

VIRGINIA BOARD OF NURSING
MINUTES
May 17, 2017
Panel – A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:15 A.M. on May 17, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Alice Clark, Citizen Member
Jeanne Holmes, Citizen Member
Kelly S. McDonough, DNP, RN
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jay P. Douglas, MSN, RN, CSAC, FRE; Executive Director
Jodi P. Power, RN, JD; Deputy Executive Director
Huong Vu, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Tara J. Harkins, LPN 0002-070528

Ms. Harkins appeared.

CLOSED MEETING:

Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:19 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Harkins. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Power, Ms. Vu and Mr. Rutkowski 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 9:22 A.M.

Ms. Holmes 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 recommended decision of the agency subordinate to indefinitely suspend the license of Tara J. Harkins to practice as practical nursing in the Commonwealth of Virginia; said suspension shall be stayed upon proof of Ms. Harkins' entry into a Contract with

the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:25 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Power, Ms. Vu and Mr. Rutkowski 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 9:44 A.M.

Ms. Holmes 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.

Derika Rocnon Brown, CNA 1401-167376
Ms. Brown did not appear.

Dr. McDonough moved that the Board of Nursing modify the recommended decision of the agency subordinate to make findings of fact and conclusions of law but impose no sanction against Derika Rocnon Brown's certificate to practice as a certified nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Nancy Barrie Snyder, CNA 1401-009346
Ms. Snyder did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Nancy Barrie Snyder to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against Ms. Snyder in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Angel L. Holmes, CNA 1401-115762
Ms. Holmes did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Angel L. Holmes to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding

of Abuse against Ms. Holmes in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Belinda Kay Stroup, RN 0001-194255

Ms. Stroup did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Belinda Kay Stroup to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Denise Michelle Smith Baxter, CNA 1401-112459

Ms. Baxter did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time against the certificate of Denise Michelle Smith Baxter to practice as a nurse aide in the Commonwealth of Virginia, contingent upon Ms. Baxter's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date the Order is entered and compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Tangela Christina Davis, CNA 1401-128277

Ms. Davis did not appear but submitted a written response.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the certificate of Tangela Christina Davis to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order; and to enter a Finding of Neglect based on a singular occurrence against Ms. Davis in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Margaret Lee Taylor, CNA 1401-077051

Ms. Taylor did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Margaret Lee Taylor. The motion was seconded and carried unanimously.

Joyce Lynn Jones Wright, CNA 1401-147065

Ms. Wright did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Joyce Lynn Jones Wright. The motion was seconded and carried unanimously.

Leigh Nagle Blow, RN 0001-111093

Ms. Blow did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Leigh Nagle Blow. The motion was seconded and carried unanimously.

Jennifer Gray Vukmer, RN 0001-162832

Ms. Vukmer did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate:

- To reprimand Jennifer Gray Vukmer;
- To require Ms. Vukmer to have an evaluation by a chemical dependency specialist satisfactory to the Board and a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 120 days from the date of the Order is entered;
- To require Ms. Vukmer to have a physical evaluation by a neurologist satisfactory to the Board and have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 120 days from the date the Order is entered;
- To require Ms. Vukmer to provide proof to the Board that she has provided the specialists with a complete copy of the Order; and
- To require Ms. Vukmer to sign all required medical releases and authorization forms within 120 days of the date of entry of the Order allowing for unrestricted communication between and among the Board and her current and future treating healthcare providers.
- Further, Ms. Vukmer shall not practice nursing until the Board has considered and acted upon the results of the evaluations ordered.

The motion was seconded and carried unanimously.

