Final - Approved

VIRGINIA BOARD OF NURSING
Minutes
September 18, 2013
Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:14 A.M. on September 18, 2013 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
Jane R. Ingalls, RN, PhD; President
Guia Caliwagan, RN, MAN
Allison Gregory, RN, FNP-BC
Louise Hershkowitz, CRNA, MSHA
Jeanne E. Holmes, Citizen Member
Evelyn Lindsay, LPN

STAFF PRESENT:
Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Erin Barrett, Assistant Attorney General

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

LaGina Edwards, CNA 1401-117464; RMA 0031-006030
Ms. Edwards appeared.

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 9:24 A.M. for the purpose of consideration of agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, 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 9:25 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.

ACTION: Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of LaGina Edwards and to enter a finding of abuse against her in the Nurse Aide Registry. Further, Ms. Lindsay moved to revoke the mediation aide registration of LaGina Edwards. The motion was seconded and carried unanimously.

Megan Garrett, CNA 1401-155615
Ms. Garrett appeared.

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 9:33 A.M. for the purpose of consideration of agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Krohn, Ms. Power, 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 9:35 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.

ACTION: Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Megan Garrett, but stay the suspension contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program for the period specified by the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Terry Bolden, CNA 1401-111266
Ms. Bolden did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Terry Bolden and that a finding of neglect based on a single occurrence be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Kasey Ezell, CNA 1401-131586
Ms. Ezell did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Kasey Ezell and that a finding of neglect based on a single occurrence be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Karin Goodbar, CNA 1401-154362
Ms. Goodbar did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Karin Goodbar and to take no further action contingent upon Ms. Goodbar's continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Crystal Byrd, CNA 1401-133209
Ms. Byrd did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the nurse aide certificate of Crystal Byrd, but stay the suspension contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Amber Richards, CNA 1401-136786
Ms. Richards did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Amber Richards. The motion was seconded and carried unanimously.

Cheyenna N. Wilks, RN 0001-220404
Ms. Wilks did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Cheyenna Wilks and to indefinitely suspend the professional nursing license of Ms. Wilks until such time as she can demonstrate she is capable of resuming the safe and competent practice of professional nursing. The motion was seconded and carried unanimously.

Lasha Muse, CNA 1401-121532
Ms. Muse did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the certificate of Lasha Muse and to enter a finding of misappropriation of patient property against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Tammy Calway, CNA 1401-148289
Ms. Calway did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Tammy Calway and that a finding of neglect be entered against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Nikita Gilkey, CNA 1401-139444
Ms. Gilkey did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Nikita Gilkey. The motion was seconded and carried unanimously.

Clarissa Patton, RMA 0031-005117
Ms. Patton did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Clarissa Patton. The motion was seconded and carried unanimously.

Penny Trentham, RN 0001-167597
Ms. Trentham did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Penny Trentham until such time as she can appear before the Board and demonstrate that she is safe and competent to resume the practice of nursing. The motion was seconded and carried unanimously.

Ciera Largen, CNA 1401-152673
Ms. Largen did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for revocation of the nurse aide certificate of Ciera Largen and that a finding of abuse be entered against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

CLOSED MEETING: Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:42 A.M. for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Caliwagan moved that Ms. Krohn, Ms. Power, 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 9:54 A.M.

Ms. Caliwagan 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.

Tammy Vee, CNA 1401-107994
Ms. Vee did not appear.

Ms. Hershkowitz moved that the Board of Nursing amend the date cited in finding of fact #2, and accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the nurse aide certificate of Tammy Vee until such time as she can appear before the Board to present evidence that she is safe and competent to practice. The motion was seconded and carried unanimously.

Shauna Grady, CNA 1401-109718
Ms. Grady did not appear.

Ms. Lindsay moved that the Board of Nursing amend the year cited in finding of fact #3, and accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Shauna Grady and to enter a finding of misappropriation of patient property against her in the Nurse Aide Registry. The motion was seconded and carried unanimously.

Nekia Ford, LPN 0002-082250
Ms. Ford did not appear.

Ms. Lindsay moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Nekia Ford and require that Ms. Ford successfully complete the NCSBN online course "Professional Accountability and Legal Liability for Nurses" within 60 days of entry of the order. The motion was seconded and carried unanimously.

Awa SamBou, CNA 1401-151893
Ms. SamBou did not appear.

