

VIRGINIA BOARD OF NURSING
Final Agenda - REVISED

Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233

Tuesday, November 14, 2017

9:00 A.M. - Business Meeting of the Board of Nursing – Quorum of the Board - Conference Center Suite 201 – Board Room 4

Call to Order: Louise Hershkowitz, CRNA, MSHA; Vice President

Establishment of a Quorum.

Announcements:

- Kelly S. McDonough, DNP, RN, accepted the P-14 Probable Cause Reviewer/Agency Subordinate position and started on October 2, 2017.
- Ruth Williams, MS, RN, BS-CV, accepted the P-14 Probable Cause Reviewer position and started on October 16, 2017.
- Pamela Smith accepted the Wage Background Investigations Specialist position and started on October 16, 2017.
- Samantha Baugher, RN, BSN, MHAEd, accepted the P-14 On-Site Visitor position in Northern Virginia and started on October 19, 2017.
- Grace Thapa, BSN, RN, PCCN, from Centreville, VA was appointed to the Board to serve an unexpired term beginning October 11, 2017, and ending June 30, 2019, to succeed Dr. Poston

Upcoming Meetings:

- eNLC Commission Executive Committee Meeting is scheduled for December 12-13, 2017, in Georgia – Ms. Douglas will attend.
- eNLC Commission Executive Committee Meeting is scheduled for March 4, 2018 in Chicago – Ms. Douglas will attend.
- NCSBN Midyear Meeting is scheduled for March 5-7, 2018 in Chicago – Board Members please indicate your interest
- eNLC Legal Forum for Commissioners and Board Counsels is scheduled for January 4, 2018 in Chicago – Ms. Douglas will attend

Dialogue with DHP Director – Dr. Brown

Review of the Agenda: (Except where times are stated, items not completed on November 14, 2017 will be completed on November 15, 2017.)

1. Additions, Modifications
2. Adoption of a Consent Agenda

Disposition of Minutes:

- C September 18, 2017 Panel – Dr. Hahn*
- C September 19, 2017 Quorum – Dr. Hahn*
- C September 20, 2017 Panel – Dr. Hahn*
- C September 20, 2017 Panel – Ms. Hershkowitz*
- C September 21, 2017 Panel – Ms. Hershkowitz *
- C October 3, 2017 Telephone Conference Call*

Reports:

- C Agency Subordinate Tracking Log*

- C Finance Report*
- C Board of Nursing Monthly Tracking Log***
- C Health Practitioners Monitoring Program Report*
 - Executive Director Report – Ms. Douglas
 - NLC Commission Executive Committee September 27-28, 2017 Meeting report – Ms. Douglas
 - NCSBN Leadership and Public Policy October 11-12, 2017 Conference report – written report*
 - Guidance Document 90-57 (Bylaws) Committee September 20, 2017 Meeting Minutes and Proposed Changes to GD 90-6 – Ms. Hershkowitz/Ms. Douglas***
 - Appointment of Nominating Committee – Ms. Hershkowitz
 - Guidance Document 90-6 (PICC Line Insertion and Removal) Committee July 18, 2017 Meeting Minutes and Proposed Amendments to GD 90-6 – Ms. Hershkowitz/Ms. Douglas***
 - Nurse Aide Curriculum Committee September 21, 2017 Meeting Minutes –Dr. Saxby*
 - The Committee of the Joint Boards of Nursing and Medicine October 11, 2017 Business Meeting, Formal Hearing, and Informal Conference minutes – Ms. Hershkowitz*
 - The Committee of the Joint Boards of Nursing and Medicine October 11, 2017 **REVISED** Informal Conference minutes – Ms. Hershkowitz**

Other Matters:

- Board Counsel Update – Charis Mitchell (oral report)
- Appointments of new Board Member to CORE Committee, Discipline Committee, and the Committee of the Joint Boards of Nursing and Medicine
- 2018 Board Meeting Dates – FYI**
- First Half of 2018 Informal Conference Schedule

Education:

- Education Informal Conference Committee November 8, 2017 Minutes and Recommendations – Dr. Saxby
- Education Staff Report – Ms. Ridout (oral report)

10:00 A.M. - Giles County PN Students' Presentation

Public Comment

11:00 A.M – Stratford University Falls Church Baccalaureate Degree Registered Nursing Education Program will address the Board regarding the Education Special Conference Committee's recommendation

Legislation/Regulations:

- Status of Regulatory Actions – Ms. Yeatts**
- NOIRA for Eliminating of a Separate Prescriptive Authority License*
- Adoption of Final Regulations:
 - Accreditation of RN Education Programs*
 - Name Tag Requirement*
- Report on Legislative Proposals for 2018*

Consent Orders: (Closed Session)

- Virginia Burcham Miilu, RN*
- Lubov Andrea Smith, RMA*
- Norfolk State University Accelerated Baccalaureate Degree Registered Nursing Education Program*
- Felicia Elouise Hall, LPN**
- Deborah Brody, RN**
- Beverly Sue Jacks, RN
- Tamara Cunningham, RN

12:00 P.M. – Lunch

ADJOURNMENT

3:00 PM Nurse Aide Curriculum Committee Meeting
Board Members – Ms. Phelps* and Mr. Monson
Board Staff – Dr. Saxby and Ms. Krohn

(* mailed 10/25) (** mailed 11/1) (***) mailed 11/7)

Our mission is to assure safe and competent practice of nursing to protect the health, safety and welfare of the citizens of the Commonwealth.

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 18, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:06 A.M. on September 18, 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
Margaret J. Freidenberg, Citizen Member
Trula Minton, MS, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC

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

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Anita Arrowood, LPN 0002-093827
Ms. Arrowood appeared.

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

Kim Martin, Senior Investigator, Department of Health Professions, testified via telephone. Penny Harvey, Market Asset Protection Manager at Virginia Beach Wal-Mart, and Michael Henson, Market Health and Wellness Pharmacist Director at Virginia Beach Wal-Mart, 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 11:45 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Arrowood. 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 12:16 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 Mr. Bulger and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Phelps moved the Board of Nursing reprimand Anita Marie Arrowood and to require her to complete NCSBN course called "*Professional Accountability and Legal Liability for Nurses*" within 90 days from entry of the Order. The motion was seconded and carried with four votes in favor of the motion. Dr. Hahn and Mr. Monson 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 12:20 P.M.

RECONVENTION:

The Board reconvened at 1:20 P.M.

Senior Nursing Students from VCU joined the meeting.

FORMAL HEARINGS:

David Workman Mitchell, RN 0001-143493

Mr. Mitchell appeared represented by Jessica Robinson, his attorney.

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 2:25 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Mitchell. 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 3:00 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.

Mr. Monson 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:

Ms. Minton moved that the Board of Nursing approve Mr. Mitchell's application for reinstatement of a valid in Virginia only license to practice professional nursing in the Commonwealth of Virginia contingent upon his successful completion of a Board approved RN refresher course. The motion was seconded and passed 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.

VCU students left the meeting at 3:07 P.M.

Ms. Krohn left the meeting at 3:07 P.M.

FORMAL HEARINGS:

Paula Susan Sparrow High, RN 0001-188504

Ms. High appeared.

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

Margaret Starks, Senior Investigator, Department of Health Professions, and Rebecca Britt, Case Manager, Virginia Health Practitioners' Monitoring Program (HPMP), 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 4:01 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. High. 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 4:12 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.

Ms. Minton 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. Phelps moved that the Board of Nursing reprimand Paula Susan Sparrow High and indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia for a period of not less than two (2) years. The motion was seconded and passed 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. Krohn rejoined the meeting at 4:12 P.M.

FORMAL HEARINGS:

Melinda Lauraine Byrd Rollins, RN 0001-150148

Ms. Rollins appeared.

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

Stephanie Fried and Sharon Squires, Senior Investigators, Department of Health Professions, 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 5:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Rollins. 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 5:26 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 Mr. Kazzie, and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Phelps moved that the Board of Nursing reprimand Melinda Lauraine Byrd Rollins, reinstate her license to practice professional nursing in the Commonwealth of Virginia, and place her license on probation for one year of active employment with terms. The motion was seconded and passed 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: **Lisa Clements Lucas, RN 0001-164450**
Ms. Clements appeared accompanied by Cindi Clements, her Step-Mother.

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

Patricia Dewey and Kim Martin, Senior Investigators, Department of Health Professions, and Cyndi Clements, 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 6:48 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lucas. 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 6:59 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 Mr. Bulger, and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Mr. Monson moved that the Board of Nursing deny the application for reinstatement of Lisa Clements Lucas' license to practice professional nursing in the Commonwealth of Virginia, continue her license on indefinite suspension with suspension stayed contingent upon entry into Virginia Health Practitioners' Monitoring Program (HPMP) and in compliance with all terms of the HPMP. The motion was seconded and passed 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 7:00 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
MINUTES
September 19, 2017**

TIME AND PLACE: The meeting of the Board of Nursing was called to order at 9:10 A.M. on September 19, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President
Laura Freeman Cei BS, LPN, CCRP
Alice Clark, Citizen Member
Margaret J. Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, FACHE
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Mark D. Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
Dustin Ross, DNP, MBA, RN, NE-BC

BOARD MEMBERS ABSENT:

Marie Gerardo, MS, RN, ANP-BC; Secretary
Regina Gilliam, LPN
Trula Minton, MS, RN

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Jodi P. Power, RN, JD; Senior Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Stephanie Willinger; Deputy Executive Director
Linda Kleiner, RN, Discipline Case Manager
Paula B. Saxby, RN, PhD; Deputy Executive Director
Charlette Ridout, RN, MS, CNE; Senior Nursing Education Consultant
Ann Tiller, Compliance Manager
Huong Vu, Executive Assistant

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Lisa Hahn, Department of Health Professions Chief Deputy
Elaine Yeatts, Senior Policy Analyst, Department of Health Professions

IN THE AUDIENCE:

W. Scott Johnson, Medical Society of Virginia (MSV)

ESTABLISHMENT OF A QUORUM:

With 11 members present, a quorum was established.

ANNOUNCEMENTS:

Dr. Hahn welcomed four New Board Members to the Board, they are:

- Laura F. Cei, BS, LPN, CCRP
- Margaret Joan Friedenberg, Citizen Member

- Michelle D. Hereford, MSHA, RN, FACHE
- Ethlyn McQueen-Gibson, DNP, MSN, RN, BC

Dr. Hahn also welcomed Dr. Hills as new Deputy Executive Director for Advanced Practice to the Board. Dr. Hahn then asked Board Members and Staff to introduced themselves.

Dr. Hahn acknowledged that Ms. Douglas was honored as a recipient of the 15 Year Executive Officer Recognition Award and for three years of service to Executive Committee of the NLCA. Additionally, Ms. Douglas was elected as Vice Chair of the New NLC Commission.

UPCOMING MEETINGS: Ms. Douglas noted the upcoming meetings on the agenda and added that if anyone is interest in attending the 2017 NCSBN Leadership and Public Policy Conference to let her or Dr. Hahn know.

DIAGLOGUE WITH DHP DIRECTOR:

Lisa Hahn, DHP Chief Deputy, welcomed new Board Members and Staff. She then provided the following information on behalf of Dr. Brown:

- DHP has acquired new space on the first floor where the Copy Center, Reception, IT, and DHP Call Center staff will be located. DHP anticipated the move to be completed by Thanksgiving. Phase I will be the moving of 23 – 25 staff to the first floor. Phase II will be the moving of Board of Dentistry (BOD) staff to the Data area and reconfigure small Boards into BOD space. Phase III will be expanding Board of Nursing space. There are Customer Service and Copy/Mailroom Workgroups currently discussing the implications of the move.
- Continuance requests have impacted the Virginia Performs results through the Key Performance Measures (KPMs) of DHP. Beginning October 2017, once the continuance is granted, the clock will stop in the DHP case tracking system. This will ensure that Boards are not penalized for the variables that are outside of their control. Ms. Douglas explained further that KPMs are ways to measure disciplinary processes related to and patient care cases which are to be processed within 250 business days.
- DHP is developing Board training videos such Sanction Reference Points (SRPs) and probable cause (PC) review, which will be available on DHP website.
- From the 2017 Legislative session, two statewide workgroups were convened, Opioid Curriculum for healthcare providers and ePrescribing.
- DHP has added “File Complaint” icon to the DHP website as easy method to file complaints electronically. This was implemented September 1, 2017.

Lisa Hahn thanked Board Members for their service.

ORDERING OF AGENDA: Dr. Hahn asked staff to provide additions and/or modifications to the Agenda.

Ms. Douglas indicated the following items have been added and/or modified to the agenda for Board consideration:

- Guidance Document 90-6 (PICC Line Insertion and Removal) Committee July 18, 2017 Meeting Minutes and Proposed Amendments to GD 90-6 has been removed
- Special Conference Committee Composition has been added
- Education Informal Conference Committee September 13, 2017 Minutes and Recommendations has been added
- Education Special Conference Committee 2018 dates has been added
- Five additional Consent Orders have been added
- Board Development Workshop REVISED Agenda and Materials have been added

Ms. Power added the following:

- On Wednesday, September 20, Panel A – written response has been received from Monika Betty Lane, RN (# 17) and Erika Nicole Lam, RMA (#45) has been added for consideration of the Agency Subordinate recommendations. The Formal Hearings of Tangela Davis has been continued. Ryan Hypes, CNA has signed Consent Order (CO), if the Board accepts his CO, then his Formal Hearing scheduled for 2 pm will be cancelled.
- On Wednesday, September 20, Panel B – written response has been received from Ethel Elayne Beatty Shipp, CNA (#28) for consideration of the Agency Subordinate recommendations. Dr. Poston is removed and Ms. Friedenbergl is scheduled to leave at 4 pm.
- Shiane Overstreet, CNA has signed Consent Order (CO), if the Board accepts his CO, then his Formal Hearing scheduled for 9 am on Thursday, September 21, will be cancelled.

CONSENT AGENDA: The Board did not remove any items from the consent agenda.

Mr. Monson moved to accept the consent agenda as presented. The motion was seconded and carried unanimously.

Minutes:

July 17, 2017 Panel – Dr. Hahn
July 18, 2017 Quorum – Dr. Hahn
July 19, 2017 Panel – Dr. Hahn
July 19, 2017 Panel – Ms. Hershkowitz
July 20, 2017 Panel – Ms. Hershkowitz

Reports:

Agency Subordinate Tracking Log
Finance Report as of June 30, 2017
Board of Nursing Monthly Tracking Log
Health Practitioners Monitoring Program Reports

REPORTS:

Executive Director Report:

Ms. Douglas noted that Board staff attended various meetings and highlighted the following from her written report:

- Meeting with Virginia Hospital and Health Care Association (VHHA) regarding processing of nursing licensure applications – the first meeting was on March 28, 2017. The second meeting was on September 14, 2017, 12 Chief Nursing Officers (CNO) attended as well as VHHA Leadership who acknowledged improvement in application processing time.
- Ms. Douglas will be presenting the Enhanced Nurse Licensure Compact (eNLC) and NURSYS information at Virginia Organization of Nurse Executives & Leaders (VONEL) on November 17, 2017.

Nurse Licensure Compact (NLC) Commission August 15, 2017 Meeting Report

Ms. Douglas stated that it was an interesting meeting where the old/current NLC meeting was convened in the morning and the new eNLC Commission meeting was convened in the afternoon with 120 people attending. She noted that most states will be in new Compact and there was discussion what to do with states that are not in the new Compact. She added that the new Compact went into effect on July 20, 2017 and is scheduled to be implemented on January 19, 2018. She said that more information will be provided at the Board Development Workshop this afternoon.

NCSBN August 16-18, 2017 Annual Meeting Report:

Dr. Ross reported the following:

- It was great and organized conference.
- Canada and its provinces are expanding their relationship with NCSBN.
- Nursing Simulation was also a topic discussed - a pre-licensure nursing education program may use simulation as a substitute for traditional clinical experiences, not to exceed 50% of its clinical hours.
- Lecture about Mercy's Virtual Nursing which is basically a tele call center that coordinates healthcare providers.
- Dr. John Edward Hasse gave a very informative lecture about the dynamics of partnerships using celebrity musicians.

Mr. Monson reported the following:

- It was very well organized conference.
- Presentations were very interesting but more focused on nursing practice versus regulation.

Mr. Monson thanked the Board for the opportunity to attend the meeting.

Ms. Douglas reported the following:

- Bylaw discussion referencing allowing Canada with full membership since they have been using NCLEX since 2010. For those who don't use NCLEX exam, they can have associate membership.
- Some States don't want global approach/involvement
- NURSYS facilitates communication between states regarding licensees. NURSYS is a coordinated Licensure and Discipline data base. States not participating in NURSYS are being encouraged to join.
- Mary Wakefield, PhD, RN, Former Acting Deputy Secretary, US Department of Health and Human Services (HHS) provided an informative presentation regarding when to engage external partners in the regulatory process, noting that the Board may want to consider the following when convening Committees or Workgroups:
 - Who has the stake in the process?
 - Who has the stake in the work because of their expertise?
 - What is the value added?
 - What do the stakeholders hope to gain?

PUBLIC HEARING:

To receive comments on Proposed Amendment to the Name Tag Requirement, 18VAC90-19-50, and Proposed Accreditation of RN Educational Programs, 18VAC90-27-10.

The Board received no comment.

Dr. Hahn stated that written comments should be submitted Ms. Yeatts and the public comment period will end on September 22, 2017.

REPORTS (Cont.):

Guidance Document (GD) 90-57, Bylaws, Committee July 18, 2017

Meeting minutes:

Ms. Hershkowitz reviewed the minutes and reported that the Committee will meet again tomorrow, Wednesday, September 20, 2017. She asked Board members to make aware of any comments in areas identified in the minutes.

