

**VIRGINIA BOARD OF NURSING
MINUTES
November 18, 2015**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 8:47 A.M. on November 18, 2015 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Joana Garcia, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN
Louise Hershkowitz, CNRA, MSHA
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Mark D. Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
William Traynham, LPN, CSAC

BOARD MEMBER ABSENT:

Trula Minton, MS, RN

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Gloria D. Mitchell-Lively, RN, MSN, MBA; Deputy Executive Director
Jodi Power, RN, JD; Deputy Executive Director
Stephanie Willinger, Deputy Executive Director
Amy Davis, Executive Assistant
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Wayne Halbleib, Senior Assistant Attorney General
David Kazzie, Adjudication Specialist

ESTABLISHMENT OF A QUORUM:

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

CONSIDERATION OF POSSIBLE SUMMARY SUSPENSION:

Wayne Halbleib, Senior Assistant Attorney General presented evidence that the continued practice of Pamela Casella, RN 0001-107369 may present a substantial danger to the health and safety of the public.

Mr. Monson moved to summarily suspend the license of Pamela Casella to practice as a registered nurse in Virginia pending a formal administrative hearing

and to offer a consent order for indefinite suspension of her license in lieu of a formal hearing. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:00 A.M.

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

**VIRGINIA BOARD OF NURSING
MINUTES
November 18, 2015
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on November 18, 2015 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Joana Garcia, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN
Louise Hershkowitz, CRNA, MSHA
Rebecca Poston, PhD, RN, CPNP-PC

STAFF PRESENT:

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

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A QUORUM:

With seven members of the Board present, a panel was established

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Shaunda M. Bassani, CNA 1401-096255

Ms. Bassani appeared.

CLOSED MEETING:

Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:13 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bassani. Additionally, Ms. Caliwagan moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Ms. 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 9:21 A.M.

Ms. Caliwagan 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 reject the recommended decision of the agency subordinate and refer the matter regarding Shaunda Bassani to the Board for a formal hearing. The motion was seconded and carried unanimously.

Natalie B. Korff, RN 0001-224869

Ms. Korff made her presence known after the Board had considered the recommendation of the agency subordinate and was allowed to speak to the Board.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Natalie Korff. The motion was seconded and carried. Ms. Gerardo, Ms. Garcia, Ms. Gilliam, Dr. Hahn, Dr. Poston and Ms. Caliwagan were in favor of the motion. Ms. Hershkowitz opposed the motion

CLOSED MEETING:

Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:23 A.M., for the purpose of deliberation to reach a decision in the matter of agency subordinate recommendations. Additionally, Ms. Caliwagan moved that Ms. Douglas, Ms. Krohn, Ms. Davis and Ms. 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 9:51 A.M.

Ms. Caliwagan 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.

Eveline P. Keisler, RN 0001-198766

Ms. Keisler did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Eveline Keisler. The motion was seconded and carried unanimously.

Sarah B. Taylor, CNA 1401-056936

Ms. Taylor did not appear.

Ms. Hershkowitz moved that the Board of Nursing modify the recommended decision of the agency subordinate to suspend the nurse aide certificate of Sarah Taylor based on a single finding of neglect. The motion was seconded and carried unanimously.

Carla Morse, RN 0001-219466

Ms. Morse did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing

license of Carla Morse for a period of not less than two years and until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

Susan R. Nelson, RN 0001-234683

Ms. Nelson did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nurse license of Susan Nelson for a period of not less than one year and until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

Virginia K. Mitchell, LPN 0002-074980

Ms. Mitchell did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Virginia Mitchell until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

Amelia V. Dunn, RN 0001-222202

Ms. Dunn did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Amelia Dunn until such time as she can appear before the Board and demonstrate that she is capable of resuming the safe and competent practice of nursing. The motion was seconded and carried unanimously.

