

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 21, 2013**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:30 A.M. on November 21, 2013 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:** Jane R. Ingalls, RN, PhD; President
Guia Caliwagan, RN, MAN
Evelyn Lindsay, LPN
Kelly S. McDonough, DNP, RN
Trula Minton, MS, RN

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General
Students from Fortis College, Norfolk; Park View High School; Hampton University; and St. Mary's School of Practical Nursing

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

FORMAL HEARINGS: **Raj Chaudhry, RN Reinstatement Applicant 0001-083776**
Ms. Chaudhry appeared, represented by attorney, Margaret Hardy.

Amanda Blount, Adjudication Specialist represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane Snead Reporting, recorded the proceedings.

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 10:05 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Chaudhry. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis and Ms. C. Mitchell 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 10:57 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. Caliwagan moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount.

The motion was seconded and carried unanimously.

ACTION:

Ms. Minton moved that the Board of Nursing deny the application to reinstate the professional nursing license of Raj Chaudhry and continue the license on indefinite suspension for a period of not less than 6 months. The motion was seconded and carried. Ms. Minton, Ms. Caliwagan, Ms. Lindsay and Dr. McDonough were in favor of the motion. Dr. Ingalls opposed the motion.

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 11:00 A. M.

RECONVENTION:

The Board reconvened at 11:11 A.M.

FORMAL HEARINGS:

Anissa Watson, CNA Reinstatement Applicant 1401-067807

Ms. Watson appeared

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Denise Holt court reporter with Crane Snead Reporting, recorded the proceedings.

Gayle Miller, Senior Investigator, Department of Health Professions was 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 11:57 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Watson. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis and Ms. C. Mitchell 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 12:14 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. Caliwagan 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. Lindsay moved that the Board of Nursing deny the reinstatement application of Anissa Watson and deny the petition for removal of the finding of neglect entered against Ms. Watson in the nurse aide registry. 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 12:15 P.M.

RECONVENTION: The Board reconvened at 1:10 P.M.

FORMAL HEARINGS: **Medical Learning Center Practical Nursing Education Program**
Dr. Gullalai Safi, Administrator; Sheila Beander, Co-Director, Medical Learning Center, Nursing Education; and Evelin Gebremichal, Co-Director, Medical Learning Center, Nursing Education appeared, represented by attorney, Margaret Hardy.

Anne Joseph, Deputy Director Administrative Proceedings Division, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane Snead Reporting, recorded the proceedings.

Tonya James, Compliance Case Manager, Board of Nursing; Barbara Applegate, RN, BSN, On-site Survey Visitor, Board of Nursing; Sheila Beander, RN, MSN, MHA, Co-Director, Nursing Education, Medical Learning Center; Gullalai Safi, Administrator, Medical Learning Center; Eveline Gebremichal, RN, MSN, Co-Director, Nursing Education, Medical Learning Center were present and testified.

RECESS: The Board recessed at 2:30 P.M.

RECONVENTION: The Board reconvened at 2:38 P.M. and continued with witness testimony.

RECESS: The Board recessed at 4:27 P.M.

RECONVENTION: The Board reconvened at 4:34 P.M. and continued with witness testimony.

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 4:56 P.M., for the purpose of deliberation to reach a decision in the matter of Medical Learning Center Practical Nursing Education Program. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis and Ms. C. Mitchell 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 6:37 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. Caliwagan 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. Lindsay moved that the Board of Nursing withdraw approval for Medical Learning Center to operate a practical nursing education 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 6:45 P.M.

Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director