

VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE F
April 17, 2023

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:07 A.M., on April 17, 2023, in Hearing Room 5, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: James L. Hermansen-Parker, MSN, RN, PCCN-K, *Chairperson*
Carol A. Cartte, RN, BSN
Erin Osiol, MSW, LMT

STAFF PRESENT: Charlette Ridout, RN, MS, CNE, RN, Education Program Inspector

OTHERS PRESENT: Melissa Armstrong, Adjudication Specialist
Rebecca Ribley, Adjudication Specialist
Cathey Hanchey, Compact Resource Specialist for 1:00 P.M. case
Sheila Smith accompanied L.M.T case at 1:00 P.M.

CONFERENCES
SCHEDULED:

Melanie Dooley Ausburne, LMT Reinstatement Applicant
0019-03478
Ms. Ausburne appeared.

CLOSED MEETING: Ms. Cartte 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 9:47 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Ausburne. Additionally, Ms. Cartte moved that Ms. Ridout, Ms. Osiol and Ms. Armstrong 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 10:10 A.M.

Ms. Cartte 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: Ms. Cartte moved to issue an Order to Approve Melanie Dooley Ausburne's Application for Reinstatement for licensure as a Licensed Massage Therapist and issue an unrestricted license. The basis of this decision will be set forth in an Order which will be mailed to Ms.

Ausburne at her address of record with the Board. 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. Ausburne unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Ausburne 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:

Rebecca Lynn Oyster, LMT 0019-007833

Ms. Oyster did not appear.

CLOSED MEETING:

Ms. Cartte 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 10:41 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Oyster. Additionally, Ms. Cartte moved that Ms. Ridout, Ms. Osiol and Ms. Armstrong 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 10:52 A.M.

Ms. Cartte 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:

Ms. Osiol moved to offer Rebecca Lynn Oyster a Consent Order for the Indefinite Suspension until such time that Ms. Oyster can provide evidence of completion of continued competency requirements in lieu of a Formal Hearing. The basis of this decision will be set forth in a Consent Order which will be mailed to Rebecca Lynn Oyster at her address of record with the Board. 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 Ms. Oyster and the Board.

RECESS:

The Committee recessed at 10:52 A.M.

RECOVENTION: The Committee reconvened at 1:00 P.M.

CONFERENCES
SCHEDULED:

James Neal Smith II, LMT Applicant

Mr. Smith appeared, accompanied by his mother, Shiela Smith.

CLOSED MEETING: Ms. Cartte 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 1:19 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Smith. Additionally, Ms. Cartte moved that Ms. Ridout, Ms. Osiol and Ms. Ribley 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 1:51 P.M.

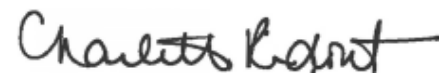
Ms. Cartte moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. Osiol moved to issue an Order to Approve James Neal Smith's Application by endorsement and issue an unrestricted license contingent upon successful completion of state exam MBLEX. The basis of this decision will be set forth in an Order which will be mailed to Mr. Smith at his address of record with the Board. 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 Mr. Smith unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. 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.

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ADJOURNMENT: The Board adjourned at 1:53 P.M.



Charlette Ridout, RN, MS, CNE
RN Probable Cause Reviewer
Education Program Inspector