

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
June 13, 2011**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on June 13, 2011 in Board Room 4, Suite 201, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia C. Lane, R.N, B.S.N., Chairperson
Evelyn Lindsay, L.P.N.

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

OTHERS PRESENT: Tammie Jones, Adjudication Specialist
Elizabeth Hudnall and William Gentry, Investigators with the Medicaid Fraud Control Unit, Office of Attorney General (joined later)
Students from VCU School of Nursing (joined later)

**CONFERENCES
SCHEDULED:** **Michelle Ellers, R.N. 0001-209732**
Ms. Ellers appeared.

Tonya James, Compliance Case Manager for the Board of Nursing was present and provided information to the Committee regarding Ms. Ellers' noncompliance with terms of the Board order entered on October 1, 2010.

CLOSED MEETING: Ms. Lindsay 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 9:50 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Ellers. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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.

Ms. Lindsay 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. Lindsay moved to deny Michelle Ellers' request for modification of probation terms and further offer her a consent order to accept the surrender for indefinite suspension of her license to practice as a professional nurse in lieu of formal hearing.
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. Ellers and the Board.

Ms. Hudnall and Mr. Gentry joined the meeting.

CONFERENCES
SCHEDULED:

Adedayo Faponle, R.N. 0001-192781

Mr. Faponle appeared, accompanied by attorney, Pamela Branch.

CLOSED MEETING:

Ms. Lindsay 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 11:55 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Faponle. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 12:25 P.M.

Ms. Lindsay 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. Lindsay moved to issue an order to place Adedayo Faponle on probation for one year of employment as a registered nurse with terms including that he complete four National Council of State Boards of Nursing online courses to be completed within sixty days of entry of the order.

The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Faponle unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Faponle 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:

Ruth Ann (Thompson) Baysmore, L.P.N. 0002-052018

Ms. Baysmore appeared.

CLOSED MEETING:

Ms. Lindsay 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 12:48 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Baysmore. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 1:00 P.M.

Ms. Lindsay 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. Lindsay moved to issue an order of reprimand to Ruth Ann Baysmore and further require Ms. Baysmore pay a monetary penalty of \$200 and complete the National Council of State Boards of Nursing online course "Ethics of Nursing Practice" within thirty days of entry of the order. The motion was seconded and carried unanimously.

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. Baysmore unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Baysmore 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:

Patricia Henderson, R.N. 0001-198939; L.P.N. 0002-058020 (expired)

Ms. Henderson appeared.

CLOSED MEETING:

Ms. Lindsay 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 1:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Henderson. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 1:20 P.M.

Ms. Lindsay 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. Lindsay moved to close the case and impose no sanction in the matter of Patricia Henderson due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations.

The motion was seconded and carried unanimously.

The students from VCU School of Nursing joined the meeting.

CONFERENCES

SCHEDULED:

Sharon Milliron, R.N. 0001-201744

Ms. Milliron appeared.

CLOSED MEETING:

Ms. Lindsay 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 3:00 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Milliron. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 3:20 P.M.

Ms. Lindsay 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. Lindsay moved to issue an order with terms requiring Sharon Milliron provide evidence that she has successfully completed National Council of State Boards of Nursing courses “Documentation: A Critical Aspect of Client Care” and “Sharpening Critical Thinking Skills” within 45 days of entry of the order. The motion was seconded and carried unanimously.

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. Milliron unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Milliron 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:

Katherine Hardy, L.P.N. 0002-039488

Ms. Hardy appeared.

CLOSED MEETING:

Ms. Lindsay 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. Hardy. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 4:25 P.M.

Ms. Lindsay 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. Lindsay moved to close the case and impose no sanction in the matter of Katherine Hardy due to insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

The students left the meeting.

CONFERENCES
SCHEDULED:

Susan Powell, R.N. 0001-053137
Ms. Powell appeared.

CLOSED MEETING: Ms. Lindsay 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 5:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Powell. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 5:50 P.M.

Ms. Lindsay 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. Lindsay moved to issue an order of reprimand to Susan Powell and require Ms. Powell undergo a chemical dependency/mental health evaluation by a specialist deemed acceptable by the Board within sixty days of entry of the order and follow the recommendations of the specialist. At the Board's discretion, Ms. Powell may be required to appear before a special conference committee for final disposition of the matter following receipt of the specialists recommendation.
The motion was seconded and carried unanimously.

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. Powell unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Powell 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:

Marie Workinger, L.P.N. 0002-067100

Ms. Workinger appeared.

CLOSED MEETING:

Ms. Lindsay 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 7:10 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Workinger. Additionally, Ms. Lindsay moved that Ms. Power and Ms. Jones 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 7:40 P.M.

Ms. Lindsay 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. Lindsay moved to issue an order to place Marie Workinger on indefinite probation with terms for not less than two years of employment as a licensed practical nurse. The motion was seconded and carried unanimously.

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. Workinger unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Workinger 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 Board adjourned at 7:45 P.M.

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