Cherlyn Marie Foxx-Reeves, LPN 0002-051981

Mr. Foxx-Reeves did not appear but submitted a written response.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Cherlyn Marie Foxx-Reeves and to indefinitely suspend the license of Cherlyn Marie Foxx-Reeves to practice practical nursing in the Commonwealth of Virginia; said suspension applies to

any multistate privilege to practice practical nursing; and her license remains suspended until such time as she has:

- Paid the ordered monetary penalty of \$500.00;
- Provided written proof satisfactory to the Board that she has completed the following courses:
 - *Virginia Nurse Practice Act*
 - *Professional Accountability and Legal Liability for Nurses*
 - *Ethics of Nursing Practice; and*
 - *Disciplinary Actions: What Every Nurse Should Know*
- Paid any fees that may be required for the reinstatement and/or renewal of her practical nursing license prior to the issuance of the license to resume practice

The motion was seconded and carried unanimously.

Margaret L. Jordan, LPN 0002-060191

Ms. Jordan did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the license of Margaret L. Jordan to practice practical nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege; the suspension shall be stayed contingent upon Ms. Jordan's re-entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Kim Harding Garnett Wynn, RN 0001-141448

Ms. Wynn did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to deny the petition of Kim Harding Garnett Wynn for modification of the terms and conditions of probation, and continue Ms. Wynn on indefinite probation subject to the following terms and conditions, as previously set forth in the Board Order entered November 16, 2011. The period of probation shall begin from the date of the previous Board Order entered November 16, 2011 and shall continue indefinitely. After one year of active employment as a professional nurse, Ms. Wynn may request the Board end this probation.

The motion was seconded and carried unanimously.

Alisha Sexton, CNA 1401-180626

Ms. Sexton did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the certificate of Alisha Sexton to practice as nurse aid in the Commonwealth of Virginia, said suspension shall be stayed upon proof of Ms. Sexton's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Kareemah Hodge, CNA 1401-161963

Ms. Hodge did not appear.

Ms. Holmes moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Kareemah Hodge. The motion was seconded and carried unanimously.

Tracey Cheatwood, CNA 1401-150976

Ms. Cheatwood did not appear.

Dr. McDonough moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer this matter to a Formal Hearing. The motion was seconded and carried unanimously.

Lakeisha Jovelle Thompkins, CNA 1401-118268

Ms. Thompkins did not appear but submitted a written response.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Lakeisha Jovelle Thompkins to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Jessica Mayo, RN 0001-159591

Ms. Mayo did not appear.

Dr. McDonough moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the license of Jessica Mayo to practice professional nursing in the Commonwealth of Virginia, and said suspension is stayed and shall remain stayed contingent upon Ms. Mayo's continued compliance with all terms and conditions of the Virginia Health Practitioners' Monitoring Program (HPMP) for the period specified by the HPMP. The motion was seconded and carried unanimously.

Virginia Board of Nursing
Panel A - Agency Subordinate Recommendations
May 17, 2017

ADJOURNMENT: The Board adjourned at 9:45 A.M.

Jodi Power, RN, JD
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 17, 2017
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:00 A.M. on May 17, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN, EdS – **joined at 2:00 P.M.**
Alice Clark, Citizen Member
Jeanne Holmes, Citizen Member
Kelly McDonough, DNP, RN
Dustin Ross, DNP, MBA, RN, NE-BC
Joseph Scribner, IV, LMT – **LMT cases only**

STAFF PRESENT:

Jay Douglas, MSM, RN, CSAC, FRE, Executive Director
Jodi Power, RN, JD; Deputy Executive Director
Huong Vu, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

William Eric Eberhardt, LMT 0019-005404

Mr. Eberhardt appeared accompanied by James Creekmore, his attorney.

Carla Boyd, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Mary Treta, court reporter with Crane-Snead & Associates, recorded the proceedings.

Tiffany Johnson, Regional Manager for Southwest Virginia, Department of Health Professions, Client E, and Carrie Boucher, LMT, Owner and Manager of Body Balance Spa, were present and testified.

RECESS:

The Board recessed at 11:52 P.M.

RECONVENTION:

The Board reconvened at 12:00 P.M.

CLOSED MEETING:

Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:27 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Eberhardt. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Power, Ms. Vu and Mr. Rutkowski 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 1:17 P.M.

