

**VIRGINIA BOARD OF NURSING  
SPECIAL CONFERENCE COMMITTEE  
May 19, 2008**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:12 A.M., in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson  
John Horn, L.P.N.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry Manager  
Jane Elliott, R.N., Ph.D., Discipline Staff

OTHERS PRESENT: Mary Beth Shelton, Adjudication Specialist  
Emily Field, Adjudication Specialist  
Peter Opper, Adjudication Specialist

CONFERENCES

SCHEDULED: **Theresa Marie Van Buskirk, L.P.N. Reinstatement Applicant 0002-059423**  
Ms. Van Buskirk appeared, accompanied by Larry Sutton, friend.

CLOSED MEETING: Mr. Horn 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 9:44 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Van Buskirk. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Ms. Shelton 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 10:07 A.M.

Mr. Horn 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: Mr. Horn moved to issue an Order to deny Theresa Marie Van Buskirk's petition for reinstatement of her license to practice as a practical 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 Ms. Van Buskirk unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Van Buskirk 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.

CONFERENCES

SCHEDULED:

**Brenda Adams, C.N.A. Reinstatement Applicant 1401-018207**

Ms. Adams, appeared.

CLOSED MEETING:

Mr. Horn 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 10:26 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Adams. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Mr. Field 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 10:37 A.M.

Mr. Horn 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: Mr. Horn moved to issue an Order to reinstate the certificate of Brenda Adams to practice as a nurse aide.

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. Adams unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Adams 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.

CONFERENCES

SCHEDULED:

**April Jameson Phillips, C.N.A. Reinstatement Applicant 1401-083805**

Ms. Phillips did not appear.

CLOSED MEETING:

Mr. Horn 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 10:50 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Phillips. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Mr. Opper 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 11:55 A.M.

Mr. Horn 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: Mr. Horn moved to issue an Order to reinstate the certificate of April Phillips to practice as nurse aide and issue an unrestricted certificate.

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. Phillips unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Phillips 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.

CONFERENCES

SCHEDULED:

**Hilton J. Ferguson, L.P.N. Applicant by Endorsement; R.N. Applicant by Examination**

Mr. Ferguson appeared.

CLOSED MEETING:

Mr. Horn 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 11:15 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Ferguson. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Ms. Shelton 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 11:40 A.M.

Mr. Horn 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: Mr. Horn moved to issue an Order to approve Hilton Ferguson's application for licensure as a practical nurse by endorsement and issue an unrestricted license. Further, to approve future application for licensure as a registered nurse by examination; and to impose a \$300 monetary penalty to be paid within thirty days of entry of the Order.

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. Ferguson unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Ferguson 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 Board adjourned at 11:58 A.M.

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Brenda Krohn, R.N., M.S.  
Deputy Executive Director, Medication Aide Registry Manager

**Draft - Unapproved**

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
May 19, 2008**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:35 P.M. on May 19, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

**BOARD MEMBERS**

PRESENT: Florence Jones-Clarke, R.N., M.S., Vice President  
Linda Gross, Citizen Member  
John M. Horn, L.P.N.  
Patricia C. Lane, R.N., B.S.N.  
Judith E. Piersall, R.N., B.S.N.  
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  
Brenda Krohn, R.N., M.S. Deputy Executive Director, Medication Aide Registry Manager  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline (joined later)  
Amy Davis, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

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

FORMAL HEARING: **Joyce Towe, R.N. Reinstatement Applicant 0001-193931**  
Ms. Towe appeared, accompanied by Larry Sutton, friend.

Emily Field, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; and Larry Sutton were present and testified.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Towe. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway 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 2:18 P.M.

Ms. Lane 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. Piersall moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Shelton and amended by the Board.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing reinstate the professional nursing license of Joyce Towe and issue an unrestricted license.

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 HEARING: **Michelle Spiker, L.P.N. Reinstatement Applicant 0002-041583**

Ms. Spiker appeared, accompanied by Samantha Spiker, daughter.

Emily Field, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

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

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:47 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Spiker. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway 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 approved unanimously.

RECONVENTION:

The Board reconvened in open session at 2:57 P.M.

Ms. Lane 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 approved unanimously.

Ms. Piersall moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Field and amended by the Board.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing reinstate the practical nursing license of Michelle Spiker and to issue an unrestricted license.

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 HEARING:

**Sophia H. Reid, L.P.N. Reinstatement Applicant 0002-032840**

Ms. Reid appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

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

CLOSED MEETING:

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:58 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Reid. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Mr. Casway 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 4:35 P.M.

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

Ms. Lane moved that the Board of Nursing approve the reinstatement application of Sophia Reid and issue an unrestricted license to practice as a practical nurse. The motion was seconded and carried. Ms. Lane, Ms. Jones-Clarke, Ms. Gross and Ms. Piersall were in favor of the motion. Mr. Horn and Dr. Selig 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.

Ms. Krohn left the meeting, Ms. Mitchell joined the meeting.

FORMAL HEARING:

**Aimee Sibal, L.P.N. 0002-067277**  
Ms. Sibal did not appear.

James Schliessmann, Assistant Attorney General and Peter Opper, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General, was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

CLOSED MEETING:

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Sibal. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Casway 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 5:14 P.M.

Ms. Lane 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 Mr. Schliessmann. The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing continue the license of Aimee Sibal on indefinite suspension for a period of not less than two years. 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 5:16 P.M.

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