Cecilia Agyapong, CNA 1401-130645

Ms. Agyapong did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Cecilia Agyapong and that a finding of abuse be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Roxanne Y.A. Esaterday, CNA 1401-165394

Ms. Esaterday did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Roxanne Esaterday and that a finding of abuse be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Amanda H. Salmons, CNA 1401-158377

Ms. Salmons did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Amanda Salmons and that a finding of abuse be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Maya Sillah, CNA 1401-124891

Ms. Sillah did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Maya Sillah and that a finding of misappropriation of patient property be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Devin R. Snyder, CNA 1401-165738

Ms. Snyder did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Devin Snyder. The motion was seconded and carried unanimously.

Tammy Goodwyn, LPN 0002-069122

Ms. Goodwyn did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Tammy Goodwyn, but stay the suspension contingent upon her entry into the Health Practitioner's Monitoring Program and thereafter remaining in compliance with the Program. The motion was seconded and carried unanimously.

Wanda C. Atkins, LPN 0002-080172

Ms. Atkins did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Wanda Atkins. The motion was seconded and carried unanimously.

Anthony D. LoDolce, LPN 0002-073019

Mr. LoDolce did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Anthony LoDolce, but stay the suspension contingent upon his entry into the Health Practitioner's Monitoring Program and thereafter remaining in compliance with the Program. The motion was seconded and carried unanimously.

Patricia Carroll, RN 0001-139516

Ms. Carroll did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Patricia Carroll. The motion was seconded and carried unanimously.

Amber N. McSpadden, RN 0001-239586

Ms. McSpadden did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registered nursing license of Amber McSpadden, but stay the suspension contingent upon her entry into the Health Practitioner's Monitoring Program and thereafter remaining in compliance with the Program. The motion was seconded and carried unanimously.

Shann K. Hartman, RN 0001-170473

Ms. Hartman did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against the license of Shann Hartman contingent upon her entry into the Health Practitioner's Monitoring Program within 60 days of entry of the Board's order and her continued compliance with the Program. The motion was seconded and carried unanimously.

Darlene M. Mellen, RN 0001-247137

Ms. Mellen did not appear.

Ms. Hershkowitz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Darlene Mellen and require her to complete the National Council of State Boards of Nursing online courses "Medication Errors: Detection and Prevention" and "Prevention and Documentation: A Critical Aspect of Client Care" within 90 days of entry of the Boards Order. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 10:00 A.M.

Gloria Mitchell-Lively, RN, MSN, MBA
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 18, 2015
Panel -A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:00 A.M. on September 16, 2015 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Joana Garcia, Citizen Member
Marie Gerardo, MS, RN, ANP-BC (joined later)
Regina Gilliam, LPN
Louise Hershkowitz, CRNA, MSHA
Rebecca Poston, PhD, RN, CPNP-PC
Joseph Schibner, CMT Advisory Board Member

STAFF PRESENT:

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

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Nursing students from George Washington University

ESTABLISHMENT OF A QUORUM:

With seven members of the Board present, a panel was established

FORMAL HEARINGS:

Guo Hua Cui, CMT 0019-012907
Ms. Cui did not appear.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Patricia Dewey, RN, Senior Investigator, Department of Health Professions and Latasha Austin, Administrative Assistant, Board of Nursing were present and testified.

CLOSED MEETING:

Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:28 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cui. Additionally, Ms. Caliwagan moved that Ms. Douglas, Ms. Mitchell-Lively, Ms. Davis and Ms. 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 10:35 A.M.

Ms. Caliwagan 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. Poston moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Hershkowitz moved that the Board of Nursing revoke the massage therapy certificate of Guo Hua Cui. 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 10:37 A.M.

RECONVENTION:

The Board reconvened at 11:00 A.M.

FORMAL HEARINGS:

Kyong Osorio, CMT 0019-004042
Ms. Osorio did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

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

CLOSED MEETING:

Ms. Garcia moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:13 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Osorio. Additionally, Ms. Garcia moved that Ms. Douglas, Ms. Mitchell-Lively, Ms. Davis and Ms. 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 11:23 A.M.

