

**VIRGINIA BOARD OF NURSING
MINUTES
July 15, 2008**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:05 A.M. on July 15, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

PRESIDING: Florence Jones-Clarke, R.N., M.S., Vice President

BOARD MEMBERS PRESENT:

John M. Horn, L.P.N.
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Lawrence L. Logan, Citizen Member
Judith E. Piersall, R.N., B.S.N.
G. Maxine Ponn, L.P.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

BOARD MEMBERS ABSENT:

Lynne M. Cooper, Citizen Member, President
Brenda L. Hale, R.N. Secretary
Peregrin C. Francisco, R.N., M.S.A.
Woody B. Hanes, R.N., M.S.N., F.N.P.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director,
Discipline
Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide
Program Manager
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director, Education
Jessica Ressler, R.N. Nursing Education Consultant
Ann Tiller, Compliance Manager
Jane Elliott, R.N., Ph.D., Discipline Staff
Amy Davis, Administrative Assistant

STAFF ABSENT:

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

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General
Sandra Whitley Ryals, Director, Department of Health Professions
Elaine Yeatts, Policy Analyst, Department of Health Professions
Barbara Applegate, Board of Nursing On-Site Visitor
Michelle Satterlund, Lobbyist, Virginia Council of Nurse Practitioners
Debra Lloyd, Department of Social Services
Representatives from Blue Ridge Job Corp.

ESTABLISHMENT OF
A QUORUM:

With eight members of the Board present, a quorum was established.

ANNOUNCEMENTS:

- Emergency evacuation procedures provided.
- Nurse Licensure Compact Administrators meeting August 4, 2008 in Nashville Tennessee, Jay Douglas, Executive Director will attend.
- National Council of State Boards of Nursing Annual Meeting and Delegate Assembly August 5 – 8, 2008 in Nashville Tennessee. Lynne M. Cooper, President and John M. Horn, L.P.N. will attend. Ms. Cooper and Mr. Horn will serve as Delegates, expenses for Ms. Cooper and Mr. Horn are being reimbursed by National Council of State Boards of Nursing.
- Department of Health Professions Board member training is scheduled for October 22, 2008.
- Linda Gross, citizen board member, resigned effective June 30, 2008. No information regarding board member appointments has been received.

DIALOGUE WITH DIRECTOR:

Ms. Ryals presented information to the Board on the following issues:

- Virginia Performs key performance measures were identified. Latest statistics regarding case processing provided, a 211% clearance rate for the Department of Health Professions; almost 43% for Nursing and 27% for Nurse aide cases. Ms. Douglas was recognized for her leadership in procedures implemented to achieve higher clearance rates. Staff involved in closing cases were also recognized for their efforts. Improved reports are available on the website.
- The Department of Health Professions has convened a workgroup to respond to the recommendation made in the HRC report regarding access to care and scope of practice for licensed nurse practitioners. This group is comprised of Ms. Ryals, Ms. Wingfield, Ms. Douglas, Dr. Harp, two representatives from the Virginia Council of Nurse Practitioners, two representatives from the Medical Society of Virginia.

ORDERING OF AGENDA: The agenda was reviewed and ordered.

CONSENT AGENDA: The Board removed two items from the proposed consent agenda. Ms. Piersall moved to accept the consent agenda which includes:

Minutes:

May 19, 2008 – Panel – Ms. Jones-Clarke
May 20, 2008 – Board Meeting – Ms. Cooper
May 21, 2008 – Quorum – Ms. Cooper
May 21, 2008 – Panel – Ms. Jones-Clarke
May 21, 2008 – Panel – Ms. Cooper
May 22, 2008 – Panel – Ms. Cooper

Reports:

Finance Report
Health Practitioners Intervention Program Report
Agency Subordinate Tracking Log

REPORTS:

Executive Director Report:

Ms. Douglas provided an update regarding staff issues. Ms. Power continues on extended medical leave, Ms. Krohn and Dr. Saxby are sharing duties normally assigned to Ms. Power. Approval has been received to obtain temporary employees for support positions. These needs are in line with the full time position requests that were not approved in the budget request. Ms. Ryals provided additional information regarding meeting staffing needs.

Monthly Tracking Log:

Ms. Douglas noted the information regarding growth in the number of licensees and the impact the increased number has on Board staff in all areas including phone calls, emails, renewals, discipline, etc.