Board of Health Professions (BHP) August 31, 2017 Meeting report:

In the absence of Ms. Minton, Ms. Yeatts reported that BHP is an advisory Board to the Department and it conducts studies on the need for regulation of professions. She reviewed the following actions taken by BHP at its August 31 meeting:

- The Board declined a request for a study of the value of licensing Naturopathic Doctors (NDs) from the Alliance of Natural Health.

- The Board agreed to study the need for regulations of the practice of art therapy from the Virginia Art Therapy Association.
- The Board accepted the recommendation of the Regulatory Research Committee to not license Certified Anesthesiology Assistants (CAAs).

CORE Committee May 16, 2017 Meeting Minutes:

Dr. Poston noted that the CORE Discipline Report will be presented at the Board November 2017 meeting.

Mr. Monson moved to accept the CORE Committee May 16, 2017 minutes. The motion was seconded and carried unanimously.

OTHER MATTERS:

Board Counsel Update:

Ms. Mitchell stated that the Board has no appeals pending and reviewed the following:

- Mandatory Suspension, §54.1-2409, is an action of the DHP Director under certain circumstances outlined in the law. Ms. Douglas added that the Board has not taken action against the licensee yet.
- Summary Suspension, §54.1-2408.1, is an action of the Board. Ms. Douglas added that this action can be conducted through telephone conference call if the Board is not able to convene in person.
- Members of the Board are here to serve the Commonwealth and to protect the public so be mindful of maintaining neutrality and appearances at all time.

Ms. Douglas stated that the Board speaks through its minutes and Orders. She reminded Board members not to engage with the public about items on the agenda that the Board will discuss at its meeting. Ms. Douglas encouraged Board Members to refer the matters to Board staff.

American Nurses Credentialing Center (ANCC) and CGFNS International, Inc. Announcement Exclusive Strategic Partnership for international Credentialing

Dr. Hahn stated that this is provided for information only.

RECESS: The Board recessed at 10:20 AM

RECONVENTION: The Board reconvened at 10:35 AM

EDUCATION: **Education Special Conference Committee August 31, 2017 Recommendations:**

Ms. Phelps chaired the meeting.

Representatives from South University BSN Program at Virginia Beach accompanied by Anthony Troy, legal counsel, appeared and addressed the

recommendations of the Education Special Conference Committee to the Board.

Dr. Hahn, Ms. Hershkowitz, Dr. Saxby, Ms. Ridout, and Ms. Power left the meeting at 10:45 A.M.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:45 A.M. for the purpose of deliberation to consider the recommendations of the Education Special Conference Committee regarding South University BSN Program at Virginia Beach. Additionally, Mr. Monson moved that Ms. Douglas, Dr. Hills, Ms. Krohn, Ms. Willinger, Ms. Kleiner, Ms. Tiller, Ms. Vu, 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 11:00 A.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. Ross moved to accept the August 31, 2017 recommended Order of the Education Special Conference Committee to continue South University BSN Program at Virginia Beach on initial approval with terms and conditions. The motion was seconded and passed unanimously.

Dr. Hahn, Ms. Hershkowitz, Dr. Saxby, Ms. Ridout, and Ms. Power re-joined the meeting at 11:00 A.M.

Dr. Hahn resumed as Chair.

OTHER MATTERS

Cont.:

Special Conference Committee (SCC) Composition

Ms. Douglas stated that the SCCs meet on the even months for informal conferences. Dr. Hahn noted that the handout SCC Composition will be effective for December 2017.

Ms. Krohn noted that volunteers are needed for four dates in October 2017 and a handout will be passed out for Board members' consideration.

Ms. Douglas said that Ms. Krohn will e-mail each SCC with dates for the first half of 2018 for consideration. She added that Ms. Vu will be polling Board

members for availability of telephone conference call for possible summary suspension on October 3, 4, or 10, 2017.

Simulation Guidance Document 90-24 (The Use of Simulation in Nursing Education in Lieu of Direct Client Care) Committee Report

Dr. Hahn stated that the guidance document (GD) was updated with input from stakeholders to make it relevant and current. Dr. Saxby added that the GD includes comprehensive review from stakeholders and is presented for Board consideration.

Ms. Hershkowitz noted that *Virtual Computer Based Simulation* in defined terms are not referenced in the GD. Dr. Saxby said that it is a recognized technology in simulation education.

Ms. Hershkowitz moved to accept the revision of GD 90-24 as presented. The motion was seconded and carried unanimously.

EDUCATION (Cont.):

Education Special Conference Committee August 31, 2017 Minutes:

Mr. Monson moved to accept the Education Special Conference Committee August 31, 2017 minutes as presented. The motion was seconded and carried unanimously.

Education informal Conference Committee September 13, 2017 Minutes and Recommendation:

Mr. Monson moved to accept the Education Special Conference Committee September 13, 2017 minutes as presented. The motion was seconded and carried unanimously.

Mr. Monson moved to initiate a Fast Track amendment to regulation 18VAC90-27-70 (D) to delete the word "*admission*" and substitute "*clinical experience involving direct patient care*"; and add a definition of "*full approval*" to the definition section 18VAC90-27-10 to read "*Compliance with regulations pertaining to nursing education programs can be verified.*" he motion was seconded and carried unanimously.

Dr. Hahn noted that staff will be asking Board members to serve on Education Special Conference Committee for 2018. She added that the 2018 dates are in the handout of the Agenda.

Education Staff Report:

Ms. Ridout stated that she has no additional information to report.

Mary Marshal Scholarship Fund:

Dr. Saxby reviewed the program funds for the Board and noted that the Board has a cap of \$65,000 per year to distribute.

LEGISLATION/
REGULATION:

Status of Regulatory Action:

Ms. Yeatts reviewed the chart of regulatory actions, as provided in written handout, noting Emergency Regulations for Prescribing of Opioids went in effect as of September 18, 2017.

Massage Therapy Proposed Regulatory Action:

Ms. Yeatts stated following a Period Review of regulations by the Advisory Board on Massage Therapy, the Board adopted proposed regulations to amend Chapter 50, Regulations Governing the Licensure of Massage Therapists. She noted that a public hearing was conducted at the Board July 2017 meeting and one comment was received. She added that the final proposed amendments to 18VAC90-50-10 are presented for Board consideration and action.

Ms. Hershkowitz moved to adopt the final amendments to 18VAC90-50-10 as proposed. The motion was seconded and carried unanimously.

Ms. Yeatts and Lisa Hahn left the meeting at 11:42 A.M.

CONSIDERATION OF CONSENT ORDERS:

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:42 A.M. for the purpose of deliberation to consider consent orders. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Power, Dr. Hills, Ms. Krohn, Ms. Willinger, Dr. Saxby, Ms. Ridout, Ms. Kleiner, Ms. Tiller, Ms. Vu, 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 12:00 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.

Alexandria Denise Blackmon, RN 0001-240305

Mr. Monson moved to accept the consent order to reinstate the license of Alexandria Denise Blackmon to practice professional nursing in the Commonwealth of Virginia but to continue her license on indefinite suspension, said suspension applies to any multistate privilege. The suspension is stayed and shall remain stayed contingent upon Ms. Blackmon'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.

Melony J. Blake, RN 0001-206881

Mr. Monson moved to accept the consent to reinstate the license of Melony J. Blake to practice professional nursing in the Commonwealth of Virginia without restriction. The motion was seconded and carried unanimously.

Daniel John Braia, Jr., RN 0001-195637

Ms. Hershkowitz moved to accept the consent order to reinstate the license of Daniel John Brai, Jr. to practice professional nursing in the Commonwealth of Virginia without restriction. The motion was seconded and carried unanimously.

George Wilson Cobbler, III, RN 0001-239984

Mr. Monson moved to accept the consent order to indefinitely suspend the license of George Wilson Cobbler, III, to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The suspension shall be stayed upon proof of Mr. Cobbler's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and he shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Amanda Michelle Deguel, RN 0001-256141

Ms. Hershkowitz moved to accept the consent order to indefinitely suspend the license of Amanda Michelle Deguel, to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The suspension shall be stayed upon proof of Ms. Deguel's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and he shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Ryan Hypes, CNA 1401-160101

Mr. Monson moved to accept the consent order to indefinitely suspend the certificate of Ryan Hypes to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Laurie Ann Jesz, RN 0001-161023

Ms. Hershkowitz moved to accept the consent order to indefinitely suspend the license of Laurie Ann Jesz, to practice professional nursing in the Commonwealth of Virginia, said suspension applies to any multistate privilege. The suspension shall be stayed upon proof of Ms. Jesz's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP)

and he shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Shiane M. Overstreet, CNA 1401-183050

Mr. Monson moved to accept the consent order to indefinitely suspend the certificate of Shiane M. Overstreet to practice as a nurse aide in the Commonwealth of Virginia. The suspension shall be stayed upon proof of Ms. Overstreet's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and she shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

ADJOURNMENT: As there was no additional business, the meeting was adjourned at 12:05 P.M.

RECONVENTION: The Board reconvened at 1:00 P.M. to consider an additional Consent Order.

PRESIDING: Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President
Laura Freeman Cei BS, LPN, CCRP
Alice Clark, Citizen Member
Margaret J. Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, FACHE
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Mark D. Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Jodi P. Power, RN, JD; Senior Deputy Executive Director
Linda Kleiner, RN, Discipline Case Manager
Ann Tiller, Compliance Manager
Huong Vu, Executive Assistant

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:00 P.M. for the purpose of deliberation to consider consent orders. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Power, Ms. Kleiner, Ms. Tiller, Ms. Vu, 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 1:20 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.

Tammy Street Hall, RN 0001-134391

Mr. Monson moved to accept the consent to reinstate the license of Tammy Street Hall to practice professional nursing in the Commonwealth of Virginia without restriction. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 1:22 P.M.

Joyce Hahn, PhD, RN, NEA-BC, FNAP
President

VIRGINIA BOARD OF NURSING
MINUTES
September 20, 2017
Panel – A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:10 A.M. on September 20, 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
Laura Cei, BS, LPN, CCRP
Alice Clark, Citizen Member
Ethlyn McQueen-Gibson, MSN, RN, BC
Trula Minton, MS, RN
Jennifer Phelps, LPN, QMHPA

STAFF PRESENT:

Jay Douglas, MSM, RN, CSAC, FRE; Executive Director
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 six members of the Board present, a panel was established

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

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 9:11 A.M., for the purpose of consideration of the agency subordinate recommendations. Additionally, Ms. Phelps moved that Ms. Douglas, 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 9:40 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.

Adele Crane Arevalo, RN 0001-200024

Ms. Arevalo did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Adele Crane Arevalo to practice professional nursing in the Commonwealth of Virginia. The suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Courtney Elizabeth Downs, RN 0001-246175

Ms. Downs did not appear.

Ms. Minton moved that the Board of Nursing accept the recommendation decision of the agency subordinate to reprimand Courtney Elizabeth Downs and to indefinitely suspend the her license to practice professional nursing. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Kelli Nicole Fogus, LPN 0002-081518

Ms. Fogus did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Kelli Nicole Fogus to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The suspension shall be stayed upon proof of Ms. Fogus' 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.

Jonathan Clifton Scott Hale, CNA 1401-172833

Mr. Hale did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right of Jonathan Clifton Scott Hale to renew his certificate to practice as nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Joanne A. Annab, CNA 1401-151500

Ms. Annab did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Joanne A. Annab to practice as 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.

Jessica Tolley Snead, RN 0001-174757

Ms. Snead did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jessica Tolley Snead and to indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Ladonna A. Enoh, LPN 0002-066429

Ms. Enoh did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Ladonna A. Enoh and to require her to successfully complete the NCSBN courses within 60 days from the date of entry of the Order:

- *Documentation: A Critical Aspect of Client Care; and*
- *Medication Errors: Causes & Prevention*

The motion was seconded and carried unanimously.

Robyn Crotty Dooley, RN 0001-107240

Ms. Dooley did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Robyn Crotty Dooley to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Monika Betty Lane, RN 0001-171840

Ms. Lane did not appear but submitted written response.

Dr. McQueen-Gibson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Monika Betty Lane to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Kirim Robertson, CNA 1401-171914

Ms. Robertson did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Kirim Robertson to practice as a 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.

Tina M. Oakley, CNA 1401-168412

Mr. Oakley did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Tina M. Oakley. The motion was seconded and carried unanimously.

Jasmine A. Jones, CNA 1401-176126

Mr. Jones did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jasmine A. Jones. The motion was seconded and carried unanimously.

Charlene Daniel, CNA 1401-101879

Ms. Daniel did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Charlene Daniel. The motion was seconded and carried unanimously.

Janeen Lynn Segar, CNA 1401-012701

Ms. Segar did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Janeen Lynn Segar. The motion was seconded and carried unanimously.

Lasheenia Treenice Hickson, RMA 0031-001501

Ms. Hickson did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Lasheenia Treenice Hickson. The motion was seconded and carries unanimously.

Sondra Tarita McCullough, CNA 1401-100460

Ms. McCullough did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Sondra Tarita McCullough to practice as a nurse aide in the Commonwealth of Virginia for not less than one year. The motion was seconded and carried unanimously.

Brandi N. Eichelberger, RN 0001-250099

Mr. Eichelberger did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Brandi N. Eichelberger and to indefinitely suspend her right to renew her license to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Kristal Criswell, LPN. Arizona License Number LP49445 with Multistate Privilege

Ms. Criswell did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of Kristal Criswell to renew her privilege to practice practical nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Teresa Finney Wagoner, CNA 1401-139235

Mr. Wagoner did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Teresa Finney Wagoner. The motion was seconded and carried unanimously.

Deborah Carrie Goode-Toms, CNA 1401-008373

Ms. Goode-Toms did not appear.

Ms. Minton moved that the Board of Nursing modify the recommended decision of the agency subordinate to remove 18VAC90-25-100(2)(e) in number 2 of the recommended Findings of Fact and Conclusions of Law. The motion was seconded and carried unanimously.

Regina Natan Gadson, CNA **1401-102787**
Ms. Gadson did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Regina Natan Gadson 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.

Nicole Renee Cofer, RN **0001-218055**
Ms. Cofer did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Nicole Renee Cofer to practice professional nursing in the Commonwealth of Virginia. The suspension shall be stayed upon proof that Ms. Cofer's re-entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Erika Nicole Lam, RMA **0031-007524**
Ms. Lam did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registration of Erika Nicole Lam to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

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

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 20, 2017
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:08 A.M. on September 20, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce Hahn, PhD, RN, NEA-BC, FNAP; President
Laura F. Cei, BS, LPN, CCRP
Alice Clark, Citizen Member
Trula Minton, MS, RN
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Jennifer Phelps, LPN, QMHPA

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing Students from Bon Secours Memorial College
Senior Nursing Students from George Washington University

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Geraldine Nonye Okoro Raphael Davis, RN – Texas License # 632007
Ms. Davis appeared.

Anne Joseph, Deputy Director for the Administrative Proceeding Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Theresa Pata, 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 10:48 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Davis. Additionally, Ms. Phelps moved that Ms. Douglas, 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 11:10 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.

Ms. Minton moved that the Board of Nursing accept the findings of fact presented by Ms. Joseph and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Cei moved that the Board of Nursing deny the application of Geraldine Nonye Okoro Raphael Davis for reinstatement of her Virginia multistate privilege. The motion was seconded and carried with five votes in favor of the motion. Ms. Clark 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:

Jennifer Donnelly Puckett, RN 0001-137000

Ms. Puckett did not appear.

Steve Bulger, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Theresa Pata, court reporter with Crane-Snead & Associates, recorded the proceedings.

Pam Twombly, Enforcement Deputy Director, Department of Health Professions, and Marjonie Sinclair, Bon Secours DePaul 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 12:25 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Puckett. Additionally, Ms. Phelps moved that Ms. Douglas, 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 12:38 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. Clark moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Bulger and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Minton moved that the Board of Nursing indefinitely suspend the license of Jennifer Donnelly Puckett to practice practical nursing in the Commonwealth of Virginia for a period of not less than one year. 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 12:45 P.M.

RECONVENTION: The Board reconvened at 1:15 P.M.

FORMAL HEARINGS: **Nadira Tiasha Carey, LPN 0002-078222**
Ms. Carey did not appear.

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

Sherry Foster and Marian McLean, Senior Investigators, Department of Health Professions, and Jill Strickland, Administrator, Roxboro Healthcare and Rehabilitation 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 1:54 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carey. Additionally, Ms. Phelps moved that Ms. Douglas, 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 2:05 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. Clark moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph. The motion was seconded and carried unanimously.

ACTION:

Ms. Minton moved that the Board of Nursing deny the application of Nadira Tiasha Carey for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia and continue her license on indefinite suspension for a period of not less than one year. 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 2:10 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
MINUTES
September 20, 2017
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on September 20, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA, Vice President
Margaret J. Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Mark Monson, Citizen Member
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jodi Power, RN, JD; Senior Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant

OTHERS PRESENT:

Erin Barrett, 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:

Sherri Lynn Flurnoy Thompson, CNA 1401-032660
Ms. Thompson appeared.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:11 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Thompson. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 9:15 A.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.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Sherri Lynn Flurnoy Thompson 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.

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:20 A.M., for the purpose of consideration of the remaining agency subordinate recommendations. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 9:56 A.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.

Heather J. Peterson, LPN 0002-081028

Ms. Peterson 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 Heather J. Peterson to practice practical nursing in the Commonwealth of Virginia for a period of not less than two years from the date of entry of the Order. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Revai Marie Perri, RN 0001-204769

Ms. Perrin 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 Revai Marie Perri to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years from the date of entry of the Order. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Anita Bradley, RN Tennessee License # 59076 with Multistate Privileges

Ms. Bradley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the privilege of Anita Bradley to

practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Brittany Lee Savoy, CNA 1401-146794

Ms. Savoy did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Brittany Lee Savoy 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.