Ms. Garcia 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. Poston moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones. The motion was seconded and carried unanimously.

ACTION: Mr. Schibner moved that the Board of Nursing revoke the massage therapy certificate of Kyong Osorio. 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 11:25 A.M.

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

Ms. Gerardo joined the meeting.

FORMAL HEARINGS: **George Redifer, CMA 0019-011093**
Mr. Redifer did not appear.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

John Turner, Senior Investigator, Department of Health Professions; and Mark Harris, Regional Manager, Knuckles and Knots Day Spa were present and testified.

CLOSED MEETING: Ms. Garcia moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:33 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Redifer. Additionally, Ms. Garcia moved that Ms. Douglas, Ms. Mitchell-Lively, Ms. Davis and Ms. 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 1:39 P.M.

Ms. Garcia 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. Poston moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie. The motion was seconded and carried unanimously.

ACTION: Mr. Schibner moved that the Board of Nursing revoke the massage therapy certificate of George Redifer. 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.

Mr. Schibner left the meeting as the massage therapy hearings were concluded.

FORMAL HEARINGS: **Karen Baker, LPN 0002-088780**
Ms. Baker appeared, accompanied by her husband Tom Baker.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

James Wall, Senior Investigator, Department of Health Professions and Tom Baker, husband of Karen Baker, were present and testified.

CLOSED MEETING: Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Baker. Additionally, Ms. Gerardo moved that Ms. Douglas, Ms. Mitchell-Lively, Ms. Davis and Ms. 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 3:14 P.M.

Ms. Gerardo 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. Hershkowitz moved that the Board of Nursing close the case and take no action in the matter of Karen Baker due to insufficient evidence of a violation or Board of Nursing law or regulation. 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 3:15 P.M.

RECONVENTION: The Board reconvened at 3:38 P.M.

Ms. Gerardo left the meeting.

FORMAL HEARINGS: **Linda Thurby-Hay, RN 0001-080940; CNS 0015-000433**
Ms. Thurby-Hay appeared, represented by Gerald Canaan, attorney and Meredith Brebner, attorney.

Emily Tatum, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Lisa Thomas, Senior Investigator, Department of Health Professions; Patricia Selig, PhD, APRN, FNP-BC, FNAP, Director of Advanced Practice, Virginia

Commonwealth University Health System; John Nestler, MD, Chair, Department of Internal Medicine, Virginia Commonwealth University Health System; and John Clore, MD were present and testified. Sherri Kirwin, RN, Virginia Commonwealth University Health System testified by telephone.

RECESS: The Board recessed at 6:35 P.M.

RECONVENTION: The Board reconvened at 6:45 P.M.

RECESS: The Board recessed at 7:23 P.M.

RECONVENTION: The Board reconvened at 7:58 P.M.

CLOSED MEETING: Ms. Garcia moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 8:53 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Thurby-Hay. Additionally, Ms. Garcia moved that Ms. Douglas, Ms. Mitchell-Lively, Ms. Davis and Ms. 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 10:26 P.M.

Ms. Garcia 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. Tatum and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Hershkowitz moved that the Board of Nursing place Linda Thurby-Hay on probation for not less than one year of practice as a registered nurse and a clinical nurse specialist with terms and conditions. The motion was seconded and carried. Ms. Garcia, Ms. Gilliam, Ms. Caliwagan, Dr. Hahn and Ms. Hershkowitz were in favor of the motion. Dr. Poston 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.

ADJOURNMENT: The Board adjourned at 10:30 P.M.

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

VIRGINIA BOARD OF NURSING
MINUTES
November 18, 2015
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:09 A.M. on November 18, 2015 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
William Traynham, LPN, CSAC; Vice President
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA

STAFF PRESENT:
Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Elaine Evans, CNA 1401-038479
Ms. Evans appeared.

CLOSED MEETING: Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:11 A.M., for the purpose of consideration of agency subordinate recommendation. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 9:13 A.M.