Mary Marshall Scholarship Fund:

Ms. Ressler explained the process of how funds are made available and that the Department of Health will meet in the first week of August to determine scholarship recipients.

RECESS:

The Board recessed at 10:15 A.M.

RECONVENTION:

The Board reconvened at 10:28 A.M.

LEGISLATION/REGULATIONS:

Status of Board of Nursing Regulations:

Ms. Yeatts reviewed the chart of current regulatory actions.

Reconsideration of Proposed Regulations on Pain Management:

Ms. Yeatts provided information regarding the recommended amendments from the Department of Planning and Budget. The suggested amendments to the pain management regulations for nurse practitioners which were adopted by the Board of Medicine on June 26, 2008 are identical to requirements for physicians and physician assistants.

Michelle Satturand addressed the Board with concerns on behalf of the Virginia Council of Nurse Practitioners.

Dr. Selig moved to adopt the proposed regulations as previously submitted to delete (f) under subsection C 1 and amend C 3 on informed consent and treatment plan. The motion was seconded and carried unanimously.

Adoption of Exempt Regulation Public Participation Guidelines:

SB 734/HB1167 enacted by the 2008 General Assembly require the Department of Planning and Budget to draft model Public Participation Guideline regulations and for all agencies to either adopt the model as an exempt action or modify the model and adopt as a fast-track action.

Ms. Piersall moved to adopt the model Public Participation Guideline regulations as an exempt action and to repeal Chapter 10, which is the current

regulation for Public Participation Guidelines. The motion was seconded and carried unanimously.

OTHER MATTERS:

Administration of Byetta by Registered Medication Aides:

Ms. Krohn and Dr. Selig provided an overview of a request submitted by the Department of Social Services to clarify and respond to questions raised about the administration of Byetta by registered medication aides. Debra Lloyd addressed the Board with Department of Social Services concerns regarding administration of injectable medications. Dr. Selig provided information about Byetta and the infrequent use of this medication. The Board affirmed that the current medication aide curriculum and regulations appeared to be adequate at this time.

Nurse Licensure Compact Administrators Meeting:

Ms. Douglas provided information regarding the meeting she attended July 8, 2008 with the Nurse Licensure Compact Administrators and the National Council of State Boards of Nursing Board of Directors. Office of Telehealth Grant proposals were reviewed at the meeting, however award information has not been formally released. The meeting also addressed mutual concerns related to new states joining the Nurse Licensure Compact. The major concerns relate to core licensing requirements, NURSYS, discipline, case and communication between states with multi state licensure models and those with single state licensure models. A plan is being developed to address these concerns.

REPORTS (continued):

Bylaws Committee Report:

Ms. Douglas reviewed the current Bylaws and the proposed revisions. The issue will be deferred until the September 2008 Board meeting to allow proposed revisions to be reviewed by Ms. Yeatts and Mr. Casway. A draft copy that notes proposed changes will be provided ahead of the meeting. It was also noted that this would allow for participation by Ms. Hale and Ms. Francisco, Bylaw Committee members.

Medication Aide Program Report:

Ms. Krohn reported there are currently 425 registered medication aides, 644 applications have been approved, and are waiting for exam results. The pass rate for first time test takers is 69% and 60% pass rate for the second time test takers. Ms. Krohn noted that the barrier to applicants taking the test appeared to be financial.

Virginia Association of Independent Specialized Education Facilities (VAISEF) Meeting:

Ms. Krohn reviewed the minutes from the meeting held on May 29, 2008 with representatives from Department of Health Professions, Department of Social Services, Department of Mental Health/Mental Retardation and Substance Abuse Services. The meeting was held to review HB 1445 and SB 271 and the development of a medication administration training program curriculum to meet the needs of the specific student population while maintaining compliance with laws and regulations. VAISEF representatives will develop a curriculum that better meets the needs of their residential population. The group will reconvene when a proposed draft is available.

Old Case Blitz:

Ms. Douglas reviewed the information provided related to progress on cases that have been received by the Board and have been open for more than 250 days since the May Board meeting. Ms. Douglas expressed her appreciation to staff that have been concentrating on processing these cases.

