

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 22, 2019
PANEL A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on May 22, 2019 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA, President
Jennifer Phelps, BS, LPN, QMHPA, First Vice President
Ann Tucker Gleason, PhD, Citizen Member
Mark Monson, Citizen Member
Meenakshi Shah, BA, RN
Kristina E. Page, LMT – **LMT case only**

STAFF PRESENT:

Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director
Charlette N. Ridout, RN, MS, CNE, Deputy Executive Director
Patricia Dewey, RN, BSN, Discipline Case Manager
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Clinton Corbert Stevenson, LMT **0019-012292**

Mr. Stevenson did not appear.

Julia Bennett, Assistant Attorney General, and Grace Stewart, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Marie Whisenand, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Anna Badgley, Senior Investigator, Department of Health Professions, Sergeant Kevin LaPlaga, Hanover County Sheriffs Office, Client B, C, D and E were present and testified.

CLOSED MEETING:

Ms. Shah moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:38 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Stevenson. Additionally, Ms. Shah moved that Dr. Hills, Ms. Ridout, Ms. Dewey, Ms. Graham and Ms. Barrett, Board counsel, 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 11:35 A.M.

Ms. Shah 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: Mr. Monson moved that the Board of Nursing reprimand Clinton Corbert Stevenson, revoke his right to renew his license to practice massage therapy in the Commonwealth of Virginia, and impose a monetary penalty in the amount of \$5,000. An Order will be issued of the findings of fact and conclusions of law. 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 11:36 A.M.

Ms. Page left the meeting.

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

FORMAL HEARINGS: **Kiva Rochelle Lankford, RN** **0001-237910**

Ms. Lankford appeared and was represented by Kenneth Roeber, Esq., and was accompanied by Joseph T. Rosiechoice.

Lana Jagadish, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Marie Whisenand, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Alan Burton, Senior Investigator, Department of Health Professions testified via telephone.

CLOSED MEETING: Ms. Shah 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. Lankford. Additionally, Ms. Shah moved that Dr. Hills, Ms. Dewey, Ms. Graham and Ms. Barrett, Board counsel, 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 2:54 P.M.

Ms. Shah 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:

Dr. Gleason moved that the Board of Nursing reprimand Kiva Rochelle Lankford and place her on probation with terms for a period of not less than one year of active employment. An Order will be issued regarding the findings of fact and conclusions of law. 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:

Kejo Paulamind Brunson, CNA, RMA 1401-097295 0031-000944

Ms. Brunson appeared.

David Kazzie, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Marie Whisenand, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Renee White, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Shah moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Brunson. Additionally, Ms. Shah moved that Dr. Hills, Ms. Ridout, Ms. Dewey, Ms. Graham and Ms. Barrett, Board counsel, 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 4:11 P.M.

Ms. Shah 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:

Mr. Monson moved that the Board of Nursing approve the applications for reinstatement of Kejo Paulamind Brunson's certificate to practice as a nurse aide and registration to practice as a medication aide in the Commonwealth of

Virginia. An Order will be issued regarding the findings of fact and conclusions of law. 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 4:13 P.M.

Robin L. Hills, DNP, RN, WHNP
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
MINUTES
May 22, 2019
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:07 A.M. on May 22, 2019 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN, ANP-BC, Second Vice President
Laura F. Cei, BS, LPN, CCRP
Margaret Friedenberg, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie McElfresh, LPN
Trula E. Minton, MS, RN

STAFF PRESENT:

Jay Douglas, MSM, RN, CSAC, FRE, Executive Director
Jodi P. Power, RN, JD, Senior Deputy Executive Director
Nancy New, MSN, RN, Discipline Staff
Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing students and faculty from South University
Practical Nursing students and faculty from Virginia Western Community College

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Jennifer Ann Apple, LPN **0002-082255**
Ms. Apple did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate order Jennifer Ann Apple to undergo a chemical dependency evaluation, conducted by a Board-approved specialist who holds an unrestricted license, and have a written report of the evaluation, including diagnosis, recommended course of therapy, prognosis, and any other recommendations sent to the Board, within 90 days of the entry of the Order. Upon receipt of the required report, the Board shall convene a Special Conference Committee to consider the evaluation and make a final disposition of the matter. The motion was seconded and carried unanimously.

Danielle L. Fowler, CNA **1401-128737**
Ms. Fowler did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Danielle L. Fowler. The motion was seconded and carried unanimously.

Shaun Christopher Pyles, Jr., CNA **1401-187050**
Mr. Pyles did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Shaun Christopher Pyles, Jr. to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Larry Wade Fleming, RN **0001-159859**
Mr. Fleming did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of Larry Wade Fleming to renew his license to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege to practice professional nursing. The motion was seconded and carried unanimously.