Ms. Holmes 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. Schribner moved that the Board of Nursing accept the findings of fact and conclusions of law presented by Ms. Boyd and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Dr. Ross moved that the Board of Nursing revoke the license of William Eric Eberhardt to practice as massage therapist in the Commonwealth of 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.

RECESS: The Board recessed at 1:20 P.M.

RECONVENTION: The Board reconvened at 1:53 P.M.

FORMAL HEARINGS: **David Ali Zinatbakhsh, LMT 0019-010090**
Mr. Zinatbakhsh appeared and requested a continuance since he has been out the country and just returned and received notice on Monday, May 15, 2017, with insufficient time to obtain legal counsel.

The Board granted the continuance.

Dr. Ross and Dr. Schibner left the meeting at 1:55 P.M.

Ms. Caliwagan joined the meeting at 2:00 P.M.

FORMAL HEARINGS: **Pamela Lee McZeal Arrington, LPN 0002-066848**
Ms. Arrington did not appear.

Carla Boyd, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Mary Treta, court reporter with Crane-Snead & Associates, recorded the proceedings.

Tonya James, Compliance Case Manager, Virginia Board of Nursing, was present and testified.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:20 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Arrington. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Power, Ms. Vu and Mr. Rutkowski 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 2:28 P.M.

Ms. Clark 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 Ms. Boyd and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Mr. Holmes moved that the Board of Nursing reprimand Pamela Lee McZeal Arrington and indefinitely suspend her license to practice practical nursing in the Commonwealth of Virginia until such time she can appear before the Board and demonstrate she is safe and competent to practice. 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: **Kelly M. Gregory, LPN 0002-083453**
Ms. Gregory appeared.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Mary Treta, court reporter with Crane-Snead & Associates, recorded the proceedings.

Robin Carroll, MSN, RN, CEN, Senior Investigator, Department of Health Professions, and Theresa Bell, ALFA, Administrator of Hands of Grace, testified via telephone.

CLOSED MEETING: Ms. Holmes moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gregory. Additionally, Ms. Holmes moved that Ms. Douglas, Ms. Power, Ms. Vu and Mr. Rutkowski 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 3:50 P.M.

Ms. Clark 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. Caliwagan 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. Holmes moved that the Board of Nursing reprimand Kelly M. Gregory and require her to provide evidence of completing the following NCSBN courses online within 90 days of entry of the Order:

- *Documentation: A Critical Aspect of Client Care*
- *Professional Accountability and Legal Liability for Nurses*

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 3:53 P.M.

RECONVENTION: The Board reconvened at 4:02 P.M.

FORMAL HEARINGS: **Tammy Ann Harris, LPN 0002-053181**
Ms. Harris appeared.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Mary Treta, court reporter with Crane-Snead & Associates, recorded the proceedings.

Joyce M. Shelton-Jones, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING: Ms. Clark moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:17 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Harris. Additionally, Ms. Clark moved that Ms. Douglas, Ms. Power, Ms. Vu and Mr. Rutkowski 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 4:20 P.M.

Ms. Clark 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. Holmes 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: Ms. Holmes moved that the Board of Nursing reinstate the license of Tammy Ann Harris to practice practical nursing in the Commonwealth of 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.

ADJOURNMENT: The Board adjourned at 4:23 P.M.

Jodi Power, RN, JD
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
MINUTES
May 17, 2017
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on May 17, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN, ANP-BC; Secretary
Guia Caliwagan, RN, MAN, EdS
Mark Monson, Citizen Member – **joined at 9:32 A.M.**
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
William Traynham, LPN, CSAC

STAFF PRESENT: Brenda Krohn, RN, MS; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Carmel Snyder, CNA 1401-173951
Ms. Snyder appeared.

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 9:15 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Snyder. Additionally, Ms. Phelps moved that Ms. Krohn, 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 9:23 A.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. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Carmel Snyder to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding

of Abuse in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Brittany Johnson, CNA 1401-167480

Ms. Snyder appeared.