Ms. Lindsay moved that the Board of Nursing reject the recommended decision of the agency subordinate to reprimand Awa SamBou and refer the matter to a formal hearing. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:55 A.M.

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Jodi P. Power, RN, JD
Deputy Executive Director

VIRGINIA BOARD OF NURSING
Minutes
September 18, 2013
Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:00 A.M. on September 18, 2013 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
Jane R. Ingalls, RN, PhD; President
Guia Caliwagan, RN, MAN
Allison Gregory, RN, FNP-BC
Louise Hershkowitz, CRNA, MSHA
Jeanne E. Holmes, Citizen Member
Evelyn Lindsay, LPN

STAFF PRESENT:
Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:
Erin Barrett, Assistant Attorney General
Nursing students from Riverside School of Professional Nursing; Fortis College; and George Washington University

FORMAL HEARINGS:
David Yount, RN, Texas Multistate Privilege License 719903
Mr. Yount appeared, represented by Margaret Hardy, Esquire; and accompanied by Nancy Sadler, coworker and friend.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Mary Treta, court reporter from Crane Snead Reporting, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; Dawn France, Case Manager, Health Practitioners Monitoring Program; and Nancy Sadler were present and testified.

CLOSED MEETING: Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:50 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Yount. Additionally, Ms. Caliwagan moved that Ms. Krohn, Ms. Power, 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 1l:18 A.M.

Ms. Caliwagan 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. Hershkowitz 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: Ms. Gregory moved that the Board of Nursing release David Yount from the terms of the prior Board order entered January 26, 2010 and to reinstate his multistate privilege to practice professional nursing in Virginia. 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: **Wassem Albacha, CMT Applicant**
Mr. Albacha appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Mary Treta, court reporter from Crane Snead Reporting, recorded the proceedings.

Pamela Kinchloe, Senior Investigator, Department of Health Professions; and "Client A" were present and testified.

CLOSED MEETING: Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:28 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Albacha. Additionally, Ms. Caliwagan moved that Ms. Krohn, Ms. Power, 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 12:54 P.M.

Ms. Caliwagan 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. Lindsay 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: Ms. Hershkowitz moved that the Board of Nursing deny the application of Wassem Albacha as a certified massage therapist. 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.

The nursing students left the meeting to resume their normal schedule.

RECESS: The Board recessed at 1:00 P.M.

RECONVENTION: The Board reconvened at 1:50 P.M.

FORMAL HEARINGS: **Glenda Houtz, LPN 0002-032001**
Ms. Houtz appeared.

Tammie Jones Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Mary Treta, court reporter from Crane Snead Reporting, recorded the proceedings.

Kelly Moss, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:25 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Houtz. Additionally, Ms. Caliwagan moved that Ms. Krohn, Ms. Power, 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 2:50 P.M.

Ms. Caliwagan 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. Hershkowitz 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: Ms. Lindsay moved that the Board of Nursing indefinitely suspend the practical nurse license of Glenda Houtz, but stay the suspension contingent up her entry into the Health Practitioners Monitoring Program and thereafter remaining 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.

Ms. Lindsay left the meeting due to a scheduling conflict.

FORMAL HEARINGS: **Latonya Jones, LPN 0002-082711**
Ms. Jones did not appear.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Mary Treta, court reporter from Crane Snead Reporting, recorded the proceedings.

Lane Raker, Senior Investigator, Department of Health Professions; Cynthia Cuthrell, PTA, Consulate Health Care at Windsor; and John Grain, RN, Consulate Health Care at Windsor were present and testified.

CLOSED MEETING: Ms. Caliwagan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:20 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Jones. Additionally, Ms. Caliwagan moved that Ms. Krohn, Ms. Power, 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 3:40 P.M.

Ms. Caliwagan 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. Hershkowitz 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. Holmes moved that the Board of Nursing issue a reprimand to Latonya Jones and require that Ms. Jones complete three NCSBN online courses: "Ethics in Nursing Practice", "Righting a Wrong – Ethics and Professionalism in Nursing", and "Professional Accountability and Legal Liability for Nurses" within 60 days of entry of the order. 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 3:45 P.M.

