

**VIRGINIA BOARD OF NURSING
MINUTES
September 13, 2011**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:05 A.M. on September 13, 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, Ph.D.; APRN; NEA-BC; Vice President
Evelyn Lindsay, L.P.N., Secretary
Allison Gregory, R.N., F.N.P.
Louise Hartz, Citizen Member
Jeanne E. Holmes, Citizen Member
John M. Horn, L.P.N.
Florence Jones-Clarke, R.N., M.S.
Patricia C. Lane, R.N., B.S.N., M.B.A.
Trula E. Minton, M.S., R.N.
Karen K. Schultz, Ph.D., M.B.A, Citizen Member
William Traynham, L.P.N.

BOARD MEMBER ABSENT:

Jane R. Ingalls, R.N., C.N.S. 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
Brenda Krohn, R.N., M.S., Deputy Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Tomeka Dowling, R.N., M.S, Nursing Education Consultant
Ann Tiller, Compliance Manager
Amy Davis, Executive Assistant

STAFF ABSENT:

Linda Kleiner, R.N., Discipline Case Manager

OTHERS PRESENT:

Amy Marschean, Senior Assistant Attorney General
Dianne L. Reynolds-Cane, M.D., Director, Department of Health Professions
Arne Owens, Chief Deputy Director, Department of Health Professions
Elaine Yeatts, Policy Analyst, Department of Health Professions
Representatives from Excelsior College, Joseph Porter and Laurie Naglesmith
Representatives from ECPI
Nursing students from Fortis College

ESTABLISHMENT OF
A QUORUM:

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

ANNOUNCEMENTS:

- Virginia Nurses Foundation Gala, Saturday, September 24, 2011, Richmond – Dr. Cane, Honorary Chairperson
- Committee of the Joint Boards of Nursing and Medicine next meeting is October 12, 2011.
- DHP New Board Member Orientation – September 23, 2011
- VNA Education Day – September 24, 2011 – Dr. Linda Burns Bolton, Keynote Speaker
- Massage Therapy Advisory Board next meeting is October 17, 2011

DIALOGUE WITH AGENCY DIRECTOR:

Dr. Reynolds-Cane reported on the following:

- Virginia Department of Health Professions received the 2011 CLEAR Award for Excellence for the sanction reference point program for using a standardized tool for imposing disciplinary sanctions.
- DHP continues to work on agency efficiency measures. Some measures have been finalized, all measures will be presented when the process is completed. It is estimated DHP will save \$1,000,000 per year when the efficiency measures are put in place.
- Dr. Selig noted the National Council of State Boards of Nursing 2011 Regulatory Achievement Award presented to the Board of Nursing is on display today in the board room.

ORDERING OF AGENDA: The agenda was reviewed and ordered.

CONSENT AGENDA: The Board did not remove any items from the proposed consent agenda. Ms. Hartz moved to accept the consent agenda which included the following. The motion was seconded and carried unanimously.

Minutes:

July 18, 2011	Panel – Dr. Selig
July 19, 2011	Quorum – Dr. Selig
July 20, 2011	Quorum – Dr. Selig
July 20, 2011	Panel – Dr. Selig
July 20, 2011	Panel – Dr. Hahn
July 21, 2011	Panel – Ms. Lindsay
August 10, 2011	Telephone Conference Call – Dr. Selig
August 22, 2011	Panel – Ms. Lindsay

Reports:

Health Practitioners Monitoring Program Report of Statistics
Agency Subordinate Tracking Log
Board of Nursing Monthly Tracking Log-Licensure & Disciplinary Statistics

Licensure Committee Minutes:

Dr. Schultz moved to accept the minutes of the Licensure Committee meeting minutes of July 20, 2011. The motion was seconded and carried unanimously.

REPORTS:

Executive Director Report:

In addition the written report, Ms. Douglas added the following information:

- Ms. Douglas attended the meeting of the Team Based Care Delivery workgroup of the Virginia Action Coalition as the Board of Nursing liaison. The meeting of this group was held on September 9, 2011 in Lynchburg. Agenda items included: Adoption of the mission statement; A review of the goals and objectives; Discussion of self-reported models and workgroups to review models of team based care delivery and discuss what is needed to ensure nursing will be successful as full partners in team based care.
- National Council of State Boards of Nursing IT staff will be providing training to Board of Nursing staff in October regarding NURSYS. DHP Enforcement and IT staff will be invited to attend.
- DHP efficiency measure committee regarding paperless licensing is continuing their work. Ms. Douglas stated the paperless licensing process will increase public protection by eliminating the use of altered licenses and will decrease the cost of issuing a license upon renewal. Use of the DHP online license verification system will be encouraged to confirm licensure information as the primary source of verification.
- A self assessment tool is being developed by a committee of the Nurse Licensure Compact Administrators and will be piloted by 10 states. Virginia is one of the states that will participate in the pilot program regarding compliance with the Nurse Licensure Compact.