Felicia F. Franklin, CNA 1401-151563

Ms. Franklin did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Felicia F. Franklin to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse and Misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Carrie Ann Dart, RN 0001-207545

Ms. Dart 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 Carrie Ann Dart to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Vicki Rena Rutherford, RN 0001-205493

Ms. Rutherford 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 against Vicki Rena Rutherford, contingent upon her entry into the Virginia Health Practitioners' Monitoring Program (HPMP) within 90 days of the date of the Order. Thereafter, Ms. Rutherford shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Adrienne Marie Borek, RN 0001-255529

Ms. Borek did not appear.

Dr. Ross moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an Order making Findings of Fact and Conclusions of Law, but to impose no sanction against Adrienne Marie Borek, RN. The motion was seconded and carried unanimously.

Rebecca Walker Riley, CNA 1401-139095
Ms. Riley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Rebecca Walker Riley 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.

Ashley Nicole Smith, CNA 1401-163951
Ms. Smith did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Ashley Nicole Smith 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.

Lashunda Johnson, CNA 1401-145094
Ms. Johnson did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Lashunda Johnson 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.

Keith Hale, CNA 1401-178818
Mr. Hale did not appear.

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

Ethel Elayne Beatty Shipp, CNA 1401-036361
Ms. Shipp did not appear but submitted written response.

Dr. Ross moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Ethel Elayne Beatty Shipp to practice as a 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 with four votes in favor of the motion. Ms. Hereford opposed the motion.

Ashley D. Goodman, CNA 1401-156477
Ms. Goodman did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Ashley D. Goodman to practice as a nurse aide in the Commonwealth of Virginia . The motion was seconded and carried unanimously.

Jameelah A. Johnson, CNA 1401-094273
Ms. Johnson did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Jameelah A. Johnson to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than one year. The motion was seconded and carried unanimously.

Takia Carter Tinsley, LPN 0002-068271
Ms. Tinsley 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 Takia Carter Tinsley to practice practical nursing in the Commonwealth of Virginia for a period of not less than one year. The suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

David L. Gautier, Jr., CNA 1401-108052
Mr. Gautier did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of David L. Gautier to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Neglect and Misappropriation of patient property against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Alisha Michelle Ball, RMA 0031-008974
Ms. Ball did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the registration of Alisha Michelle Ball to

practice as a medication aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Christina Irons, CNA **1401-137029**

Ms. Irons did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the certification of Christina Irons 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.

Solae J. Crane, CNA **1401-174560**

Ms. Crane did not appear.

Ms. Hershkowitz moved that the Board of Nursing modify the recommended decision of the agency subordinate to revoke the certificate of Solae J. Crane 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 with four votes in favor of the motion. Mr. Monson opposed the motion.

Heather Kiser Duty, RN **0001-153386**

Ms. Duty did not appear.

Mr. Monson moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Heather Kiser Duty and to impose a monetary penalty in the amount of \$1,000.00 to be paid within 120 days of entry of the Order. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:59 A.M.

Robin L. Hills, DNP, RN, WHNP
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 20, 2017
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:09 A.M. on September 20, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President, Chair
Margaret J. Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA – **Salyer and Wiley cases only**
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jodi Power, RN, JD; Senior Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant
Jane Elliott, RN, PhD; Discipline Staff – **Akridge case only**

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Teresa Anne Thomas, RN Reinstatement 0001-137655
Mr. Thomas did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Stephanie Fried and Ashley Hester, Senior Investigators, Department of Health Professions, were present and testified.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:35 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Thomas. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 10:41 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.

Ms. Hereford 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. Ross moved that the Board of Nursing deny the application of Teresa Anne Thomas for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and continue her license on indefinite suspension until she can come to the Board and prove that she is safe and competent to practice nursing. 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:

Karin Fink Howland, RN Reinstatement 0001-102225

Ms. Howland appeared and was represented by Eileen Talamante, her legal counsel.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Marcella Luna, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Howland. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 12:31 P.M.

Dr. Ross 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. Hereford 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:

Mr. Monson moved that the Board of Nursing approve the application of Karin Fink Howland for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia without restriction. 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 12:37 P.M.

RECONVENTION:

The Board reconvened at 1:15 P.M.

Ms. Power left the meeting at 1:15 P.M.

Dr. Elliott joined the meeting at 1:15 P.M.

FORMAL HEARINGS:

Adriane Monique Martin Akridge, RN 0001-237530

Ms. Akridge did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

James Wall, Senior Investigator, Department of Health Professions, and Elizabeth Dressler, Charge Nurse, Lewis Gale Medical Center, testified via telephone.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Akridge. Additionally, Dr. Ross moved that Dr. Elliott, Dr. Hills, Ms. Vu and Ms. Barrett 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 2:24 P.M.

Dr. Ross 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. Friedenberg 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:

Mr. Monson moved that the Board of Nursing issue and Order to reprimand Adriane Monique Martin Akridge and to require her to complete the following NCSBN courses within 90 days from the date of the Order:

- *Documentation: A Critical Aspect of Clinical Care*
- *Ethics of Nursing Practice*
- *Professional Accountability & Legal Liability for Nurses*
- *Medication Errors: Causes & Prevention*

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.

Dr. Elliott left the meeting at 2:25 P.M.

Ms. Power re-joined the meeting at 2:25 P.M.

FORMAL HEARINGS:

Kimberly Lambert, CNA 1401-102928

Ms. Lambert did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Kevin Pultz, Senior Investigator, Department of Health Professions, testified via telephone.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lambert. Additionally, Dr. Ross moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 3:02 P.M.

Dr. Ross 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. Monson 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:

Ms. Hereford moved that the Board of Nursing revoke the right of Kimberly Lambert to renew her certification to practice as a nurse aide in the Commonwealth of Virginia and make Findings of Abuse and Misappropriate of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried with four votes in favor of the motion. Mr. Monson 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. Friedenberg left the meeting at 3:04 P.M.

RECESS:

The Board recessed at 3:04 P.M.

RECONVENTION:

The Board reconvened at 3:10 P.M.

Ms. Phelps joined the meeting at 3:10 P.M.

FORMAL HEARINGS:

Edna Sanders Salyer, RN 0001-122917

Ms. Salyer appeared and was represented by Flux Neo, her legal counsel.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Jennifer Baker, Senior Investigator, Department of Health Professions, and Detective Michael Hall, Tazewell County Sheriff's Office, were present and testified. Kelly Wimmer, Family Service Specialist, Tazewell County Department of Social Services, testified via telephone.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:30 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Salyer. Additionally, Dr. Ross moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 7:21 P.M.

Dr. Ross 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. Hereford 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:

Mr. Monson moved that the Board of Nursing indefinitely suspend the right of Edna Sanders Salyers to renew her license to practice professional nursing in the Commonwealth of Virginia for a period of not less than three years and to impose a monetary penalty in the amount of \$2,500.00 to be paid to the Board within 120 days from the date of the Order. 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:

Janet E. Wiley, LPN 0002-079274

Ms. Wiley did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 7:57 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Wiley. Additionally, Dr. Ross moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 8:02 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.

Ms. Phelps 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. Ross moved that the Board of Nursing reprimand Janet E. Wiley and indefinitely suspend her license to practice practical nursing in the Commonwealth of Virginia until such time she can prove to the Board that she is safe and competent to practice nursing. 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 8:05 P.M.

Jodi Power, RN, JD
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 20, 2017
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:08 A.M. on September 20, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce Hahn, PhD, RN, NEA-BC, FNAP; President
Laura F. Cei, BS, LPN, CCRP
Alice Clark, Citizen Member
Trula Minton, MS, RN
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Jennifer Phelps, LPN, QMHPA

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing Students from Bon Secours Memorial College
Senior Nursing Students from George Washington University

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Geraldine Nonye Okoro Raphael Davis, RN – Texas License # 632007
Ms. Davis appeared.

Anne Joseph, Deputy Director for the Administrative Proceeding Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Theresa Pata, 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 10:48 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Davis. Additionally, Ms. Phelps moved that Ms. Douglas, 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 11:10 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.

Ms. Minton moved that the Board of Nursing accept the findings of fact presented by Ms. Joseph and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Ms. Cei moved that the Board of Nursing deny the application of Geraldine Nonye Okoro Raphael Davis for reinstatement of her Virginia multistate privilege. The motion was seconded and carried with five votes in favor of the motion. Ms. Clark 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:

Jennifer Donnelly Puckett, RN 0001-137000

Ms. Puckett did not appear.

Steve Bulger, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Theresa Pata, court reporter with Crane-Snead & Associates, recorded the proceedings.

Pam Twombly, Enforcement Deputy Director, Department of Health Professions, and Marjonie Sinclair, Bon Secours DePaul 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 12:25 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Puckett. Additionally, Ms. Phelps moved that Ms. Douglas, 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 12:38 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. Clark moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Bulger and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Minton moved that the Board of Nursing indefinitely suspend the license of Jennifer Donnelly Puckett to practice practical nursing in the Commonwealth of Virginia for a period of not less than one year. 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 12:45 P.M.

RECONVENTION: The Board reconvened at 1:15 P.M.

FORMAL HEARINGS: **Nadira Tiasha Carey, LPN 0002-078222**
Ms. Carey did not appear.

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

Sherry Foster and Marian McLean, Senior Investigators, Department of Health Professions, and Jill Strickland, Administrator, Roxboro Healthcare and Rehabilitation 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 1:54 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carey. Additionally, Ms. Phelps moved that Ms. Douglas, 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 2:05 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. Clark moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph. The motion was seconded and carried unanimously.

ACTION:

Ms. Minton moved that the Board of Nursing deny the application of Nadira Tiasha Carey for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia and continue her license on indefinite suspension for a period of not less than one year. 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 2:10 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
MINUTES
September 20, 2017
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on September 20, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA, Vice President
Margaret J. Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Mark Monson, Citizen Member
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jodi Power, RN, JD; Senior Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant

OTHERS PRESENT:

Erin Barrett, 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:

Sherri Lynn Flurnoy Thompson, CNA 1401-032660
Ms. Thompson appeared.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:11 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. Thompson. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 9:15 A.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.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Sherri Lynn Flurnoy Thompson 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.

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:20 A.M., for the purpose of consideration of the remaining agency subordinate recommendations. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 9:56 A.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.

Heather J. Peterson, LPN 0002-081028

Ms. Peterson 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 Heather J. Peterson to practice practical nursing in the Commonwealth of Virginia for a period of not less than two years from the date of entry of the Order. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Revai Marie Perri, RN 0001-204769

Ms. Perrin 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 Revai Marie Perri to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years from the date of entry of the Order. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Anita Bradley, RN Tennessee License # 59076 with Multistate Privileges

Ms. Bradley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the privilege of Anita Bradley to

practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Brittany Lee Savoy, CNA 1401-146794

Ms. Savoy did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Brittany Lee Savoy 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.

Felicia F. Franklin, CNA 1401-151563

Ms. Franklin did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Felicia F. Franklin to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse and Misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Carrie Ann Dart, RN 0001-207545

Ms. Dart 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 Carrie Ann Dart to practice professional nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

Vicki Rena Rutherford, RN 0001-205493

Ms. Rutherford 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 against Vicki Rena Rutherford, contingent upon her entry into the Virginia Health Practitioners' Monitoring Program (HPMP) within 90 days of the date of the Order. Thereafter, Ms. Rutherford shall comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Adrienne Marie Borek, RN 0001-255529

Ms. Borek did not appear.

Dr. Ross moved that the Board of Nursing accept the recommended decision of the agency subordinate to issue an Order making Findings of Fact and Conclusions of Law, but to impose no sanction against Adrienne Marie Borek, RN. The motion was seconded and carried unanimously.

Rebecca Walker Riley, CNA 1401-139095
Ms. Riley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Rebecca Walker Riley 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.

Ashley Nicole Smith, CNA 1401-163951
Ms. Smith did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Ashley Nicole Smith 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.

Lashunda Johnson, CNA 1401-145094
Ms. Johnson did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Lashunda Johnson 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.

Keith Hale, CNA 1401-178818
Mr. Hale did not appear.

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

Ethel Elayne Beatty Shipp, CNA 1401-036361
Ms. Shipp did not appear but submitted written response.

Dr. Ross moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Ethel Elayne Beatty Shipp to practice as a 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 with four votes in favor of the motion. Ms. Hereford opposed the motion.

Ashley D. Goodman, CNA 1401-156477
Ms. Goodman did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Ashley D. Goodman to practice as a nurse aide in the Commonwealth of Virginia . The motion was seconded and carried unanimously.

Jameelah A. Johnson, CNA 1401-094273
Ms. Johnson did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of Jameelah A. Johnson to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than one year. The motion was seconded and carried unanimously.

Takia Carter Tinsley, LPN 0002-068271
Ms. Tinsley 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 Takia Carter Tinsley to practice practical nursing in the Commonwealth of Virginia for a period of not less than one year. The suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

David L. Gautier, Jr., CNA 1401-108052
Mr. Gautier did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of David L. Gautier to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Neglect and Misappropriation of patient property against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Alisha Michelle Ball, RMA 0031-008974
Ms. Ball did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the registration of Alisha Michelle Ball to

practice as a medication aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Christina Irons, CNA **1401-137029**

Ms. Irons did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right to renew the certification of Christina Irons 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.

Solae J. Crane, CNA **1401-174560**

Ms. Crane did not appear.

Ms. Hershkowitz moved that the Board of Nursing modify the recommended decision of the agency subordinate to revoke the certificate of Solae J. Crane 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 with four votes in favor of the motion. Mr. Monson opposed the motion.

Heather Kiser Duty, RN **0001-153386**

Ms. Duty did not appear.

Mr. Monson moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Heather Kiser Duty and to impose a monetary penalty in the amount of \$1,000.00 to be paid within 120 days of entry of the Order. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:59 A.M.

Robin L. Hills, DNP, RN, WHNP
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 20, 2017
Panel – B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:09 A.M. on September 20, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President, Chair
Margaret J. Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA – **Salyer and Wiley cases only**
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jodi Power, RN, JD; Senior Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant
Jane Elliott, RN, PhD; Discipline Staff – **Akridge case only**

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Teresa Anne Thomas, RN Reinstatement 0001-137655
Mr. Thomas did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Stephanie Fried and Ashley Hester, Senior Investigators, Department of Health Professions, were present and testified.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:35 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Thomas. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 10:41 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.

Ms. Hereford 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. Ross moved that the Board of Nursing deny the application of Teresa Anne Thomas for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and continue her license on indefinite suspension until she can come to the Board and prove that she is safe and competent to practice nursing. 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:

Karin Fink Howland, RN Reinstatement 0001-102225

Ms. Howland appeared and was represented by Eileen Talamante, her legal counsel.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Marcella Luna, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Howland. Additionally, Mr. Monson moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 12:31 P.M.

Dr. Ross 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. Hereford 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:

Mr. Monson moved that the Board of Nursing approve the application of Karin Fink Howland for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia without restriction. 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 12:37 P.M.

RECONVENTION:

The Board reconvened at 1:15 P.M.

Ms. Power left the meeting at 1:15 P.M.

Dr. Elliott joined the meeting at 1:15 P.M.

FORMAL HEARINGS:

Adriane Monique Martin Akridge, RN 0001-237530

Ms. Akridge did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

James Wall, Senior Investigator, Department of Health Professions, and Elizabeth Dressler, Charge Nurse, Lewis Gale Medical Center, testified via telephone.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Akridge. Additionally, Dr. Ross moved that Dr. Elliott, Dr. Hills, Ms. Vu and Ms. Barrett 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 2:24 P.M.

Dr. Ross 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. Friedenberg 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:

Mr. Monson moved that the Board of Nursing issue and Order to reprimand Adriane Monique Martin Akridge and to require her to complete the following NCSBN courses within 90 days from the date of the Order:

- *Documentation: A Critical Aspect of Clinical Care*
- *Ethics of Nursing Practice*
- *Professional Accountability & Legal Liability for Nurses*
- *Medication Errors: Causes & Prevention*

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.

Dr. Elliott left the meeting at 2:25 P.M.

Ms. Power re-joined the meeting at 2:25 P.M.

FORMAL HEARINGS:

Kimberly Lambert, CNA 1401-102928

Ms. Lambert did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Kevin Pultz, Senior Investigator, Department of Health Professions, testified via telephone.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:50 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lambert. Additionally, Dr. Ross moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 3:02 P.M.

Dr. Ross 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. Monson 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:

Ms. Hereford moved that the Board of Nursing revoke the right of Kimberly Lambert to renew her certification to practice as a nurse aide in the Commonwealth of Virginia and make Findings of Abuse and Misappropriate of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried with four votes in favor of the motion. Mr. Monson 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. Friedenberg left the meeting at 3:04 P.M.

RECESS:

The Board recessed at 3:04 P.M.

RECONVENTION:

The Board reconvened at 3:10 P.M.

Ms. Phelps joined the meeting at 3:10 P.M.

FORMAL HEARINGS:

Edna Sanders Salyer, RN 0001-122917

Ms. Salyer appeared and was represented by Flux Neo, her legal counsel.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

Jennifer Baker, Senior Investigator, Department of Health Professions, and Detective Michael Hall, Tazewell County Sheriff's Office, were present and testified. Kelly Wimmer, Family Service Specialist, Tazewell County Department of Social Services, testified via telephone.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:30 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Salyer. Additionally, Dr. Ross moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 7:21 P.M.

Dr. Ross 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. Hereford 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:

Mr. Monson moved that the Board of Nursing indefinitely suspend the right of Edna Sanders Salyers to renew her license to practice professional nursing in the Commonwealth of Virginia for a period of not less than three years and to impose a monetary penalty in the amount of \$2,500.00 to be paid to the Board within 120 days from the date of the Order. 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:

Janet E. Wiley, LPN 0002-079274

Ms. Wiley did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Andrea Pegram, court reporter with Court Reporting Services LLC, recorded the proceedings.