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Brenda Krohn, RN, MS
Deputy Executive Director

VIRGINIA BOARD OF NURSING
Minutes
September 18, 2013
Panel - B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:19 A.M. on September 18, 2013 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
Louise D. Hartz; Vice President
Joyce A. Hahn, PhD, APRN, NEA-BC
Evelyn Lindsay, LPN (joined later)
Kelly S. McDonough, DNP, RN
Trula Minton, MS, RN
William Traynham, LPN, CSAC

STAFF PRESENT:
Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:
Charis Mitchell, Assistant Attorney General
Amanda Lavin, Assistant Attorney General (observing)

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Vanessa Jones, CNA 1401-004028
Ms. Jones appeared.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:21 A.M. for the purpose of consideration of agency subordinate recommendation. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. C. Mitchell 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 9:24 A.M.

Mr. Traynham 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.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Vanessa Jones to practice as a nurse aide and to enter a finding of abuse against Ms. Jones in the nurse aide registry.
The motion was seconded and carried unanimously.

Anthony Wall, RN 0001-222326
Mr. Wall appeared.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:32 A.M. for the purpose of consideration of agency subordinate recommendation. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. C. Mitchell 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 9:35 A.M.

Mr. Traynham 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 recommended decision of the agency subordinate to place Anthony Wall on indefinite probation for not less than three years of actual nursing practice with terms and conditions.
The motion was seconded and carried unanimously.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:37 A.M. for the purpose of consideration of agency subordinate recommendations. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. C. Mitchell 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 9:41 A.M.

Mr. Traynham 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.

Mary Murray, CNA 1401-055474
Ms. Murray did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Mary Murray and to enter a finding of abuse against her in the nurse aide registry.
The motion was seconded and carried unanimously.

Tabitha E. P. Sandford, CNA 1401-013144
Ms. Sandford did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the nurse aide certificate of Tabitha Sandford and to enter a finding of abuse against her in the nurse aide registry.
The motion was seconded and carried unanimously.

Lisa Statzer, RN 0001-127791
Ms. Statzer did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Lisa Statzer contingent upon Ms. Statzer's enrollment in the Health Practitioners Monitoring Program within 90 days of entry of the Board's order and her continued compliance with the Health Practitioners Monitoring Program thereafter.
The motion was seconded and carried unanimously.

Cynthia Campbell, RN 0001-109366; LNP 0024-109366
Ms. Campbell did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against the right to renew the professional nursing license and multistate privilege to practice professional nursing in Virginia of Cynthia Campbell contingent upon Ms. Campbell's continued compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Trey Wheeler, RN 0001-206169
Mr. Wheeler did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the professional nursing license of Trey Wheeler, but stay the suspension upon proof of his entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Tonya Pena LPN 0002-075115
Ms. Pena did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Tonya Pena, but stay the suspension contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Gregory Taylor, RMA 0031-005878
Mr. Taylor did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue a reprimand to Gregory Taylor.
The motion was seconded and carried unanimously.

Sharon White,LPN 0002-019205
Ms. White did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Sharon White and to indefinitely suspend the right to renew the practical nursing license of Ms. White until such time as she can demonstrate that she is able to resume the safe and competent practice of practical nursing.
The motion was seconded and carried unanimously.

Windy Markham, LPN 0002-052629
Ms. Markham did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Windy Markham, but stay the suspension contingent upon her entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Joyce Outen, RN 0001-206736
Ms. Outen did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Joyce Outen and to indefinitely suspend the professional nursing license of Ms. Outen.
The motion was seconded and carried unanimously.

Robin Hensley, RN 0001-213485
Ms. Hensley did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Robin Hensley, but stay the suspension contingent upon her

entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried unanimously.

Paula K. Thomas, LPN 0002-040099
Ms. Thomas did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Paula Thomas until such time as she can appear before the Board and demonstrate that she is able to resume the safe and competent practice of nursing.
The motion was seconded and carried unanimously.

Kelly Mettee, LPN 0002-079471
Ms. Mettee did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Kelly Mettee and require that she successfully complete the following four online NCSBN courses within 60 days of entry of the Boards order: "Professional Accountability and Legal Liability for Nurses", "Respecting Professional Boundaries", "Ethics of Nursing Practice", and "Righting a Wrong: Ethics and Professionalism in Nursing".
The motion was seconded and carried unanimously.

David Auclair, LPN 0002-033854
Ms. Auclair did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand David Auclair.
The motion was seconded and carried unanimously.

Ms. Minton left the meeting due to a conflict. Ms Lindsay joined the meeting and served on the panel in Ms. Minton's absence.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:00 A.M. for the purpose of consideration of agency subordinate recommendation. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. C. Mitchell 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 10:04 A.M.