Nursing Education Capacity Summit:

Dr. Saxby provided information to the Board regarding the Summit she attended June 26 and 27. The summit was hosted by the U.S. Department of Labor in collaboration with AARP, the Robert Wood Johnson Foundation and Health Resources Services Administration (HRSA). The focus of the summit was to discuss strategies and best practices for increasing nursing education capacity in registered nurse education programs throughout the United States. There were 18 state teams represented at the summit and each state team had 10 members. The Virginia team was comprised of members representing public and private partnerships. The summit focused on four areas identified to increase nursing capacity; strategic partnerships and resource alignment; the role of policy and regulation; increasing faculty capacity and diversity; and education redesign. Of importance to the Virginia Board of Nursing is the need for the Board to develop guidelines and standards for nursing schools to be able to use patient simulation in lieu of direct client care experiences. Dr. Saxby will be working with the education committee and Board staff to develop draft language to be presented and voted on by the Board at its November 2008 meeting. The Virginia Team will continue to meet on a regular basis to continue discussions and implementation of their plan to increase education capacity in Virginia.

EDUCATION PROGRAMS:

Education Special Conference Committee:

The Board considered the recommendations of the Education Special Conference Committee from its meeting on July 14, 2008. Ms. Lane moved to adopt the recommendations as amended. The motion was seconded and approved unanimously.

Distance Learning Programs:

Dr. Saxby provided information to the Board regarding information related to distance learning programs that do not meet the Board of Nursing regulations. Excelsior College has requested an extension to the December 9, 2008 deadline as indicated in Board of Nursing Guidance Document 90-20 requiring students to complete the education program by that date. Additional information will be presented to the Board at its meeting scheduled for September 2008.

Current Nursing Education Issues:

Ms. Ressler discussed issues that have been brought to her attention recently regarding nursing education that include:

- Funding:
 - There has been a decrease in Pell Grant funding. Information provided by a proprietary nursing education program indicates students are not able to obtain a 100% Pell Grant.

- The amount of money available for school loans is decreased due to the massive debt related to defaults (student non-repayment).
- The criteria for borrowing money for a school loan has increased to a credit score of 750 or 800.
- The high interest rate, as much as 18%, on school loans.
- The Virginia Community College System has decreased the amount of funding for all programs, including nursing. Several nursing education programs have nursing faculty vacancies that they are not able to fill.
- George Washington University Board of Trustees do not want to invest funds to outfit or build out classroom and lab space until after provisional approval is granted and students are accepted for admission. The Board is not able to provide provisional approval until the facility has been deemed adequate.
- Faculty:
 - The inability to fill faculty positions due to a decrease in funding for programs in the Virginia Community College System.
 - Faculty in proprietary nursing education programs changing employment on a more frequent basis and then submitting requests for a new nursing education program.
- Qualified Applicants:
 - Two new nursing education programs have reported difficulty in finding qualified applicants.
 - One nursing education program that received Board approval to admit students in March 2008 has one qualified applicant. All other applicants for this program are seeking transfers from schools where they have either failed or have been terminated from another program. The program has concerns admitting students that have either failed or been terminated from other programs to avoid obtaining a negative impression of the quality of the education program.
 - Another school has 5 qualified applicants out of nearly 100 who applied.

NCLEX Plan:

Ms. Ressler reported nursing education programs that have a NCLEX pass rate of less than 80% is due to the ability to attract qualified applicants. Plans of correction include to increase the admission requirements, in an effort to attract quality students that may produce quality outcomes; students complete prerequisites before being admitted into the nursing program; standardized testing; overcoming differences in faculty and clinical theories.

OTHER MATTERS (continued):

Status of Appeals:

The status of the appeal regarding Elizabeth Leming was provided by Mr. Casway. The case is scheduled for August 4, 2008 in Roanoke. An appeal has

been received regarding Sallie Drake, additional information is being sent to the attorney.

Ms. Ryals and Ms. Yeatts left the meeting.

RECESS: The Board recessed at 12:10 P.M.

RECONVENTION: The Board reconvened at 1:00 P.M.

Review of Guidance Document 90-6:

Ms. Douglas received a request for the Board to review and amend the guidance document to allow for removal of a PICC line in the home. Dr. Selig moved to modify Guidance Document 90-6 to include a change of the word “procedure” to “placement” in item #6. This change would allow for removal of a PICC line in the home. The motion was seconded and carried. Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Piersall and Ms. Ponn were in favor of the motion. Mr. Horn opposed the motion.

Ms. Ressler and Dr. Saxby left the meeting.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS, APPLICANTS AND CONSENT ORDERS:

Bateena R. Martin, C.M.T. Applicant

Ms. Martin appeared.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Martin. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Tiller, Ms. Davis and Mr. Casway to 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 1:25 P.M.

