

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
July 16, 2012**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on July 16, 2012 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT: Evelyn Lindsay, LPN; Chairperson
Allison Gregory, RN, LNP
John M. Horn, LPN
Florence Jones-Clarke, RN, MS
Trula Minton, MS, RN
William Traynham, LPN, CSAC

STAFF PRESENT: Jay P. Douglas, RN, MSM, CSAC; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Amy Davis, Executive Assistant
Darlene Graham, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General
Megan Dhillon, Intern from the Attorney General Office
Students from Fortis College and Valley Vocational Technical Center

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

FORMAL HEARINGS: **Audrey W. Hollar, RN Reinstatement Applicant 0001-117631**
Ms. Hollar appeared.

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

Vicky Fox, Senior Investigator, Department of Health Professions; and Amy Stewart, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:49 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hollar. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Davis, Ms. Graham, Ms. Dhillon 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 10:16 A.M.

Ms. Minton 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.

Mr. Traynham 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: Mr. Horn moved that the Board of Nursing deny the reinstatement of the professional nursing license of Audrey Hollar, and continue on indefinite suspension, stay the suspension contingent upon her re-entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Program. The motion was seconded and carried. Ms. Jones-Clarke, Ms. Lindsay, Ms. Gregory, Ms. Minton and Mr. Horn were in favor of the motion. Mr. Traynham 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.

RECESS: The Board recessed at 10:20 A.M.

RECONVENTION: The Board reconvened at 10:30 A.M.

Ms. Graham left the meeting.

FORMAL HEARINGS: **Sherene Jarrett, CNA 1401-084310**
Ms. Jarrett appeared, accompanied by her sister and her daughter.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Lane Raker, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:33 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Jarrett. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Davis, Ms. Dhillon 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 11:47 A.M.

Ms. Minton 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: Mr. Horn moved that the Board of Nursing dismiss the case in the matter of Sherene Jarrett due to a lack of clear and convincing evidence of a violation. The motion was seconded and carried. Mr. Traynham, Ms. Jones-Clarke, Ms. Lindsay, Ms. Minton and Mr. Horn were in favor of the motion. Ms. Gregory 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.

FORMAL HEARINGS: **Ann E. Nutty Sheffield, LPN 0002-064477**
Ms. Nutty Sheffield did not appear.

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

Ron Houser, Senior Investigator, Department of Health Professions; and Amy Stewart, Case Manager, Health Practitioners Monitoring Program was present and testified.

CLOSED MEETING: Ms. Minton 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 deliberation to reach a decision in the matter of Ms. Nutty Sheffield. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Davis, Ms. Dhillon 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 12:19 P.M.

Ms. Minton 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones.

The motion was seconded and carried unanimously.

ACTION: Ms. Gregory moved that the Board of Nursing continue the license of Ann Nutty Sheffield on indefinite suspension for a period of not less than one year. 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: **Bobbie J. Coutlis, LPN 0002-053508**
Ms. Coutlis did not appear.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Patricia Dewey, Intake Analyst, Department of Health Professions; and Christopher Bowers, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:36 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Coutlis. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Davis, Ms. Dhillon 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 12:43 P.M.

Ms. Minton 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie.

The motion was seconded and carried unanimously.

ACTION: Ms. Gregory moved that the Board of Nursing accept the voluntary surrender for indefinite suspension of the practical nursing license of Bobbie Coutlis. 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 12:44 P.M.

RECONVENTION: The Board reconvened at 1:35 P.M.

FORMAL HEARINGS:

Kathleen Sulimenko-Hoffman, LPN 0002-071122

Ms. Sulimenko-Hoffman appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions; and Amy Stewart, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:35 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Sulimenko-Hoffman. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Krohn, Ms. Davis, Ms. Dhillon 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 3:10 P.M.

Ms. Minton 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Mr. Traynham moved that the Board of Nursing issue an order of reprimand, reinstate her right to renew her VA license, then continue her license on indefinite suspension but stay the suspension contingent upon her reentry into the HPMP and continued compliance. The motion was seconded and carried. Mr. Traynham, Ms. Jones-Clarke, Ms. Gregory, Ms. Lindsay and Ms. Minton were in favor of the motion. Mr. Horn 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. Graham re-joined the meeting.

FORMAL HEARINGS:

Kimberly Cash, RN 0001-133964

Ms. Cash appeared.

David Kazzie, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Lanieda Briggs, court reporter, recorded the proceedings.

Helene Kelly, Senior Investigator, Department of Health Professions; and Dawn France, Case Manager, Health Practitioners Monitoring Program were present and testified.

Ms. Douglas left the meeting.

CLOSED MEETING: Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:21 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cash. Additionally, Ms. Minton moved that Ms. Krohn, Ms. Davis, Ms. Graham, Ms. Dhillon 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 4:36 P.M.

Ms. Minton 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.

Mr. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Jones-Clarke moved that the Board of Nursing issue an order of reprimand and continue the license of Kimberly Cash on indefinite suspension 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. Mr. Traynham, Ms. Jones-Clarke, Ms. Gregory, Ms. Lindsay and Ms. Minton were in favor of the motion. Mr. Horn 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.

ADJOURNMENT: The Board adjourned at 4:48 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director