

**VIRGINIA BOARD OF NURSING
MINUTES
March 23, 2011**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 8:45 A.M. on March 23, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Patricia M. Selig, R.N., F.N.P., Ph.D., President

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD., APRN, NEA-BC, Vice President
Evelyn Lindsay, L.P.N., Secretary
Allison Gregory, R.N., L.N.P.
Louise D. Hartz, Citizen Member
John M. Horn, L.P.N.
Jeanne Holmes, Citizen Member
Florence Jones-Clarke, R.N., M.S.
Patricia Lane, R.N., B.S.N.
Judith E. Piersall, R.N., B.S.N.
Karen Schultz, M.B.A.; Ph.D
William Traynham, L.P.N.

BOARD MEMBER ABSENT:

Peregrin C. Francisco, R.N., M.S.A.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., 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
Corie T. Wolf, Assistant Attorney General
Tammie Jones, Adjudication Specialist

**ESTABLISHMENT OF
A QUORUM:**

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

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 8:55 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Timbo. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Power, Ms. Davis, Ms. Blanton, Ms. Wolf and Ms. Jones 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 9:00 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.

Corie Wolf presented evidence that the continued practice of Abjulai Timbo, C.N.A. 1401-111477 may present a substantial danger to the health and safety of the public.

ACTION:

Ms. Piersall moved that the Board of Nursing summarily suspend the nurse aide certification of Abdulai Timbo pending a formal administrative hearing and to offer a consent order for revocation of his certificate with a finding of abuse. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:00 A.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 23, 2011
Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on March 23, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS
PRESENT: Joyce A. Hahn, PhD., APRN, NEA-BC, Vice President
Allison Gregory, R.N., L.N.P.
Jeanne Holmes, Citizen Member
John M. Horn, L.P.N.
Judith E. Piersall, R.N., B.S.N.
William Traynham, L.P.N.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A, Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General
Nursing students from Chesterfield Technical Center; Bon Secours School of Nursing; Fortis College; J. Sargeant Reynolds Community College; Medical Careers Institute; and nurse aide students from Career Development Center

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Alex Marshall, L.P.N. 0002-081963
Mr. Marshall appeared.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:13 A.M. for the purpose of consideration of the agency subordinate recommendation in the matter of Mr. Marshall. Additionally, Mr. Traynham moved that Ms. Mitchell, 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 9:15 A.M.

Mr. Traynham 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.

ACTION:

Mr. Horn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Alex Marshall, modify the Board order of February 3, 2010 and relieve Mr. Marshall of the requirement that he participate in the Health Practitioners Monitoring Program and to issue Mr. Marshall an unrestricted license to practice as a practical nurse in Virginia with multistate privileges.

The motion was seconded and carried unanimously.

Christianna Romney, R.N. 0001-209978

Ms. Romney appeared.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:23 A.M. for the purpose of consideration of the agency subordinate recommendation in the matter of Ms. Romney. Additionally, Mr. Traynham moved that Ms. Mitchell, 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 9:31 A.M.

Mr. Traynham 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.

ACTION:

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Christianna Romney.

The motion was seconded and carried unanimously.

Theresa Dalton, R.N. 0001-133776

Ms. Dalton did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Theresa Dalton to practice professional nursing 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.

Christie Richardson, L.P.N. 0002-072322

Ms. Richardson did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Christie Richardson. The motion was seconded and carried unanimously.

Lisa Dempsey, R.N. 0001-222104

Ms. Dempsey did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Lisa Dempsey 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.

Cristal Johnston, R.N. 0001-132656

Ms. Johnston did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Cristal Johnston. The motion was seconded and carried unanimously.

Angela M. Parker, L.P.N. 0002-066027

Ms. Parker did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reinstate the practical nursing license of Angela Parker, issue a reprimand and require Ms. Parker complete the online National Council of State Boards of Nursing course “Medication Errors: Detection and Prevention” and provide evidence of satisfactory completion of this course to the Board within 45 days of entry of the order. The motion was seconded and carried unanimously.

Rhonda Witherspoon, R.N. 0001-180148

Ms. Witherspoon did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time contingent upon Ms. Witherspoon’s continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Sonra Foote, R.N. 0001-155646

Ms. Foote did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Sonra Foote and revoke her license to practice professional nursing in Virginia. The motion was seconded and carried unanimously.

Jessica S. Smith, R.N. 0001-216234

Ms. Smith did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Jessica Smith to practice professional nursing for 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.

Juanita M. Lee, R.N. 0001-161318

Ms. Lee did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Juanita Lee and to indefinitely suspend the license of Ms. Lee to practice as a professional nurse in Virginia for 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.

FORMAL HEARINGS BEFORE A PANEL OF THE BOARD:

FORMAL HEARING: Samuel Watts, L.P.N. 0002-038883

Mr. Watts did not appear.

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

Kevin Pultz, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:16 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Watts. Additionally, Mr. Traynham moved that Ms. Mitchell, 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 11:27 A.M.

Mr. Traynham 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 Ms. Joseph and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Gregory moved that the Board of Nursing indefinitely suspend the practical nursing license of Samuel Watts until such time as he is able to appear before the Board and provide sufficient evidence that he 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.

RECESS: The Board recessed at 11:30 A.M.

RECONVENTION: The Board reconvened at 1:00 P.M.

FORMAL HEARING: **Carolyn Fletcher, L.P.N. 0002-063079**
Ms. Fletcher appeared.

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

Kelly Ashley, Senior Investigator, Department of Health Professions; Desiree Plunkett, R.N. Assistant Director of Nursing, Coliseum Park; and Belinda Suire, R.N., Licensed Nursing Home Administrator, Director of Nursing, Coliseum Park were present and testified.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:55 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Fletcher. Additionally, Mr. Traynham moved that Ms. Mitchell, 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 2:15 P.M.

