

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 26, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:30 A.M. on January 26, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Kelly S. McDonough, DNP, RN; Vice President
Marie Gerardo, MS, RN, ANP-BC
Regina Gilliam, LPN
Louise Hershkowitz, CRNA, MSHA
Trula Minton, MS, RN

STAFF PRESENT:

Jay Douglas, MSM, RN, CSAC, FRE, Executive Director
Jodi P. Power, JD, RN; Deputy Executive Director
Huong Vu, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel
Senior Nursing Students from Longwood University
Nurse Aide Students from Southside Virginia Community College

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Connie D. Robbins, RN Reinstatement Applicant 0001-125413
Ms. Robbins appeared.

Steve Bulger, 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 Sheehan, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:24 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Robbins. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Power, Ms. Vu 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 10:45 A.M.

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

ACTION:

Ms. Hershkowitz moved that the Board of Nursing reprimand Connie D. Robbins and reinstate her license to practice as professional nursing contingent upon receiving written proof of successful completion two NCSBN courses:

1. Ethics of Nursing Practice, and
2. Professional Accountability and Legal Liability for Nurses

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 10:50 A.M.

RECONVENTION:

The Board reconvened at 1:00 P.M.

FORMAL HEARINGS:

Antoinette W. Reese, RN Reinstatement Applicant 0001-236569

Ms. Reese appeared accompanied by Charles Bibbs, Jr., and Henry Harley, Jr.

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 Sheehan, Senior Investigator, Department of Health Professions, Charles Bibbs, Jr., and Henry Harley, Jr., were present and testified.

CLOSED MEETING:

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:45 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Reese. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Power, Ms. Vu 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 2:00 P.M.

Ms. Minton 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. Gilliam 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:

Ms. Hershkowitz moved that the Board of Nursing reprimand Antoinette W. Reese, reinstate her license to practice professional nursing, and require her to complete Board-approved registered nurse refresher courses within 180 days from the date 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:

Sherry M. Spradlin, CNA 1401-091545

Ms. Spradlin did not appear.

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

Pamela Twombly, RN, Acting Enforcement Director, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:32 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Spradlin. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Power, Ms. Vu 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 2:40 P.M.

Ms. Minton 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. Gilliam 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:

Ms. Hershkowitz moved that the Board of Nursing indefinitely suspend the certificate of Sherry M. Spradlin to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than two years. 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 2:42 P.M.

Jodi P. Power, RN, JD
Deputy Executive Director