

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

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on November 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., PhD, President  
Peregrin Francisco, R.N., M.S.A.  
Jeanne Holmes, Citizen Member  
Patricia Lane, R.N., B.S.N.  
Judith E. Piersall, R.N., B.S.N.  
Karen K. Schultz, Ph.D., M.B.A., PhD, Citizen Member

**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  
Amy Davis, Executive Assistant  
Krystal Blanton, Senior Discipline Specialist

**OTHERS PRESENT:** Howard M. Casway, Senior Assistant Attorney General  
Nursing students from Parkview High School, John Tyler Community College and Fortis College

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

**FORMAL HEARINGS:** **Tracey L. Marty, R.N. Reinstatement Applicant 0001-149575**  
Ms. Marty appeared, accompanied by her husband, Jeff Ash.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Cecile Custer, Senior Investigator, Department of Health Professions and Jeff Ash were present and testified.

**CLOSED MEETING:** Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:28 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Marty. Additionally, Ms. Holmes moved that Ms. Power, Ms. Mitchell, Ms. Davis, Ms. Blanton 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 9:41 A.M.

Ms. Holmes 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 that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Francisco moved that the Board of Nursing reinstate the professional nursing license of Tracey Marty and issue a reprimand. 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.

Dr. Selig left the meeting. Ms. Piersall presided at the hearing of Ms. Sechrist.

FORMAL HEARINGS:

**Brittany Sechrist, C.N.A. 1401-118926**

Ms. Sechrist appeared, accompanied by her mother, Ms. Nicholson.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Sammy Johnson, Deputy Director, Enforcement Division, Department of Health Professions and Katherine Messer, R.N., Former Director of Nursing at Envoy of Winchester, were present and testified.

CLOSED MEETING;

Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(15) of the *Code of Virginia* at 10:10 A.M. for the purpose of consideration and discussion of mental health records of Brittany D. Sechrist that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally Ms. Holmes moved that Ms. Power, Ms. Mitchell, Ms. Davis, Ms. Blanton, Mr. Rutkowski, Ms. Aliff 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 10:20 A.M.

Ms. Holmes 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.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:25 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Sechrist. Additionally, Ms. Holmes moved that Ms. Power, Ms. Mitchell, Ms. Davis, Ms. Blanton 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 10:40 A.M.

Ms. Holmes 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 that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Francisco moved that the Board of Nursing indefinitely suspend the nurse aide certificate of Brittany Sechrist for a period of not less than year and enter a finding of neglect based on a single incident into the nurse aide registry. 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 10:45 A.M.

RECONVENTION: The Board reconvened at 10:57 A.M.

Dr. Selig was not present, Ms. Piersall presided at the hearing of Ms. Bamaiyi.

FORMAL HEARINGS: **Darlene Ishaya Bamaiyi, C.N.A. Reinstatement Applicant 1401-057759**  
Ms. Bamaiyi did not appear, however she was represented by attorney Robert Luther, III.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:36 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bamaiyi. Additionally, Ms. Holmes moved that Ms. Power, Ms. Mitchell, Ms. Davis, Ms. Blanton 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 12:04 P.M.

Ms. Holmes 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 that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board.

The motion was seconded and carried unanimously.

ACTION: Ms. Francisco moved that the Board of Nursing deny the reinstatement of Darlene Bamaiyi to reinstate her nurse aide certificate and deny her request to remove the finding of neglect. 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.

Dr. Selig rejoined the meeting and presided at the remaining hearings.

FORMAL HEARINGS: **Stanley D. Vuicich, R.N. Reinstatement Applicant 0001-180119**  
Mr. Vuicich appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Donald Jackson, Pharmacy Inspector, Department of Health Professions; Cecile Custer, R.N, Senior Investigator, Department of Health Professions; and Chris Bowers, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:10 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Vuicich. Additionally, Ms. Holmes moved that Ms. Power, Ms. Mitchell, Ms. Davis, Ms. Blanton 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 1:20 P.M.

Ms. Holmes 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. Gaines.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Lane moved that the Board of Nursing reinstate the professional nursing license of Stanley Vuicich, but then indefinitely suspend the license and stay the suspension contingent upon Mr. Vuicich 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.

**RECESS:**

The Board recessed at 1:25 P.M.

**RECONVENTION:**

The Board reconvened at 2:15 P.M.

**FORMAL HEARINGS:**

**Chaunte Ibrahim, L.P.N. 0002-060955**

Ms. Ibrahim did not appear.

Anne Joseph, Deputy Director, Administrative Proceedings Division represented the Commonwealth. Mr. Casway was legal counsel for the Board. Kim Taylor, court reporter, recorded the proceedings.

Angie Stead, Executive Director, Sunrise of Reston was present and testified.

**CLOSED MEETING:**

Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:32 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Ibrahim. Additionally, Ms. Homes moved that Ms. Power, Ms. Mitchell, Ms. Davis, Ms. Blanton 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 2:41 P.M.

Ms. Holmes 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. Joseph and amended by the Board.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Lane moved that the Board of Nursing indefinitely suspend the practical nursing license of Chaunte Ibrahim for a period of not less than two years and until such time as she is able to 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.

**ADJOURNMENT:**

The Board adjourned at 2:45 P.M.

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

**VIRGINIA BOARD OF NURSING  
TELEPHONE CONFERENCE CALL  
November 18, 2010**

A telephone conference call meeting of the Virginia Board of Nursing was held November 18 at 2:50 P.M. The Board members participating in the meeting were Patricia Selig, R.N., F.N.P., Ph.D, President; Patricia Lane, R.N., B.S.N.; Jeanne Holmes, Citizen Member; Peregrin C. Francisco, R.N., M.S.A.; Judith E. Piersall, R.N., B.S.N.; Karen Schultz, M.B.A.; Ph.D, Citizen Member and Louise Hartz, Citizen Member.

Others participating in the meeting were Howard M. Casway, Senior Assistant Attorney General; Jodi P. Power, R.N., J.D., Deputy Executive Director; Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director; Amy Davis, Executive Assistant; and Krystal Blanton, Senior Discipline Specialist.

The meeting was called to order by Dr. Selig. With seven members of the Board participating, a quorum was established. A poll of those participating showed that a good faith effort to convene a regular meeting within the week was not possible.

Ms. Mitchell presented evidence that the continued nursing practice of Crystal Eanes Scott, L.P.N. 0002-052864, may present a substantial danger to the health and safety of the public.

Ms. Piersall moved to summarily suspend the practical nursing license of Crystal Eanes Scott pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license in lieu of a formal hearing. The motion was seconded and carried unanimously.

The meeting was adjourned at 2:57 P.M.

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