

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
April 8, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on April 8, 2009, in Board Room 4, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N., Chairperson
Peregrin C. Francisco, R.N., M.S.A.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director

OTHERS PRESENT: Cynthia Gaines, Adjudication Specialist

**CONFERENCES
SCHEDULED:** **Damian Ford, C.N.A. 1401-072457**
Mr. Ford appeared, accompanied by his wife, Erica Ford.

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:33 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Ford. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:50 A.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an order making findings of fact and conclusions of law, but imposing no sanction on Damian Ford.
The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Ford unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Ford within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED: **Tabitha Washington, C.N.A. 1401-092566**

Ms. Washington did not appear.

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:06 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Washington. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:16 A.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an order to reprimand and reinstate the certificate of Tabitha Washington to practice as a nurse aide.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Washington unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Washington within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED: **Mada Smith, C.N.A. 1401-111611; R.M.A. Applicant**

Ms. Smith did not appear.

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Smith. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:45 A.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue Mada Smith an Order of reprimand for falsification of records and issue an Order to approve Mada Smith's application to take the registered medication aide exam and issue an unrestricted registration upon successful completion of the exam.
The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Smith unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Smith within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

**CONFERENCES
SCHEDULED:**

LaTonya Boyd, C.N.A. 1401-114709

Ms. Boyd appeared, accompanied by her mother and her niece.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:00 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Boyd. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:05 A.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to close the case and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing.
The motion was seconded and carried unanimously.

**CONFERENCES
SCHEDULED:**

Pauline Bailey, C.N.A. 1401-049061 Reinstatement Applicant

Ms. Bailey appeared.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:31 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bailey. Additionally, Ms. Francisco moved that Ms. Krohn

and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:39 A.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an Order to reinstate the certificate of Pauline Bailey to practice as a nurse aide and issue an unrestricted certificate.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Bailey unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bailey within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Kevin Kroll, R.N. 0001-194285

Mr. Kroll appeared.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:28 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Kroll. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 1:37 P.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to close the case and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations

The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED:

Jennifer Bocanegra, C.M.T. Applicant

Ms. Bocanegra appeared, accompanied by her attorney, Mr. Roeber; and her father, Mr. Kennedy.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(15) of the *Code of Virginia* at 1:47 P.M. for the purpose of consideration and discussion of medical records of Jennifer Bocanegra that are excluded from the Freedom of Information Act by Virginia Code Section 1 of 2.2-3705.5. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 1:54 P.M.

Ms. Francisco moved that the Special Conference Committee of 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.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:54 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bocanegra. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 1:59 P.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an Order to approve Jennifer Bocanegra's application for certification as a massage therapist in Virginia and issue an unrestricted certificate upon successful completion of the exam.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Bocanegra unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bocanegra within such time. If service of the order is made by mail, three

additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES
SCHEDULED:

Carolann McIntyre, R.N. Reinstatement Applicant 0001-111464

Ms. McIntyre did not appear.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:10 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. McIntyre. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:15 P.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an Order to deny Carolann McIntyre's petition for reinstatement of her license to practice as a professional nurse in Virginia.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. McIntyre unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. McIntyre within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES
SCHEDULED:

Bruyette Hodgdon, C.N.A. 1401-109652

Ms. Hodgdon did not appear.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hodgdon. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:25 P.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an Order of reprimand to Bruyette Hodgdon.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Hodgdon unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Hodgdon within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Esther Roberts, C.N.A. Reinstatement Applicant 1401-068910

Ms. Roberts did not appear.

CLOSED MEETING:

Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:28 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Roberts. Additionally, Ms. Francisco moved that Ms. Krohn and Ms. Gaines attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:32P.M.

Ms. Francisco moved that the Special Conference Committee of 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. Francisco moved to issue an Order of reprimand and reinstate the nurse aide certificate of Esther Roberts.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Roberts unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Roberts within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this conference committee shall be vacated.

ADJOURNMENT:

The Board adjourned at 2:35 P.M.

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

**VIRGINIA BOARD OF NURSING
INFORMAL CONFERENCES
April 8, 2009**

TIME AND PLACE: The informal conferences held before an Agency Subordinate of the Board of Nursing were convened at 9:10 A.M., on April 8, 2009 in Hearing Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

**AGENCY
SUBORDINATE:** Jane Elliott, R.N., Ph.D.

STAFF PRESENT: Linda Kleiner, R.N., Discipline Case Manager
Amanda Mitchell, Adjudication Specialist

**CONFERENCES
SCHEDULED:** **Samara Debra Johnston, R.N. 0001-208985**
Ms. Johnston did not appear.

Based upon information provided by Ms. Mitchell, Dr. Elliott ruled that adequate notice was given to Ms. Johnston.

A recommended decision will be made and mailed to Ms. Johnston within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall be a Final Order.

**CONFERENCES
SCHEDULED:** **Carolyn Waldron, L.P.N. 0002-077435**
Ms. Waldron appeared.

Ms. Waldron was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Waldron unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Waldron within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

**CONFERENCES
CONTINUED:** **Sherri Barger, L.P.N. 0002-051362**
Ms. Barger did not appear.

Based upon information provided by Ms. Mitchell, Dr. Elliott ruled that adequate notice was given to Ms. Barger.

A recommended decision will be made and mailed to Ms. Barger within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall be a Final Order.

CONFERENCES
SCHEDULED:

Deborah Kavanaugh, L.P.N. 0002-037946

Ms. Kavanaugh appeared.

Ms. Kavanaugh was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Kavanaugh unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Kavanaugh within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Mary Shelley, R.N. 0001-1154680

Ms. Shelley appeared.

Ms. Shelley was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Shelley unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Shelley within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Lisa Armentrout, L.P.N.

Ms. Armentrout appeared.

Ms. Armentrout was informed a recommended decision will be made and mailed to her within ninety days.

This recommendation will be presented to the full Board; if accepted, an Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Armentrout unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Armentrout within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT: The conferences were concluded at 3:30 P.M.

Linda Kleiner, R.N.
Discipline Case Manager

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
April 8, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 11:00 A.M., February 26, 2009 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia

MEMBERS PRESENT: Judith E. Piersall, R.N., B.S.N.
Peregrin C. Francisco, R.N., M.S.A.

STAFF PRESENT: Linda Kleiner, R.N., Discipline Case Manager

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Ms. Francisco moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:30 P.M. for the purpose of deliberation regarding case disposition. Additionally, Ms. Francisco moved Ms. Kleiner attend the closed meeting because her presence in the closed meeting is deemed necessary, and her presence will aid the Committee in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 12:45 P.M.

Ms. Francisco moved that the Special Conference Committee of 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.

Investigative reports regarding one registered nurse and one practical nurse were reviewed.

ACTION: Ms. Piersall moved to offer two of the above individuals a prehearing consent order in lieu of further administrative proceedings.
The motion was seconded and carried unanimously.

ADJOURNMENT: The Committee adjourned at 12:45 P.M.

Linda Kleiner, R.N.
Discipline Case Manager