Dr. McDonough 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. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Elaine Evans. The motion was seconded and carried unanimously.

Faye Seldon, RN 0001-227295

Mr. Seldon appeared.

CLOSED MEETING:

Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:17 A.M., for the purpose of consideration of agency subordinate recommendation. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 9:22 A.M.

Dr. McDonough 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.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Faye Seldon on indefinite probation for a period of not less than two years with terms and conditions. The motion was seconded and carried unanimously.

Lisa M. Turner, RN 0001-185247

Ms. Turner did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against the license of Lisa Turner contingent upon Ms. Turner's entry into the Virginia Health Practitioner's Monitoring Program and/or an equivalent alternative monitoring program in North Carolina within 60 days of entry of the Board's order and thereafter remaining in compliance with the Program. The motion was seconded and carried unanimously.

Mary D. Hundley, LPN 0002-065017

Ms. Hundley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Mary Hundley. The motion was seconded and carried unanimously.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:26 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Mr. Monson moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 9:43 A.M.

Mr. Monson 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.

Amber Craighead, CNA 1401-098581; RMA 0031-007958

Ms. Craighead did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the medication aide registration of Amber Craighead and to revoke the right to renew the nurse aide certificate of Ms. Craighead and that a finding of misappropriation of patient property be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Sheena Hernandez, CNA 1401-138725

Ms. Hernandez did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Sheena Hernandez until such time as she can appear before the Board and demonstrate she is safe and competent to resume practice. The motion was seconded and carried unanimously.

Carol A. Jeffries, CNA 1401-087901

Ms. Jeffries did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Carol Jeffries for a period of not less than one year and until such time as she can appear before the Board and demonstrate she is safe and competent to practice and to enter a finding of neglect based on a single occurrence against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Nakesha Maxey, CNA 1401-117922; RMA 0031-003372

Ms. Maxey did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the nurse aide certificate and medication aide registration of Nakesha Maxey until such time as she can appear before the Board and demonstrate she is safe and competent to practice as a nurse aide and/or a medication aide. The motion was seconded and carried unanimously.

Tiffany Allinson, LPN 0002-082286

Ms. Allinson did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the practical nursing license of Tiffany Allinson. The motion was seconded and carried unanimously.

Gail S. Scott, RN 0001-096116

Ms. Scott did not appear.

Ms. Holmes moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Gail Scott and require that she pay a monetary penalty of \$500 within 90 days of entry of the order and that she be ordered to complete National Council of State Boards of Nursing online course “Righting a Wrong: Ethics and Professionalism in Nursing” within 60 days of entry of the order. The motion was seconded and carried unanimously.

Leigh Ann Fleming, RN 0001-234908

Ms. Fleming did not appear.

Ms. Phelps moved that the Board of Nursing accept the recommended decision of the agency subordinate to place Leigh Ann Fleming on probation for twelve months of active nursing employment with terms and conditions. The motion was seconded and carried. Mr. Traynham, Ms. Holmes, Dr. McDonough and Ms. Phelps were in favor of the motion. Mr. Monson opposed the motion.

Olga Albright, CNA 1401-136282

Ms. Albright did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Olga Albright for a period of not less than two years and until such time as she can appear before the Board and demonstrate that she is safe and competent to practice. The motion was seconded and carried unanimously.

Dorothy Braxton, CNA 1401-011356

Ms. Braxton did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Dorothy Braxton until such time as she can appear before the Board and demonstrate that she is safe and competent to practice. The motion was seconded and carried unanimously.

Noemi Estrada, CNA 1401-139068

Ms. Estrada did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Noemi Estrada and that a finding of misappropriation of patient property be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Kimberly Moore, CNA 1401-164069

Ms. Moore did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Kimberly Moore and that a finding of neglect be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Jean Ann Northrup, CNA 1401-168637

Ms. Northrup did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for revocation of the nurse aide certificate of Jean Ann Northrup and that a finding of abuse be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Julie Sharp-Kay, CNA 1401-169724

Ms. Sharp-Kay did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Julie Sharp-Kay and that a finding of abuse be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Mary K. Curry, LPN 0002-089981

Ms. Curry did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension of the practical nursing license of Mary Curry until such time as she can appear before the Board and demonstrate that she is safe and competent to practice. The motion was seconded and carried unanimously.