CLOSED MEETING:

Dr. Ross moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 7:57 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Wiley. Additionally, Dr. Ross moved that Ms. Power, Dr. Hills, Ms. Vu and Ms. Barrett 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 8:02 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.

Ms. Phelps 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. Ross moved that the Board of Nursing reprimand Janet E. Wiley and indefinitely suspend her license to practice practical nursing in the Commonwealth of Virginia until such time she can prove to the Board that she is safe and competent to practice nursing. 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 8:05 P.M.

Jodi Power, RN, JD
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 21, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:34 A.M. on September 21, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Louise Hershkowitz, CRNA, MSHA; Vice President, Chair
Alice Clark, Citizen Member
Michelle D. Hereford, MSHA, RN, RACHE
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Dustin Ross, DNP, MBA, RN, NE-BC

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel
Senior Nursing Students from Bon Secours Memorial College
Practical Nursing Students from St. Mary's School of Practical Nursing
Senior Nursing Students from Bryant & Stratton College

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Chantil Moniker Carter, RMA 0031-008852
Ms. Carter did not appear.

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

Ann Hardy, 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 9:51 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carter. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 10:15 A.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. Hereford 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:

Dr. McQueen-Gibson moved that the Board of Nursing indefinitely suspend the registration of Chantil Moniker Carter to practice as medication aide in the Commonwealth of Virginia for a period of not less than one year. 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 10:18 A.M.

RECONVENTION:

The Board reconvened at 10:26 A.M.

FORMAL HEARINGS:

Kena Denise Williams, RMA 0031-000986
Ms. Williams did not appear.

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

Carol Rowe, Patient A's sister and Power of Attorney, and Cynthia N. Payne, Administrator at Mayfair House Assisted Living, testified via telephone.

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 10:52 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Williams. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 11:11 A.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. Ross 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:

Ms. Hereford moved that the Board of Nursing indefinitely suspend the registration of Kena Denise Williams to practice as medication aide in the Commonwealth of Virginia until she can prove to the Board that she is safe and competent to practice as medication aide. The motion was seconded and carried with four votes in favor of the motion. Dr. Ross 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. Douglas and the students left the meeting at 2:16 P.M.

FORMAL HEARINGS:

William Andrew Stanley, RMA 0031-009217

Mr. Stanley did not appear.

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

Laura Pezzulo, Senior Investigator, Department of Health Professions, and officer Josh Taylor, Marion Police Department, testified via telephone.

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 11:45 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Stanley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 12:01 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. McQueen-Gibson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines. The motion was seconded and carried unanimously.

ACTION: Ms. Hereford moved that the Board of Nursing revoke the registration of William Andrew Stanley to practice as a medication aide 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 12:02 A.M.

RECONVENTION: The Board reconvened at 1:09 P.M.

FORMAL HEARINGS: **Janet Gardner Townley, RN Reinstatement 0001-134808**
Ms. Townley appeared.

Ann Joseph, Deputy Executive Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Joyce Johnson, 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 2:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Townley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 2:23 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. Hereford moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph. The motion was seconded and carried unanimously.

ACTION: Dr. Ross moved that the Board of Nursing deny the application of Janet Gardner Townley for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and continue her license on indefinite suspension for a period of not less than one year from the date of entry of the Order. 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: **Jessica Lynn Yao, RN Reinstatement 0001-257591**
Ms. Yao appeared.

Steve Bulger, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

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 3:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Yao. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 4:18 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. McQueen-Gibson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Bulger. The motion was seconded and carried unanimously.

ACTION: Dr. Ross moved that the Board of Nursing approve the application of Jessica Lynn Yao for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and place her on probation with terms. 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.

Students left the meetings at 4:20 P.M.

FORMAL HEARINGS: **Amy Bramlett Dooley, LPN 0002-081570**
Ms. Dooley did not appear.

Ann Joseph, Deputy Executive Director, Administrative Proceedings Division. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Jessica Wright, Senior Investigator, Department of Health Professions, was present and testified. Dawn France, Case Manager, Virginia Health Practitioners' Monitoring Program, testified via telephone.

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 4:46 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Dooley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 4:52 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. Ross moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph. The motion was seconded and carried unanimously.

ACTION: Ms. Hereford moved that the Board of Nursing reprimand Amy Bramlett Dooley and place her license to practice practical nursing in the Commonwealth of Virginia on indefinite suspension until such time that she can prove that she is safe and competent to practice nursing. 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: **Jamie Leigh Love, RN** **0001-224227**
Ms. Love did not appear.

Ann Joseph, Deputy Executive Director, Administrative Proceedings Division. Mr. Rutkowski was legal counsel for the Board. Denise Holt, court reporter with Crane-Snead & Associates, recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions, and Amy Stuart, Case Manager, Virginia Health Practitioners' Monitoring Program, testified via telephone.

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 5:12 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Dooley. Additionally, Ms. Clark moved that Ms. Douglas, Dr. Hills, 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 5:21 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. McQueen-Gibson moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph. The motion was seconded and carried unanimously.

ACTION: Dr. Ross moved that the Board of Nursing revoke the license of Jamie Leigh love to practice professional 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 5:23 P.M.

Jay Douglas, MSM, RN, CSAC, FRE
Executive Director

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
October 3, 2017

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held October 3, 2017 at 8:32 A.M.

The Board of Nursing members participating in the meeting were:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; Chair
Laura F. Cei, BS, LPN, CCRP
Margaret Friedenberg, Citizen Member
Michelle D. Hereford, MSHA, RN, FACHE

Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Mark Monson, Citizen Member
Rebecca Poston, PhD, RN, CPNP
Dustin S. Ross, DNP, MBA, RN, NE-BC

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
Wayne Halbleib, Assistant Attorney General
Cynthia Gaines, Adjudication Specialist
Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Jodi Power, RN, JD; Senior Deputy Director
Robin Hills, RN, DNP, WHNP; Deputy Executive Director for Advanced Practice

The meeting was called to order by Dr. Hahn. With eight members of the Board of Nursing participating, a quorum was established.

J Wayne Halbleib, Assistant Attorney General presented evidence that the continued practice of nursing by Cynthia Nash, RN 0001- 164503 may present a substantial danger to the health and safety of the public.

Mr. Monson moved to summarily suspend the nursing license of Cynthia Nash pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license in lieu of a formal hearing. The motion was seconded and carried unanimously.

The meeting was adjourned at 8:53 A.M.

Jay P. Douglas, MSM, RN, CSA, FRE
Executive Director

Agency Subordinate Recommendation Tracking Trend Log - May 2006 to Present – Board of Nursing

Considered		Accepted		Modified*					Rejected					Final Outcome:** Difference from Recommendation				
Date	Total	Total	Total %	Total	Total %	# present	# ↑	# ↓	Total	Total %	# present	# Ref to FH	# Dis-missed	↑	↓	Same	Pending	N/A
Total to Date:	2732	2416	88.4%	219	8.0%				92	3.4%				67	68	87	5	
CY2017 to Date:	208	197	94.7%	9	4.3%	0	4	4	2	1.0%	0	2	0	1	3	6	N/A	
Nov-17																		
Sep-17	45	42	93.3%	3	6.7%	0	2	1	0		0	0	0	0	1	0		
Jul-17	40	40	100.0%	0		0	0	0	0		0	0	0	1	0	1		
May-17	40	38	95.0%	1	2.5%	0	0	1	1	2.5%	0	1	0	0	0	2		
Mar-17	35	31	88.6%	4	11.4%	0	2	1	0	0.0%	0	0	0	0	0	2		
Jan-17	48	46	95.8%	1	2.1%	0	0	1	1	2.1%	0	1	0	0	2	1		
Annual Totals:																		
Total 2016	241	227	94.2%	9	3.7%	0	8	0	5	2.1%	2	4	0	4	8	2	N/A	
Total 2015	240	218	90.8%	14	5.8%	2	12	2	8	3.3%	3	6	1	9	6	5	N/A	
Total 2014	257	235	91.4%	17	6.6%	2	8	9	5	1.9%	1	3	2	3	3	7	N/A	
Total 2013	248	236	95.2%	10	4.0%				2	0.8%				3	6	2	N/A	
Total 2012	229	211	92.1%	15	6.6%				3	1.3%				4	6	9	N/A	
Total 2011	208	200	96.2%	6	2.9%				2	1.0%				4	1	12	N/A	
Total 2010	194	166	85.6%	21	10.8%				7	3.6%				7	9	9	N/A	
Total 2009	268	217	81.0%	40	14.9%				11	4.1%				11	6	20	N/A	
Total 2008	217	163	75.1%	29	13.4%				22	10.1%				11	11	3	N/A	
Total 2007	174	130	74.7%	30	17.2%				12	6.9%				8	7	4	N/A	
Total 2006	76	62	81.6%	6	7.9%				8	10.5%				2	2		N/A	

* Modified = Sanction changed in some way (does not include editorial changes to Findings of Fact or Conclusions of Law). ↑ = additional terms or more severe sanction. ↓ = lesser sanction or impose no sanction.

** Final Outcome Difference = Final Board action/ sanction after FH compared to original Agency Subordinate Recommendation that was modified (then appealed by respondent to FH) or was Rejected by Board (↔ referred to FH).

Virginia Department of Health Professions
Cash Balance
As of September 30, 2017

	Nursing
Board Cash Balance as June 30, 2017	\$ 11,626,594
YTD FY18 Revenue	2,779,648
Less: YTD FY18 Direct and Allocated Expenditures	<u>3,365,183</u>
Board Cash Balance as September 30, 2017	<u><u>\$ 11,041,058</u></u>

* Includes \$13,049 deduction for Nurse Scholarship Fund

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10100 - Nursing
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account		Amount			
Number	Account Description	Amount	Budget	Under/(Over) Budget	% of Budget
4002400 Fee Revenue					
4002401	Application Fee	466,949.00	1,518,220.00	1,051,271.00	30.76%
4002406	License & Renewal Fee	1,807,688.00	6,526,255.00	4,718,567.00	27.70%
4002407	Dup. License Certificate Fee	6,215.00	23,750.00	17,535.00	26.17%
4002408	Board Endorsement - In	20,910.00	676,000.00	655,090.00	3.09%
4002409	Board Endorsement - Out	5,345.00	14,805.00	9,460.00	36.10%
4002421	Monetary Penalty & Late Fees	72,585.00	188,750.00	116,165.00	38.46%
4002432	Misc. Fee (Bad Check Fee)	35.00	1,750.00	1,715.00	2.00%
	Total Fee Revenue	2,379,727.00	8,949,530.00	6,569,803.00	26.59%
4003000 Sales of Prop. & Commodities					
4003020	Misc. Sales-Dishonored Payments	50.00	-	(50.00)	0.00%
	Total Sales of Prop. & Commodities	50.00	-	(50.00)	0.00%
4009000 Other Revenue					
4009060	Miscellaneous Revenue	8,800.00	34,000.00	25,200.00	25.88%
	Total Other Revenue	8,800.00	34,000.00	25,200.00	25.88%
	Total Revenue	2,388,577.00	8,983,530.00	6,594,953.00	26.59%
5011100 Employer Retirement Contrib.					
5011110	Employer Retirement Contrib.	56,117.65	230,008.00	173,890.35	24.40%
5011120	Fed Old-Age Ins- Sal St Emp	33,045.55	130,683.00	97,637.45	25.29%
5011130	Fed Old-Age Ins- Wage Earners	3,149.83	31,899.00	28,749.17	9.87%
5011140	Group Insurance	5,627.54	22,336.00	16,708.46	25.19%
5011150	Medical/Hospitalization Ins.	80,760.00	393,948.00	313,188.00	20.50%
5011160	Retiree Medical/Hospitalizatn	5,069.15	20,120.00	15,050.85	25.19%
5011170	Long term Disability Ins	2,835.37	11,254.00	8,418.63	25.19%
	Total Employee Benefits	186,605.09	840,248.00	653,642.91	22.21%
5011200 Salaries					
5011230	Salaries, Classified	431,562.57	1,705,020.00	1,273,457.43	25.31%
5011250	Salaries, Overtime	11,828.81	3,254.00	(8,574.81)	363.52%
	Total Salaries	443,391.38	1,708,274.00	1,264,882.62	25.96%
5011300 Special Payments					
5011380	Deferred Compnstn Match Pmts	1,560.00	14,880.00	13,320.00	10.48%
	Total Special Payments	1,560.00	14,880.00	13,320.00	10.48%
5011400 Wages					
5011410	Wages, General	41,174.23	416,971.00	375,796.77	9.87%
	Total Wages	41,174.23	416,971.00	375,796.77	9.87%
5011500 Short-trm Disability Benefits					
5011530	Short-trm Disability Benefits	5,168.08	-	(5,168.08)	0.00%
	Total Disability Benefits	5,168.08	-	(5,168.08)	0.00%
5011600 Terminatn Personal Svce Costs					
5011660	Defined Contribution Match - Hy	1,833.46	-	(1,833.46)	0.00%
	Total Terminatn Personal Svce Costs	1,833.46	-	(1,833.46)	0.00%
5011900 Turnover/Vacancy Benefits					
5011930	Turnover/Vacancy Benefits	-	-	-	0.00%
	Total Personal Services	679,732.24	2,980,373.00	2,300,640.76	22.81%
5012000 Contractual Svcs					
5012100 Communication Services					
5012110	Express Services	530.99	4,395.00	3,864.01	12.08%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10100 - Nursing
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account		Amount			
Number	Account Description	Amount	Budget	Under/(Over)	% of Budget
5012120	Outbound Freight Services	-	10.00	10.00	0.00%
5012140	Postal Services	30,367.30	85,633.00	55,265.70	35.46%
5012150	Printing Services	2,001.45	1,322.00	(679.45)	151.40%
5012160	Telecommunications Svcs (VITA)	2,204.36	21,910.00	19,705.64	10.06%
5012170	Telecomm. Svcs (Non-State)	157.50	-	(157.50)	0.00%
5012190	Inbound Freight Services	10.00	17.00	7.00	58.82%
	Total Communication Services	35,271.60	113,287.00	78,015.40	31.13%
5012200	Employee Development Services				
5012210	Organization Memberships	-	8,764.00	8,764.00	0.00%
5012220	Publication Subscriptions	-	120.00	120.00	0.00%
5012240	Employee Trainng/Workshop/Conf	1,950.00	482.00	(1,468.00)	404.56%
5012250	Employee Tuition Reimbursement	-	1,000.00	1,000.00	0.00%
	Total Employee Development Services	1,950.00	10,366.00	8,416.00	18.81%
5012300	Health Services				
5012360	X-ray and Laboratory Services	-	4,232.00	4,232.00	0.00%
	Total Health Services	-	4,232.00	4,232.00	0.00%
5012400	Mgmnt and Informational Svcs	-			
5012420	Fiscal Services	35,279.31	197,340.00	162,060.69	17.88%
5012430	Attorney Services	8,209.50	-	(8,209.50)	0.00%
5012440	Management Services	1,240.63	370.00	(870.63)	335.31%
5012460	Public Infrmtnl & Relatn Svcs	-	49.00	49.00	0.00%
5012470	Legal Services	-	5,616.00	5,616.00	0.00%
	Total Mgmnt and Informational Svcs	44,729.44	203,375.00	158,645.56	21.99%
5012500	Repair and Maintenance Svcs				
5012530	Equipment Repair & Maint Srvc	-	3,001.00	3,001.00	0.00%
5012560	Mechanical Repair & Maint Srvc	-	369.00	369.00	0.00%
	Total Repair and Maintenance Svcs	-	3,370.00	3,370.00	0.00%
5012600	Support Services				
5012630	Clerical Services	48,599.66	292,088.00	243,488.34	16.64%
5012640	Food & Dietary Services	1,638.13	-	(1,638.13)	0.00%
5012660	Manual Labor Services	9,093.39	38,508.00	29,414.61	23.61%
5012670	Production Services	52,976.96	158,515.00	105,538.04	33.42%
5012680	Skilled Services	219,437.78	1,119,774.00	900,336.22	19.60%
	Total Support Services	331,745.92	1,608,885.00	1,277,139.08	20.62%
5012700	Technical Services				
5012780	VITA InT Int Cost Goods&Svs	1,154.53	-	(1,154.53)	0.00%
5012790	Computer Software Dvp Svcs	-	62,000.00	62,000.00	0.00%
	Total Technical Services	1,154.53	62,000.00	60,845.47	1.86%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	349.37	5,260.00	4,910.63	6.64%
5012830	Travel, Public Carriers	-	1.00	1.00	0.00%
5012840	Travel, State Vehicles	-	2,454.00	2,454.00	0.00%
5012850	Travel, Subsistence & Lodging	100.37	6,635.00	6,534.63	1.51%
5012880	Trvl, Meal Reimb- Not Rprtbl	50.25	3,597.00	3,546.75	1.40%
	Total Transportation Services	499.99	17,947.00	17,447.01	2.79%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10100 - Nursing
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
	Total Contractual Svcs	415,351.48	2,023,462.00	1,608,110.52	20.53%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	1,877.77	11,696.00	9,818.23	16.05%
5013130	Stationery and Forms	-	3,790.00	3,790.00	0.00%
	Total Administrative Supplies	1,877.77	15,486.00	13,608.23	12.13%
5013200	Energy Supplies				
5013230	Gasoline	14.59	-	(14.59)	0.00%
	Total Energy Supplies	14.59	-	(14.59)	0.00%
5013300	Manufctrng and Merch Supplies				
5013350	Packaging & Shipping Supplies	-	99.00	99.00	0.00%
	Total Manufctrng and Merch Supplies	-	99.00	99.00	0.00%
5013500	Repair and Maint. Supplies				
5013520	Custodial Repair & Maint Matrl	-	29.00	29.00	0.00%
	Total Repair and Maint. Supplies	-	29.00	29.00	0.00%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	256.40	408.00	151.60	62.84%
5013630	Food Service Supplies	-	1,108.00	1,108.00	0.00%
5013640	Laundry and Linen Supplies	-	22.00	22.00	0.00%
5013650	Personal Care Supplies	155.76	-	(155.76)	0.00%
	Total Residential Supplies	412.16	1,538.00	1,125.84	26.80%
5013700	Specific Use Supplies				
5013730	Computer Operating Supplies	62.00	182.00	120.00	34.07%
	Total Specific Use Supplies	62.00	182.00	120.00	34.07%
	Total Supplies And Materials	2,366.52	17,334.00	14,967.48	13.65%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
5015120	Automobile Liability	-	163.00	163.00	0.00%
5015160	Property Insurance	-	504.00	504.00	0.00%
	Total Insurance-Fixed Assets	-	667.00	667.00	0.00%
5015300	Operating Lease Payments				
5015340	Equipment Rentals	993.92	9,014.00	8,020.08	11.03%
5015350	Building Rentals	115.20	-	(115.20)	0.00%
5015360	Land Rentals	-	275.00	275.00	0.00%
5015390	Building Rentals - Non State	31,910.08	149,154.00	117,243.92	21.39%
	Total Operating Lease Payments	33,019.20	158,443.00	125,423.80	20.84%
5015400	Service Charges				
5015460	SPCC And EEI Check Fees	-	5.00	5.00	0.00%
	Total Service Charges	-	5.00	5.00	0.00%
5015500	Insurance-Operations				
5015510	General Liability Insurance	-	1,897.00	1,897.00	0.00%
5015540	Surety Bonds	-	112.00	112.00	0.00%
	Total Insurance-Operations	-	2,009.00	2,009.00	0.00%
	Total Continuous Charges	33,019.20	161,124.00	128,104.80	20.49%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 10100 - Nursing
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	Amount	Budget	Amount	
				Under/(Over) Budget	% of Budget
5022000	Equipment				
5022200	Educational & Cultural Equip				
5022240	Reference Equipment	-	1,123.00	1,123.00	0.00%
	Total Educational & Cultural Equip	-	1,123.00	1,123.00	0.00%
5022300	Electrnc & Photographic Equip				
5022380	Electronic & Photo Equip Impr	-	1,666.00	1,666.00	0.00%
	Total Electrnc & Photographic Equip	-	1,666.00	1,666.00	0.00%
5022600	Office Equipment				
5022610	Office Appurtenances	-	202.00	202.00	0.00%
5022620	Office Furniture	-	1,097.00	1,097.00	0.00%
5022630	Office Incidentals	-	75.00	75.00	0.00%
	Total Office Equipment	-	1,374.00	1,374.00	0.00%
5022700	Specific Use Equipment				
5022710	Household Equipment	-	133.00	133.00	0.00%
	Total Specific Use Equipment	-	133.00	133.00	0.00%
	Total Equipment	-	4,296.00	4,296.00	0.00%
	Total Expenditures	1,130,469.44	5,186,589.00	4,056,119.56	21.80%
	Net Revenue in Excess (Shortfall) of Allocated Expenditures				
20400	Nursing / Nurse Aid	11,916.30	99,619.71	87,703.41	11.96%
30100	Data Center	357,790.99	1,740,659.93	1,382,868.94	20.55%
30200	Human Resources	1,824.09	249,596.83	247,772.74	0.73%
30300	Finance	237,435.53	737,086.68	499,651.15	32.21%
30400	Director's Office	95,701.56	372,291.49	276,589.93	25.71%
30500	Enforcement	598,014.95	2,550,842.98	1,952,828.04	23.44%
30600	Administrative Proceedings	140,391.32	683,045.26	542,653.94	20.55%
30700	Impaired Practitioners	20,035.95	73,226.77	53,190.83	27.36%
30800	Attorney General	43,458.80	234,618.45	191,159.65	18.52%
30900	Board of Health Professions	51,609.06	211,599.80	159,990.74	24.39%
31100	Maintenance and Repairs	-	3,344.48	3,344.48	0.00%
31300	Emp. Recognition Program	-	4,013.24	4,013.24	0.00%
31400	Conference Center	84,426.12	46,633.20	(37,792.92)	181.04%
31500	Pgm Devlpmnt & Implmntn	46,176.68	207,711.93	161,535.25	22.23%
	Total Allocated Expenditures	1,688,781.33	7,214,290.76	5,525,509.43	23.41%
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (430,673.77)	\$ (3,417,349.76)	\$ (2,986,675.99)	12.60%

