

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Thursday, September 15, 2011**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on September 15, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:**

Patricia M. Selig, RN, FNP, PhD; President
Louise D. Hartz, Citizen Member
Patricia C. Lane, RN, BSN
Trula Minton, MS, RN
Karen K. Schultz, PhD, MBA; Citizen Member
Joan Cordle, CMT; Massage Therapy Advisory Board Member

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, Executive Director
Jodi P. Power, RN, JD, Deputy Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director (joined later)
Amy Davis, Executive Assistant

OTHERS PRESENT:

Rachel Baer, Assistant Attorney General
Nursing students from Virginia College; Fortis College; George Washington University School of Nursing

**ESTABLISHMENT OF
A QUORUM:**

With five members of the Board and one Advisory Board member present, a quorum was established.

FORMAL HEARINGS:

Yong Ju Blevins, CMT 0019-004981
Ms. Blevins did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

CLOSED MEETING:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:10 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Blevins. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Power, Ms. Davis 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. Hartz 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:

Dr. Schultz moved that the Board of Nursing accept the surrender of Yong Ju Blevins' certificate to practice massage therapy and to indefinitely suspend the right to renew her certificate. 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.

FORMAL HEARINGS:

Kristy Sin Chin, CMT 0019-008422

Ms. Chin did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

CLOSED MEETING:

Ms. Hartz 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 deliberation to reach a decision in the matter of Ms. Chin.. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Power, Ms. Davis 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 10:00 A.M.

Ms. Hartz 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:

Dr. Schultz moved that the Board of Nursing revoke the certificate of Kristi Sin Chin to practice massage therapy. 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.

Ms. Cordle and Ms. Douglas left the meeting.

RECESS: The Board recessed at 10:05 A.M.

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

FORMAL HEARINGS: **Carrie D. Lawrence, LPN 0002-047359**
Ms. Lawrence did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Martha Miller, former Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:32 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lawrence. Additionally, Ms. Hartz moved that Ms. Power, Ms. Davis 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 11:05 P.M.

Ms. Hartz 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: Dr. Schultz moved that the Board of Nursing indefinitely suspend the right to renew the license of Carrie Lawrence to practice as a practical nurse for not less than two years and until such time as she can appear before the Board and provide 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.

RECESS: The Board recessed at 11:10 A.M.

RECONVENTION: The Board reconvened at 11:18 A.M.

FORMAL HEARINGS: **Alecia Gallop, CNA 1401-026076**
Ms. Gallop appeared, accompanied by a friend, Tauheedah Thompson.

James Rutkowski, Adjudication Specialist represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Kelly Ashley, Senior Investigator, Department of Health Professions; Jennifer Wornom, LPN, Sentara Williamsburg Regional Medical Center; Laura Waltrip, RN, Brookside Home Health, former employee of Sentara Regional Medical Center; and Tauheedah Thompsom, friend of Ms. Gallop were present and testified.

Ms. Douglas rejoined the meeting.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:15 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gallop. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Power, Ms. Davis 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 12:39 P.M.

Ms. Hartz 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: Dr. Schultz moved that the Board of Nursing indefinitely suspend the nurse aide certificate of Alecia Gallop for not less than one year with a finding of neglect based on a single incident. 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.

Ms. Mitchell joined the meeting. Ms. Douglas left the meeting.

RECESS: The Board recessed at 12:45 P.M.

RECONVENTION: The Board reconvened at 1:20 P.M.

FORMAL HEARINGS: **Roschone Anderson, CNA 1401-126382; Registered Medication Aide 0031-001042**

Ms. Anderson did not appear.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Karen Schaller, Senior Inspector, former Senior Investigator, Department of Health Professions; and Fran Stout, CNA, Memory Care were present and testified.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:48 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Anderson. Additionally, Ms. Hartz moved that Ms. Power, Ms. Mitchell, Ms. Davis 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 2:05 P.M.

Ms. Hartz 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 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. Minton moved that the Board of Nursing revoke the nurse aide certificate of Roschone Anderson with a finding of abuse and further revoke the right to renew the medication aide registration of Ms. Anderson. 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.

FORMAL HEARINGS: **Kimberly Reynolds, CNA Applicant**

Ms. Reynolds did not appear.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:25 P.M., for the purpose of

deliberation to reach a decision in the matter of Ms. Reynolds. Additionally, Ms. Hartz moved that Ms. Power, Ms. Mitchell, Ms. Davis 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 2:40 P.M.

Ms. Hartz 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 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. Lane moved that the Board of Nursing deny the application of Kimberly Reynolds for certification as a nurse aide by endorsement. 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.

Jodi P. Power, RN, JD
Deputy Executive Director