Ms. Lindsay 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 accept the recommended decision of the agency subordinate that the application of Bateena Martin for certification by examination be approved and that upon verification of entry into a recovery monitoring contract with the Health Practitioners Intervention Program, issue Ms. Martin a certificate to practice as a massage therapist with terms. The motion was seconded and carried unanimously.

Bethany Satterwhite, L.P.N. 0002-070741

Ms. Satterwhite appeared, accompanied by her attorney, Margaret Hardy.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:40 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Satterwhite. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Tiller, Ms. Davis and Mr. Casway to 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 1:43 P.M.

Ms. Lindsay 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. Lane moved to reject the recommended decision of the agency subordinate and refer the matter of Ms. Satterwhite to a formal hearing. The motion was seconded and carried. Ms. Lindsay, Ms. Lane, Ms. Jones-Clarke, Mr. Horn and Ms. Ponn were in favor of the motion. Ms. Piersall, Mr. Logan and Dr. Selig opposed the motion.

Seneatha K. Gay, R.N. Applicant

Ms. Gay appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:55 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Gay. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Tiller, Ms. Davis and Mr. Casway to 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 2:10 P.M.

Ms. Lindsay 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 to accept the recommended decision of the agency subordinate that the application of Seneatha Gay for licensure by endorsement

be approved and that upon verification of entry into and continued compliance with a recovery monitoring contract with the Health Practitioners Intervention Program, Ms. Gay be issued a license to practice as a professional nurse in the Commonwealth. The motion was seconded and carried. Dr. Selig, Mr. Logan, Mr. Horn, Ms. Piersall, Ms. Jones-Clarke, Ms. Lane and Ms. Lindsay were in favor of the motion. Ms. Ponn opposed the motion.

Myann Pendleton, C.N.A. 1401-101084

Ms. Pendleton appeared, accompanied by her attorney, Henry McLaughlin.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:17 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Pendleton. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Tiller, Ms. Davis and Mr. Casway to 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 2:21 P.M.

Ms. Lindsay 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 to accept the recommended decision of the agency subordinate that Myann Pendleton be reprimanded. Ms. Piersall, Mr. Horn, Ms. Ponn, Mr. Logan and Dr. Selig were in favor of the motion. Ms. Jones-Clarke, Ms. Lindsay and Ms. Lane opposed the motion.

Anthony Newton, C.N.A. 1401-079201

Mr. Newton appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:30 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Newton. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Tiller, Ms. Davis and Mr. Casway to 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 2:33 P.M.

Ms. Lindsay 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 to accept the recommended decision of the agency subordinate that the certificate of Anthony Newton to practice as a nurse aide be revoked with a finding of abuse. The motion was seconded and carried unanimously.

RECESS: The Board recessed at 2:35 P.M.

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

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:45 P.M. for the purpose of deliberation for discussion and consideration of consent orders and agency subordinate recommendations. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Tiller, Ms. Davis and Mr. Casway to 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 3:10 P.M.

Ms. Lindsay 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.

Neola P. Holloway, L.P.N. 0002-039369

Ms. Holloway did not appear.

Ms. Lane moved to accept the consent order for the voluntary surrender for indefinite suspension of Neola Holloway's right to renew her license to practice practical nursing. The motion was seconded and carried unanimously.

Elizabeth McGinnis, R.N. 0001-062905

Ms. McGinnis did not appear.

Ms. Lane moved to accept the consent order to accept the voluntary surrender for indefinite suspension of Elizabeth McGinnis' licensure to practice professional nursing. The motion was seconded and carried unanimously.

Mary Ann Wolf, R.N. 0001-078639

Ms. Wolf did not appear.

Ms. Piersall moved to accept the consent order to indefinitely suspend the professional nursing license of Mary Ann Wolf for a period of not less than one year. The motion was seconded and carried unanimously.

Nicole Dike, L.P.N. 0002-069811

Ms. Dike did not appear.

Ms. Lindsay moved to accept the consent order to indefinitely suspend for a period of not less than two years. The motion was seconded and carried unanimously. The motion was seconded and carried unanimously.

Olayide Kuteyi, L.P.N. 0002-077887

Ms. Kuteyi did not appear.

Ms. Lane moved to accept the consent order to accept the voluntary surrender of Olayide Kuteyi's license to practice practical nursing. The motion was seconded and carried unanimously.

Adrienne Cicio, R.N. 0001-165306

Ms. Cicio did not appear.