Finance Report:

The written report was provided, there was no additional comments or discussion.

Board Efficiency Committee:

Ms. Lane reviewed the 11 recommendations from the Committee and Dr. Schultz expressed her appreciation to Ms. Power for her participation in the work of the Committee. Dr. Selig reviewed the information provided by Ms. Douglas in response to the recommendations indicating historical perspectives and those recommendations that are already in place.

Dr. Hahn stated that although many of the recommendations from the Committee are already in place, she thought the original task of the Committee was related to decreasing paperwork and increasing the use of electronic distribution of materials. Dr. Schultz indicated the Committee discussed it and no short-term solution was achieved. Ms. Douglas indicated the use of electronic distribution of materials is an agency wide task, advanced technology is needed before moving forward as an agency. Ms. Douglas added that we can provide business meeting documents electronically if any board member is interested.

Dr. Selig commented that some recommendations have already been implemented and that Dr. Selig has discussed the timekeeping suggestion with Ms. Lindsay, Board Secretary.

Ms. Douglas, in addition to her written response, suggested the Board may want to re-title and revise the Board of Nursing Code of Conduct document.

The issue of a Board development workshop to take place in November was presented by Dr. Selig. The proposed plan would be to conduct business in the morning and have the workshop in the afternoon and early evening. Board members expressed an interest in this and were asked to submit requests for topics for consideration at the workshop to Ms. Davis in writing.

Ms. Lindsay moved to accept the minutes of the Board Efficiency Committee. The motion was seconded and carried unanimously.

NCSBN Annual Meeting:

Dr. Selig, Ms. Jones-Clarke, Ms. Lane, Ms. Douglas, Ms. Krohn and Ms. Mitchell attended the meeting in Indianapolis in August. Funding for expenses to attend the meeting was provided by NCSBN.

Dr. Selig commented on the uniform core licensure requirements proposed changes. The final draft adopted is not currently available, but the document containing the 1999 requirements and rationale for change was included in the documents distributed today. Additionally, Dr. Selig noted that NCSBN had provided several resources that could assist the Board in future work e.g. substance use disorder manual and white paper on social media.

Ms. Mitchell reported on the TERCAP information from the annual meeting which reported the outcome of the 861 cases reviewed. There was a statistically significant link between the employment history and the risk of committing additional practice breakdown is established by the current analysis. This finding indicates that the nurses' employment history can serve as a useful tool to identify a small group of nurses with a risk of committing violations. There was no ability to identify sufficient association between system factors and the practice breakdown; possibly due to constraints in sample size. Ms. Mitchell added that the Virginia TERCAP Committee is expanding to include 10 additional investigators. Board members asked how soon this could be implemented. Ms. Mitchell is working with Enforcement staff to accomplish greater submission of cases and a training schedule is being developed.

Ms. Krohn reported she enjoyed the various presentations that included the information regarding medication aides and a lack of nursing supervision of these caregivers and the discussion of experts regarding criminal history that indicated research supports sexual predators should always be barred from licensure due to a high incidence of recidivism and therefore a greater risk to the public.

Ms. Jones-Clarke indicated her experiences and observations confirmed that Virginia Board of Nursing staff is ahead of most states in the area of public safety and that she appreciated their efforts.

Ms. Douglas reported that the CGFNS exam is now available online. Virginia is receiving an increase in applications for licensure of those educated outside of the United States, which requires the applicant to go through the CGFNS credential evaluation process which prevents the Board of Nursing from processing the application for licensure quickly. Nationally there appears to be an increase in fraudulent transcripts, especially from the Philippines.

Ms. Douglas reported that the NCSBN Annual Meeting Business Book is available on the NCSBN website and items of interest will be included in future Board of Nursing meetings as appropriate.

Massage Therapy Advisory Board Orientation:

Ms. Krohn reported that the new members of the Massage Therapy Advisory Board, Kristina Wright, CMT and Michael Vines, CMT met with Ms. Krohn and Latasha Austin, Administrative Assistant for a Board of Nursing orientation. Included areas of orientation were DHP and Board of Nursing organizational charts, the role of the advisory board, discipline information, the Health Practitioners Monitoring Program and the APD manual. Ms. Wright and Mr. Vines plan to attend the DHP orientation on September 23, 2011.

