

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
August 10, 2011**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:25 A.M., on August 10, 2011 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Evelyn Lindsay, L.P.N.; Chairperson
Allison Gregory, R.N., L.N.P.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A.; Deputy Executive Director

OTHERS PRESENT: Anne Joseph, Deputy Director, Administrative Proceedings Division
Olivia Exterovich, Adjudication Specialist (joined later to observe)

CONFERENCES

SCHEDULED: **Ellen Pahoulis, R.N. 0001-142657**
Ms. Pahoulis appeared.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:02 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Pahoulis. Additionally, Ms. Gregory moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:10 A.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to issue an order to take no action at this time contingent upon Ellen Pahoulis remaining in compliance with the terms of the monitoring contract with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Papoulis unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Pahoulis within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED:

Joyce Gasparovic, R.N. 0001-065964

Ms. Gasparovic appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:26 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Gasparovic. Additionally, Ms. Gregory moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:45 A.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to close the case in the matter of Joyce Gasparovic and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations.

The motion was seconded and carried unanimously.

Ms. Exterovich joined the meeting.

CONFERENCES

SCHEDULED:

Sandra S. Lehan, R.N. 0001-192650

Ms. Lehan appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lehan. Additionally, Ms. Gregory moved that Ms. Mitchell, Ms. Exterovich and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:36 A.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to close the case in the matter of Sandra Lehan and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED: **Lois Brickey, L.P.N. 0002-015054**
Ms. Brickey appeared, accompanied by Timothy McAfee.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:10 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Brickey. Additionally, Ms. Gregory moved that Ms. Mitchell, Ms. Exterovich and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 12:30 P.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to close the case in the matter of Lois Brickey and impose no sanction due insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED: **Margaret Turner, R.N. 0001-098754**
Ms. Turner appeared, accompanied by attorney, Melvin Williams; and Brittany Hornaday, law student and intern with Mr. Williams.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 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. Turner. Additionally, Ms. Gregory moved that Ms. Mitchell, Ms. Exterovich and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 2:43 P.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to issue an order to release Margaret Turner from probation and to reinstate her license to practice as a registered nurse without restrictions.

The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Turner unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Turner within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES

SCHEDULED:

Jonathan Cardoza, RN. Multistate Privilege (SC License R210074)

Mr. Cardoza appeared, accompanied by attorney, Margaret Hardy.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:12 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Cardoza. Additionally, Ms. Gregory moved that Ms. Mitchell, Ms. Exterovich and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:30 P.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to offer Jonathan Cardoza a consent order for indefinite suspension of his multistate privilege to practice in Virginia until such time as he can appear before the Board and provide evidence that he is safe and competent to resume practice. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Mr. Cardoza and the Board.

CONFERENCES

SCHEDULED:

Lizbeth Holdstein, R.N. 0001-139681

Ms. Holdstein appeared, accompanied by attorney, Lisa Bertini.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:35 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Holdstein. Additionally, Ms. Gregory moved that Ms. Mitchell, Ms. Exterovich and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 4:40 P.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to close the case in the matter of Lizbeth Holdstein and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

Ms. Exterovich left the meeting.

CONFERENCES
SCHEDULED: **Ann Lane, R.N. 0001-227675**
Ms. Lane did not appear.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lane. Additionally, Ms. Gregory moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 4:55 P.M.

Ms. Gregory moved that the Special Conference Committee of 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. Gregory moved to offer Ann Lane a consent order for indefinite suspension of her professional nursing license for not less than one year in lieu of a formal hearing. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Lane and the Board.

ADJOURNMENT:

The Board adjourned at 5:10 P.M.

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