sawyer's petition for reinstatement of her certificate to practice as a nurse aide and to revoke the right to renew her certificate with a finding of misappropriation.  
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 4:10 P.M.

RECONVENTION: The Board reconvened at 4:20 P.M.

Ms. Power and Ms. Lee left the meeting.

FORMAL HEARINGS  
SCHEDULED:

**Thelma Blevins, L.P.N. 0002-019306**

Ms. Blevins appeared, accompanied by her husband Alan Blevins. James Schliessmann, Assistant Attorney General and Gayle E. Miller, Adjudication Specialist, represented the Commonwealth. Ms. Wingfield was legal counsel for the Board. Patti Hambright, recorded the proceedings.

Patsy Jones, C.N.A. Orange County Nursing Home; Jodie Velasco, L.P.N., Orange County Nursing Home; Mary English, R.N., Director of Nursing, Orange County Nursing Home; Alan Blevins were present and testified.

CLOSED MEETING: Mr. Horn moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 5:49 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Blevins. Additionally, Mr. Horn moved that Ms. Douglas, Ms. Rosen, Ms. Davis and Ms. Wingfield 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 6:10 P.M.

Mr. Horn 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. Hanes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Schliessmann and amended by the Board.  
The motion was seconded and carried unanimously.

Ms. Jones-Clarke moved that the Board of Nursing revoke the practical nurse license of Ms. Blevins.  
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 6:15 P. M.

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Jay P. Douglas, R.N., M.S.M, C.S.A.C.  
Executive Director

**VIRGINIA BOARD OF NURSING  
SPECIAL CONFERENCE COMMITTEE  
November 14, 2005**

**TIME AND PLACE:** The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:15 A.M., in Conference Room 2, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

**MEMBERS PRESENT:** Linda D. Gross, Citizen Member, Chairperson  
Patricia M. Selig, R.N., F.N.P., Ph.D.

**STAFF PRESENT:** Susan Bell Rosen, R.N., F.N.P., J.D., Deputy Executive Director, Discipline  
Jodi P. Power, R.N., J.D., Deputy Executive Director, Nurse Aide Registry  
Manager  
Grant Kronenberg, Adjudication Specialist (joined later)  
Gayle Miller, Adjudication Specialist

**OTHERS PRESENT:** Nursing students from ACDC, VCU, Obici and Southside Virginia Community College.

**CONFERENCES**

**SCHEDULED:**

**Wesley, M. Lovelace, R.N. Applicant**

Mr. Lovelace appeared, accompanied by his aunt, Lillian Holt.

**CLOSED MEETING:**

Dr. Selig moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 10:15 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Lovelace. Additionally, Dr. Selig moved that Ms. Power, Ms. Rosen and Ms. Miller 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 11:05 A.M.

Dr. Selig 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. Selig moved to issue an Order to approve Mr. Lovelace's application for licensure as a registered nurse in Virginia and place him on probation with terms for one year of employment as a registered nurse.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Lovelace unless a written request to the Board for a

formal hearing on the allegations made against him is received from Mr. Lovelace 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 decision of this conference committee shall be vacated.

Ms. Rosen left the meeting.

CONFERENCES  
CONTINUED:

**Rah-Jahunn Campbell, C.N.A. Applicant**

Mr. Campbell appeared, accompanied by his grandmother, Joan Bailey.

CLOSED MEETING:

Dr. Selig moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 11:30 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Campbell. Additionally, Dr. Selig moved that Ms. Power and Ms. Miller 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 11:45 A.M.

Dr. Selig 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. Selig moved to issue an Order to approve Mr. Campbell's application to take the NNAAP examination and issue an unrestricted certificate upon successful completion of the examination. The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Campbell unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Campbell 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 decision of this conference committee shall be vacated.

Ms. Rosen re-joined the meeting and Mr. Kronenberg joined the meeting.

CONFERENCES  
CONTINUED:

**Patricia M. Ezzyk, R.N. Reinstatement Applicant 0001-131764**

Ms. Ezzyk appeared, accompanied by Donald Ezzyk.

CLOSED MEETING:

Dr. Selig moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 12:25 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Ezzyk. Additionally, Dr. Selig moved that Ms. Rosen and Mr. Kronenberg 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.

Dr. Selig 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. Selig moved to issue an Order to reinstate the license of Ms. Ezzyk to practice as a registered nurse contingent upon receipt of verification of entry into the Health Practitioners Intervention Program and evidence Ms. Ezzyk has remained in compliance with the terms of the monitoring contract with the Health Practitioners Intervention Program for a period of not less than six months.

The motion was seconded and carried unanimously.

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

Ms. Rosen and Mr. Kronenberg left the meeting.

CONFERENCES

CONTINUED:

**Renee D. Brown, C.N.A. Applicant**

Ms. Brown did not appear.

CLOSED MEETING:

Dr. Selig moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 12:53 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Brown. Additionally, Dr. Selig moved that Ms. Power and Ms. Miller 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 12:57 P.M.

Dr. Selig 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. Selig moved to issue an Order to deny Ms. Brown's application as a nurse aide in Virginia based on a finding of neglect.

The motion was seconded and carried.

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

ADJOURNMENT:

The Committee adjourned at 1:00 P.M.

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Jodi P. Power, R.N., J.D.  
Deputy Executive Director, Nurse Aide Registry Manager

**VIRGINIA BOARD OF NURSING  
INFORMAL CONFERENCE  
November 14, 2005**

**TIME AND PLACE:** The informal conference held before a Committee of the Board of Nursing was convened at 9:30 A.M., in Conference Room 3, Department of Health Professions, 6603 West Broad Street, Richmond, Virginia.

**COMMITTEE MEMBERS:** Judith E. Piersall, R.N., B.S.N., Chairperson  
Woody B. Hanes, R.N., M.S.N., F.N.P.  
Florence Jones-Clarke, R.N., M.S.

**STAFF PRESENT:** Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director  
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director, Education  
Jessica Ressler, R.N., Nursing Education Consultant

**CONFERENCES  
SCHEDULED:**

**Consideration of Virginia Commonwealth University Health System  
Immunization Protocol**

Renata Sampson and Craig Kirkwood of Virginia Commonwealth University Health System appeared.

**CLOSED SESSION:** Ms. Jones-Clarke moved that the Informal Conference Committee convene a closed meeting pursuant to § 2.1-344.A 15 of the *Code of Virginia* at 9:36 A.M. for the purpose of deliberation to reach a decision in the matter of VCU Health System Vaccine Protocol. Additionally, Ms. Jones-Clarke moved that Ms. Douglas, Ms. Ressler, and Dr. Saxby attend the closed meeting because their presence in the closed meeting was deemed necessary. The motion was seconded and carried unanimously.

**RECONVENTION:** The Committee reconvened in open session at 9:48 a.m.

Ms. Jones-Clarke moved that the Informal Conference Committee 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.

The recommended decision of the Committee was to deny approval of the Virginia Commonwealth University Health System immunization protocol as the Board is without authority to approve a protocol where a practitioner with prescriptive authority is physically present.

The recommended decision will be mailed to Virginia Commonwealth University Health System within ninety days.

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Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director