

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Thursday, January 27, 2011**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:01 A.M. on January 27, 2011 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
Peregrin Francisco, R.N., M.S.A.
Jeanne Holmes, Citizen Member
Patricia C. Lane, R.N., B.S.N.
Karen K. Schultz, Ph.D., M.B.A., Citizen Member

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
Amy Davis, Executive Assistant
Krystal Blanton, Senior Discipline Specialist (joined later)

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General
Nursing students from Henrico County/St. Mary's Hospital and Southside Virginia Community College

**ESTABLISHMENT OF
A QUORUM:**

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

FORMAL HEARINGS:

Crystal Scott, L.P.N. 0002-052864
Ms. Scott did not appear.

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

Kim Whittlemore, Senior Investigator, Department of Health Professions, testified by telephone. Amy Stewart, Case Manager, Health Practitioners Monitoring Program was present and testified.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:19 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Scott. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, 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 9:30 A.M.

Ms. Francisco 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. Jones.

The motion was seconded and carried unanimously.

ACTION: Ms. Holmes moved that the Board of Nursing reprimand Crystal Scott and indefinitely suspend her practical nursing license for a period of not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to resume 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.

RECESS: The Board recessed at 9:31 A.M.

RECONVENTION: The Board reconvened at 9:43 A.M.

FORMAL HEARINGS: **Geno D’Amico, R.N. 0001-211406**

Mr. D’Amico appeared, represented by attorney Nina Ginsberg.

James Schliessmann, Assistant Attorney General and Amanda Blount Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Ms. Lane stated that she was an employee of INOVA Mt. Vernon Hospital from 1990 to 1999 and is able to render a fair and impartial decision in this matter. There were no objections to this information.

Allan McDonald, Senior Investigator, Department of Health Professions testified by telephone. Regina Powell, Unit Secretary, INOVA Mt. Vernon Hospital was present and testified.

RECESS: The Board recessed at 12:15 P.M.

RECONVENTION: The Board reconvened at 12:50 P.M. and continued with witness testimonies.

Nancy Sellers, Mental Health Technician, INOVA Mt. Vernon Hospital was present and testified. Noelle Black, R.N., Sexual Assault Nurse Examiner; and Patient C testified by telephone.

Mariatu Fonti, R.N., Staff Nurse; Julian Jones, Mental Health Therapist; Kylie Wright, R.N., Staff Nurse; James Piccirilli, R.N., and Yvonne Cleveland, R.N. were present and testified.

RECESS: The Board recessed at 1:38 P.M.

RECONVENTION: The Board reconvened at 1:48 P.M.

RECESS: The Board recessed at 3:03 P.M.

RECONVENTION: The Board reconvened at 3:13 P.M.

RECESS: The Board recessed at 4:55 P.M.

RECONVENTION: The Board reconvened at 5:05 P.M.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:50 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. D’Amico. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, 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 7:55 P.M.

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

ACTION: Dr. Schultz moved that the Board of Nursing reprimand Geno D’Amico and further indefinitely suspend his license to practice professional nursing. 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 8:00 P.M.

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