

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 2, 2012**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on October 2, 2012 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Board President, Chairperson
Jane R. Ingalls, R.N., C.N.S., Ph.D.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director
Linda Kleiner, R.N., Discipline Case Manager (joined later)

OTHERS PRESENT: James E. Rutkowski, Adjudication Specialist

CONFERENCES
SCHEDULED: **Diane Hake, R.N. Reinstatement Applicant, 0001-173517**
Ms. Hake appeared accompanied by a friend, Ellen Durr.

CLOSED MEETING: Dr. Ingalls 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 9:24 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hake. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 9:42 A.M.

Dr. Ingalls 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: Dr. Ingalls moved to issue an order to reinstate the license of Diane Hake to practice as a registered nurse, issue a license valid in Virginia only and place her on probation with terms for one years employment as a registered 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. Hake unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Hake 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:

Theresa Dalton, R.N. Reinstatement Applicant, 0001-133776
Ms. Dalton appeared.

CLOSED MEETING:

Dr. Ingalls 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 10:14 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Dalton. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 10:25 A.M.

Dr. Ingalls 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:

Dr. Ingalls moved to recommend the Board issue an order to deny Theresa Dalton's petition for reinstatement of her license to practice as a registered nurse in Virginia.

The motion was seconded and carried unanimously.

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

Lina Burgos, C.N.A. Applicant
Ms. Burgos did not appear.

CLOSED MEETING: Dr. Ingalls 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 10:31 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Burgos. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 10:35 A.M.

Dr. Ingalls 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: Dr. Ingalls moved to recommend the Board issue an order to deny Lina Burgos's application to take the certified nurse aide examination.

The motion was seconded and carried unanimously.

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

Lori Miller, R.N. Reinstatement Applicant, 0001-150855

Ms. Miller appeared, accompanied by her mother, Sandy Jenkins.

CLOSED MEETING: Dr. Ingalls 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 11:16 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Miller. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 11:35 A.M.

Dr. Ingalls 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:

Dr. Ingalls moved to issue an order to reinstate the license of Lori Miller to practice as a registered nurse, issue a license valid in Virginia only and place her on probation with terms for two years employment as a registered 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. Miller unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Miller 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:**

Kwailie Knight, C.N.A. Applicant

Ms. Knight appeared accompanied by her sister, Ms. John.

CLOSED MEETING:

Dr. Ingalls 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 11:52 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Knight. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 12:00 P.M.

Dr. Ingalls 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:

Dr. Ingalls moved to recommend the Board issue an order of reprimand to Kwailie Knight and approve Ms. Knight's application to take the certified nurse aide examination.

The motion was seconded and carried unanimously.

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

Ms. Kleiner joined the meeting.

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Dr. Selig 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, Dr. Selig moved that 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 1:00 P.M.

Dr. Selig 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 concerning (4) registered nurses and (2) practical nurses were reviewed.

ACTION:

Dr. Ingalls moved to close (1) of the above cases undetermined at this time. The motion was seconded and carried unanimously.

Dr. Ingalls moved to offer (5) of the above individuals a prehearing consent order in lieu of further administrative proceedings. The motion was seconded and carried unanimously.

Ms. Kleiner left the meeting.

CONFERENCES
SCHEDULED:

Alisha Smith, L.P.N. Reinstatement Applicant, 0002-077736

Ms. Smith appeared.

CLOSED MEETING: Dr. Ingalls 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 1:33 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Smith. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 1:44 P.M.

Dr. Ingalls 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: Dr. Ingalls moved to issue an order to reinstate the license of Alisha Smith to practice as a Practical Nurse and issue a license valid in Virginia only contingent upon verification of Ms. Smith's entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the terms of the monitoring contract with the Health Practitioners Monitoring Program.

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. 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 Order shall be vacated.

CONFERENCES
SCHEDULED:

Billie Farmer, R.N. Applicant

Ms. Farmer appeared, accompanied by a friend, Bryan Grey.

CLOSED MEETING: Dr. Ingalls 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. Farmer. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 2:24 P.M.

Dr. Ingalls 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:

Dr. Ingalls moved to recommend the Board issue an order to approve Billie Farmer's application for licensure as a registered nurse in Virginia, issue a license valid in Virginia only and place her on probation with terms for one years employment as a registered nurse.

The motion was seconded and carried unanimously.

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

Daniel Taylor, C.N.A., 1401-139896

Mr. Taylor did not appear.

Victoria Armstrong, Regional Director at Wheatland Hills in Radford was present in audience.

CLOSED MEETING:

Dr. Ingalls 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 2:24 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Taylor. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 2:44P.M.

Dr. Ingalls 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:

Dr. Ingalls moved to offer Daniel Taylor a consent order to accept the voluntary surrender of his certificate as a nurse aide and for revocation of his certificate as a nurse aide with a finding of abuse in lieu of a 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 Mr. Taylor and the Board.

CONFERENCES

SCHEDULED:

Somer B. Montgomery, R.N. Applicant

Ms. Montgomery appeared.

CLOSED MEETING:

Dr. Ingalls 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 3:04 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Montgomery. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 3:11 P.M.

Dr. Ingalls 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:

Dr. Ingalls moved to issue an order to approved Somer Montgomery's application to take the registered nurse examination and issue an unrestricted license.

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

Promila Arthur, C.N.A. 1401-0101384, R.M.A. 0031-003060

Ms. Arthur appeared, accompanied by her son, Auvie Arthur.

CLOSED MEETING: Dr. Ingalls 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 3:26 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Arthur. Additionally, Dr. Ingalls moved that Ms. Krohn and Mr. Rutkowski 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 3:29 P.M.

Dr. Ingalls 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: Dr. Ingalls moved to close the case regarding Promila Arthur and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing.

The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 3:35 P.M.

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