

**VIRGINIA BOARD OF NURSING  
SPECIAL CONFERENCE COMMITTEE  
August 10, 2009**

**TIME AND PLACE:** The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on August 10, 2009, in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

**MEMBERS PRESENT:** Patricia M. Selig, R.N., F.N.P., Ph.D., chairperson  
John M. Horn, L.P.N.

**STAFF PRESENT:** Jodi P. Power, R.N., J.D., Deputy Executive Director

**OTHERS PRESENT:** LaRhonda Carter, Adjudication Specialist

**CONFERENCES  
SCHEDULED:**

**William D. Diment, R.N. 0001-149807**

Mr. Diment appeared with a tape recorder and recorded the proceedings.

William J. Tuell, Facility Director of Commonwealth Center for Children and Adolescents; and Martha Dawson, Privacy Officer and Director of Health Information Management of Commonwealth Center for Children and Adolescents were present. Cecile Custer, Senior Investigator, Department of Health Professions was also present and observed the proceeding.

**CLOSED MEETING:** Mr. Horn 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 9:40 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Diment. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 10:05 A.M.

Mr. Horn 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:** Mr. Horn moved to issue an order of reprimand to William Diment. 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. Diment unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Diment 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:

**Jennifer Stanberry, L.P.N. 0002-079058**

Ms. Stanberry did not appear.

CLOSED MEETING:

Mr. Horn 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 10:25 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Stanberry. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 10:40 A.M.

Mr. Horn 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:

Mr. Horn moved to issue an order of reprimand to Jennifer Stanberry. 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. Stanberry unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Stanberry 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:

**Jenifer Flanagan Parten, Mississippi RN License R851078 with Multistate Privilege in Virginia (0028-000025)**

Ms. Parten did not appear.

CLOSED MEETING:

Mr. Horn 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 10:45 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Parten. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 11:00 A.M.

Mr. Horn 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:**

Mr. Horn moved to offer Jenifer Parten a consent order for indefinite suspension of her multistate privilege to practice as a professional nurse in Virginia.  
The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Parten and the Board.

**CONFERENCES**

**SCHEDULED:**

**Brittany L. Roberts, L.P.N. 0002-075400**

Ms. Roberts appeared.

**CLOSED MEETING:**

Mr. Horn 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 11:58 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Roberts. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 12:15 P.M.

Mr. Horn 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:**

Mr. Horn moved to issue an Order of reprimand to Brittany 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.

**CONFERENCES**

**SCHEDULED:**

**Cynthia Mellender, L.P.N. 0002-057720**

Ms. Mellender appeared, accompanied by her attorney, Pamela Branch.

Tonya James, Compliance Case Manager, Department of Health Professions was also present.

CLOSED MEETING: Mr. Horn 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 1:30 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Mellender. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 1:40 P.M.

Mr. Horn 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: Mr. Horn moved to issue an order finding Cynthia Mellender in compliance with her prior Board order and taking no further action against her. 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. Mellender unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Mellender 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:

**Brenda Sims, L.P.N. 0002-066262**  
Ms. Sims appeared.

CLOSED MEETING: Mr. Horn 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 2:25 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Sims. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 2:55 P.M.

Mr. Horn 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: Mr. Horn moved to issue an order to place Brenda Sims on indefinite probation for not less than two years employment as licensed practical nurse with terms. 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. Sims unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Sims 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:

**Ann Harrison, R.N. 0001-063011**

Ms. Harrison appeared, accompanied by her attorney, James Shoemaker, Jr.; and friend, Joel Terry.

CLOSED MEETING:

Mr. Horn 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 4:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Harrison. Additionally, Mr. Horn moved that Ms. Power and Ms. Carter 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 5:10 P.M.

Mr. Horn 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:

Mr. Horn moved to issue an order to take no action at this time, contingent upon verification of Ann Harrison's re-entry in to the Health Practitioners Monitoring Program within thirty days of the order becoming final and thereafter remaining in compliance with the Health Practitioners Monitoring Program. 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. Harrison unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Harrison 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:

**Ann Nutty, L.P.N. 0002-064477**

Ms. Nutty did not appear.

CLOSED MEETING:

Mr. Horn 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 5:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Nutty. Additionally, Mr. Horn moved that Ms. Power and Ms.

Carter 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 6:20 P.M.

Mr. Horn 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:

Mr. Horn moved to offer Ann Nutty a consent order for indefinite suspension of her license until such time as she appears before the Board and provides sufficient evidence that she is safe and competent to practice as a practical nurse. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Nutty and the Board.

ADJOURNMENT:

The Board adjourned at 6:25 P.M.

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Jodi P. Power, R.N., J.D.  
Deputy Executive Director