Krista Schofield, CNA 1401-126021

Ms. Schofield did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Krista Schofield and that her request for release from probation be granted. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 9:55 A.M.

Jodi P. Power, RN, JD
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 18, 2015
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:00 A.M. on November 18, 2015 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
William Traynham, LPN, CSAC; Vice President
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Trula Minton, MS, RN (joined later)
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA

STAFF PRESENT: Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel

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

FORMAL HEARINGS: **Deborah H. Weeks, RN 0001-114157**
Ms. Weeks did not appear.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Denise Sexton, Senior Investigator, Department of Health Professions; and Kathy Ward, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:19 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Weeks. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 10:25 A.M.

Dr. McDonough 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.

Mr. Monson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines. The motion was seconded and carried unanimously.

ACTION:

Dr. McDonough moved that the Board of Nursing reprimand Deborah Weeks and continue her license on indefinite suspension until such time as she can appear before the Board and demonstrate 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.

FORMAL HEARINGS:

Sheila L. Joyce, RN Reinstatement Applicant 0001-177409
Ms. Joyce appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Marcella Luna, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:38 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Joyce. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 11:55 A.M.

Dr. McDonough 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.

Mr. Monson 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. Holmes moved that the Board of Nursing reinstate the registered nurse license of Sheila Joyce contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Program. Further, that before practicing, Ms. Joyce shall provide proof of her successful completion of a Board approved refresher course. 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 11:55 A.M.

RECONVENTION: The Board reconvened at 1:05 P.M.

FORMAL HEARINGS: **Karen R. Cox, RN Reinstatement Applicant 0001-193618**
Ms. Cox appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Jennifer Baker, Senior Investigator, Department of Health Professions; Gayle Miller, Senior Investigator, Department of Health Professions; and Rebecca Britt, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:55 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cox. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 2:07 P.M.

Dr. McDonough 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.

Mr. Monson 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. Holmes moved that the Board of Nursing reprimand Karen Cox and reinstate the registered nursing license of Ms. Cox contingent upon her continued compliance with the Health Practitioners Monitoring 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.

Ms. Minton joined the meeting.

FORMAL HEARINGS: **Heather K. Widgeon, RN 0001-228637**

Ms. Widgeon appeared.

Amy Weiss, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Patricia Harte-Byers, Senior Investigator, Department of Health Professions and Jennifer Bailey, RN, former Nurse Manager, Children's Hospital of the King's Daughters were present and testified.

CLOSED MEETING: Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:53 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Widgeon. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 4:06 P.M.

Ms. Holmes 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.

Mr. Monson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Weiss and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Dr. McDonough moved that the Board of Nursing reprimand Heather Widgeon and require her to complete three National Council of State Boards of Nursing online courses "Documentation: A Critical Aspect of Client Care" "Professional Accountability and Legal Liability for Nurses" and "Sharpening Critical Thinking Skills" within 90 days of entry of the order. 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: **Stephanie C. Vance, LPN 0002-052427**

Ms. Vance did not appear.

Amy Weiss, Adjudication Specialist represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Kimberly Lynch, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Dr. McDonough moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:38 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Vance. Additionally, Dr. McDonough moved that Ms. Krohn, Ms. Power, Ms. Graham and Mr. Rutkowski 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 4:43 P.M.

Dr. McDonough 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.

Mr. Monson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Weiss. The motion was seconded and carried unanimously.

ACTION: Ms. Holmes moved that the Board of Nursing indefinitely suspend the practical nurse license of Stephanie Vance until such time as she can appear before the Board and demonstrate 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.

ADJOURNMENT: The Board adjourned at 4:45 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director