

**VIRGINIA BOARD OF NURSING
MINUTES
September 16, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on September 16, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

**BOARD MEMBERS
PRESENT:**

Lynne M. Cooper, Citizen Member, President
Patricia M. Selig, R.N., F.N.P., Ph.D., Vice President
Peregrin Francisco, R.N., M.S.A., Secretary
Florence Jones-Clarke, R.N., M.S.
Brenda L. Hale, R.N.,
Jeanne E. Holmes, Citizen Member
Joyce A. Hahn, Ph.D.; APRN; NEA-BC
Patricia C. Lane, R.N., B.S.N.
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.
Karen Schultz, Ph.D. M.B.A.

**BOARD MEMBER
ABSENT:**

John M. Horn, L.P.N.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director
Linda Kleiner, R.N., Discipline Case Manager
Ann Tiller, Compliance Manager
Amy Davis, Administrative Assistant

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General

**ESTABLISHMENT OF
A QUORUM:**

With eleven members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Bonnie Hall, C.N.A. 1401-067344

Ms. Hall did not appear.

Ms. Hale moved to accept the recommended decision of the agency subordinate to reprimand Bonnie Hall.
The motion was seconded and carried unanimously.

Angela Boyd, C.N.A. 1401-118641

Ms. Boyd did not appear.

Ms. Hale moved to accept the recommended decision of the agency subordinate to indefinitely suspend the right of Angela Boyd to renew her nurse aide certificate until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Brittany Cadd, C.N.A. 1401-112418

Ms. Cadd did not appear.

Ms. Hale moved to accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Brittany Cadd until such time as she is able to appear before the Board and provide evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Cherita Rainey, C.N.A. 1401-109078

Ms. Rainey did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Cherita Rainey and enter a finding of abuse.

The motion was seconded and carried unanimously.

Stacey C. Hereford, L.P.N. 0002-066368

Ms. Hereford did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Stacey Hereford until such time as she can appear before the Board and provide evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Anita L. Crosetiere, L.P.N. 0002-027939

Ms. Crosetiere did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Anita Crosetiere until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Pamela K. Hilliard, C.N.A. 1401-040866

Ms. Hilliard did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Pamela Hilliard to practice as a nurse aide in Virginia and enter a finding of misappropriation of patient property.

The motion was seconded and carried unanimously.

Carmen Porter, C.N.A. 1401-114779

Ms. Porter did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Carmen Porter to practice as a nurse aide in Virginia and enter a finding of abuse.

The motion was seconded and carried unanimously.

Rosalee Ricks, C.N.A. 1401-059970

Ms. Ricks did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Rosalee Ricks.

The motion was seconded and carried unanimously.

Jo Eve P. Miller, L.P.N. 0002-033512

Ms. Miller did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Jo Eve Miller, stay said suspension contingent upon Ms. Miller's entry into the Health Practitioners Monitoring Program and thereafter require she remain in compliance with the program.

The motion was seconded and carried unanimously.

Christina O'Shields, L.P.N. 0002-061183

Ms. O'Shields did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Christina O'Shields for not less than two years and until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Denise Zampounis, R.N. 0001-215551

Ms. Zampounis did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Denise Zampounis until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Catherine Harris, C.N.A. 1401-003605

Ms. Harris did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Catherine Harris and enter a finding of abuse.

The motion was seconded and carried unanimously.

Amy Evans, C.N.A. 1401-079465

Ms. Evans did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to order Amy Evans undergo an evaluation by a mental health and chemical dependency specialist satisfactory to the Board and have a written report of the evaluation, including diagnosis, recommended course of therapy, prognosis and any recommendations sent to the Board within 45 days after the date this order is entered. Ms. Evans shall comply with the recommendations of the specialist, if there are any, and she shall provide authorization for free communication between the Board, its authorized agents, and the specialist. Upon receipt of the required information, the Board may request that Ms. Evans appear before a Special Conference Committee in order to consider the specialist's recommendations and to make a final disposition of the matter.

The motion was seconded and carried unanimously.

Amanda Jordan, L.P.N. 0002-056411

Ms. Jordan appeared.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:12 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 9:17 A.M.