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 9:25 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Johnson. Additionally, Ms. Phelps moved that Ms. Krohn, 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 9:30 A.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. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Brittany Johnson to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Mr. Monson joined the meeting at 9:32 A.M.

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 9:33 A.M., for the purpose of consideration of the remainder agency subordinate recommendations. Additionally, Ms. Phelps moved that Ms. Krohn, 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 9:43 A.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.

Jerenetta N. Jordan, CNA 1401-157768

Ms. Jordan did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Jerenetta N. Jordan to practice as a certified nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Savannah P. Fletcher, CNA 1401-167058

Ms. Fletcher did not appear but submitted a written response.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Savannah P. Fletcher to practice as a certified nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Samantha D. Morris, CNA 1401-117204

Ms. Morris did not appear.

Mr. Monson moved that the Board of Nursing modify the recommended decision of the agency subordinate as follow:

- The Virginia Codes §54.1-3007(2) and the Regulations 18VAC90-25-100(2)(e) stated in # 2 of the Findings of Fact and Conclusion of Law are removed.
- To revoke the certificate of Samantha D. Morris to practice as a certified nurse aide in the Commonwealth of Virginia and to enter a Finding of Misappropriation of patient property against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Melicent Ramsey, RN NC License No.: 219482 with Multistate Privileges

Ms. Ramsey did not appear.

Mr. Monson moved that the Board of Nursing indefinitely suspend the privilege of Melicent Ramsey to practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Jalisa Michelle Crudup, CNA 1401-155419

Ms. Crudup did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right of Jalisa Michelle Crudup to renew her certification to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Rapheal Lashay Oakley, CNA 1401-172047

Ms. Oakley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Rapheal Lashay Oakley to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Neglect against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Malory Joyce Eanes, LPN 0002-085802

Mr. Eanes did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate as follow:

- To reprimand Malory Joyce Eanes;
- To suspend her license to practice practical nursing, said suspension applies to any multistate privilege;
- To stay the suspension contingent upon proof of Ms. Eanes' entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of the HPMP for the period specified by the HPMP; and
- For the duration of the Order, Ms. Eanes shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

The motion was seconded and carried unanimously.

Amanda Kathryn Smith, LPN 0002-085232

Ms. Smith did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Amanda Kathryn Smith, and to require her to complete NCSBN course called "*Sharpening Critical Thinking Skills*" within 60 days of entry of the Order. The motion was seconded and carried unanimously.

Deavon Victoria Shreve, LPN 0002-080188

Ms. Shreve did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate as follow:

- To indefinitely suspend the license of Deavon Victoria Shreve to practice practical nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege
- To stay the suspension contingent upon Ms. Shreve's re-entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP); and
- For the duration of the Order, Ms. Shreve shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

The motion was seconded and carried unanimously.

Lisa Michelle Turner, RN 0001-185247

Ms. Turner did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Lisa Michelle Turner, and to indefinitely suspend her right to renew her license to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Theresa Garofalo Wilkinson, RN 0001-130195

Ms. Wilkinson did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the VOLUNTARY SURRENDER for indefinite suspension of Theresa Garofalo Wilkinson's right to renew her license to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Kara Patton, RN 0001-190942

Ms. Patton did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Kara Patton and to extend her probation

for six additional months of active nursing practice under the same terms placed on her license by the Board's Order entered April 29, 2016. The motion was seconded and carried unanimously.

Shelia Ball Mathena Joyce, RN 0001-177409

Ms. Joyce did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Shelia Ball Mathena Joyce and indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

John Martin Sadler, RN 0001-127202

Mr. Sadler did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of John Martin Sadler to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Bianca Fermin, CNA 1401-150627

Ms. Fermin did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the certification of Bianca Fermin to practice as a nurse aid in the Commonwealth of Virginia, said suspension is stayed contingent upon proof of Ms. Fermin's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Kristen Bradley, CNA 1401-149084

Ms. Bradley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time, contingent upon Kristen Bradley's enter into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) within 90 days of the date the Order is entered and compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Jessica M. Darden, CNA 1401-105160

Ms. Darden did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jessica M. Darden. The motion was seconded and carried unanimously.