RECESS: The Board recessed at 10:10 a.m.

RECONVENTION: The Board reconvened at 10:25 a.m.

EDUCATION: **Education Informal Conference Committee:**

Dr. Hahn reviewed the minutes of September 7, 2011 and edits to the minutes regarding ECPI and deferred some issues to be considered due to a lack of sufficient notice as a result of flooding.

Dr. Saxby addressed the recommendations from the Education Informal Conference Committee regarding delegation to Board staff on the following:

- Delegate the authority to Board staff to approve nursing education programs with curriculum changes that relate to decreasing the number of clinical hours across the life cycle as long as the hours meet Board regulation 18VAC90-20-120E. Ms. Gregory moved to accept the recommendation of the Committee. The motion was seconded and carried unanimously.
- Delegate the authority to Board staff to approve quarterly reports from nursing education programs that meet all regulation requirements. Ms. Lindsay moved to accept the recommendation from the Committee. The motion was seconded and carried unanimously.

Ms. Hartz suggested revising Guidance Document 90-12 to include professional staff delegation of these two items.

Dr. Saxby asked for the Board to consider the quarterly report submitted by George Washington University since Dr. Hahn is the chairperson of the

Education Informal Conference Committee and therefore could not vote on this matter at the September 7, 2011 meeting. Ms. Hartz moved to accept the quarterly report submitted by George Washington University. The motion was seconded and passed. Dr. Hahn abstained from voting.

Mary Marshall Scholarship Fund:

Dr. Saxby reported that no names have been received at this time for distribution of funds.

Guidance Document on Clinical Experiences:

Dr. Saxby presented information on behalf of the Education Committee regarding a guidance document regarding clinical experiences, facility and nursing education program responsibilities. The draft guidance document would include clarification of responsibilities of the facility providing clinical experiences for nursing students and the responsibilities of the nursing education program instructors. After discussion, the Board supports staff to develop the guidance document to be presented to the Education Committee at the November 2011 meeting.

OPEN FORUM:

- Nathan Kottkamp, an attorney with McGuire Woods spoke on behalf of ECPI Richmond Campus. Mr. Kottkamp stated that the penalties being imposed are disproportionate to the deficiencies noted and would like for ECPI to be able to admit students as soon as possible.
- Excelsior College representatives Joseph Porter, Vice President, Legal and Governmental Affairs; and Laurie Naglesmith, Associate Dean were present. Mr. Porter and Dr. Naglesmith expressed their appreciation on the continued work on a solution for provisional licensure and to achieve a mechanism to allow students to be licensed in Virginia. If the Board adopts the Licensure Committee proposals, it would be considered not a workable solution by Excelsior College and Excelsior College would be forced to seek legislation similar to legislation in Georgia as it is not practical to set up preceptorships in Virginia for Excelsior College graduates. The recommendation from Excelsior College is to allow graduates of out of state competency based institutions such as Excelsior College with 2 years of LPN practice and passing the NCLEX-RN to be licensed without additional clinical hours.

EDCUATION:

Workforce Data Center 2010 Survey of Nursing Education Programs:

Justin Crowe, Board of Health Professions Research Analyst reported on the role of the data center and the 2010 report regarding nursing education programs. Mr. Crowe highlighted information related to practical nursing and registered nursing program enrollment, attrition, admission and graduation trends.

Based on responses collected by the Workforce Data Center, the average nurse is 49 year old female with 25 years of experience with a high job satisfaction rate.

Requests to include NCLEX pass rate information and registered nurse proprietary education program information were made. Mr. Crowe will add this information before it is posted to the website. Dr. Hahn moved to accept the survey to include the pass rate information and proprietary program information. The motion was seconded and carried unanimously.

Informal Conference Committee Dates:

Board members should provide their available dates for January through June to Ms. Mitchell today.

Virginia Nurse Practice Act Online Course:

Ms. Power reported this is being updated with an expected completion date in October 2011. Revisions have been provided to NCSBN. Board members were reminded that this course is an option to include as a term in disciplinary proceedings.

Sanction Reference Point Manual:

Ms. Douglas reviewed the summary of recommendations regarding revisions to the SRP manual that had previously been considered by the Board. Ms. Lane requested that abbreviations/acronyms be spelled out where possible for clarification. Dr. Hahn moved to adopt the revisions as presented. The motion was seconded and carried unanimously.

Board Member Orientation:

Ms. Douglas reviewed the copy of part of the information provided to new Board of Nursing members at their orientation in July.