Mr. Traynham 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.

Stephanie Martin, RN 0001-185694
Ms. Martin did not appear.

Dr. Hahn moved that the Board of Nursing delete the last sentence in finding of fact #3a, and accept the recommended decision of the agency subordinate to indefinitely suspend the the professional nursing license of Stephanie Martin, but stay the suspension contingent upon Ms. Martin's entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.
The motion was seconded and carried. Ms. Hartz, Dr. Hahn, Ms. Lindsay, and Dr. McDonough were in favor of the motion. Mr. Traynham opposed the motion.

ADJOURNMENT: The Board adjourned at 10:04 A.M.

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Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
Minutes
September 18, 2013
Panel - B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:15 A.M. on September 18, 2013 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:
Louise D. Hartz; Vice President
Joyce A. Hahn, PhD, APRN, NEA-BC
Kelly S. McDonough, DNP, RN
Trula Minton, MS, RN
Stephnie Quinby, CMT Advisory Board Member (joined later)
William Traynham, LPN, CSAC

STAFF PRESENT:
Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT:
Charis Mitchell, Assistant Attorney General
Amanda Lavin, Assistant Attorney General (observing)
Nursing students from Riverside School of Professional Nursing, Fortis College and George Washington University

FORMAL HEARINGS: **Crystal Smith, RMA0031-002793**
Ms. Smith did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Sherelle Weaver, court reporter from Crane Snead Reporting, recorded the proceedings.

Lane Raker, Senior Investigator, Department of Health Professions; and Kartisa Woodley, CNA, Oakwood Assisted Living Facility were present and testified.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:04 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Smith. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. G. Mitchell 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 1l:16 A.M.

Mr. Traynham 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. Minton 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: Dr. Hahn moved that the Board of Nursing revoke the right to renew the medication aide registration of Crystal Smith. 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: **Gwendolyn Thomas, RMA 0031-004201**
Ms. Thomas did not appear.

David Kazzie, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Sherelle Weaver, court reporter from Crane Snead Reporting, recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions; and Latoya Nelson, CNA were present and testified.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:47 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Thomas. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. G. Mitchell 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 11:55 A.M.

Mr. Traynham 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.

Dr. McDonough 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: Dr. Hahn moved that the Board of Nursing revoke the right to renew the medication aide registration of Gwendolyn Thomas. 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 12:05 P.M.

RECONVENTION: The Board reconvened at 1:05 P.M.

FORMAL HEARINGS: **Sylvester Britt, RN Reinstatement Applicant 0001-072640**
Mr. Britt appeared.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Sherelle Weaver, court reporter from Crane Snead Reporting, recorded the proceedings.

RECESS: The Board recessed at 2:17 P.M.

RECONVENTION: The Board reconvened at 2:26 P.M.

The building was evacuated at 2:35 P.M. due to a fire alarm; the hearing was reconvened at 2:45 P.M.

Vicky Fox, RN, Senior Investigator, Department of Health Professions; and Catherine Chappell, Executive Director of the Boards of Counseling, Social Work and Psychology with the Department of Health Professions were present and testified.

CLOSED MEETING: Mr. Traynham 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 Mr. Britt. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. C. Mitchell 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 4:06 P.M.

Mr. Traynham 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. Joseph and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Dr. McDonough moved that the Board of Nursing deny reinstatement of the professional nursing license of Sylvester Britt. 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 4:08 P.M.

RECONVENTION: The Board reconvened at 4:22 P.M.

Ms. Quinby joined the meeting. Dr. Hahn left the meeting to attend to issues unrelated to the Board of Nursing.

FORMAL HEARINGS: **Hye Yon Shuler, CMT Reinstatement Applicant 0019-006643**
Ms. Shuler appeared, accompanied by Kyong S. Oh, interpreter; and represented by Mark Thomas Crossland, attorney.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Sherelle Weaver, court reporter from Crane Snead Reporting, recorded the proceedings.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:43 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Shuler. Additionally, Mr. Traynham moved that Ms. Douglas, Ms. G. Mitchell, Ms. Davis, Ms. Lavin and Ms. C. Mitchell 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 6:11 P.M.

Mr. Traynahm 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. Joseph and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Quinby moved that the Board of Nursing deny reinstatement of the massage therapy certification of Hye Yon Shuler. 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 6:15 P.M.

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Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director