Mr. Traynham 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. Gregory 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. Holmes moved that the Board of Nursing reprimand Carolyn Fletcher and place her on indefinite probation for not less than two years of nursing practice with terms and conditions. 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 2:19 P.M.

RECONVENTION: The Board reconvened at 2:30 P.M.

FORMAL HEARING: **Paula Powers, R.N. Reinstatement Applicant 0001-093329**
Ms. Powers appeared.

Amanda Blount, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Cheri M. Thomas, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified. Sandra Barton, Senior Investigator, Department of Health Professions testified by telephone.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:05 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Powers. Additionally, Mr. Traynham moved that Ms. Mitchell, 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 3:23 P.M.

Mr. Traynham 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 Ms. Blount and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Gregory moved that the Board of Nursing reinstate the professional nursing license of Paula Powers 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.

ADJOURNMENT: The Board adjourned at 3:25 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 23, 2011
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:20 A.M. on March 23, 2011 in Board Room 4, 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
Louise D. Hartz, Citizen Member
Florence Jones-Clarke, R.N., M.S.
Patricia Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Karen Schultz, M.B.A.; Ph.D

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Krystal Blanton, Senior Discipline Specialist

OTHERS PRESENT:

Rachel Baer, Assistant Attorney General

ESTABLISHMENT OF
A QUORUM:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Julie J. Cooper, R.N. 0001-202144
Ms. Cooper appeared.

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 9:30 A.M., for the purpose of consideration of the agency subordinate recommendation in the matter of Ms. Cooper. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Blanton and Ms. Baer 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 9:35 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. Lindsay moved to accept the recommended decision of the agency subordinate to reprimand Julie Cooper and to indefinitely suspend the professional nursing license of Ms. Cooper for 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 practice and to indefinitely suspend Ms. Cooper's right to renew her practical nursing license for 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. Dr. Selig, Ms. Hartz, Ms. Lane, Ms. Lindsay, and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Mindee L. Cunningham, R.N. 0001-185464

Ms. Cunningham appeared.

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 9:40 A.M., for the purpose of consideration of the agency subordinate recommendation in the matter of Ms. Cunningham. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Blanton and Ms. Baer 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 9:50 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.

Dr. Schultz moved to accept the recommended decision of the agency subordinate to reprimand Mindee Cunningham and to indefinitely suspend her professional nursing license, but stay the suspension contingent upon her re-entry into and remaining in compliance with the Health Practitioners Monitoring Program, and amend the conclusions of law to delete 54.1-3007(6). The motion was seconded and carried unanimously.

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 9:56 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Blanton and Ms. Baer 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 10:30 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.

Patricia Sykes, C.N.A. 1401-076434; R.M.A. 0031-001572

Ms. Sykes did not appear.

Ms. Jones-Clarke moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the right to renew the nurse aide certification of Patricia Sykes until such time as she is able to appear before the Board and provide sufficient evidence that she is safe and competent to practice and to revoke the right to renew the medication aide registration of Ms. Sykes.

The motion was seconded and carried. Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay and Dr. Schultz were in favor of the motion. Dr. Selig and Ms. Hartz opposed the motion.

Anne Berlin, C.N.A. 1401-091597

Ms. Berlin did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Anne Berlin and to indefinitely suspend her nurse aide certification until such time as provides evidence that she has retaken and passed the NNAAP competency examination pursuant to 18 VAC 90-25-80(A)(4) of the Regulations Governing Certified Nurse Aides.

The motion was seconded and carried unanimously.

Thelma Coles, C.N.A. 1401-101467

Ms. Coles did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certification of Thelma Coles and enter a finding of abuse against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Myra E. Harris, C.N.A. 1401-065553

Ms. Harris did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certification of Myra Harris and enter a finding of abuse against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Anika Puller, C.N.A. 1401-054323

Ms. Puller did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certification of Anika Puller and enter a finding of misappropriation of patient property against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Aleshia Deel, L.P.N. 0002-077230

Ms. Deel did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the practical nursing license of Aleshia Deel, with the suspension to be stayed contingent upon Ms. Deel's entry into and compliance thereafter with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Tiffany D. Newlen, L.P.N. 0002-075020

Ms. Newlen did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Tiffany Newlen contingent upon her entry in to the Health Practitioners Monitoring Program with 45 days of entry of the Board's order and her continued compliance with the Health Practitioners Monitoring Program thereafter.

The motion was seconded and carried unanimously.

Margaret Paxton, L.P.N. 0002-060772

Ms. Paxton did not appear.

Ms. Hartz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Margaret Paxton.

The motion was seconded and carried unanimously.

RECESS: The Board recessed at 10:30 A.M.

RECONVENTION: The Board reconvened at 1:07 PM.

Dr. Schultz left the meeting.

FORMAL HEARINGS BEFORE A PANEL OF THE BOARD:

FORMAL HEARING: **Colby R. Mansell, R.N. 0001-177972**

Mr. Mansell appeared, represented by attorney, Clive O'Leary. Cynthia Shortlidge, court reporter was present and recorded the proceedings on behalf of Mr. Mansell.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Sherelle Weaver, court reporter, recorded the proceedings on behalf of the Board of Nursing.

Helene Kelly, Senior Investigator, Department of Health Professions; and Kathleen Jimenez, R.N., Nurse Manager, Freestanding Emergency Department of Mary Washington Healthcare 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 2:40 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Mansell. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Blanton and Ms. Baer 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 4:10 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. Jones-Clarke 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. Hartz moved that the Board of Nursing place Colby Mansell on indefinite probation for a period of not less than two years employment as professional nurse with terms and conditions. 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 4:15 P.M.

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