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10100 - Nursing

For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
4002400	Fee Revenue				
4002401	Application Fee	166,685.00	156,660.00	143,604.00	466,949.00
4002406	License & Renewal Fee	606,379.00	604,896.00	596,413.00	1,807,688.00
4002407	Dup. License Certificate Fee	2,175.00	2,025.00	2,015.00	6,215.00
4002408	Board Endorsement - In	5,610.00	7,460.00	7,840.00	20,910.00
4002409	Board Endorsement - Out	1,445.00	2,140.00	1,760.00	5,345.00
4002421	Monetary Penalty & Late Fees	23,065.00	25,570.00	23,950.00	72,585.00
4002432	Misc. Fee (Bad Check Fee)	-	35.00	-	35.00
	Total Fee Revenue	805,359.00	798,786.00	775,582.00	2,379,727.00
4003000	Sales of Prop. & Commodities				
4003020	Misc. Sales-Dishonored Payments	-	50.00	-	50.00
	Total Sales of Prop. & Commodities	-	50.00	-	50.00
4009000	Other Revenue				
4009060	Miscellaneous Revenue	4,400.00	2,200.00	2,200.00	8,800.00
	Total Other Revenue	4,400.00	2,200.00	2,200.00	8,800.00
	Total Revenue	809,759.00	801,036.00	777,782.00	2,388,577.00
5011000	Personal Services				
5011100	Employee Benefits				
5011110	Employer Retirement Contrib.	23,412.17	16,297.24	16,408.24	56,117.65
5011120	Fed Old-Age Ins- Sal St Emp	13,592.59	9,632.19	9,820.77	33,045.55
5011130	Fed Old-Age Ins- Wage Earners	1,464.58	849.21	836.04	3,149.83
5011140	Group Insurance	2,346.28	1,635.24	1,646.02	5,627.54
5011150	Medical/Hospitalization Ins.	33,904.00	23,428.00	23,428.00	80,760.00
5011160	Retiree Medical/Hospitalizatn	2,113.43	1,473.00	1,482.72	5,069.15
5011170	Long term Disability Ins	1,182.13	823.90	829.34	2,835.37
	Total Employee Benefits	78,015.18	54,138.78	54,451.13	186,605.09
5011200	Salaries				
5011230	Salaries, Classified	176,371.04	125,760.55	129,430.98	431,562.57
5011250	Salaries, Overtime	3,407.00	4,847.37	3,574.44	11,828.81
	Total Salaries	179,778.04	130,607.92	133,005.42	443,391.38
5011380	Deferred Compnstrn Match Pmts	690.00	435.00	435.00	1,560.00
	Total Special Payments	690.00	435.00	435.00	1,560.00
5011400	Wages				
5011410	Wages, General	19,144.72	11,100.78	10,928.73	41,174.23
	Total Wages	19,144.72	11,100.78	10,928.73	41,174.23
5011500	Disability Benefits				
5011530	Short-trm Disability Benefits	5,168.08	-	-	5,168.08
	Total Disability Benefits	5,168.08	-	-	5,168.08
5011600	Terminatn Personal Svce Costs				
5011660	Defined Contribution Match - Hy	748.70	542.38	542.38	1,833.46
	Total Terminatn Personal Svce Costs	748.70	542.38	542.38	1,833.46
	Total Personal Services	283,544.72	196,824.86	199,362.66	679,732.24

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10100 - Nursing

For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
5012000	Contractual Svcs				-
5012100	Communication Services				-
5012110	Express Services	-	205.43	325.56	530.99
5012140	Postal Services	8,021.15	14,448.95	7,897.20	30,367.30
5012150	Printing Services	-	-	2,001.45	2,001.45
5012160	Telecommunications Svcs (VITA)	1,080.57	1,123.79	-	2,204.36
5012170	Telecomm. Svcs (Non-State)	67.50	45.00	45.00	157.50
5012190	Inbound Freight Services	-	-	10.00	10.00
	Total Communication Services	9,169.22	15,823.17	10,279.21	35,271.60
5012200	Employee Development Services				
5012240	Employee Trainng/Workshop/Conf	1,950.00	-	-	1,950.00
	Total Employee Development Services	1,950.00	-	-	1,950.00
5012400	Mgmnt and Informational Svcs				
5012420	Fiscal Services	13,002.82	10,224.03	12,052.46	35,279.31
5012430	Attorney Services	-	8,209.50	-	8,209.50
5012440	Management Services	-	1,240.63	-	1,240.63
	Total Mgmnt and Informational Svcs	13,002.82	19,674.16	12,052.46	44,729.44
5012600	Support Services				
5012630	Clerical Services	-	21,892.50	26,707.16	48,599.66
5012640	Food & Dietary Services	-	319.83	1,318.30	1,638.13
5012660	Manual Labor Services	3,065.98	2,567.29	3,460.12	9,093.39
5012670	Production Services	17,963.37	12,478.99	22,534.60	52,976.96
5012680	Skilled Services	72,534.53	74,341.44	72,561.81	219,437.78
	Total Support Services	93,563.88	111,600.05	126,581.99	331,745.92
5012700	Technical Services				
5012780	VITA InT Int Cost Goods&Svs	-	-	1,154.53	1,154.53
	Total Technical Services	-	-	1,154.53	1,154.53
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	-	317.80	31.57	349.37
5012850	Travel, Subsistence & Lodging	-	100.37	-	100.37
5012880	Trvl, Meal Reimb- Not Rprtble	-	50.25	-	50.25
	Total Transportation Services	-	468.42	31.57	499.99
	Total Contractual Svcs	117,685.92	147,565.80	150,099.76	415,351.48
5013000	Supplies And Materials				
5013100	Administrative Supplies				-
5013120	Office Supplies	-	761.12	1,116.65	1,877.77
	Total Administrative Supplies	-	761.12	1,116.65	1,877.77
5013200	Energy Supplies				
5013230	Gasoline	14.59	-	-	14.59
	Total Energy Supplies	14.59	-	-	14.59
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	46.26	-	210.14	256.40

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 10100 - Nursing

For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
5013650	Personal Care Supplies	155.76	-	-	155.76
	Total Residential Supplies	202.02	-	210.14	412.16
5013700	Specific Use Supplies				
5013730	Computer Operating Supplies	-	62.00	-	62.00
	Total Specific Use Supplies	-	62.00	-	62.00
	Total Supplies And Materials	216.61	823.12	1,326.79	2,366.52
5015000	Continuous Charges				
5015300	Operating Lease Payments				
5015340	Equipment Rentals	-	734.12	259.80	993.92
5015350	Building Rentals	-	115.20	-	115.20
5015390	Building Rentals - Non State	9,989.96	11,693.95	10,226.17	31,910.08
	Total Operating Lease Payments	9,989.96	12,543.27	10,485.97	33,019.20
	Total Continuous Charges	9,989.96	12,543.27	10,485.97	33,019.20
	Total Expenditures	411,437.21	357,757.05	361,275.18	1,130,469.44
	Allocated Expenditures				
20400	Nursing / Nurse Aid	5,823.27	4,446.03	1,647.00	11,916.30
30100	Data Center	153,994.04	57,546.31	146,250.63	357,790.99
30200	Human Resources	528.50	706.83	588.75	1,824.09
30300	Finance	115,892.23	61,037.58	60,505.71	237,435.53
30400	Director's Office	37,468.25	30,084.57	28,148.74	95,701.56
30500	Enforcement	244,671.07	180,029.50	173,314.38	598,014.95
30600	Administrative Proceedings	65,307.24	42,043.39	33,040.69	140,391.32
30700	Impaired Practitioners	8,335.06	6,057.80	5,643.09	20,035.95
30800	Attorney General	-	-	43,458.80	43,458.80
30900	Board of Health Professions	21,731.89	15,630.88	14,246.29	51,609.06
31400	Conference Center	57.31	108.75	84,260.06	84,426.12
31500	Pgm Devlpmnt & Implmentn	16,955.97	15,094.42	14,126.28	46,176.68
	Total Allocated Expenditures	670,764.83	412,786.07	605,230.43	1,688,781.33
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (272,443.04)	\$ 30,492.88	\$ (188,723.61)	\$ (430,673.77)

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11200 - Certified Nurse Aides
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account		Amount			
Number	Account Description	Amount	Budget	Under/(Over) Budget	% of Budget
4002400	Fee Revenue				
4002401	Application Fee	575.00	300.00	(275.00)	191.67%
4002406	License & Renewal Fee	299,545.00	1,165,275.00	865,730.00	25.71%
4002421	Monetary Penalty & Late Fees	-	330.00	330.00	0.00%
4002432	Misc. Fee (Bad Check Fee)	110.00	700.00	590.00	15.71%
	Total Fee Revenue	300,230.00	1,166,605.00	866,375.00	25.74%
4003000	Sales of Prop. & Commodities				
4003007	Sales of Goods/Svces to State	90,750.55	545,764.00	455,013.45	16.63%
4003020	Misc. Sales-Dishonored Payments	90.00	-	(90.00)	0.00%
	Total Sales of Prop. & Commodities	90,840.55	545,764.00	454,923.45	16.64%
4009000	Other Revenue				
	Total Revenue	391,070.55	1,712,369.00	1,321,298.45	22.84%
5011110	Employer Retirement Contrib.	4,441.44	15,717.00	11,275.56	28.26%
5011120	Fed Old-Age Ins- Sal St Emp	2,813.63	8,913.00	6,099.37	31.57%
5011130	Fed Old-Age Ins- Wage Earners	1,571.98	5,223.00	3,651.02	30.10%
5011140	Group Insurance	440.67	1,527.00	1,086.33	28.86%
5011150	Medical/Hospitalization Ins.	10,258.50	36,144.00	25,885.50	28.38%
5011160	Retiree Medical/Hospitalizatn	396.90	1,375.00	978.10	28.87%
5011170	Long term Disability Ins	222.02	769.00	546.98	28.87%
	Total Employee Benefits	20,145.14	69,668.00	49,522.86	28.92%
5011200	Salaries				
5011230	Salaries, Classified	33,779.75	116,505.00	82,725.25	28.99%
5011250	Salaries, Overtime	1,387.57	-	(1,387.57)	0.00%
	Total Salaries	35,167.32	116,505.00	81,337.68	30.19%
5011300	Special Payments				
5011380	Deferred Compnstn Match Pmts	140.00	1,440.00	1,300.00	9.72%
	Total Special Payments	140.00	1,440.00	1,300.00	9.72%
5011400	Wages				
5011410	Wages, General	20,548.86	68,269.00	47,720.14	30.10%
	Total Wages	20,548.86	68,269.00	47,720.14	30.10%
5011600	Terminatn Personal Svce Costs				
5011620	Salaries, Annual Leave Balanc	4,065.07	-	(4,065.07)	0.00%
5011640	Salaries, Cmp Leave Balances	74.52	-	(74.52)	0.00%
5011660	Defined Contribution Match - Hy	96.31	-	(96.31)	0.00%
	Total Terminatn Personal Svce Costs	4,235.90	-	(4,235.90)	0.00%
5011930	Turnover/Vacancy Benefits				
	Total Personal Services	80,237.22	255,882.00	175,644.78	31.36%
5012000	Contractual Svcs				
5012100	Communication Services				
5012140	Postal Services	12,657.56	32,117.00	19,459.44	39.41%
5012150	Printing Services	273.27	276.00	2.73	99.01%
5012160	Telecommunications Svcs (VITA)	69.36	2,500.00	2,430.64	2.77%
	Total Communication Services	13,000.19	34,893.00	21,892.81	37.26%
5012300	Health Services				

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11200 - Certified Nurse Aides
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
5012360	X-ray and Laboratory Services	-	125.00	125.00	0.00%
	Total Health Services	-	125.00	125.00	0.00%
5012400	Mgmt and Informational Svcs	-			
5012420	Fiscal Services	6,095.88	24,920.00	18,824.12	24.46%
5012440	Management Services	170.39	530.00	359.61	32.15%
5012460	Public Infrmntl & Relatn Svcs	-	10.00	10.00	0.00%
	Total Mgmt and Informational Svcs	6,266.27	25,460.00	19,193.73	24.61%
5012500	Repair and Maintenance Svcs				
5012560	Mechanical Repair & Maint Srvc	-	72.00	72.00	0.00%
	Total Repair and Maintenance Svcs	-	72.00	72.00	0.00%
5012600	Support Services				
5012660	Manual Labor Services	822.85	2,454.00	1,631.15	33.53%
5012670	Production Services	4,758.13	10,300.00	5,541.87	46.20%
5012680	Skilled Services	3,097.56	48,303.00	45,205.44	6.41%
	Total Support Services	8,678.54	61,057.00	52,378.46	14.21%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	859.68	6,893.00	6,033.32	12.47%
5012840	Travel, State Vehicles	177.98	310.00	132.02	57.41%
5012850	Travel, Subsistence & Lodging	490.56	912.00	421.44	53.79%
5012880	Trvl, Meal Reimb- Not Rprtbl	144.50	528.00	383.50	27.37%
	Total Transportation Services	1,672.72	8,643.00	6,970.28	19.35%
	Total Contractual Svcs	29,617.72	130,250.00	100,632.28	22.74%
5013000	Supplies And Materials				
5013100	Administrative Supplies				
5013120	Office Supplies	106.72	1,092.00	985.28	9.77%
5013130	Stationery and Forms	-	1,203.00	1,203.00	0.00%
	Total Administrative Supplies	106.72	2,295.00	2,188.28	4.65%
5013300	Manufctrng and Merch Supplies				
5013350	Packaging & Shipping Supplies	-	20.00	20.00	0.00%
	Total Manufctrng and Merch Supplies	-	20.00	20.00	0.00%
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	-	80.00	80.00	0.00%
5013630	Food Service Supplies	-	226.00	226.00	0.00%
	Total Residential Supplies	-	306.00	306.00	0.00%
	Total Supplies And Materials	106.72	2,621.00	2,514.28	4.07%
5015000	Continuous Charges				
5015100	Insurance-Fixed Assets				
5015160	Property Insurance	-	106.00	106.00	0.00%
	Total Insurance-Fixed Assets	-	106.00	106.00	0.00%
5015300	Operating Lease Payments				
5015350	Building Rentals	13.62	-	(13.62)	0.00%
5015360	Land Rentals	-	50.00	50.00	0.00%
5015390	Building Rentals - Non State	7,576.29	35,414.00	27,837.71	21.39%
	Total Operating Lease Payments	7,589.91	35,464.00	27,874.09	21.40%