Ms. Francisco 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. Selig moved to accept the recommended decision of the agency subordinate to reprimand Amanda Jordan and further recommend Ms. Jordan's license to practice practical nursing be indefinitely suspended with the suspension stayed contingent upon her continued compliance with the Health Practitioners Monitoring Program contract.

The motion was seconded and carried unanimously.

Karen L. Moore, R.N. 0001-210317

Ms. Moore appeared, represented by attorney, Margaret Hardy.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:22 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 9:40 A.M.

Ms. Francisco 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. Lane moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Karen Moore until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried. Ms. Cooper, Dr. Selig, Dr. Hahn, Ms. Hale, Ms. Lane, Ms. Lindsay and Dr. Schultz were in favor of the motion. Ms. Holmes, Ms. Francisco, Ms. Jones-Clarke and Ms. Piersall opposed the motion.

Aminata Fornah, C.N.A. 1401-123382

Ms. Fornah appeared, accompanied by her husband.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:44 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 9:50 A.M.

Ms. Francisco 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. Lane moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Aminata Fornah and enter a finding of abuse.
The motion was seconded and carried. Dr. Selig, Dr. Hahn, Ms. Hale, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke, Ms. Holmes, Ms. Cooper and Ms. Francisco opposed the motion.

Jane M. W. Ott, R.N. 0001-139210

Ms. Ott appeared.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:57 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 10:01 A.M.

Ms. Francisco 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. Jones-Clarke moved that the Board of Nursing reject the recommended decision of the agency subordinate and refer the matter of Jane Ott to a formal hearing.
The motion was seconded and carried unanimously.

Marie Louis-Jeune, C.N.A. 1401-113616

Ms. Louis-Jeune appeared, accompanied by her husband.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:06 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 10:12 A.M.

Ms. Francisco 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. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Marie Louis-Jeune and enter a finding of abuse.

The motion was seconded and carried. Ms. Cooper, Dr. Selig, Ms. Hale, Ms. Holmes, Dr. Hahn, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke, Ms. Francisco, and Ms. Lane opposed the motion.

Wanda Campbell, C.N.A. 1401-083246; R.M.A. 0031-000670

Ms. Campbell appeared.

CLOSED MEETING:

Ms. Francisco 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 consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 10:29 A.M.

Ms. Francisco 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. Hahn moved to reject the recommended decision of the agency subordinate and dismiss the case in the matter of Wanda Campbell.

The motion was seconded and carried. Dr. Selig, Ms. Francisco, Dr. Hahn, Ms. Hale, Ms. Holmes, Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Cooper opposed the motion.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:43 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 12:06 P.M.

Ms. Francisco 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.

Shawna L. Jacobs, C.N.A. 1401-084097

Ms. Jacobs did not appear.

Dr. Schultz moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Shawna Jacobs with a finding of abuse.

The motion was seconded and carried. Ms. Cooper, Dr. Selig, Ms. Francisco, Dr. Hahn, Ms. Holmes, Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Hale opposed the motion.

Tabitha S. Newton C.N.A. 1401-108522

Ms. Newton did not appear.

Ms. Hale moved that the Board of Nursing accept recommended decision of the agency subordinate to reprimand Tabitha Newton.

The motion was seconded and carried unanimously.

Amanda M. Gibson, C.N.A. 1401-105031

Ms. Gibson did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinite suspend the nurse aide certificate of Amanda Gibson until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Amanda Lemmond, C.N.A. 1401-122464

Ms. Lemmond did not appear.

Dr. Selig moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer the matter of Amanda Lemmond to a formal hearing.

The motion was seconded and carried unanimously.

Sherry Spruill, C.N.A. 1401-123134

Ms. Spruill did not appear.

Dr. Selig moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Sherry Spruill.

The motion was seconded and carried unanimously.

Virginia L. Thomas, C.N.A. 1401-033261

Ms. Thomas did not appear.

Ms. Cooper moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Virginia Thomas until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

John Marshall, C.N.A. 1401-124835

Mr. Marshall did not appear.

Ms. Hale moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand John Marshall.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Dr. Selig, Ms. Francisco, Ms. Holmes, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke and Dr. Hahn opposed the motion.