Sharon B. Throop, LPN Tennessee License Number: 63100 with Multistate Privileges

Ms. Throop did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate as follow:

- To suspend the privilege of Sharon B. Throop to practice practical nursing;
- To stay the suspension contingent upon proof of Ms. Throop's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) or Ms. Throop's entry into an alternative program in another state deemed by the Board to be substantially equivalent to the HPMP;
- Upon stay of the suspension, Ms. Throop shall comply with all terms and conditions of the HPMP or all terms and conditions of the alternative state's recovery monitoring program. Ms. Throop shall advise the Board in writing of any change in her status with the alternative state's recovery monitoring program within ten calendar days of such change. Ms. Throop shall authorize free communication between the Board and the alternative state's recovery monitoring program.

The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:21 A.M.

Brenda Krohn, RN, MS
Deputy Executive Director

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 17, 2017
Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:00 A.M. on May 17, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN, ANP-BC, Secretary, Chair
Guia Caliwagan, RN, MAN, EdS
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
William Traynham, LPN, CSAC

STAFF PRESENT:

Brenda Krohn, RN; Deputy Executive Director
Jane Elliott, RN, PhD; Discipline Staff
Linda Kleiner, RN, Discipline Case Manager – **jointed at 1 P.M.**
Darlene Graham, Senior Discipline Staff

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing Students from South University
PN Students from Chesapeake Center for Science & Technology

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Patrick Glen Dalton, RN 0001-231490
Mr. Dalton did not appear.

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

Marcella Luna, Senior Investigator, Department of Health Professions, and Bertha Carter, Director of Human Resources at High Point Regional Hospital, 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 11:25 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Dalton. 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 11:41 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 Patrick Glen Dalton to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years and impose a monetary penalty of \$5,000.00. The motion was seconded and carried with five votes in favor. Ms. Caliwagan 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.

RECESS:

The Board recessed at 12:00 P.M.

RECONVENTION:

The Board reconvened at 1:00 P.M.

Dr. Elliott left the meeting.

Ms. Kleiner jointed the meeting.

FORMAL HEARINGS:

Janine Rochelle Mitchell, RN 0001-227015

Ms. Mitchell did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

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 1:18 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Mitchell. Additionally, Ms. Phelps moved that Ms. Krohn, Ms. Graham and Ms. Mitchell, Board counsel, 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 1:32 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. Jones, 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 Janine Rochelle Mitchell to practice professional nursing in the Commonwealth of Virginia, said suspension stayed contingent upon her entry into the Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of HPMP. 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. Kleiner joined the meeting at 1:35 P.M.

FORMAL HEARINGS:

Isa Pearline Smith, CNA 1401-051261

Ms. Smith appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Ashley Hester, RN, Senior Investigator, Department of Health Professions, Susie Mallory, CNA at Hiram Davis Medical Center, and Veronica Pegram, RN at Hiram Davis Medical 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 2:47 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Smith. Additionally, Ms. Phelps moved that Ms. Krohn, Ms. Kleiner, 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 3:09 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. Traynham moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones. The motion was seconded and carried unanimously.

ACTION:

Dr. Poston moved that the Board of Nursing reprimand Isa Pearline 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:

Dianah Rochelle Turner Farrar, CNA Reinstatement 1401-031409

Ms. Farrar appeared accompanied by Diane Dyke, her sister.

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

Marian McLean, 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 3:47 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Farrar. Additionally, Ms. Phelps moved that Ms. Krohn, Ms. Kleiner, 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 4:00 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.

Ms. Traynham 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 the application of Dianah Rochelle Turner Farrar for reinstatement of her nurse aide certification contingent upon her successful completion of the certified nurse aide course and passing the certified nurse aide exam. The motion was seconded and carried unanimously.

Virginia Board of Nursing
Panel B – Formal Hearings
May 17, 2017

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 4:05 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director