Ms. Piersall moved to accept the consent order to indefinitely suspend the professional nursing license of Adrienne Cicio, stay said suspension contingent upon verification of entry into a recovery monitoring contract with the Health Practitioners Intervention Program. The motion was seconded and carried unanimously.

Teresa T. Gower, R.N. 0001-139798

Ms. Coger did not appear.

Ms. Lindsay moved to accept the consent order to indefinitely suspend the professional nursing license of Teresa Gower. The motion was seconded and carried unanimously.

Cynthia K. E. Clark, R. N. 0001-124659

Ms. Clark did not appear.

Ms. Lindsay moved to accept the consent order for the involuntary surrender for indefinite suspension of Cynthia Clark's license to practice professional nursing. The motion was seconded and carried unanimously.

Grace Dadzie, C.N.A. Applicant

Ms. Dadzie did not appear.

Mr. Horn moved to accept the recommendation of the agency subordinate to deny the application for nurse aide certification by endorsement and that a finding of neglect based on a single occurrence be entered. The motion was seconded and carried unanimously.

Natasha D. Whitlock, C.N.A. 1401-067137; L.P.N. Applicant

Ms. Whitlock did not appear.

Ms. Lindsay moved to accept the recommendation of the agency subordinate that Natasha Whitlock be reprimanded in her nurse aide practice. Further, that the application for licensure by examination as a practical nurse be approved and upon successful completion of the NCLEX-PN she be issued an unrestricted license to practice as a practical nurse. The motion was seconded and carried unanimously.

LaCher E. Hatch, C.N.A. Applicant

Ms. Hatch did not appear.

Ms. Lane moved to accept the recommendation of the agency subordinate that the application of LaCher Hatch for certification by endorsement as a nurse aide be denied and that a finding of misappropriation of patient property be entered. The motion was seconded and carried unanimously.

Catherine A. Sassani, R.N. Applicant

Ms. Sassani did not appear.

Dr. Selig moved to modify the recommendation of the agency subordinate to approve Catherine Sassani's application for licensure as a professional nurse, contingent upon verification into and continued compliance with a recovery monitoring contract with the Health Practitioners Intervention Program. The motion was seconded and carried. Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan, Ms. Piersall, Ms. Ponn and Dr. Selig were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Tammy L. Smith, C.N.A. Applicant

Ms. Smith did not appear.

Ms. Piersall moved to accept the recommendation of the agency subordinate to deny the application of Tammy Smith for certification by examination as a nurse aide. The motion was seconded and carried unanimously.

Wendy Girty, L.P.N. 0002-070345

Ms. Girty did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Wendy Girty for a period of not less than two years 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.

Brigitta Savino, R.N. 0001-186244

Ms. Savino did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the right of Brigitta Savino to renew her professional nursing license for not less than two years and until such time as she can appear before the Board and show that she is safe and competent to

resume the practice of nursing. The motion was seconded and carried unanimously.

Helen St. Sauver, L.P.N. 0002-0438

Ms. St. Sauver did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the license of Helen St. Sauver until such time as she can appear before the Board and demonstrate that she is safe and competent to resume practice. The motion was seconded and carried unanimously.

Richard Thomas, L.P.N. 0002-047930

Mr. Thomas did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to take no action at this time, contingent upon Richard Thomas' continued compliance with the terms and conditions of the recovery monitoring contract with the Health Practitioners Intervention Program. The motion was seconded and carried unanimously.

Pamela Waller, L.P.N. 0002-063679

Ms. Waller did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the license of Pamela Waller for not less than two years and until such time as she can appear before the Board and demonstrate that she is safe and competent to return to practice. The motion was seconded and carried unanimously.

Brandy L. McCulloch, C.N.A. 1401-090874

Ms. McCulloch did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to revoke Brandy McCulloch's right to renew her certificate and that a finding of abuse be entered. The motion was seconded and carried unanimously.

Patricia L. Graves, C.N.A. 1401-071224

Ms. Graves did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to revoke Patricia Graves' right to renew her nurse aide certificate and that a finding of misappropriation be entered against her. The motion was seconded and carried unanimously.

Mary L. Reynolds, C.N.A 1401-031961

Ms. Reynolds did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to reprimand Mary Reynolds. The motion was seconded and carried unanimously.

Dawn S. Walker Sinckler, C.N.A. 1401-098641

Ms. Walker Sinckler did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to revoke the right of Dawn Walker Sinckler to renew her nurse aide certificate and that a finding of abuse be entered. The motion was seconded and carried unanimously.

