

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
Monday, March 21, 2011**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on March 21, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS**

**PRESENT:** Joyce A. Hahn, PhD., APRN, NEA-BC, Vice President  
Peregrin Francisco, R.N., M.S.A.  
Louise D. Hartz, Citizen Member  
John M. Horn, L.P.N.  
Florence Jones-Clarke, R.N., M.S.  
William Traynham, L.P.N.

**STAFF PRESENT:**

Jodi P. Power, R.N., J.D., Deputy Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director  
Brenda Krohn, R.N., M.S., Deputy Executive Director (joined later)  
Krystal Blanton, Senior Discipline Specialist  
Amy Davis, Executive Assistant (joined later)

**OTHERS PRESENT:**

Howard M. Casway, Senior Assistant Attorney General  
Nursing students from Lynchburg College; Bon Secours School of Nursing; J. Sargeant Reynolds Community College; nurse aide students from Parkview High School

**ESTABLISHMENT OF  
A QUORUM:**

With six members of the Board present, a quorum was established.

**FORMAL HEARINGS:**

**Nathan Everett, C.N.A. 1401-123773**  
Mr. Everett appeared, accompanied by his grandfather, Woodrow Crites.

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

Allan McDonald, Senior Investigator, Department of Health Professions; Rebecca Kiser, R.N., Assistant Director of Nursing, Evergreen Health and Rehabilitation Center; and Woodrow Crites were present and testified.

**CLOSED MEETING:**

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:45 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Everett. Additionally, Ms. Francisco moved that Ms. Power, Ms. Mitchell, Ms. Blanton

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 11:22 A.M.

Ms. Francisco 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 to Nathan Everett and place him on indefinite probation for a period of not less than one year of employment as a certified nurse aide with terms and conditions. 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:

**Charity Epperson, C.N.A. 1401-127879**

Ms. Epperson did not appear.

Amanda Blout, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Medford Howard, court reporter, recorded the proceedings.

Kimberly Whittemore, R.N., Senior Investigator, Department of Health Professions was present and testified. Wilma Hall, R.N., National Healthcare of Bristol; Jennifer Meadows, C.N.A., National Healthcare of Bristol testified by telephone.

CLOSED MEETING:

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:10 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Epperson. Additionally, Ms. Francisco moved that Ms. Power, Ms. Mitchell, Ms. Blanton 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 12:25 P.M.

Ms. Francisco 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. Blount 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 to reprimand Charity Epperson and indefinitely suspend her right to renew the nurse aide certification. 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 12:30 P.M.

**RECONVENION:**

The Board reconvened at 1:10 P.M.

Ms. Krohn and Ms. Davis joined the meeting. Ms. Mitchell and Ms. Blanton left the meeting.

**FORMAL HEARINGS:**

**Donna M. Lynch, C.N.A. 1401-078663**

Ms. Lynch appeared.

Amanda Blount, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Medford Howard, court reporter, recorded the proceedings.

Kelly Ashley, Senior Investigator, Department of Health Professions; Belinda Suire, R.N., Director of Nursing, Coliseum Park Nursing Home; Pam Perdy, C.N.A.; Karrisa Wilkins, L.P.N., Coliseum Park Nursing Home; and Tina Leftcheck, C.N.A. were present and testified.

**CLOSED MEETING:**

Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:37 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lynch. Additionally, Ms. Francisco moved that Ms. Power, 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 2:47 P.M.

Ms. Francisco 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. Traynham moved that the Board of Nursing dismiss the case against Donna Lynch, C.N.A. due to insufficient evidence of a violation of Board of Nursing law or regulation. The motion was seconded and carried unanimously.

**FORMAL HEARINGS:** **Collin F. Brathwaite, R.N. Reinstatement Applicant 0001-131232**  
Mr. Brathwaite appeared.

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

Kimberly Lynch, Senior Investigator, Department of Health Professions was present and testified.

**CLOSED MEETING:** Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:18 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Brathwaite. Additionally, Ms. Francisco moved that Ms. Power, 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 3:30 P.M.

Ms. Francisco 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:** Ms. Jones- Clarke moved that the Board of Nursing issue an order to reprimand Collin Brathwaite and reinstate his license to practice as a professional nurse in Virginia. The motion was seconded and carried. Ms. Francisco, Ms. Hartz, Mr. Horn, Ms. Jones-Clarke and Mr. Traynham were in favor of the motion. Dr. Hahn 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:** **Robert J. Talmadge, L.P.N. 0002-068966**  
Mr. Talmadge appeared. Scott Fisher and Megan Bradshaw, attorneys for two of the witnesses were also present.

James Schliessmann, Assistant Attorney General and Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Medford Howard, court reporter, recorded the proceedings.

Thelma Schaffer, Social Worker, former employee of Newport News Nursing and Rehabilitation; Earl Flora, L.C.P.; Donyound Debraux, nurse aide, registered medication aide, former employee of Dominion Village; Joyce Page, nurse aide, Dominion Village; Detective Lisa Turner, Poquoson Police Department; and Sherry Sindle, R.N., Forensic Nurse Examiner, Sentara Careplex Hospital were present and testified.

RECESS: The Board recessed at 5:12 P.M.

RECONVENTION: The Board reconvention at 5:20 P.M.

CLOSED MEETING: Ms. Francisco moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 7:28 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Talmadge. Additionally, Ms. Francisco moved that Ms. Power, 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 8:10 P.M.

Ms. Francisco 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. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Schliessmann 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 to Robert Talmadge and place him on indefinite probation with terms and conditions for a period of not less than two years of employment as a licensed practical nurse.

The motion was seconded and carried. Dr. Hahn, Ms. Francisco, Mr. Horn, Ms. Jones-Clarke, and Mr. Traynham were in favor of the motion. Ms. Hartz 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 8:15 P.M.

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Jodi P. Power, R.N., J.D.  
Deputy Executive Director