

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 18, 2010**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:02 A.M. on March 18, 2010 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:** Patricia M. Selig, R.N., F.N.P., Ph.D., President
Lynne M. Cooper, Citizen Member
Brenda L. Hale, R.N.
Jeanne Holmes, Citizen Member
Evelyn Lindsay, L.P.N.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director (joined later)
Amy Davis, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General
Nursing students from John Tyler Community College, Adult Career Development, Piedmont Nursing School, Portsmouth School of Practical Nursing, Bon Secours School of Nursing and James Madison University

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

FORMAL HEARINGS: **Margret E. Dorr, R.N. 0001-059156**
Ms. Dorr did not appear and submitted a signed consent order in lieu of a formal hearing.

Amanda Mitchell, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

ACTION: Ms. Hale moved that the Board of Nursing accept the consent order to indefinitely suspend the professional nursing license of Margret Dorr 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.

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: **Sharon K. Haynes, R.N. 0001-171019**

Ms. Haynes appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

James Wall, Senior Investigator, Department of Health Professions; Officer Mike Weiss, Roanoke County Police Department; Monica Poff, R.N., Unit Director, Carilion Roanoke Memorial Hospital; Judy Snipes, R.N., Carilion Roanoke Memorial Hospital; Lori Martin, R.N., Team Leader, Carilion Roanoke Memorial Hospital; Joanne Tarbox, R.N., Carilion Roanoke Memorial Hospital; Linda Wee, R.N., Carilion Roanoke Memorial Hospital were present and testified.

RECESS: The Board recessed at 10:21 A.M.

RECONVENTION: The Board reconvened at 10:30 A.M.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:18 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Haynes. Additionally, Ms. Lindsay moved that Ms. Power, 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 11:50 A.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. Cooper 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.

ACTION: Ms. Hale moved that the Board of Nursing issue a reprimand to Sharon Haynes and require Ms. Haynes to have an evaluation by a chemical dependency specialist satisfactory to the Board and have a written report of the evaluation which shall include a diagnosis, recommended course of therapy, and prognosis sent to the Board within 60 days from the date of the order. Upon receipt of the report, the Board may require Ms. Haynes to appear before an Informal Conference Committee of the Board for final disposition in this matter.

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 11:55 A.M.

RECONVENTION: The Board reconvened at 12:05 P.M.

FORMAL HEARINGS: **Katrina L. Knight, C.N.A. Reinstatement Applicant 1401-035411**
Ms. Knight appeared.

Amanda Mitchell, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:30 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Knight. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, 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 12:45 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. Cooper moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Lindsay moved that the Board of Nursing approve the application for reinstatement of Katrina Knight's nurse aide certificate and issue an unrestricted 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.

RECESS: The Board recessed at 12:46 P.M.

RECONVENTION: The Board reconvened at 1:34 P.M.

FORMAL HEARINGS: **Virginia L. Barlow, R.N. Reinstatement Applicant 0001-155295**
Ms. Barlow appeared.

Amanda Mitchell, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:14 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Barlow. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, 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 2:40 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. Cooper moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Mitchell and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Holmes moved that the Board of Nursing deny reinstatement and continue the professional nursing license of Virginia Barlow on indefinite suspension, but stay the suspension contingent upon her continued compliance with the Health Practitioners Monitoring Program.
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 2:43 P.M.

RECONVENTION: The Board reconvened at 2:48 P.M.

FORMAL HEARINGS: **Tonya L. Lewis, R.N., 0001-204803**
Ms. Lewis appeared, accompanied by her mother, Peggy Peele, and employer Lori Imler.

Tammie Jones, Adjudication Specialist. represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Ron Houser, Senior Investigator, Department of Health Professions; Robert Thomas, Customer Service, Piedmont Medical Laboratory; and Kara Franco, Case Manager, Health Practitioners Monitoring Program; and Lori Imler, Executive Director, Golden Living Center, Rose Hill; were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lewis. Additionally, Ms. Lindsay moved that 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 4:20 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. Cooper 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.

ACTION: Ms. Hale moved that the Board of Nursing indefinitely suspend the professional nursing license of Tonya Lewis, and stay the suspension contingent upon entry in to the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. 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 4:25 P.M.

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