Debra S. Hale, C.N.A. 1401-076729

Ms. Hale did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to reprimand Debra Hale. The motion was seconded and carried unanimously.

Gloria J. Kenny, C.N.A. 1401-014213

Ms. Kenny did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to revoke the right of Gloria Kenny to renew her certificate as a nurse aide and that findings of abuse and misappropriation of patient property be entered. The motion was seconded and carried unanimously.

Musu K. Koroma, C.N.A. 1401-101872

Ms. Koroma did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to reprimand Musu Koroma. The motion was seconded and carried unanimously.

Robin Chesson, C.N.A. 1401-106270

Ms. Chesson did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to grant Robin Chesson's petition for removal of the finding of fact of neglect based on a single occurrence. The motion was seconded and carried unanimously.

Debra L. Nixon, C.N.A. 1401-108162

Ms. Nixon did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Debra Nixon and that a finding of abuse and neglect be entered. The motion was seconded and carried unanimously.

Sidney Griffin-Rutherford, C.N.A. 1401-103259

Ms. Griffin-Rutherford did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Sidney Griffin-Rutherford with said suspension stayed contingent upon the Board receiving evidence of entry into a recovery monitoring contract with the Health Practitioners Intervention Program and six months compliance with said contract. The motion was seconded and carried unanimously.

Tonya Lee Turner, C.N.A. 1401-105213

Ms. Turner did not appear.

Mr. Horn moved to accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate for not less than two years and until such time as she is able to demonstrate that she can resume the safe and competent practice as a nurse aide. The motion was seconded and carried unanimously.

Kellie Bell, R.N. 0001-187028

Ms. Bell did not appear.

Dr. Selig moved to accept the amended recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Kellie Bell until such time as Ms. Bell can demonstrate that she is safe to resume the safe and competent practice of professional nursing. The motion was seconded and carried unanimously.

Kathy Collins, L.P.N. 0002-06923

Ms. Collins did not appear.

Ms. Piersall moved to accept the modified recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Kathy Collins until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

Julie Gale, L.P.N. 0002-071104

Ms. Gale did not appear.

Ms. Piersall moved to accept the recommended decision of the agency subordinate to reprimand Julie Gale and further order her to pay a \$300 monetary penalty to the Board within sixty days of entry of the order. The motion was seconded and carried unanimously.

Katherine Hartwell, R.N. 0002-180488

Ms. Hartwell did not appear.

Dr. Selig moved to accept the recommended decision of the agency subordinate to take no action against the professional nursing license of Katherine Hartwell contingent upon her entry into a recovery monitoring contract with the Health Practitioners Intervention Program within sixty days

of the order and her continued compliance with the terms of the contract. The motion was seconded and carried unanimously.

Elizabeth Jones, L.P.N. 0002-055290

Ms. Jones did not appear.

Ms. Piersall moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Elizabeth Jones for a period of not less than two years, and until such time as she can appear before the board and show that she is safe and competent to resume the practice of nursing. The motion was seconded and carried unanimously.

Jennifer Jones, L.P.N. 0002-056080

Ms. Jones did not appear.

Ms. Piersall moved to accept the amended recommended decision of the agency subordinate. The motion was seconded and carried unanimously.

Wendy Jones, R.N. 0001-146436

Ms. Jones did not appear.

Ms. Lane moved to accept the modified recommended decision of the agency subordinate to place Wendy Jones on indefinite probation and to include upon receipt of the evaluation by a mental health specialist, the matter will be referred back to an agency subordinate for final disposition. The motion was seconded and carried unanimously.

Melanie Leonhart Jones, R.N. 0001-178815

Ms. Leonhart Jones did not appear.

Ms. Piersall moved to reject the recommended decision of the agency subordinate and refer the matter of Melanie Leonhart Jones to a formal hearing. The motion was seconded and carried unanimously.

Angela Rorrer, R.N. 0001-127241

Ms. Rorrer did not appear.

Ms. Lane moved to reject the recommended decision of the agency subordinate and refer the matter of Angela Rorrer to a formal hearing. The motion was seconded and carried unanimously.

Trina Spessert, R.N. 0001-208055

Ms. Spessert did not appear.

Ms. Lindsay moved to reject the recommended decision of the agency subordinate and refer the matter of Trina Spessert to a formal hearing. The motion was seconded and carried unanimously.