Sherry Zehr, C.N.A. 1401-114494

Ms. Zehr did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Sherry Zehr and enter a finding of misappropriation of patient property.

The motion was seconded and carried unanimously.

Sandra Christine Moon, L.P.N. 0002-030923

Ms. Moon did not appear.

Ms. Lane moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Sandra Moon until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Tonya Lee Lewis, R.N. 0001-204803

Ms. Lewis did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of Tonya Lewis until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Dr. Selig, Ms. Francisco, Dr. Hahn, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke and Ms. Holmes opposed the motion.

Diane Claytor, R.N. 0001-093324

Ms. Claytor did not appear.

Dr. Schultz moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Diane Claytor.

The motion was seconded and carried. Ms. Cooper, Ms. Hale, Ms. Francisco, Dr. Hahn, Ms. Holmes, Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Dr. Selig opposed the motion.

Courtney Jones, C.N.A. 1401-102145

Ms. Jones did not appear.

Ms. Hale moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Courtney Jones.

The motion was seconded and carried unanimously.

Dr. Hahn left the meeting.

Michele R. M. Davidson, R.N. 0001-146903; L.N.P. 0024-146903

Ms. Davidson did not appear.

Ms. Piersall moved to modify the recommended decision of the agency subordinate to indefinitely suspend the license of Michele Davidson, stay said suspension contingent upon entry in the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Dr. Hahn rejoined the meeting.

Grace E. Emah, R.N. 0001-198232

Ms. Emah did not appear.

Ms. Piersall moved to modify the recommended decision of the agency subordinate to place Grace Emah on probation for one year of supervised practice with terms; provide evidence of completion of Board approved supervised instruction and return demonstration of competence of medication administration and operation of medication dispensing systems; and to complete the National Council of State Boards of Nursing online course “Medication Errors: Detection and Prevention” and provide evidence of satisfactory completion within 45 days of entry of the order.

The motion was seconded and carried unanimously.

Michelle R. Pride, L.P.N. 0002-072670

Ms. Pride did not appear.

Dr. Selig moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Michelle Pride until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried. Ms. Cooper, Dr. Selig, Ms. Francisco, Dr. Hahn, Ms. Holmes, Ms. Hale, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke opposed the motion.

Ann Marie Cassada, L.P.N. 0002-076136

Ms. Cassada did not appear.

Ms. Jones-Clarke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Ann Marie Cassada until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.

The motion was seconded and carried unanimously.

Rachel Malaika Kone, R.N. 0001-172214

Ms. Kone did not appear.

Ms. Lane moved that the Board of Nursing reject the recommended decision of the agency subordinate and refer the matter of Rachel Kone to a formal hearing. The motion was seconded and carried unanimously. Ms. Cooper, Ms. Hale, Dr. Selig, Ms. Francisco, Dr. Hahn, Ms. Holmes, Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay, Ms. Piersall and Dr. Schultz were in favor of the motion. Dr. Schultz opposed the motion.

Kimberly Yates, C.N.A. 1401-090438

Ms. Yates appeared.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:11 P.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Power, Ms. Mitchell, Ms. Kleiner, Ms. Krohn, Ms. Tiller, Ms. Davis and Mr. Casway 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 12:13 P.M.

Ms. Francisco 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. Selig moved that the Board of Nursing reject the recommended decision of the agency subordinate and dismiss the case in the matter of Kimberly Yates. The motion was seconded and carried. Ms. Cooper, Dr. Selig, Ms. Francisco, Dr. Hahn, Ms. Hale, Ms. Holmes, Ms. Jones-Clarke, Ms. Lane, Ms. Lindsay and Ms. Piersall were in favor of the motion. Dr. Schultz opposed the motion.

ADJOURNMENT:

The meeting was adjourned at 12:14 P.M.

Peregrin Francisco, R.N., M.S.A.
Secretary

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 16, 2009**

Panel – A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:00 P.M. on September 16, 2009 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS

PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Vice President
Joyce A. Hahn, Ph.D, APRN, NEA-BC
Florence Jones-Clarke, R.N., M.S.
Patricia C. Lane, R.N., B.S.N., M.B.A.
Karen K. Schultz, Ph.D., M.B.A.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General
Nursing students from Sentara School of Health Professions; Germanna Community College

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

FORMAL HEARINGS: **Sandra A. Cooper, C.N.A. 1401-098925**
Ms. Cooper appeared, accompanied by Shelly Webster.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board, Holly Bush, court reporter, recorded the proceedings.