Administration of Influenza Vaccine to Minors:

Ms. Douglas reviewed the information from Jodi Wakeham, Virginia Department of Health, that requests the Board of Nursing approved an updated guidance document regarding the administration of influenza vaccine to minors by licensed pharmacists and emergency medical technicians. The initial guidance was developed allowing a prescriber to authorize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse or licensed practical nurse under the direction and immediate supervision of a registered nurse when the prescriber is not physically present. The proposed changes are required to ensure the document comports with the law that now includes emergency medical technicians. Ms. Hartz moved to adopt the revised guidance document. The motion was seconded and carried unanimously.

LEGISLATION/REGULATION:

Chart of Regulatory Actions:

Ms. Yeatts reviewed the chart of regulatory actions.

- Regulations regarding continued competency requirements are at the Governor's Office
- Requirements for approval of nursing education programs are at the Secretary's Office
- Consistency with Compact rules on licensure is at the Governor's Office

- Elimination of prior licensure requirement for foreign educated applicants is at the Governor's Office

Staff commented that approval of these regulations would reduce a burden for applicants and would save the cost of an administrative proceeding.

Legislative Proposals:

Draft legislation forwarded from the Department of Health Professions to the Secretary and the Governor for consideration for the 2012 Session of the General Assembly includes:

- Accept the examination of the Federation of State Massage Therapy Boards and eliminate the requirement that an examination lead to national certification
- Authorize summary suspension or summary restriction of a nursing education program
- Authorize an exemption for a nurse temporarily in Virginia who is licensed by another (non compact) state to practice at a summer camp or for a specified recreational or educational activity.

Ms. Yeatts stated this does not require action from the Board, it is being provided as information only. Ms. Douglas added the proposal to recover disciplinary costs from nurses practicing on a multistate privilege is not going forward at this time based on advice from Board counsel and the NLC counsel.

Regulatory Action – Adoption of Emergency Regulation on Provisional Licensure:

Ms. Yeatts reviewed SB 1245, the draft regulations and Excelsior College information regarding an alternative proposal. No one has been licensed under this provision at this time. If emergency regulations are adopted, the Board will need to replace within one year with permanent regulations. Discussion took place regarding 18VAC90-20-215. Dr. Hahn moved to adopt the proposed emergency regulations recommended by the Licensure Committee and to adopt a NOIRA to replace the emergency regulations with permanent regulations. The motion was seconded and carried unanimously.

CONSIDERATION OF CONSENT ORDERS:

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:45 A.M. for the purpose of deliberation to consider consent orders. Additionally, Ms. Lindsay moved that Ms. Tiller, Ms. Douglas, Ms. Krohn, Ms. Power, Ms. Mitchell, Dr. Saxby, Ms. Dowling, Ms. Davis and Ms. Marschean 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 12:05 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.

Carrie L. Ames, RN 0001-211686

Ms. Hartz moved to accept the consent order to accept the voluntary surrender for indefinite suspension of the professional nursing license of Carrie Ames. The motion was seconded and carried. Dr. Selig, Dr. Hahn, Ms. Lindsay, Ms. Gregory, Ms. Hartz, Ms. Holmes, Mr. Horn, Ms. Jones-Clarke, Ms. Lane, Dr. Schultz, and Mr Traynham were in favor of the motion. Ms. Minton abstained from voting.

Lisa F. Rose, LPN 0002-055588

Ms. Lindsay moved to accept the consent order to indefinitely suspend the practical nursing license of Lisa Rose. The motion was seconded and carried. Dr. Selig, Dr. Hahn, Ms. Lindsay, Ms. Gregory, Ms. Hartz, Ms. Holmes, Mr. Horn, Ms. Lane, Ms. Minton, Dr. Schultz, and Mr Traynham were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Candice McCauley, LPN 0002-063522

Ms. Gregory moved to accept the consent order indefinitely suspend the practical nursing license of Candice McCauley, stay the suspension contingent upon verification of Ms. McCauley's reentry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Janet Kay B. Raymont, RN 0001-132970

Ms. Hartz moved to accept the consent order to indefinitely suspend the professional nursing license of Janet Raymont, stay the suspension contingent upon verification of Ms. Raymont's reentry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried. Dr. Selig, Dr. Hahn, Ms. Gregory, Ms. Hartz, Ms. Holmes, Mr. Horn, Ms. Jones-Clarke, Ms. Minton. Dr. Schultz, and Mr Traynham were in favor of the motion. Ms. Lindsay and Ms. Lane opposed the motion.