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11200 - Certified Nurse Aides
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	Amount	Budget	Amount	
				Under/(Over)	% of Budget
				Budget	
5015500	Insurance-Operations				
5015510	General Liability Insurance	-	399.00	399.00	0.00%
5015540	Surety Bonds	-	24.00	24.00	0.00%
	Total Insurance-Operations	<u>-</u>	<u>423.00</u>	<u>423.00</u>	<u>0.00%</u>
	Total Continuous Charges	7,589.91	35,993.00	28,403.09	21.09%
5022000	Equipment				
5022200	Educational & Cultural Equip				
5022240	Reference Equipment	-	162.00	162.00	0.00%
	Total Educational & Cultural Equip	<u>-</u>	<u>162.00</u>	<u>162.00</u>	<u>0.00%</u>
5022600	Office Equipment				
5022680	Office Equipment Improvements	-	4.00	4.00	0.00%
	Total Office Equipment	<u>-</u>	<u>4.00</u>	<u>4.00</u>	<u>0.00%</u>
	Total Equipment	<u>-</u>	<u>166.00</u>	<u>166.00</u>	<u>0.00%</u>
	Total Expenditures	<u>117,551.57</u>	<u>424,912.00</u>	<u>307,360.43</u>	<u>27.66%</u>
	Allocated Expenditures				
20400	Nursing / Nurse Aid	4,798.44	32,465.29	27,666.85	14.78%
30100	Data Center	49,556.03	237,970.23	188,414.20	20.82%
30200	Human Resources	208.85	25,394.11	25,185.26	0.82%
30300	Finance	58,349.68	185,137.69	126,788.01	31.52%
30400	Director's Office	23,402.48	93,510.29	70,107.80	25.03%
30500	Enforcement	185,366.70	735,238.05	549,871.35	25.21%
30600	Administrative Proceedings	49,027.73	175,422.13	126,394.40	27.95%
30700	Impaired Practitioners	400.24	1,873.59	1,473.35	21.36%
30800	Attorney General	258.33	1,837.61	1,579.27	14.06%
30900	Board of Health Professions	12,640.64	53,148.56	40,507.92	23.78%
31100	Maintenance and Repairs	-	794.07	794.07	0.00%
31300	Emp. Recognition Program	-	408.31	408.31	0.00%
31400	Conference Center	20,044.96	11,071.94	(8,973.02)	181.04%
31500	Pgm Devlpmnt & Implmentn	11,277.42	52,172.03	40,894.60	21.62%
	Total Allocated Expenditures	<u>415,331.51</u>	<u>1,606,443.89</u>	<u>1,191,112.39</u>	<u>25.85%</u>
	Net Revenue in Excess (Shortfall) of Expenditures	<u>\$ (141,812.53)</u>	<u>\$ (318,986.89)</u>	<u>\$ (177,174.37)</u>	<u>44.46%</u>

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11200 - Certified Nurse Aides
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
4002400	Fee Revenue				
4002401	Application Fee	275.00	25.00	275.00	575.00
4002406	License & Renewal Fee	103,845.00	96,160.00	99,540.00	299,545.00
4002432	Misc. Fee (Bad Check Fee)	35.00	40.00	35.00	110.00
	Total Fee Revenue	104,155.00	96,225.00	99,850.00	300,230.00
4003000	Sales of Prop. & Commodities				
4003007	Sales of Goods/Svces to State	-	-	90,750.55	90,750.55
4003020	Misc. Sales-Dishonored Payments	30.00	60.00	-	90.00
	Total Sales of Prop. & Commodities	30.00	60.00	90,750.55	90,840.55
	Total Revenue	104,185.00	96,285.00	190,600.55	391,070.55
5011000	Personal Services				
5011100	Employee Benefits				
5011110	Employer Retirement Contrib.	1,871.40	1,285.02	1,285.02	4,441.44
5011120	Fed Old-Age Ins- Sal St Emp	1,330.08	722.56	760.99	2,813.63
5011130	Fed Old-Age Ins- Wage Earners	889.48	358.68	323.82	1,571.98
5011140	Group Insurance	185.67	127.50	127.50	440.67
5011150	Medical/Hospitalization Ins.	4,328.50	2,965.00	2,965.00	10,258.50
5011160	Retiree Medical/Hospitalizatn	167.22	114.84	114.84	396.90
5011170	Long term Disability Ins	93.54	64.24	64.24	222.02
	Total Employee Benefits	8,865.89	5,637.84	5,641.41	20,145.14
5011200	Salaries				
5011230	Salaries, Classified	14,315.07	9,732.34	9,732.34	33,779.75
5011250	Salaries, Overtime	-	442.84	944.73	1,387.57
	Total Salaries	14,315.07	10,175.18	10,677.07	35,167.32
5011380	Deferred Compnstrn Match Pmts	60.00	40.00	40.00	140.00
	Total Special Payments	60.00	40.00	40.00	140.00
5011400	Wages				
5011410	Wages, General	11,627.27	4,688.40	4,233.19	20,548.86
	Total Wages	11,627.27	4,688.40	4,233.19	20,548.86
5011600	Terminatn Personal Svce Costs				
5011620	Salaries, Annual Leave Balanc	4,065.07	-	-	4,065.07
5011640	Salaries, Cmp Leave Balances	74.52	-	-	74.52
5011660	Defined Contribution Match - Hy	40.59	27.86	27.86	96.31
	Total Terminatn Personal Svce Costs	4,180.18	27.86	27.86	4,235.90
	Total Personal Services	39,048.41	20,569.28	20,619.53	80,237.22
5012000	Contractual Svcs				
5012100	Communication Services				
5012140	Postal Services	3,316.70	5,322.67	4,018.19	12,657.56
5012150	Printing Services	-	-	273.27	273.27
5012160	Telecommunications Svcs (VITA)	34.00	35.36	-	69.36
	Total Communication Services	3,350.70	5,358.03	4,291.46	13,000.19
5012400	Mgmt and Informational Svcs				

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 11200 - Certified Nurse Aides
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
5012420	Fiscal Services	2,212.19	1,953.32	1,930.37	6,095.88
5012440	Management Services	-	170.39	-	170.39
	Total Mgmnt and Informational Svcs	2,212.19	2,123.71	1,930.37	6,266.27
5012600	Support Services				
5012660	Manual Labor Services	254.37	419.83	148.65	822.85
5012670	Production Services	1,627.17	2,071.45	1,059.51	4,758.13
5012680	Skilled Services	1,806.91	-	1,290.65	3,097.56
	Total Support Services	3,688.45	2,491.28	2,498.81	8,678.54
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	548.66	241.47	69.55	859.68
5012840	Travel, State Vehicles	50.66	127.32	-	177.98
5012850	Travel, Subsistence & Lodging	490.56	-	-	490.56
5012880	Trvl, Meal Reimb- Not Rprtble	144.50	-	-	144.50
	Total Transportation Services	1,234.38	368.79	69.55	1,672.72
	Total Contractual Svcs	10,485.72	10,341.81	8,790.19	29,617.72
5013000	Supplies And Materials				
5013100	Administrative Supplies				-
5013120	Office Supplies	-	45.99	60.73	106.72
	Total Administrative Supplies	-	45.99	60.73	106.72
	Total Supplies And Materials	-	45.99	60.73	106.72
5015000	Continuous Charges				
5015300	Operating Lease Payments				
5015350	Building Rentals	-	13.62	-	13.62
5015390	Building Rentals - Non State	2,371.88	2,776.45	2,427.96	7,576.29
	Total Operating Lease Payments	2,371.88	2,790.07	2,427.96	7,589.91
	Total Continuous Charges	2,371.88	2,790.07	2,427.96	7,589.91
	Total Expenditures	51,906.01	33,747.15	31,898.41	117,551.57
	Allocated Expenditures				
20400	Nursing / Nurse Aid	2,007.92	1,438.07	1,352.45	4,798.44
30100	Data Center	22,293.19	7,500.99	19,761.85	49,556.03
30200	Human Resources	69.93	75.91	63.01	208.85
30300	Finance	29,246.36	14,731.13	14,372.19	58,349.68
30400	Director's Office	9,455.42	7,260.77	6,686.29	23,402.48
30500	Enforcement	87,807.80	52,289.22	45,269.69	185,366.70
30600	Administrative Proceedings	22,350.10	12,528.19	14,149.43	49,027.73
30700	Impaired Practitioners	173.65	107.79	118.80	400.24
30800	Attorney General	-	-	258.33	258.33
30900	Board of Health Professions	5,484.22	3,772.44	3,383.98	12,640.64

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 11200 - Certified Nurse Aides

For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
31400	Conference Center	13.61	25.82	20,005.53	20,044.96
31500	Pgm Devlpmnt & Implmentn	4,278.98	3,642.97	3,355.48	11,277.42
	Total Allocated Expenditures	183,181.17	103,373.29	128,777.05	415,331.51
	Net Revenue in Excess (Shortfall) of Expenditures	\$ (130,902.18)	\$ (40,835.44)	\$ 29,925.09	\$ (141,812.53)

Virginia Department of Health Professions
Revenue and Expenditures Summary
Department 20400 - Nursing / Nurse Aide
For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	Amount			% of Budget
		Amount	Budget	Under/(Over) Budget	
5011130	Fed Old-Age Ins- Wage Earners	446.34	3,095.00	2,648.66	14.42%
	Total Employee Benefits	446.34	3,095.00	2,648.66	14.42%
5011300	Special Payments				
5011340	Specified Per Diem Payment	2,400.00	24,550.00	22,150.00	9.78%
	Total Special Payments	2,400.00	24,550.00	22,150.00	9.78%
5011400	Wages				
5011410	Wages, General	5,834.66	40,448.00	34,613.34	14.43%
	Total Wages	5,834.66	40,448.00	34,613.34	14.43%
5011930	Turnover/Vacancy Benefits		-	-	0.00%
	Total Personal Services	8,681.00	68,093.00	59,412.00	12.75%
5012000	Contractual Svcs				
5012400	Mgmt and Informational Svcs				
5012470	Legal Services	-	4,110.00	4,110.00	0.00%
	Total Mgmt and Informational Svcs	-	4,110.00	4,110.00	0.00%
5012600	Support Services				
5012640	Food & Dietary Services	-	10,598.00	10,598.00	0.00%
5012680	Skilled Services	-	10,000.00	10,000.00	0.00%
	Total Support Services	-	20,598.00	20,598.00	0.00%
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	3,101.96	16,757.00	13,655.04	18.51%
5012830	Travel, Public Carriers	108.69	39.00	(69.69)	278.69%
5012850	Travel, Subsistence & Lodging	3,283.34	13,828.00	10,544.66	23.74%
5012880	Trvl, Meal Reimb- Not Rprtbl	1,539.75	6,546.00	5,006.25	23.52%
	Total Transportation Services	8,033.74	37,170.00	29,136.26	21.61%
	Total Contractual Svcs	8,033.74	61,878.00	53,844.26	12.98%
5013000	Supplies And Materials				
5013600	Residential Supplies				
5013620	Food and Dietary Supplies	-	14.00	14.00	0.00%
	Total Residential Supplies	-	14.00	14.00	0.00%
	Total Supplies And Materials	-	14.00	14.00	0.00%
5022000	Equipment				
5022600	Office Equipment				
5022620	Office Furniture	-	2,100.00	2,100.00	0.00%
	Total Office Equipment	-	2,100.00	2,100.00	0.00%
	Total Equipment	-	2,100.00	2,100.00	0.00%
	Total Expenditures	16,714.74	132,085.00	115,370.26	12.65%

Virginia Department of Health Professions

Revenue and Expenditures Summary

Department 20400 - Nursing / Nurse Aide

For the Period Beginning July 1, 2017 and Ending September 30, 2017

Account Number	Account Description	July	August	September	Total
5011000	Personal Services				
5011100	Employee Benefits				
5011130	Fed Old-Age Ins- Wage Earners	183.62	166.28	96.44	446.34
	Total Employee Benefits	183.62	166.28	96.44	446.34
5011300	Special Payments				
5011340	Specified Per Diem Payment	1,550.00	600.00	250.00	2,400.00
	Total Special Payments	1,550.00	600.00	250.00	2,400.00
5011400	Wages				-
5011410	Wages, General	2,400.49	2,173.36	1,260.81	5,834.66
	Total Wages	2,400.49	2,173.36	1,260.81	5,834.66
	Total Personal Services	4,134.11	2,939.64	1,607.25	8,681.00
5012000	Contractual Svs				-
5012800	Transportation Services				
5012820	Travel, Personal Vehicle	1,529.04	1,211.26	361.66	3,101.96
5012830	Travel, Public Carriers	108.69	-	-	108.69
5012850	Travel, Subsistence & Lodging	1,134.10	1,237.20	912.04	3,283.34
5012880	Trvl, Meal Reimb- Not Rprtble	925.25	496.00	118.50	1,539.75
	Total Transportation Services	3,697.08	2,944.46	1,392.20	8,033.74
	Total Contractual Svs	3,697.08	2,944.46	1,392.20	8,033.74
	Total Expenditures	7,831.19	5,884.10	2,999.45	16,714.74

2017 Monthly Tracking Log

License Count

Nursing	Dec-16	Jan-17	Feb - 17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Total
Pres Auth	6,366	6,417	6,468	6,572	6,605	6,650	6,724	6,840	6,921	7,026	7,070			
Massage Therapy	8,097	8,175	8,219	8,253	8,258	8,282	8,312	8,341	8,392	8,449	8,489			
Medication Aide	5,909	5,967	5,885	6,014	6,046	6,083	6,082	6,095	6,139	6,259	6,236			
Clinical Nurse Spec	440	439	440	441	441	440	440	437	435	436	435			
Nurse Practitioner	9,290	9,384	9,469	9,556	9,585	9,633	9,716	9,897	9,970	10,095	10,116			
Practical Nurse	29,379	29,319	29,259	29,276	29,199	29,137	29,103	29,116	29,129	29,193	29,151			
Registered Nurse	105,254	105,598	105,633	105,989	105,830	105,942	106,402	107,114	107,631	107,851	107,721			
Total for Nursing	164,735	165,299	165,373	166,101	165,964	166,167	166,779	167,840	168,617	169,309	169,218	0	0	
Nurse Aide	52,376	52,842	52,564	52,884	52,530	52,350	51,663	51,511	51,660	52,136	51,996			
Advanced Nurse Aide	71	70	68	66	67	65	64	62	62	61	60			
Total for Nurse Aide	52,447	52,912	52,632	52,950	52,597	52,415	51,727	51,573	51,722	52,197	52,056	0	0	
Total	217,182	218,211	218,005	219,051	218,561	218,582	218,506	219,413	220,339	221,506	221,274	0	0	

Open Cases Count

Nursing	1033	995	1004	1061	1072	1081	1100	1033	1082	1173	1123			
Nurse Aide	358	343	341	350	343	349	370	389	411	438	452			
Total	1,391	1,338	1,345	1,411	1,415	1,430	1,470	1,422	1,493	1,611	1,575	0	0	

Rec'd RN	66	53	74	86	90	64	86	69	71	85	84			762
Rec'd PN	44	32	46	46	42	49	42	33	30	41	55			416
Rec'd NP, AP, CNS	9	20	12	36	16	15	17	20	27	26	20			209
Rec'd LMT	2	7	2	5	6	1	3	2	2	6	5			39
Rec'd RMA	11	6	6	6	9	10	10	7	15	16	10			95
Rec'd Edu Program	3	2	2	5	2	0	4	0	2	1	1			19
Total Rec'd Nursing	135	120	142	184	165	139	162	131	147	175	175	0	0	1,540
Closed RN	90	57	95	73	61	78	61	84	46	52	90			697
Closed PN	58	22	71	35	47	54	26	72	28	19	43			417
Closed NP, AP, CNS	52	14	10	18	19	21	21	10	11	0	31			155
Closed LMT	3	5	6	7	1	7	4	3	4	3	3			43
Closed RMA	8	10	10	10	5	6	8	3	11	9	9			81
Closed Edu Program	0	4	2	2	0	1	3	2	0	1	0			15
Total Closed Nursing	211	112	194	145	133	167	123	174	100	84	176	0	0	1,408
Nurse Aide														
Received	55	45	59	69	56	52	50	39	55	51	43			519
Rec'd Edu Program	0	0	0	0	0	0	1	1	0	0	2			4
Total Rec'd CNA	55	45	59	69	56	52	51	40	55	51	45	0	0	523
Closed	79	60	65	64	72	63	26	27	35	34	29			475
Closed Edu Program	0	0	0	1	0	0	0	1	0	0	0			2
Total Closed CNA	79	60	65	65	72	63	26	28	35	34	29	0	0	477

