

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 23, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on October 23, 2009 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia Lane, R.N., B.S.N, M.B.A., Chairperson
Evelyn Lindsay, L.P.N.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director (joined later)

OTHERS PRESENT: Cynthia Gaines, Adjudication Specialist

CONFERENCES

SCHEDULED: **Patricia Lampman, R.N. 0001-091816**
Ms. Lampman appeared, accompanied by Akshay Davé M.D., her employing physician at Novamed Surgery Center; and co-worker, Christine Cavan, R.N.

CLOSED MEETING: Ms. Lindsay 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 10:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lampman. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Gaines 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 11:00 A.M.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved to issue an order of reprimand to Patricia Lampman.
The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Lampman unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lampman within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED:

Jenny Kunkle, R.N. 0001-153646

Ms. Kunkle appeared, accompanied by her mother, Dianne Catuska, R.N.

CLOSED MEETING:

Ms. Lindsay 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 11:50 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Kunkle. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Gaines 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 12:00 NOON.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved to issue an Order of reprimand to Jenny Kunkle and require Ms. Kunkle to remain in compliance with the terms of the monitoring contract with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Lampman unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lampman within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED:

Susan M. Poole, R.N. 0001-052102

Ms. Poole appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:43 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Poole. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Gaines 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 1:15 P.M.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters

lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved to issue an order requiring Susan Poole have a physical examination performed by an internist and a chemical dependency evaluation performed by a chemical dependency specialist, both approved by the Board, with reports of evaluation submitted to the Board within 60 days of entry of the order. At that time she may be required to appear before a Special Conference Committee for final disposition of this matter.
The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Poole unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Poole within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

**CONFERENCES
SCHEDULED:**

Robin Blevins, L.P.N. 0002-056384
Ms. Blevins did not appear.

CLOSED MEETING:

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:17 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Blevins. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Gaines 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 1:20 P.M.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved to issue an order for a monetary penalty of \$300 to be paid within 60 days of entry of the order.
The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Blevins unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Blevins within such time. If service of the order is made by

mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

Ms. Mitchell joined the meeting. Ms. Power left the meeting.

CONFERENCES

SCHEDULED:

Teresa Mahoney, L.P.N. 0002-061988

Ms. Mahoney appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Mahoney. Additionally, Ms. Lindsay moved that Ms. Mitchell and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:20 P.M.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved to close the case in the matter of Teresa Mahoney and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations

The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED:

Julia Ann Morrison, R.N. 0001-152519

Ms. Morrison appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:09 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Morrison. Additionally, Ms. Lindsay moved that Ms. Mitchell and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 4:13 P.M.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom

of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved to refer the case of Julia Ann Morrison to the Board of Nursing or a panel thereof for a formal hearing.
The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED: **Herbert Hernandez, R.N. 0001-205082**
Mr. Hernandez appeared.

CLOSED MEETING: Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:22 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Hernandez. Additionally, Ms. Lindsay moved that Ms. Mitchell and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 4:27 P.M.

Ms. Lindsay moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved to issue an Order to reinstate the license of Herbert Hernandez to practice as a registered nurse and issue an unrestricted license.
The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Hernandez unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Hernandez within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT: The Board adjourned at 4:35 P.M.

Jodi P. Power, R.N., J.D.
Deputy Executive Director