

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 15, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on May 15, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
Dustin S. Ross, DNP, MBA, RN

STAFF PRESENT:

Brenda Krohn, RN, MS; Deputy Executive Director
Jane Elliott, RN, PhD, Discipline Staff
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Nurse Aide Students from North Stafford High School

ESTABLISHMENT OF A PANEL:

With five members of the Board present, a panel was established

FORMAL HEARINGS:

Tamela Williamson, RN 0001-094356 and CNS 0015-000199
Ms. Williamson appeared accompanied by Jade Williamson, her daughter.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Sherry Foster, Senior Investigator, Department of Health Professions, and Dawn France, Case Manager, Virginia Health Practitioners' Monitoring Program (HPMP), testified via telephone.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:31 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Williamson. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, and Ms. 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 10:52 P.M.

Mr. Monson 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. Poston 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. Phelps moved the Board of Nursing reprimand Tamela Williamson and continue her on indefinite suspension for 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.

RECESS:

The Board recessed at 10:55 A.M.

RECONVENTION:

The Board reconvened at 1:00 P.M.

FORMAL HEARINGS:

Shakima Stanquisha Freeman Brewer, LPN Reinstatement 0002-075041
Ms. Brewer appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Anna Badgley, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Brewer. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, and Ms. 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 2:20 P.M.

Ms. Phelps 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. Poston 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:

Mr. Monson moved that the Board of Nursing approve Ms. Brewer's application for reinstatement to practice as practical nursing in the Commonwealth of Virginia and place her on probation with the following terms:

- Completion of a chemical dependency evaluation; and
- Successful completion of her criminal probation

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:

Tamara Jean Pauley, LPN 0002-089307

Ms. Pauley did not appear.

Amy Weiss, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

James Wall, Senior Investigator, Department of Health Professions, and Monica Coles, DON at Friendship Health and Rehab Center were present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Pauley. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, and Ms. 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 2:45 P.M.

Ms. Phelps 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. Poston moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Weiss and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Mr. Monson moved that the Board of Nursing indefinitely suspend the license of Tamela Jean Pauley to practice practical nursing in the Commonwealth of Virginia 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.

FORMAL HEARINGS: **Samantha Marie Schwartz, LPN 0002-087306**

Ms. Schwartz appeared with Ashley Schwartz.

Anne Joseph, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Pamela Twombly, Deputy Executive Director of Enforcement, Patricia Dewey, Senior Investigator, Department of Health Professions, Dr. Jason Stout, Clinical Psychologist at Western State Hospital (WSH), Trent Humphries, Facility Investigator at WSH, Kimberly Rucks, DSA II at WSH, Corrie Connor, RN, CB at WSH, Shannon Porrer, Recreational Therapist at WSH, and Ashley Schwartz, previous patient at WSH were present and testified.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:26 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Schwartz. Additionally, Ms. Phelps moved that Dr. Elliott, Ms. Graham, and Ms. 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 6:45 P.M.

Ms. Phelps 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. Monson 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. Ross moved the Board of Nursing revoke the license of Samantha Marie Schwartz to practice practical nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

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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 6:52 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director