

**VIRGINIA BOARD OF NURSING
MINUTES
February 19, 2010**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:08 A.M. on February 19, 2010 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia

BOARD MEMBERS PRESENT: Lynne M. Cooper, Citizen Member, Chairperson
Jeanne E. Holmes, Citizen Member
Patricia C. Lane, R.N., B.S.N.
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
Jodi P. Power, R.N., J.D., Deputy Executive Director
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT: Ishneila Moore, Assistant Attorney General
Nursing students from Bon Secours School of Nursing and Commonwealth Nursing Programs

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

FORMAL HEARINGS: **Melissa D. Bates, L.P.N. 0002-072670**
Ms. Bates appeared.

Corie Tillman Wolf, Assistant Attorney General and Amanda Mitchell, Adjudication Specialist, represented the Commonwealth. Ishneila Moore was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Sandra Barton, Senior Investigator, Department of Health Professions; Amanda Champney, R.N., Director of Nursing, Berkshire Health and Rehabilitation Center were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §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. Bates. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Lee and Ms. Moore 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 10:55 A.M.

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

ACTION: Ms. Lane moved that the Board of Nursing reprimand Melissa Bates, L.P.N., and indefinitely suspend her practical nursing license with the suspension stayed as long as she remains in compliance with the Health Practitioners Monitoring 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 10:55 A.M.

RECONVENTION: The Board reconvened at 11:10 A.M.

FORMAL HEARINGS: **Megan R. Roach, L.P.N. 0002-073839**
Ms. Roach appeared, accompanied by her mother, Patty Lloyd.

Corie Tillman Wolf, Assistant Attorney General and Amanda Mitchell, Adjudication Specialist, represented the Commonwealth. Ishneila Moore was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Sandra Barton, Senior Investigator, Department of Health Professions; Amanda Champney, R.N., Director of Nursing, Berkshire Health and Rehabilitation Center; and Bonnie Adams, L.P.N. were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Roach. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Lee and Ms. Moore 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 1:17 P.M.

Ms. Lindsay 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 Ms. Wolf and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lane moved that the Board of Nursing reprimand Megan Roach, L.P.N. and indefinitely suspend her practical nursing license with the suspension stayed as long as she remains in compliance with the Health Practitioners Monitoring 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 1:20 P.M.

RECONVENTION:

The Board reconvened at 1:58 P.M.

FORMAL HEARINGS:

Shannon D. Dooley, L.P.N. 0002-074056

Ms. Dooley did not appear.

Corie Tillman Wolf, Assistant Attorney General and Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ishneila Moore was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Sandra Barton, Senior Investigator, Department of Health Professions; Amanda Champney, R.N., Director of Nursing, Berkshire Health and Rehabilitation Center; Bonnie Adams, L.P.N.; Megan Roach, L.P.N.; and Melissa Bates, L.P.N. were present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Dooley. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Lee and Ms. Moore 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 3:20 P.M.

Ms. Lindsay 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 Ms. Wolf and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing revoke the practical nursing license of Shannon Dooley. 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 3:20 P.M.

RECONVENTION: The Board reconvened at 3:30 P.M.

FORMAL HEARINGS: **Bernadette Adams, R.N. 0001-197504**
Ms. Adams did not appear.

Wendell Roberts, Adjudication Specialist, represented the Commonwealth. Ishneila Moore was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Anthony Sellers, Senior Investigator, Department of Health Professions; Susan Thatcher, R.N.; Deana Ralph, R.N.; and Ruth Legaspi, R.N. were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:10 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Adams. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Lee and Ms. Moore 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 4:20 P.M.

Ms. Lindsay 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. Lindsay moved that the Board of Nursing indefinitely suspend the professional nursing license of Bernadette Adams for a period of not less than two years and until such time as she is able to appear before the Board and provide sufficient evidence that she is safe and competent to practice

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:

Ann Harrison, R.N. 0001-063011

Ms. Harrison appeared, represented by attorney, James Shoemaker, Jr.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Ishneila Moore was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Anthony Sellers, Senior Investigator, Department of Health Professions; Kelly Ashley, Senior Investigator, Department of Health Professions; and Martha Ann Spruill, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:58 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Harrison. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Lee and Ms. Moore 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 6:25 P.M.

Ms. Lindsay 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 Ms. Joseph and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lindsay moved that the Board of Nursing issue an order of reprimand to Ann Harrison, R.N.

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 6:30 P.M.

RECONVENTION:

The Board reconvened at 6:40 P.M.

FORMAL HEARINGS:

Cynthia Brooks, L.P.N. 0002-066892

Ms. Brooks did not appear.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Ishneila Moore was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

J.W. Turner, Senior Investigator, Department of Health Professions; Aiesha Hassan, LP.N.; and Olivia Jones, Vice President of Operations, Care Advantage were present and testified.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:48 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Brooks. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Power, Ms. Lee and Ms. Moore 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 6:56 P.M.

Ms. Lindsay 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. Rutkowski and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing issue an order of reprimand to Cynthia Brooks, L.P.N. 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 7:00 P.M.

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