

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
October 1, 2012**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 2:03 P.M. on October 1, 2012 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT: Evelyn Lindsay, LPN; Chairperson
Allison Gregory, RN, FNP-BC
Louise D. Hartz, Citizen Member
John M. Horn, LPN
Jane Ingalls, RN, PhD

STAFF PRESENT: Brenda Krohn, RN, MS; Deputy Executive Director
Gloria D. Mitchell, RN, MSM, MBA; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Erin Barrett, Assistant Attorney General

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

FORMAL HEARINGS: **Catherine W. Roscoe, RN 0001-129823**
Ms. Roscoe did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

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

CLOSED MEETING: Ms. Gregory moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:26 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Roscoe. Additionally, Ms. Gregory moved that Ms. Krohn, Ms. Mitchell, Ms. Graham and Ms. Barrett 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 2:37 P.M.

Ms. Gregory 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. Hartz 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:

Dr. Ingalls moved that the Board of Nursing issue an order of reprimand and continue the license of Catherine Roscoe on indefinite suspension until such time as she can appear before the Board and prove that she is safe and competent to practice as a professional nurse. 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:

Elizabeth Hinkley, RN 0001-129091

Ms. Hinkley appeared.

Olivia Exterovich, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Wanda Blanks, court reporter, recorded the proceedings.

Troy Mays, Chaplain, Amedisys Home Health and Hospice was present and testified.

CLOSED MEETING:

Ms. Gregory moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hinkley. Additionally, Ms. Gregory moved that Ms. Krohn, Ms. Mitchell, Ms. Graham and Ms. Barrett 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 5:15 P.M.

Ms. Gregory 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. Hartz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Exterovich and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Dr. Ingalls moved that the Board of Nursing issue an order of reprimand to Elizabeth Hinkley. 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 5:20 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
TELEPHONE CONFERENCE CALL
October 1, 2012**

A telephone conference call meeting of the Virginia Board of Nursing was held October 1, 2012 at 8:30 A.M. The Board members participating in the meeting were:

Louise D. Hartz, Citizen Member, Chair
Allison Gregory, RN, FNP-BC
Jeanne E. Holmes, Citizen Member
John M. Horn, LPN
Jane R. Ingalls, RN, PhD

Florence Jones-Clarke, RN, MS
Patricia Lane, RN, BSN, MBA
Evelyn Lindsay, LPN
Trula Minton, MS, RN

Others participating in the meeting were:

Howard M. Casway, Senior Assistant Attorney General
James Schliessmann, Assistant Attorney General
Jay P. Douglas, RN, MSM, CSAC, Executive Director
Brenda Krohn, RN, MS, Deputy Executive Director
Gloria D. Mitchell, RN, MSN, MBA, Deputy Executive Director
Tammy Jones, Adjudication Specialist

The meeting was called to order by Ms. Hartz. With nine members of the Board participating, a quorum was established. A poll of those participating showed that a good faith effort to convene a regular meeting within the week was not possible.

James Schliessmann, Assistant Attorney General, presented evidence that the continued nurse aide practice of Joyce Jones, CNA, 1401-064019 may present a substantial danger to the health and safety of the public.

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 8:45 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Ms. Lindsay moved that Ms. Douglas, Ms. Krohn, Ms. Mitchell, Ms. Jones 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.

The Board reconvened in open session at 8:50 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. Lane moved to summarily suspend the nurse aide certificate of Joyce Jones pending a formal administrative hearing and to offer a consent order for revocation of her certificate with a finding of abuse, in lieu of a formal hearing. The motion was seconded and carried unanimously.

The meeting was adjourned at 8:50 A.M.

Brenda Krohn, RN, MS
Deputy Executive Director