HPMP Quarterly Report July - September 2017

Board	License	Admissions ¹		Stays ²	Comp ³	Vacated Stays ⁴		Dismissals ⁵				
		Req	Vol			Vac Only	Vac & Dism	N/C	Inel	Dism Resig	Resig	
Nursing	LNP				2			1				
	LPN	4		4	4			10				
	RN	19	5	2	8	4	1	9	3			
	CNA	1						1				
	RMA											
Nursing Total		24	5	6	14	4	1	21	3	0	0	0
	DC											
	DO		2		2							
	DPM											
	Intern/Resident		1						1			
	LAT											
	LBA											
Medicine	Lic Rad Tech											
	MD	4	2	1	5							
	OT	1										
	PA											
	RT											
Medicine Total		5	5	1	7	0	0	0	1	0	0	0
Pharmacy	Pharmacist		1	2	1							
	RPh				2							
	Pharm Tech										1	
Pharmacy Totals		0	1	2	3	0	0	0	0	1	0	0
Dentistry	DDS	1										
	DMD											
	RDH	1										
Dentistry Total		2	0	0	0	0	0	0	0	0	0	0
Social Work	LCSW											
Psychology	LCP											
Counseling	LPC											
Funeral Directors & Embalmers	FSL	1										
Optometry	OD	1										
Veterinary Med	DVM											
Audiology/Speech Path	SLP											
Physical Therapy	PT				1							
	PTA											
Physical Therapy Total		0	0	0	1	0	0	0	0	0	0	0
TOTALS		33	11	9	25	4	1	21	4	1	0	0

Admissions¹: Req=Required (Board, Board Ordered, Investigator, Other Monitoring Program); Vol=Voluntary (Treatment Provider, Employer, Self, Other - no DHP involvement at time of intake)

Stays²: Stays of Disciplinary Action Granted

Comp³: Successful Completions

Vacated Stays⁴: Vac Only=Vacated Stay Only; Vac & Dism=Vacated Stay & Dismissal

Dismissals⁵: N/C=Dismissed Non-Compliant; Inel=Dismissed Ineligible; Dism Resig=Dismissed due to Resignation; Resig=Resignation

Virginia Board of Nursing

Executive Director Report

November 14, 2017

Meetings/Speaking Engagements

- **Conference Call with PearsonVUE for the Nurse Aide Exam**– Dr. Paula Saxby, Deputy Executive Director, for the Virginia Board of Nursing, participated in a conference call on September 21, 2017 with staff from PearsonVUE. This call was requested by PearsonVUE staff to announce that the program manager assigned to Virginia is resigning from this position, effective October 15, 2017. An interim program manager has been assigned to Virginia with plans for a permanent replacement to occur in the near future. Board staff will be informed of the contact information for the interim program manager. PearsonVUE does not anticipate any gaps in the customer service for Virginia applicants for the nurse aide exam (NNAAP).
- **Nurse Aide Education Train-the-trainer presentation** - Dr. Paula Saxby, Deputy Executive Director for the VA Board of Nursing presented information at a train-the-trainer course for nurse aide educators on September 26, 2017 in Charlottesville. Topics of the presentation included nurse aide testing, nurse aide education program curriculum, principles of delegation, application and review process for approved nurse aide education programs, new NNAAP testing process, and history of the nurse aide registry in Virginia. There were 17 nurse aide educators in attendance.
- **Meeting with the Virginia Community College System On Friday, October 6, 2017** - Charlette Ridout, Senior Nursing Education Consult, attended a meeting with the Program Directors and the concept based curriculum writing team. Currently four out of the 19 ADN programs have implemented the core concept based curriculum. The remaining programs will implement the concept curriculum in the fall of 2018. The programs who have implemented the concept curriculum shared information regarding what has worked well and areas of needed improvement. Ms. Ridout was present to answer questions regarding regulatory requirements.
- **Conference Call with PearsonVUE regarding the nurse aide (NNAAP) exam**– Paula Saxby and Brenda Krohn, Deputy Executive Directors for the Virginia Board of Nursing, participated in a conference call on October 12, 2017 with staff from PearsonVUE regarding the nurse aide exam (NNAAP). Issues discussed included the following:
 - Scheduling dates for the exam within 30 days of applying;
 - Number and consistency of evaluators throughout the state;
 - Regional and in-facility test sites;
 - Candidates who have passed the exam not showing up on the file transfer or registry; and
 - Status update on the new skills portion of the exam.
 - The PearsonVUE program manager for Virginia is a new staff member who will look into the above issues and report back to Board of Nursing staff as soon as possible.

The next conference call will be on November 17, 2017.

- On Thursday, October 26, Charlette Ridout, Senior Nursing Education Consultant, presented information regarding the Regulations for Nursing Education Programs to the faculty, RN and PN program directors and the Department Dean of Piedmont Community College.

- **Fundamentals for Supervisors presented by the Performance Management Group at VCU** – Beth Yates, Supervisor and Licensing by Examination Specialist, and Marie Molnar, Licensing Supervisor, for the Board attended the three-day conference which was held at the Glen Allen Cultural Arts Center and covered topics such as communication and feedback, performance management, and team building. It was an excellent presentation and was especially geared toward government agencies so it was very relevant. There was a wide range of state agencies represented and we had many group activities and the opportunity to discuss about real-life situations with peers at other agencies.
- **VCU Langston Center for Quality, Safety and Innovation** - Dr. Paula Saxby, Deputy Executive Director for the Virginia Board of Nursing, participated in the above symposium titled “Patients and Practitioners: Partnering for Health” on October 3, 2017. There were presentations from the family and patient perspective as well as presentations on how to involve the patient and families in different care experiences.
- **The Opioid Curricula Workgroup Steering Committee** - Charlette Ridout, Senior Nursing Education Consultant, by invitation of Dr. Brown attended the second meeting on Friday, September 29, 2017. The meeting focused on the review of the draft core competencies for educational programs who teach prescribing practitioners, establishing a separate work group to develop the core competencies for educational programs who teach non-prescribers, the development of online learning modules available on the VA Aware website for both current prescribers and students, and the development of an online portal that can be used as a resource repository for educators.
- **Enforcement Training** - On October 2, 2017, Jodi Power, Senior Deputy Executive Director, and Robin Hills, Deputy Executive Director for Advanced Practice represented the Board of Nursing and facilitated three round-robin sessions with Enforcement Staff. Dialogue covered topics including patterns seen in complaints and investigations, thoughts and requests in handling certain case trends including increased nurse practitioner, education program, fraud-related cases, as well as mandatory reports of mental health admissions of licensees. Enforcement staff also provided an update on board activities, new laws and regulations, and staff structure and board member changes in 2017, all which proved to be an informative and useful exchange between investigative and board staff.
- **eNLC Training in Charlotte, WV** – Jay P. Douglas, Executive Director for the Board of Nursing, assisted NCSBN in eNLC Training in West Virginia on October 23-24, 2017 with the RN and LPB Boards.
- **VAHQ Conference Presentation** – On October 26, 2017, Senior Deputy Executive Director Jodi Power for the Board of Nursing provided a presentation as part of the Virginia Association of Healthcare Quality’s 40th Annual Education Conference in Richmond, Virginia. Ms. Power’s presentation was entitled “Trends in Nursing Regulation, Education and Practice from the Virginia Board of Nursing’s Perspective” and covered information regarding a national environmental scan on issues impacting the nursing workforce, healthcare landscape, nursing education, practice and regulation, which are similar to issues experienced at our state level; Virginia Board information and activities were shared as well. The presentation was well received by the approximate 50-60 attendees present. Immediate feedback indicated an invitation for the Virginia Board of Nursing to speak again can be expected at next year’s conference.

- **Virginia Community College System (VCCS) Non-Traditional Gender Summit**– Dr. Paula Saxby, Deputy Executive Director for the Virginia Board of Nursing, was invited to participate in the above conference regarding recruiting men in the nursing profession. This conference was sponsored by the VCCS, Post-secondary Perkins Programs and was held on November 1, 2017 in Richmond. All community college nursing programs, as well as CTE Directors were in attendance. Dr. Saxby presented statistics from the DHP Workforce Data Center on numbers of men enrolled in nursing education programs, as well as the number of men licensed as either LPN’s or RN’s in Virginia. Strategies for recruiting men in nursing were discussed, as well as admissions criteria for nursing education programs.
- **DHP Paperless Workgroup meeting on November 1, 2017**- Jay P. Douglas, Executive Director for the Virginia Board of Nursing, participated in this workgroup, who is moving forward with plans for online verifications, self-service, and paperless license options.
- **2017 Fall Conference: (VNA) Virginia Nurses Association’s Nurse Staffing Summit** – Jay P. Douglas, Executive Director for the Virginia Board of Nursing, attended the VNA Fall Conference. The focus topic was the challenging in the nursing workforce. The VA Action Coalition presented their research on “Practicing to the top of your RN license.”
- **2018 Spring Conference (VNA) Virginia Nurses Association: The Opioid Crisis and Nursing’s Role** – Jay P. Douglas, Executive Director for the Virginia Board of Nursing, participated in a planning meeting on November 6, 2017 for the conference which will be held in the Spring of 2018.
- **Massage Therapy Advisory Board’s Annual Meeting on November 7, 2017** - Most significant business item was that they recommended to the Board changes to Guidance Document 90-61 regarding disposition of disciplinary cases against CNAs, RMAs, and LMTs practicing on expired certificates, registrations, and licenses. A full report will be provided at the January Board of Nursing meeting.
- **Implementation of the Enhanced Nurse Licensure Compact (eNLC)**

Training - Jay P. Douglas, Executive Director for the Virginia Board of Nursing, provided training regarding eNLC, which will be implemented on January 19, 2018, to Enforcement Division.

Jay P. Douglas, Commissioner for eNLC, has participated in two Executive Committee meetings via telephone conferences regarding implementation.

Jay Douglas, Executive Director, and Key Board Staff participated via telephone conference call in a meeting with ENL Commission on October 5, 2017. A final draft of rules was adopted and will be made available by the Commission for a 60-day comment period.

Board of Nursing Staff continue to work on operational changes necessary for eNLC implementation. Implementation Team includes Jay Douglas, Anne Tiller, Stephanie Willinger, an Alesia Baskins.

NCSBN Leadership and Policy Conference Report

New Orleans, October 11-13, 2017

The theme of the conference was “Leadership of the Greatest Generation.” Speakers focused on the leadership strengths of Eleanor and Franklin Roosevelt sharing early recordings of radio talks with the American people during the WW II era. An additional speaker from the Hyde Park, NY FDR Presidential Library reflected on the successes of Eleanor Roosevelt’s policy action and advocacy and her methods of obtaining the admiration and support of the American public. We learned about the initiative to bring a Women’s History Museum to the DC Mall. A granddaughter of one of the original “Black Women of NASA” spoke of the intelligence of these women and the racial discrimination they endured even while bringing their engineering and mathematical expertise as the “Hidden human computers.” The conference ended with a breakfast and tour of the National WW II Museum.

Beyond the theme presentations we heard a panel entitled “South Dakota House of Nursing” and their journey to achieve passage of legislation for NP full practice authority. This included State Senator Deb Soholt, the SD lobbyist, and Gloria Damgaard the Exec. Dir. of the SD BON. We were schooled in the political feasibility model and how to be persuasive in politicized environments. An entertaining presentation titled “Generational Legislative Relations Strategies” and a presentation on the impact of social media on public policy and decision making helped us feel empowered to more effectively communicate with stakeholders and legislators.

Three conference “take aways”:

1. Always ask for more than you want. This makes it easy to negotiate and give back what you really didn’t want in the first place. This is an effective strategy.
2. Use social media to reach out to stakeholders and legislators.
3. Feel empowered to lead change because it will lead to enacting policy.

Respectfully submitted,

Joyce Hahn, President, VA BON

Virginia Board of Nursing
Guidance Document 90-57 (Bylaws) Committee
September 20, 2017 Meeting Minutes

- Time and Place:** The meeting of the Guidance Document 90-57 Committee meeting was convened at 8:30 A.M. on September 20, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.
- Board Members Present:** Louise Hershkowitz, CRNA, MSHA, Vice President, Chairperson
Mark Monson, Citizen Member
- Board Member Absent:** Marie Gerardo, MS, RN, NEA-BC, Secretary
- Staff Members Present:** Jay P. Douglas, RN, MSM, CSAC, FRE

The Committee reviewed the first draft of the current Virginia Board of Nursing (BON) Bylaws Guidance Document 90-57 following changes made at the July 18, 2017 meeting. Committee Members suggested edits in the following areas:

- General grammatical changes
- Composition of Board
- Changes to Title of Officers
- A change to when the terms of Office commence and the number of successive terms an Officer may serve
- Deletions in the Probable Cause review and determination section. This content to be added to Guidance Document 90-12

Next step:

- To have Board Counsel to review prior to taking the draft to the November 14, 2017 Board meeting.

Meeting was adjourned at 9:00 A.M.

VIRGINIA BOARD OF NURSING

BY LAWS

Adopted: May 23, 1988
Revised to Incorporate Changes in *Code of Virginia*: April 1989
Last amended: November 13, 2012

Guidance Document: 90-57

BYLAWS
OF THE
VIRGINIA BOARD OF NURSING

Article I – Name.

This body shall be known as the Virginia Board of Nursing as set forth in § 54.1-3002 of the *Code of Virginia* and hereinafter referred to as the Board.

Article II – Powers and Duties.

The general powers and duties of the Board shall be those set forth in § 54.1-2400 of the *Code of Virginia* and the specific powers and duties shall be those set forth in § 54.1-3005 of the *Code of Virginia*.

Article III - Mission Statement.

To assure safe and competent practice of nursing to protect the health, safety and welfare of the citizens of the Commonwealth.

Article IV – Membership.

A. The Board shall be comprised of ~~thirteen~~ **fourteen** members. Seven members shall be registered nurses, ~~one~~ **two** of whom shall be a licensed nurse practitioners, three members shall be licensed practical nurses and three members shall be citizen members.

B. All members shall be appointed by the Governor for terms of four years. No member shall be eligible to serve more than two successive terms in addition to the portion of any unexpired term for which he may have been appointed.

C. Each member shall participate in all matters before the Board.

D. Members shall attend all regular, **discipline** and special meetings of the Board unless prevented by ~~illness or similar unavoidable cause~~ **from doing so by unavoidable cause**.

E. The Governor may remove any Board member for cause, and the Governor shall be sole judge of the sufficiency of the cause for removal pursuant to § 2.2-108.

Article V – Nominations and Elections.

A. The officers of the Board shall be a President, **First** Vice-President and **Second Secretary Vice-President** elected by the members.

B. The Nominating Committee shall:

1. Be comprised of three members of the Board to be elected at the meeting immediately preceding the annual meeting held in January;
2. Elect its chair;
3. Prepare a slate of at least one candidate for each office to be filled;
4. Distribute the slate of candidates to all members in advance of the **annual** meeting;
5. Present the slate of nominees to the Board for election at the annual meeting; and
6. Be governed by *Roberts Rules of Order* (current edition) on nominations by a committee in all cases not provided for in this section.

C. Election

1. The President shall ask for nominations from the floor by office.
2. The election shall be by voice vote with the results recorded in the minutes. In the event of only one nominee for an office, election may be by acclamation.
3. The election shall occur in the following order: President, Vice President, Secretary.
4. The election shall be final when the President announces the official results.

D. Terms of office

1. All terms will commence ~~at the close of the annual meeting~~ **March 1**.
2. The term of office shall be for the succeeding twelve months or until the successor shall be elected. No officer shall serve more than ~~three~~ **two** consecutive twelve-month terms in the same office unless serving an unexpired term.
3. A vacancy in the office of President shall be filled by the **First** Vice-President. The Board shall fill a vacancy in the office of **First** Vice-President or **Second Vice-President** ~~Secretary~~ by election at the next meeting after which the vacancy occurred.

Article VI – Duties of Officers.

A. The President shall:

1. Preserve order and conduct all of Board proceedings **meetings** according to these bylaws, ~~parliamentary rules~~ **Robert Rules**, the Administrative Process Act and other applicable laws and regulations;
2. Call special meetings;
3. Appoint all committees, except the nominating committee;
4. Appoint annually three members to the Committee of the Joint Boards of Nursing and Medicine; and
5. Review and approve non-routine applications for licensure, certification or registration as referred by Board staff.

B. The **First** Vice-President shall:

1. Preside in the absence of the President;
2. Succeed to the office of President for the unexpired term in the event of a vacancy in the office of President; and
3. Assume such functions or responsibilities as may be delegated by the President or the Board.

C. The Secretary **Second Vice-President** shall:

1. Certify minutes of all Board proceedings;
2. Perform all other duties pertaining to this office and not otherwise delegated to staff; and
3. Assume such functions or responsibilities as may be delegated by the President or the Board.

Article VII – Committees.

A. Executive Committee:

The Officers of the Board shall constitute the Executive Committee, ~~who~~ **which** shall represent the interests of the Board in meetings within the Department of Health Professions, with other agencies of the Commonwealth or other organizations as directed by the Board. The Executive Committee may review matters pending before the Board and make recommendations to the Board for action.

B. Standing Committees

1. Members of the standing committees shall be appointed by the President following the election of the officers for a term of twelve months.

2. Standing Committees shall include:

Committee of the Joint Boards of Nursing and Medicine

~~Discipline Committee~~

Education Committee

C. Special Conference Committees shall be comprised of at least two members of the Board and shall:

1. Review investigative reports resulting from complaints against licensees.

2. Recommend appropriate proceedings for complaint resolution.

3. Conduct informal hearings **proceedings** pursuant to §§ 2.2-4019, 2.2-4021, and 54.1-2400 of the *Code of Virginia*.

D. Advisory Committees

1. Advisory Committees shall consist of three or more persons appointed by the Board who are knowledgeable in a particular area of practice or education under consideration by the Board.