Leanne Renee Wood, LPN **0002-082773**
Ms. Wood did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate order Leanne Renee Wood to undergo a psychological-mental health evaluation, to include a substance abuse evaluation, conducted by a Board-approved specialist who holds an unrestricted license, and have a written report of the evaluation, including diagnosis, recommended course of therapy, prognosis, and any other recommendations sent to the Board, within 90 days of the entry of the Order. Upon receipt of the required report, the Board shall convene a Special Conference Committee to consider the evaluation and make a final disposition of the matter. The motion was seconded and carried unanimously.

Laura Kate Burgess, RN **0001-204133**
Ms. Burgess did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Laura Kate Burgess and to indefinitely suspend the right of Ms. Burgess to renew her license to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege to practice professional nursing. The motion was seconded and carried unanimously.

Gina Maria Montalbano Uhlmann, LPN **0002-064030**
Ms. Uhlman did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Gina Maria Montalbano Uhlmann and indefinitely suspend Ms. Uhlmann’s license to practice practical nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege to practice practical nursing. The motion was seconded and carried unanimously.

Sheila Marie Stokes, RN **0001-152552**
Ms. Stokes did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Sheila Marie Stokes and accept the voluntary surrender for indefinite suspension of Ms. Stokes’s license to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege to practice professional nursing. The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. McElfresh 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 the agency subordinate recommendations. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Power, Ms. Tamayo-Suijk, Ms. New and Ms. Mitchell, Board counsel, 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 9:27 A.M.

Ms. McElfresh 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.

Mary LeClair Johnston, RN **0001-113590**
Ms. Johnston did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to order Mary LeClair Johnston to undergo a mental health evaluation, to include a neuropsychological evaluation, conducted by a Board-approved specialist who holds an unrestricted license, and have a written report of the evaluation, including diagnosis, recommended course of therapy, prognosis, and any other recommendations sent to the Board, within 90 days of the

entry of the Order. Upon receipt of the required report, the Board shall convene a Special Conference Committee to consider the evaluation and make a final disposition of the matter. The motion was seconded and carried unanimously.

Marthia Mae Johnson, RMA **0031-007583**
Ms. Johnson did not appear.

Ms. Cei moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the registration of Marthia Mae Johnson to practice as a medication aide in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order. The motion was seconded and carried unanimously.

Ta'nise A. Vauters, CNA **1401-134239**
Ms. Vauters appeared.

CLOSED MEETING:

Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:34 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Vauters. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Power, Ms. Tamayo-Suijk, Ms. New and Ms. Mitchell, Board counsel, 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. Cei 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. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Ta'nise A. Vauters to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Ms. Power left the meeting.

Jessica Lynn Frost, RMA **0031-010247**
Jessica Lynn Frost, CNA **1401-183261**
Ms. Frost did not appear.

CLOSED MEETING: Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:38 A.M., for the purpose of consideration of the agency subordinate recommendations regarding Ms. Frost. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Tamayo-Suijk, Ms. New and Ms. Mitchell, Board counsel, 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 9:47 A.M.
Ms. Power joined the meeting.

Ms. Cei 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. McElfresh moved that the Board of Nursing accept the RMA recommended decision of the agency subordinate to reprimand Jessica Lynn Frost and make an administrative modification to Finding of Fact #2. The motion was seconded and carried unanimously.

Ms. Minton moved that the Board of Nursing accept the CNA recommended decision of the agency subordinate to reprimand Jessica Lynn Frost. The motion was seconded and carried unanimously.

CLOSED MEETING: Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:50 A.M., for the purpose of consideration of the remaining agency subordinate recommendations. Additionally, Ms. Cei moved that Ms. Douglas, Ms. Power, Ms. Tamayo-Suijk, Ms. New and Ms. Mitchell, Board counsel, 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 10:08 A.M.

Ms. McElfresh 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.

Olivia Christine Funk, RMA **0031-010609**

Ms. Funk did not appear.

Ms. Friedenberg moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the right of Olivia Christine Funk to renew her registration to practice as a medication aide in the Commonwealth of Virginia for a period of not less than two years. The motion was seconded and carried unanimously.

Marsha G. Wilfong, CNA **1401-158171**

Ms. Wilfong did not appear.

Mr. Hermansen-Parker moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of Marsha G. Wilfong to renew her certificate to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Lindsey D. Agee, CNA **1401-173400**

Ms. Agee did not appear.