Kim Anderson, LPN 0002-039801

Ms. Hartz moved to accept the consent order to reprimand Kim Anderson and to indefinitely suspend the practical nursing license of Ms. Anderson, vacate the suspension upon Ms. Anderson's payment in full of the balance due on the monetary penalty imposed on her by the order of the Board entered December 2009. The motion was seconded and carried unanimously

RECESS: The Board recessed at 12:06 P.M.

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

CONSIDERATION OF RECOMMENDATIONS REGARDING APPLICANTS:

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:02 P.M. for the purpose of deliberation to consider recommendations regarding applicants. Additionally, Ms. Lindsay moved that Ms. Tiller, Ms. Douglas, Ms. Krohn, Ms. Power, Ms. Mitchell, Ms. Davis and Ms. Marschean 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 1:15 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.

Bernard Carpenter, CNA Applicant

Ms. Lindsay moved to accept the recommended decision of the informal conference committee to deny the application of Bernard Carpenter for certification as a nurse aide. The motion was seconded and carried unanimously.

Hilman C. Wright, II, RMA Applicant

Ms. Hartz moved to accept the recommended decision of the informal conference committee to deny the application of Hilman Wright for registration as a medication aide. The motion was seconded and carried. Dr. Selig, Dr. Hahn, Ms. Lindsay, Ms. Gregory, Ms. Hartz, Ms. Holmes, Mr. Horn, Ms. Lane, Ms. Minton, Dr. Schultz, and Mr Traynham were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Barbara Clark, RMA Applicant

Ms. Lindsay moved to accept the recommended decision of the informal conference committee to deny the application of Barbara Clark for registration as a medication aide. The motion was seconded and carried unanimously.

Patricia McNulty, RN Applicant

Ms. Lindsay moved to accept the recommended decision of the informal conference committee to approve the application of Patricia McNulty for licensure as a registered nurse by endorsement contingent upon Ms. McNulty's entry into and compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously

Kyle Bedanarcik, RMA Applicant

Ms. Lindsay moved to accept the recommended decision of the informal conference committee to approve the application of Kyle Bedanarcik for registration as a medication aide and to reprimand Mr. Bedanarcik. The motion was seconded and carried unanimously

Tabitha Nelson, RMA Applicant

Ms. Lindsay moved to accept the recommended decision of the informal conference committee to approve the application of Tabitha Nelson for registration as a medication aide and to reprimand Ms. Nelson. The motion was seconded and carried unanimously

Tammy C. Dollman, CNA Applicant

Ms. Lindsay moved to accept the recommended decision of the agency subordinate to deny the application of Tammy Dollman for certification as a nurse aide. The motion was seconded and carried unanimously

Lakesia Toler, CNA 1401-114957; LPN Applicant

Ms. Lindsay moved to accept the recommendation of the informal conference committee to approve the application of Lakesia Toler for licensure as a practical nurse and to reprimand Ms. Toler. The motion was seconded and carried unanimously.

ADJOURNMENT: As there was no additional business, the meeting was adjourned at 2:00 P.M.

Evelyn Lindsay, L.P.N.
Secretary

Note - Copies of reports referenced can be obtained by contacting the Board of Nursing office.

VIRGINIA BOARD OF NURSING

Minutes

September 13, 2011

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

BOARD MEMBERS PRESENT:

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Evelyn Lindsay, L.P.N., Secretary
Louise Hartz, Citizen Member
Jeanne E. Holmes, Citizen Member
John M. Horn, L.P.N.
Trula E. Minton, M.S., R.N.
Karen K. Schultz, Ph.D., M.B.A, Citizen Member
William Traynham, L.P.N.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., 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
Ann Tiller, Compliance Manager
Amy Davis, Executive Assistant

OTHERS PRESENT: Amy Marschean, Senior Assistant Attorney General
Wayne Halbleib, Senior Assistant Attorney General
Olivia Exterovich, Adjudication Specialist

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

Wayne Halbleib, Senior Assistant Attorney General, presented evidence that the continued nurse aide practice of Jimmy Clellen, 1401-097327 may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 8:48 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Clellen. Additionally, Ms. Lindsay moved that Ms. Tiller, Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Davis and Ms. Marschean 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 8:52 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.

ACTION:

Ms. Hartz moved to summarily suspend the nurse aide certificate of Jimmy Clellen pending a formal administrative hearing and to offer Mr. Clellen a consent order for indefinite suspension of his certificate with a finding of misappropriation of patient property in lieu of a formal hearing. The motion was seconded and carried unanimously.

The meeting was adjourned at 8:55 A.M.

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