Margaret Turner, R.N. 0001-098754

Ms. Turner did not appear.

Dr. Selig moved to reject the recommended decision of the agency subordinate and refer the matter of Margaret Turner to a formal hearing. The motion was seconded and carried unanimously.

Jennifer Wake, R.N. 0001-192023

Ms. Wake did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to revoke the professional nursing license of Jennifer Wake. The motion was seconded and carried unanimously.

Antoinette M. Whitehead, C.N.A. 1401-054688

Ms. Whitehead did not appear.

Ms. Piersall moved to reject the recommended decision of the agency subordinate due to inadequate notice and refer the matter of Antoinette Whitehead to a Special Conference Committee. The motion was seconded unanimously.

Jay A. Harrison, Jr., R.N. 0001-172040

Mr. Harrison did not appear.

Ms. Lane moved to accept the recommended decision of the agency subordinate to indefinitely suspend Jay Harrison's right to renew his professional nursing license for not less than two years and until such time as he is able to resume the safe and competent practice of professional nursing. The motion was seconded and carried unanimously.

Beverly M. Wilkins, R.N. 0001-10207

Ms. Wilkins did not appear.

Ms. Lane moved to modify the agency subordinate recommendation to suspend the professional nursing license of Beverly Wilkins and stay the suspension contingent upon entering in the Health Practitioners Intervention Program and compliance with a recovery monitoring contract. The motion was seconded and carried. Ms. Jones-Clarke, Mr. Horn, Ms. Lane, Ms. Lindsay, Mr. Logan and Ms. Piersall were in favor of the motion. Ms. Ponn and Dr. Selig opposed the motion.

Florine T. Fulwood, C.N.A. 1401-102586

Ms. Fulwood did not appear.

Dr. Selig moved to accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Florine Fulwood and enter a finding of abuse and misappropriation of patient property. The motion was seconded and carried unanimously.

Phyllis A. Davis, L.P.N. 0002-036860

Ms. Davis did not appear.

Ms. Piersall moved to accept the recommended decision of the agency subordinate to issue a reprimand to Phyllis Davis. The motion was seconded and carried unanimously.

Breanna J. Burkhart, C.N.A. 1401-114351

Ms. Burkhart did not appear.

Dr. Selig moved to accept the modified recommended decision of the agency subordinate to revoke Breanna Burkharths nurse aide certificate and the right to renew her certificate and enter a finding of abuse and neglect. The motion was seconded and carried unanimously.

Robtees E. Smith, C.N.A. 1401-089257; L.P.N. Applicant

Ms. Smith did not appear.

Ms. Piersall moved to accept the recommended decision of the agency subordinate to issue a reprimand to Robtees Smith in his nurse aide practice and to deny the application for licensure as a practical nurse. The motion was seconded and carried unanimously.

Ms. Ressler and Dr. Saxby rejoined the meeting.

Request for Accommodation:

CLOSED SESSION:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 5:10 P.M. for the purpose of deliberation to reach a decision in the matter of accommodation requests. Additionally, Ms. Lindsay moved that Dr. Saxby, Ms. Ressler, Ms. Tiller, Ms. Davis, Ms. Douglas, Ms. Mitchell, Ms. Krohn 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 5:25 P.M.

Ms. Lindsay 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.

Eva Kerenyi, R.M.A. Applicant

Dr. Selig moved to grant approval to Eva Kerenyi to allow the examination for registration as medication aide be read to the applicant.

The motion was seconded and approved unanimously.

Shannon Liedquist, R.N. Applicant

Ms. Lane moved to grant approval to Shannon Liedquist for time and one half and a private room to take the NCLEX-RN examination.

The motion was seconded and carried unanimously.

Noel Rose Mekkawi, R.N. Applicant

Ms. Piersall moved to deny the request of Noel Rose Mekkawi for a private room and extra time to take the NCLEX-RN based on a lack of supporting documentation.

The motion was seconded and carried unanimously.

Nathalie Boucher-Walter, R.N. Applicant

Ms. Lindsay moved to grant approval for time and one half and a private room for Nathalie Boucher-Walter to take the NCLEX-RN.

The motion was seconded and carried unanimously.

ADJOURNMENT:

As there was no additional business, the meeting was adjourned at 5:25 P.M.

Florence Jones-Clarke, R.N. M.S.
Vice President

Note - Copies of reports referenced can be obtained by contacting the Board of Nursing office.