

VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE OF THE
COMMITTEE OF THE JOINT BOARD OF NURSING AND MEDICINE
MINUTES

October 13, 2010

TIME AND PLACE: The meeting of the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine was convened at 10:45 A.M., in Conference Board Room 4, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Peregrin C. Francisco, R.N., M.S.A., Chairperson
Joyce A. Hahn, Ph.D., APRN, NEA-BC
Florence Jones-Clarke, R.N., M.S.
Jennifer Lee, M.D.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Tammie Jones, Adjudication Specialist, Administrative Proceedings Division

**CONFERENCES
SCHEDULED:**

Katherine Yeary, **R.N., L.N.P., P.A. – 0001-190317; 0024-166168; 0017-138087**
Ms. Yeary appeared, accompanied by her mother, Sherry Yeary. Ms. Yeary was not represented by counsel.

CLOSED MEETING: Dr. Hahn moved that the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:55 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Yeary. Additionally, Dr. Hahn moved that Ms. Mitchell and Ms. Jones 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 12:50 P.M.

Ms. Jones-Clarke moved that the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine 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. Francisco moved to issue an order to reinstate Ms. Yeary's license(s) to practice as a licensed nurse practitioner with prescriptive authority and to place her on probation with certain terms and conditions for a period of 10 months of actual professional nursing and nurse practitioner practice.

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. Yeary unless a written request

to the Board for a formal hearing on the allegations made against her is received from Ms. Yeary 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 meeting was adjourned at 1:10 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
FORMAL HEARING
October 13, 2010**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 10:30 A.M., in Conference Board Room 4, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia. The business meeting was cancelled due to lack of business and the Committee met for the consideration of agency subordinate recommendations.

MEMBERS PRESENT: Peregrin C. Francisco, R.N., M.S.A., Chairperson
Joyce A. Hahn, Ph.D., APRN, NEA-BC
Florence Jones-Clarke, R.N., M.S.
Jennifer S. Lee, M.D.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director

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

ESTABLISHMENT OF A QUORUM: With five (5) members of the Committee present, a quorum was established.

Consideration of Agency Subordinate Recommendations:

CLOSED MEETING: Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:30 A.M., for the purpose of consideration of Agency Subordinate Recommendations. Additionally, Ms. Francisco moved that Ms. Mitchell, and Mr. Casway 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.

RECONVNTION: The Committee reconvened at 10:44 A.M.

Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine 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.

Maile L’Herrou, R.N., L.N.P. – 0001-166793, 0024-165108

Ms. L’Herrou did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Ms. L’Herrou’s license to

practice as a nurse practitioner contingent upon her continued compliance with the Health Practitioner's Monitoring Program (HPMP).
The motion was seconded and carried unanimously.

Pamela Murphy, R.N., L.N.P. – 0001-208574, 0024-167895

Ms. Murphy did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Ms. Murphy in her practice as a nurse practitioner.

The motion was seconded and carried unanimously.

Matthew Sykes, R.N., L.N.P. – 0001-162394, 0024-162394, 0017-001774

Mr. Sykes did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Mr. Sykes' license to practice as a nurse practitioner with the suspension stayed contingent upon his re-entry into the Health Practitioner's Monitoring Program (HPMP) and his continued compliance with the program.

The motion was seconded and carried unanimously.

Rhonda Shortt, L.N.P. Applicant

Ms. Shortt did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to deny Ms. Shortt's application for licensure as a nurse practitioner.

The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 10:45 A.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline
Board of Nursing