Tonya James, Compliance Case Manager, Department of Health Professions; Karen Schaller, Senior Investigator, Department of Health Professions; Sandra Compton, L.P.N.; Shelly Webster, friend and co-worker were present and testified.

CLOSED MEETING: Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:12 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cooper. Additionally, Ms. Francisco moved that Ms. Power, Ms. Krohn, Ms. Lee and Mr.

Casway 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.

Ms. Jones-Clarke 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. Hahn 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:

Dr. Schultz moved that the Board of Nursing revoke the right of Sandra Cooper to renew her nurse aide certificate for a period of not less than two years.

The motion was seconded and carried. Dr. Selig, Dr. Hahn, Ms. Lane and Dr. Schultz were in favor of the motion. Ms. Jones-Clarke 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.

Ms. Power left the meeting.

FORMAL HEARINGS:

Shenika Walker, C.N.A. 1401-125820

Ms. Walker appeared, accompanied by Grace Mudd.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board, Holly Bush, court reporter, recorded the proceedings.

Bernita Phillips, C.N.A.; Sue Zich, Senior Investigator, Department of Health Professions were present and testified.

CLOSED MEETING:

Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Walker. Additionally, Ms. Francisco moved that Ms. Krohn, Ms. Lee and Mr. Casway 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 3:58 P.M.

Ms. Jones-Clarke 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. Hahn 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. Lane moved that the Board of Nursing require Shenika Walker complete the National Council of State Boards of Nursing course "Ethics in Nursing" and submit proof of completion to the Board within 60 days.

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 4:00 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 16, 2009**

Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:00 P.M. on September 16, 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS

PRESENT: Lynne M. Cooper, Citizen Member, President
Peregrin Francisco, R.N., M.S.A.
Joyce A. Hahn, Ph.D, APRN, NEA-BC
Jeanne E. Holmes, Citizen Member
Evelyn Lindsay, L.P.N.
Judith E. Piersall, R.N., B.S.N.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Amy Davis, Administrative Assistant

OTHERS PRESENT: Eric Gregory, Assistant Attorney General
Nursing students from Sentara School of Health Professions; Germanna Community College

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

FORMAL HEARINGS: **Christine M. Stolba, R.N. 0001-189081**
Ms. Stolba appeared.

Wendell Roberts, Adjudication Specialist represented the Commonwealth. Mr. Gregory was legal counsel for the Board. L. Kim Taylor, court reporter, recorded the proceedings.

Christine Grubbs, Case Manager, Health Practitioners Monitoring Program was present and testified.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:38 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Stolba. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Gregory 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 3:02 P.M.

Ms. Francisco 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 findings of fact and conclusions of law as presented by Mr. Roberts.

The motion was seconded and carried unanimously.

ACTION:

Ms. Hale moved that the Board of Nursing impose a \$100.00 monetary penalty to be paid within 30 days and to indefinitely suspend the license of Christine Stolba with said suspension stayed contingent upon entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the 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.

RECESS:

The Board recessed at 3:05 P.M.

RECONVENTION:

The Board reconvened at 3:19 P.M.

FORMAL HEARINGS:

Regina F. Smith Bittner, R.N. 0001-175765

Ms. Bittner appeared.

Wendell Roberts, Adjudication Specialist, represented the Commonwealth. Mr. Gregory was legal counsel for the Board. L. Kim Taylor, court reporter, recorded the proceedings.

Pamela Kinchloe, Senior Investigator, Department of Health Professions and Jennifer Sears-Cockram, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:09 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bittner. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Ms. Davis and Mr. Gregory 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 4:30 P.M.

Ms. Francisco 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 findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Hale moved that the Board of Nursing indefinitely suspend the professional nursing license of Regina Bittner, stay said suspension contingent upon entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the program.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT:

The Board adjourned at 4:33 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.,
Deputy Executive Director