

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 19, 2008

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:35 P.M. on May 19, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS PRESENT: Florence Jones-Clarke, R.N., M.S., Vice President
Linda Gross, Citizen Member
John M. Horn, L.P.N.
Patricia C. Lane, R.N., B.S.N.
Judith E. Piersall, R.N., B.S.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S. Deputy Executive Director, Medication Aide Registry Manager
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline (joined later)
Amy Davis, Administrative Assistant

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General

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

FORMAL HEARING: **Joyce Towe, R.N. Reinstatement Applicant 0001-193931**
Ms. Towe appeared, accompanied by Larry Sutton, friend.

Emily Field, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; and Larry Sutton were present and testified.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Towe. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 2:18 P.M.

Ms. Lane 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. Piersall moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Shelton and amended by the Board.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing reinstate the professional nursing license of Joyce Towe and issue an unrestricted license.

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 HEARING:

Michelle Spiker, L.P.N. Reinstatement Applicant 0002-041583

Ms. Spiker appeared, accompanied by Samantha Spiker, daughter.

Emily Field, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:47 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Spiker. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 approved unanimously.

RECONVENTION:

The Board reconvened in open session at 2:57 P.M.

Ms. Lane 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 approved unanimously.

Ms. Piersall moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Field and amended by the Board.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing reinstate the practical nursing license of Michelle Spiker and to issue an unrestricted license.

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 HEARING: **Sophia H. Reid, L.P.N. Reinstatement Applicant 0002-032840**
Ms. Reid appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:58 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Reid. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Krohn, Ms. Davis 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 4:35 P.M.

Ms. Lane 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. Piersall 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.

Ms. Lane moved that the Board of Nursing approve the reinstatement application of Sophia Reid and issue an unrestricted license to practice as a practical nurse. The motion was seconded and carried. Ms. Lane, Ms. Jones-Clarke, Ms. Gross and Ms. Piersall were in favor of the motion. Mr. Horn and Dr. Selig 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. Krohn left the meeting, Ms. Mitchell joined the meeting.

FORMAL HEARING: **Aimee Sibal, L.P.N. 0002-067277**
Ms. Sibal did not appear.

James Schliessmann, Assistant Attorney General and Peter Opper, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General, was legal counsel for the Board. L. Diane Paarfus, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Lane moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Sibal. Additionally, Ms. Lane moved that Ms. Douglas, Ms. Mitchell, Ms. Davis 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 5:14 P.M.

Ms. Lane 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. Selig moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Schliessmann. The motion was seconded and carried unanimously.

Ms. Piersall moved that the Board of Nursing continue the license of Aimee Sibal on indefinite suspension for a period of not less than two years. 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 5:16 P.M.

Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director