

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
February 1, 2018**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:35 A.M. on February 1, 2018 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President, Chair
Marie Gerardo, MS, RN. ANP-BC; Secretary
Alice Clark, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Trula Minton, MS, RN
Grace Thapa, BSN, RN

STAFF PRESENT:

Brenda Krohn, RN, MS; Deputy Executive Director
Jane Elliott, RN, PhD; Discipline Staff
Huong Vu, Executive Assistant

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
PN and Senior Nursing Students from Rappahannock Community College
Senior Nursing Students from Southside Regional

ESTABLISHMENT OF A PANEL:

With six members of the Board present, a panel was established.

CONSIDERATION TO AMEND THE CONSENT ORDER:

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 9:35 A.M., for the purpose of deliberation to amend the approved consent order of Janie Nicole Garrett. Additionally, Ms. Gerardo moved that Ms. Krohn, Dr. Elliott, Dr. Hills, Ms. Vu 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 9:38 A.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.

Jamie Nicole Garrett, RN **0001-220674**

Mr. Gerardo moved to amend Number 5 of the Consent language of the approved consent order of Janie Nicole Garrett to read “**I neither admit nor deny to the Findings...**” The motion was and carried unanimously.

FORMAL HEARINGS: **Leah Grace Goodwin, RN** **0001-170894**
Ms. Goodwin did not appear.

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

Kelly Ashley, Senior Investigators, Department of Health Professions, testified via telephone. Christine Smith, RN, Tidewater Medical Training, and Shannon Bergeron, RN, DON, Regency Healthcare and Rehabilitation Center, were present and testified.

CLOSED MEETING: Ms. Thapa moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:32 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Goodwin. Additionally, Ms. Thapa moved that Dr. Elliott, Ms. Vu 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 11:04 A.M.

Ms. Clark 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. Hereford 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. Gerardo moved that the Board of Nursing indefinitely suspend the license of Leah Grace Goodwin to practice professional nursing in the Commonwealth of Virginia until such time she can come to the Board and prove that she is safe and competence to practice nursing. 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 11:07 A.M.

RECONVENTION: The Board reconvened at 11:23 A.M.

FORMAL HEARINGS: **Anne-Marie Gurthrie Peery, RN** **0001-212898**

Ms. Peery did not appear.

Steve Bulger, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Robin Carroll, MSN, RN, CEN, Senior Investigator, Department of Health Professions, testified via telephone.

CLOSED MEETING:

Ms. Thapa moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:44 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Peery. Additionally, Ms. Thapa moved that Dr. Elliott, Ms. Vu 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 12:14 P.M.

Ms. Clark 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. Gerardo moved that the Board of Nursing dismiss the matter regarding Anne-Maire Guthrie Peery. 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 1:00 P.M.

FORMAL HEARINGS:

Regina Natan Gadson, CNA 1401-102787
Ms. Gadson appeared.

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

Kimberly H. Martin, Senior Investigator, Department of Health Professions, was present and testified. Diana Williams, Secretary at Lake Prince Woods, testified via telephone.

CLOSED MEETING: Ms. Thapa moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:04 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gadson. Additionally, Ms. Thapa moved that Dr. Elliott, Ms. Vu 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 2:22 P.M.

Ms. Clark 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. Gerardo moved that the Board of Nursing dismiss the matter regarding Regina Natan Gadson. 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 2:23 P.M.

RECONVENTION: The Board reconvened at 2:33 P.M.

FORMAL HEARINGS: **Lindsay M. Bateman, RN Reinstatement** **0001-237824**
Ms. Bateman appeared.

Holly Woodcock, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Anna Badgley, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING: Ms. Thapa moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:03 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bateman. Additionally, Ms. Thapa moved that Ms. Krohn, Dr. Elliott, Ms. Vu 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 3:27 P.M.

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

ACTION:

Ms. Gerardo moved that the Board of Nursing reinstate the license of Lindsay M. Bateman to practice professional nursing in the Commonwealth of Virginia and indefinitely suspend her license but stayed suspension contingent upon her continued compliance with the Contract of the Virginia Health Practitioners' Monitoring Program (HPMP). 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 3:30 P.M.

RECONVENTION:

The Board reconvened at 3:42 P.M.

All Nursing Students left the meeting at 3:42 P.M.

FORMAL HEARINGS:

Nancyrose Pattie Johnson, CNA **1401-039776**

Ms. Clark appeared.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Ms. Clark informed the Board that she did not receive her Formal Hearing notice and evidence book. Ms. Hershkowitz granted Ms. Clark's continuance request.

ADJOURNMENT:

The Board adjourned at 3:56 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director