

**APPROVED**

**VIRGINIA BOARD OF MEDICINE  
FORMAL HEARING MINUTES**

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**October 27, 2017**      **Department of Health Professions**      **Henrico, Virginia**  
**Perimeter Center**  
**9960 Mayland Drive, Suite #300**

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**CALL TO ORDER:**                      A panel of the Board was called to order at 9:03 a.m.

**MEMBERS PRESENT:**                Lori Conklin, M.D., Chair  
Kevin O'Connor, M.D.  
Jane Hickey, J.D.  
David Giammittorio, M.D.  
Alvin Edwards, Ph.D.  
Kenneth Walker, M.D.

**BOARD COUNSEL:**                    Charis Mitchell, Assistant Attorney General

**STAFF PRESENT:**                      William L. Harp, M.D., Executive Director of the Board  
Tamika Hines, Case Manager, Discipline

**COURT REPORTER:**                  Lori Larsen, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                  Lori Pound, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                          Gayle Miller, Sr. Investigator, DHP

**MATTER SCHEDULED:**                **Kerry Balentine, M.D.**                      **License No.: 0101-235062**  
**Case No.: 180243**

**DISCUSSION:**                          Dr. Balentine appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated May 19, 2017. Dr. was represented by Michael L. Goodman, Esquire and Eileen Talamante, Esquire.

The Board received evidence and sworn testimony from witnesses called by the parties and from Dr. Balentine regarding her petition for reinstatement of her license.

**CLOSED SESSION:**

Upon a motion by Dr. O'Connor, and duly seconded by Dr. Giammittorio, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Balentine. Additionally, he moved that Ms. Mitchell, Dr. Harp and Ms. Hines attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:**

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. O'Connor, and duly seconded by Dr. Edwards, the Board voted to reinstate Dr. Balentine's license and maintain compliance with North Carolina's Order.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 11:17 a.m.

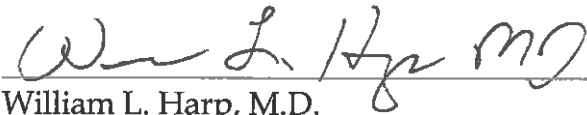
*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*



Lori Conklin, M.D., Chair  
President

12-1-17

Date



William L. Harp, M.D.  
Executive Director

2/15/18

Date

# APPROVED

## VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

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October 27, 2017      Department of Health Professions      Henrico, Virginia  
Perimeter Center  
9960 Mayland Drive, Suite #300

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**CALL TO ORDER:**                      A panel of the Board was called to order at 9:23 a.m.

**MEMBERS PRESENT:**                Syed Ali, M.D., Chair  
Eugenio Monasterio, M.D.  
Nathaniel Ray Tuck, Jr., D.C.  
Barbara Allison-Bryan, M.D.  
David Taminger, M.D.  
Wayne Reynolds, D.O.  
Maxine Lee, M.D.  
J. Randolph Clements, D.P.M.

**BOARD COUNSEL:**                    Erin Barrett, Assistant Attorney General

**STAFF PRESENT:**                    Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie F. Wood, Case Manager, Discipline

**COURT REPORTER:**                Juan Ortega, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                Wayne Halbleib, Sr. Assistant Attorney General  
Erin Weaver, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                        James Wall, Sr. Investigator, DHP (by phone)  
Anna Badgley, Sr. Investigator, DHP

**MATTER SCHEDULED:**              Victoria Legg, O.T.                      License No.: 0119-005004  
Case Nos.: 163523-174731

**DISCUSSION:**                        The Chair noted that Ms. Legg was not present and the time was currently 9:25 a.m. Ms. Legg had been noticed to appear before the Board at 9:15 a.m. Mr. Halbleib presented an affidavit attesting that the Notice had been sent to Ms. Legg's address of record with the Board by overnight and first class mail. The Chair opined proper notice of the proceeding had been provided to Ms. Legg and the formal hearing proceeded

in Ms. Legg's absence. The Board received sworn testimony from witnesses called by the Commonwealth.

**CLOSED SESSION:**

Upon a motion by Dr. Clements, and duly seconded by Dr. Reynolds, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Legg. Additionally, he moved that Ms. Barrett attend the closed meeting because her presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:**

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Clements, and duly seconded by Dr. Allison-Bryan, the Board made certain findings of fact and conclusions of law and voted to revoke Ms. Legg's license.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 10:45 a.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*

  
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Syed Salman Ali, M.D., Chair

\_\_\_\_\_  
Date

12/1/17

  
\_\_\_\_\_  
William L. Harp, M.D., Executive Director

\_\_\_\_\_  
Date

2/15/18

**APPROVED**

**VIRGINIA BOARD OF MEDICINE  
FORMAL HEARING MINUTES**

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**October 27, 2017**

**Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300**

**Henrico, Virginia**

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**CALL TO ORDER:** A panel of the Board was called to order at 11:05 a.m.

**MEMBERS PRESENT:** J. Randolph Clements, D.P.M., Chair  
Hollie Freeman, Ph.D.  
Nathaniel Ray Tuck, Jr., D.C.  
Barbara Allison-Bryan, M.D.  
David Taminger, M.D.  
Wayne Reynolds, D.O.  
Maxine Lee, M.D.  
Syed Ali, M.D.

**BOARD COUNSEL:** Erin Barrett, Assistant Attorney General

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie F. Wood, Case Manager, Discipline

**COURT REPORTER:** Juan Ortega, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:** James Schliessmann, Sr. Assistant Attorney General  
Erin Weaver, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:** Andria Christian, Sr. Investigator, DHP (by phone)  
Amy Stewart, LCSW

**MATTER SCHEDULED:** **Marie Krohn-Polsinello, R.T. License No.: 0117-002965  
Case No.: 181113**

**DISCUSSION:** Ms. Krohn-Polsinello appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated September 28, 2017. Ms. Krohn-Polsinello was not represented by counsel.

The Board received evidence and sworn testimony from witnesses called by the parties and from Ms. Krohn-Polsinello regarding the allegations in the Notice.

**CLOSED SESSION:**

Upon a motion by Dr. Ali, and duly seconded by Dr. Reynolds, the Board voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Krohn-Polsinello. Additionally, he moved that Ms. Barrett, Ms. Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:**

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Ali, and duly seconded by Dr. Allison-Bryan, the Board made certain findings of fact and conclusions of law and voted to place Ms. Krohn-Polsinello's license on indefinite suspension for at least 34 months.

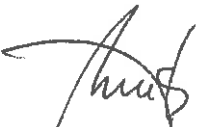

**VOTE:**


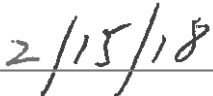
The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 12:35 p.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*

  
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J. Randolph Clements, D.P.M., Chair  
  
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Date

  
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William L. Harp, M.D., Executive Director  
  
\_\_\_\_\_  
Date