Ms. Cei moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certification of Lindsey D. Agee to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Chelsea Leann Reese, CNA **1401-164831**

Ms. Reese did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the certification of Chelsea Leann Reese to practice as a nurse aide in the Commonwealth of Virginia but modify Finding of Fact and Conclusions of Law #2. The motion was seconded and carried unanimously.

Chelsea Leann Reese, RMA **0031-007762**

Ms. Reese did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the registration of Chelsea Leann Reese to practice as a medication aide in the Commonwealth of Virginia but modify Finding of Fact and Conclusions of Law #2. The motion was seconded and carried unanimously.

Virginia Board of Nursing
Panel B – Agency Subordinate Recommendations
May 22, 2019

ADJOURNMENT: The Board adjourned at 10:10 A.M.

Jodi P. Power, RN, JD
Senior Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 22, 2019
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:20 A.M. on May 22, 2019 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN, ANP-BC, Second Vice President
Laura F. Cei, BS, LPN, CCRP
Margaret Friedenber, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie McElfresh, LPN
Trula E. Minton, MS, RN

STAFF PRESENT:

Jay Douglas, MSM, RN, CSAC, FRE, Executive Director
Jodi P. Power, RN, JD, Senior Deputy Executive Director
Nancy New, MSN, RN, Discipline Staff
Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing students and faculty from South University
Practical Nursing students and faculty from Virginia Western Community College

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Latisha G. Mitchell, LPN **0002-083797**
Ms. Mitchell did not appear.

Holly Walker, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor and Cindy Ferrell, court reporters with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Jennifer Capocelli, RN, Executive Director and Lisa Homza, Pharmacy Technician, Brookdale at Imperial Plaza were present and testified. Kimberly Lynch, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:18 A.M., for the purpose of deliberation to reach a decision in the matter of Latisha G. Mitchell. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Power, Ms. New, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 11:32 A.M.

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

ACTION: Ms. Cei moved that the that the Board of Nursing indefinitely suspend the license of Latisha G. Mitchell to practice practical nursing 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.

RECESS: The Board recessed at 11:35 A.M.

Senior Nursing students and faculty from South University left the meeting.

RECONVENTION: The Board reconvened at 11:45 A.M.

FORMAL HEARINGS: **April McCamey Hyter, LPN Reinstatement 0002-032730**
Ms. Hyter appeared.

Holly Walker, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor and Cindy Ferrell, court reporters with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Gayle Miller, Senior Investigator, Department of Health Professions was present and testified. Christopher Bowers, Case Intake Coordinator, Health Practitioners Monitoring Program, testified via telephone.

CLOSED MEETING: Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:30 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hyter. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Power, Ms. New, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 12:54 P.M.

Ms. McElfresh 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. Minton moved that the Board of Nursing approve the reinstatement application of April Hyter and further suspend her license, but stay the suspension contingent upon: 1) reentry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with all terms and conditions of the HPMP for the period specified by the HPMP and 2) submitting evidence of successful completion of a Board approved LPN refresher course. The basis for the decision will be set forth in a final Order to be sent to Ms. Hyter. 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 12:58 P.M.

RECONVENTION: The Board reconvened in open session at 1:38 P.M.

FORMAL HEARINGS: **Paula Danette Herring Kaspar, RN Reinstatement Applicant 0001-120175**
Ms. Kaspar appeared.

Tammie Jones, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor and Cindy Ferrell, court reporters with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

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

CLOSED MEETING: Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:18 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Kaspar. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Power, Ms. New, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 2:41 P.M.

Mr. Hermansen-Parker 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. Minton 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. Cei moved that the Board of Nursing deny the reinstatement application of Paula Danette Herring Kaspar to practice professional nursing in the Commonwealth of Virginia, continue the license on indefinite suspension, and stay the suspension contingent upon Ms. Kaspar's entry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with the with all terms and conditions of the HPMP for the period specified by the 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.

FORMAL HEARINGS: **Mitzi Toledo Britt, RN Reinstatement Applicant** **0001-241655**
Ms. Britt did not appear.

Tammie Jones, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor and Cindy Ferrell, court reporters with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Sarah Rogers, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Mr. Hermansen-Parker moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:01 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Britt. Additionally, Ms. McElfresh moved that Ms. Douglas, Ms. Power, Ms. New, Ms. Tamayo-Suijk and Ms. Mitchell, Board counsel, 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 3:06 P.M.

Mr. Hermansen-Parker 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. Cei 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: Ms. Minton moved that the Board of Nursing deny the reinstatement application of Mitzi Toledo Britt to practice professional nursing in the Commonwealth of Virginia. 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 3:08 P.M.

Jodi P. Power, RN, JD
Senior Deputy Executive Director