2. Such committees shall review matters as requested by the Board and advise the Board relative to the matters or make recommendations for consideration by the Board.

E. Ad-Hoc Committees

1. Ad-Hoc Committees comprised of Board members and/or staff may be appointed by the President to assist in fulfilling the powers and duties of the Board.

2. Such committees shall be advisory to the Board and shall make recommendations to the Board for action.

3. A Committee shall be appointed by the Board every three years to review Board of Nursing guidance documents and make recommendations for revisions and/or deletions.

Article VIII – Meetings.

A. The Board shall meet in regular session at least in January of each year for its annual meeting and at such other times as the Board may determine.

B. Special meetings shall be called by the president or by written request to the President from any three members, provided there is at least seven days notice given to all members.

C. A telephone conference call meeting may be held to consider suspension of a license pursuant to § 54.1-2408.1 pending a hearing when the danger to the public health or safety warrants such action and when a good faith effort to convene a regular meeting has failed.

D. An affirmative vote of a majority of those serving on the Board who are qualified to vote or those serving on a panel of the Board convened pursuant to § 54.1-2400 shall be required for any action to suspend or revoke a license, certificate, or registration or to impose a sanction, except an affirmative vote of a majority of a quorum of the Board shall be sufficient for the summary suspension of a license. An affirmative vote of three-fourths of the members of the Board at the hearing shall be required to reinstate an applicant's license or certificate suspended by the Director of the Department of Health Professions pursuant to § 54.1-2409. An affirmative vote of a quorum of the Board shall determine all other matters at any regular or special meeting.

Article IX – Quorum.

A. A quorum for any Board or committee meeting shall consist of a majority of the members.

B. No member shall vote by proxy.

Article X – Parliamentary Authority.

Roberts' Rules of Order (current edition) shall govern the proceedings of the Board in all cases not provided for in these bylaws, the *Code of Virginia* and the Regulations of the Board.

Article XI – Amendment of Bylaws.

These bylaws may be amended at any meeting of the Board by a two-thirds vote of the members present and voting provided copies of the proposed amendments shall have been presented in writing to all members at least 30 days prior to the meeting at which time such amendments are considered.

Article XII – ~~Probable Cause Review and Determination~~ Discipline.

A. When the Board of Nursing receives an investigative report from the Enforcement Division, a preliminary review of the case is made to determine whether probable cause exists to proceed with an administrative proceeding on charges that one or more of the Board's statutes or regulations may have been violated. The Board of Nursing staff, ~~who are professional nurses,~~ is delegated the authority ~~to determine if there is probable cause~~

~~to initiate proceedings or action on the Board's behalf. If after reviewing the file, the staff determines probable cause does not exist, or that the Board does not have jurisdiction over the matter in question, the staff may review the case with a Special Conference Committee to determine if the case should be closed. Additional delegation to Board of Nursing professional discipline staff is authorized pursuant to Guidance Document #90-12 for certain disciplinary activities pursuant to Guidance Document # 90-12.~~

B. The initial review by Board staff may also determine if the case constitutes grounds for a possible summary suspension. A summary suspension occurs, pursuant to § 54.1-2408.1, when the Board determines that substantial danger to the public health or safety exists should the respondent retain his license, certificate or registration. If Board staff determines the case should proceed as a possible summary suspension, the case is forwarded to the Administrative Proceedings Division. After preparation of the case for presentation, the Administrative Proceedings Division forwards the information to the Attorney General's Office for assignment and possible prosecution. If it is agreed that the information should be presented to the Board as a possible summary suspension, the Board may meet by telephone conference call, provided a good faith effort to assemble a quorum of the Board has failed. Should the Board decide that an order be entered that summarily suspends a practitioner's license, the order is served personally on or mailed to the respondent, along with a notice of formal hearing.

Article XIII – Nurse Licensure Compact.

A. Pursuant to § 54.1-3037 of the *Code of Virginia* the Executive Director of the Board of Nursing shall be the Administrator of the Compact for Virginia and shall perform the duties of the Administrator according to the requirements of the Nurse Licensure Compact.

B. The Board of Nursing shall comply with the Policies and Procedures of the Nurse Licensure Compact Administrators as outlined in the current manual.

Virginia Board of Nursing

Guidance Document 90-6 (PICC Line Insertion and Removal) Committee

July 18, 2017 Meeting Minutes

- Time and Place:** The meeting of the Guidance Document 90-6 Committee meeting was convened at 3:10 P.M. on July 18, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.
- Board Members Present:** Louise Hershkowitz, CRNA, MSHA, Vice President, Chairperson
Guia Caliwagan, RN, MAN, EdS
Marie Gerardo, MS, RN, NEA-BC
- Staff Members Present:** Jay P. Douglas, RN, MSM, CSAC, FRE
Jodi Power, RN, JD
- Other Present:** Fran Conklin, BS, RN-BC, CRNI, Pediatric Clinical Nurse IV
Centra Health

The Committee discussed and reviewed the 2016 Infusion Nurses Society Standards provided by Ms. Conklin. The proposed changes to Guidance Document 90-6 were reviewed in light of comments received from the public.

Ms. Douglas informed the Committee that a request for public comment on the draft document was sent to the Virginia Nurses Association (VNA), the Virginia Organization of Nurse Executive Headers, Virginia Hospital and Health Care Association (HHCA), and the Legislative Coalition of Virginia Nurses. She added that five comments were received in support of proposed changes with minor suggestions for change and no comments in opposition were received.

There was not any member of the public present to address the Committee.

The Committee discussed the possibility of including licensed practical nurses (LPN's) in Guidance Document 90-6. Factors considered were the education preparation of LPN's, the scope of practice of LPN's and the need for a comprehensive patient assessment associated with insertion and removal of PICC Lines. Ms. Conklin made the Committee aware that in some jurisdictions respiratory therapists and LPN's are authorized to insert and remove PICC Lines.

The Committee decided that this guidance document not be modified to include LPN's. Suggested changes to the draft distributed to the public on June 12, 2017 include:

- Insert “**or central venous access devices**” after (PICC) lines; and insert “**physician assistant, or nurse practitioner**” after a license physician in the introduction paragraph
- Insert “***and removal***” at the end of item # 2
- Insert into item # 4 “***insertion, removal, and maintenance of these devices.***”
- Insert into item # 5 “***on insertion***” after axillary vein
- Include footnote reference to “***Infusion Therapy Standards of Practice – Infusion Nurse Society 2016***”

Ms. Douglas was directed to seek advice from Board Counsel about obtaining and attaching the Infusion Nurses Society Standards to the guidance document.

Next steps:

- Provide the Committee with a clean draft of Guidance Document 90-6 that incorporated the above changes
- Provide final draft to Board Counsel for review
- Present final draft to the full Board at the September 2017 meeting

Meeting was adjourned at 4:00 P.M.

Virginia Board of Nursing

Peripherally Inserted Central Catheters (PICC) Line Insertion and Removal by Registered Nurses ~~under Appropriate Circumstances~~

Virginia Code § 54.1-3000 defines registered nursing as

the performance for compensation of any nursing acts in the observation, care and counsel of individuals or groups who are ill, injured or experiencing changes in normal health processes or the maintenance of health; in the prevention of illness or disease; in the supervision and teaching of those who are or will be involved in nursing care; in the delegation of selected nursing tasks and procedures to appropriately trained unlicensed persons as determined by the Board; or in the administration of medications and treatments as prescribed by any person authorized by law to prescribe such medications and treatment.

This definition includes the insertion and removal of Peripherally Inserted Central Catheters (PICC) lines ~~or central venous access devices~~ upon order of a licensed physician, physician assistant, or nurse practitioner. In specific clinical practice settings, factors to be considered include:

1. The registered nurse possesses substantial knowledge and experience in intravenous therapy.
2. The registered nurse has specialized education and can demonstrate competency in line placement **and removal**. This documented education shall include a theoretical and clinical component.
3. The registered nurse documents continued competence in performing the skill and use of technology.
4. The agency or institution employing said nurses has established policies and procedures regarding ~~the use of these devices~~ **insertion, use, removal, and maintenance of these devices**.
5. Confirmation by radiologic or by other imaging technology of catheter position is required when tip placement is positioned beyond the axillary vein **on insertion** prior to use of the PICC for any reason.
6. The placement of a PICC line may only be carried out in ~~structured, clinical~~ settings where the equipment and expertise of other health professionals to manage complications are readily available.

Guidance document: 90-6

Revised: September 11, 2012

Accepted: January 27, 1993

Revised: July 15, 2008

Revised: September 11, 2012, May 2017

Virginia Board of Nursing
Nurse Aide Curriculum Committee Sub-group
9960 Mayland Drive - Conference Center Suite 201 – Board Room 3 - Henrico, Virginia 23233
September 21, 2017 – 10:00 a.m.

Minutes

TIME AND PLACE: A subgroup meeting of the stakeholders regarding the Nurse Aide Curriculum of the Virginia Board of Nursing was called to order by Dr. Joyce Hahn, Board President at 10:00 a.m. on September 21, 2017 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 300, Henrico, Virginia.

BOARD MEMBERS PRESENT Joyce A. Hahn, PhD, RN, NEA-BC, FNAP, Board President (Chair)

STAKEHOLDERS PRESENT Karen Riley, Sunnyside Retirement Community and Leading Age
Betty DeOrnellas, Virginia Health Care Association
Paige McCleary, DARS – APS Division
Annie Rhodes, VCU Gerontology & Leading Age Virginia
Judy Hackler, Virginia Assisted Living Association (VALA)
Sarah Luckado, LPN, American Retirement Homes, Inc.

DHP STAFF PRESENT: Paula B. Saxby, RN, PhD, Deputy Executive Director, Virginia Board of Nursing
Brenda Krohn, RN, MS, Deputy Executive Director, Virginia Board of Nursing
Christine Smith, RN, MS, On-Site Visitor
Temika Younger, RN, MS, On-Site Visitor
Vivienne McDaniel, RN, MS, DNP student, Walden University

DISCUSSION: This is the fourth meeting of the subgroup as a recommendation from the full stakeholders group from their meeting on July 14, 2016. The focus of the meeting was to continue to discuss possible changes to the Curriculum pertaining to Nurse Aide Education Programs in Virginia.

The group continued to discuss possible changes to the curriculum unit by unit, and discussed changes to Units 1 through 6, and began work on Unit 7. There were some editorial changes and additions in the content for dementia; abuse, neglect, mistreatment, exploitation, and misappropriation of client/resident property (and reporting requirements) to ensure that the language from the Board of Nursing regulations are included as well as language from Adult Protective Services and long term care facility regulations. In addition, content was added throughout the curriculum for person centered care.

PLAN FOR FOLLOWUP: Prior to the next meeting, Committee members will review Units 6, 7, and 8 and submit changes to Dr. Paula Saxby by October 15, 2017, to be included in the revisions to be considered at the next meeting.

Christine Smith and Temika Younger will send information from their nurse aide curriculum to assist with revisions. Karen Riley will review and revise the information on disposal of contaminated waste and Federal Laws pertaining to Nursing Home facilities. Betty DeOrnellas will submit information regarding reporting requirements in Nursing Home facilities.

Dr. Saxby and Ms. McDaniel (DNP student) will make changes to the curriculum and distribute to the committee members prior to the next meeting. The next meeting is tentatively scheduled for Tuesday, November 14, 2017 in the afternoon (time to be determined).

ADJOURNMENT:

The committee adjourned at noon.

Paula B. Saxby, R.N., Ph.D., Deputy Executive Director

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
BUSINESS MEETING MINUTES
October 11, 2017**

- TIME AND PLACE:** The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:00 A.M., October 7, 2017 in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.
- MEMBERS PRESENT:** Louise Hershkowitz, CRNA, MSHA; Chair
Marie Gerardo, MS, RN, ANP-BC
Kevin O'Connor, MD
Kenneth Walker, MD
- MEMBERS ABSENT:** Lori Conklin, MD
Rebecca Poston, PhD, RN, CPNP
- ADVISORY COMMITTEE MEMBERS PRESENT:**
Kevin E. Brigle, RN, NP
Wendy Dotson, CNM, MSN
Sarah E. Hobgood, MD
Thokozeni Lipato, MD
Stuart F. Mackler, MD
- STAFF PRESENT:** Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Jodi P. Power, RN, JD; Senior Deputy Executive Director; Board of Nursing – **joined at 9:40 A.M.**
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice; Board of Nursing
Huong Vu, Executive Assistant; Board of Nursing
- OTHERS PRESENT:** Charis Mitchell, Assistant Attorney General; Board Counsel
David Brown, DC; Director; Department of Health Professions
Elaine Yeatts, Senior Policy Analyst, Department of Health Professions
William L. Harp, MD, Executive Director; Board of Medicine – **joined at 9:15 A.M.**
- IN THE AUDIENCE:** W. Scott Johnson, Medical Society of Virginia (MSV)
Mary Duggan, American Association of Nurse Practitioners (AANP)
Sarah Heisler, Virginia Hospital and Healthcare Association (VHHA)
Richard Grossman, Virginia Council of Nurse Practitioners (VCNP)
- INTRODUCTIONS:** Committee members, Advisory Committee members and staff members introduced themselves.
- ESTABLISHMENT OF A QUORUM:** Ms. Hershkowitz called the meeting to order and established the quorum was present.

Virginia Board of Nursing
Committee of the Joint Boards of Nursing and Medicine Minutes
October 11, 2017

ANNOUNCEMENT: Ms. Hershkowitz welcomed and introduced Dr. Hills as the Deputy Executive Director for Advanced Practice for the Board of Nursing.

Ms. Hershkowitz welcomed Dr. O'Connor to the Committee of the Joint Boards of Nursing and Medicine. She added that Dr. O'Connor replaced Dr. Reynolds. She hopes that Dr. O'Connor will enjoy being on the Committee. She stated her appreciation of Dr. Reynolds for his service.

Ms. Hershkowitz also welcomed Dr. Lapito as the Physician member on the Advisory Committee to the Committee of the Joint Boards of Nursing and Medicine. Dr. Lapito shared his background information with the Committee.

Ms. Douglas noted that Dr. Poston recently resigned her appointment at the Board of Nursing. She added that Dr. Hahn, Board of Nursing President, will appoint a new member to replace Dr. Poston on the Committee of the Joint Boards of Nursing and Medicine. Ms. Hershkowitz thanked Dr. Poston for her service.

REVIEW OF MINUTES: The minutes of June 7 Special Conference Committee and Business Meeting, were reviewed. Ms. Gerardo moved to accept all the minutes as presented. The motion was seconded and passed unanimously.

PUBLIC COMMENT: Mary Duggan, American Association of Nurse Practitioners (AANP), asked for clarification regarding "*tramadol*" on page 3 of the June 7 Business Meeting minutes where it stated "While "*tramadol*" is an opioid type of drug, it was determined that it will be kept in 18VAC90-40-160(C), 18VAC90-40-190(D), and 18VAC90-40-270(D)".

Ms. Hershkowitz thanked Ms. Duggan for her comment and added the Committee will take into consideration her comment.

DIALOGUE WITH AGENCY DIRECTOR: Dr. Brown reported the following on the two opioid bills that were passed by the 2017 General Assembly:

- Electronic prescription of opioids will begin July 1, 2020 and the Workgroup was established and convened to look at New York Board's model. The Workgroup concluded the following:
 - Acknowledged the crisis of opioid abuse
 - Technology is a big issue since less than 10% of practitioners use electronic prescribing
 - Agreed with the effective date of 2020
 - Identified exemptions for people who are not required to prescribe electronically
- The Secretary of Health and Human Resources convened a workgroup that includes experts to establish common curriculum for training health care providers in the safe prescribing and appropriate use of opioids and pain management. The initial meeting was held on May 19, 2017 and

Subcommittees were established in the areas of pain management, recognition and treatment of addiction, and developing essential curricula. The next step is to establish a Workgroup of non-prescribers by the end of October 2017.

- Early Prescriptive Monitoring Program (PMP) data has shown a downward trend of numbers of opioid prescribed since regulations for prescribing opioid for pain management went into effect in March 2017.

Dr. Lipato noted that there are no valid pain assessment tools available to clinicians that measure a patient's functionality instead of or in addition to the pain scale. Dr. Brown stated that more current pain assessment tools are needed in order to get prescribers away from using pain scale alone when developing pain management plans of care.

Dr. O'Connor asked how pain medications are tracked in the PMP. Dr. Brown said that PMP has in place a system to track numbers of prescriptions filled. Dr. Brown added that currently Veterinarians are not required to report to PMP when prescribing opioids, but they do report when dispensing opioids; however, the Board of Veterinary Medicine did implement a guideline aimed at decreasing the prescribing of opioids.

OLD BUSINESS:

Regulatory Update:

Ms. Yeatts reviewed the chart of regulatory actions, as provided in written handout, noting that the comment period for NOIRA for supervision and direction of laser hair removal will end November 1, 2017. She added that comments have already been received. She stated that the regulations for nurse practitioners will need to be amended to define "direction and supervision" and the next task is to convene a Committee with all three professions to establish proposed language.

Ms. Hershkowitz asked what the three professions are. Ms. Yeatts said Physicians, Physician Assistants, and Nurse Practitioners.

NOIRA for Eliminating of a Separate Prescriptive Authority License:

Ms. Yeatts stated that the Board of Nursing (BON) and Medicine have discussed the elimination of separate license for prescriptive authority for nurse practitioners. She added that there is no provision in the Code to require a separate license. She noted that the languages of both regulations (Regulations Governing the Licensure of Nurse Practitioners and Regulations for Prescriptive Authority for Licensed Nurse Practitioners) will be combined. She said that the action to implement elimination must be regulatory and begin with a Notice of Intended Regulatory Action (NOIRA).

Ms. Hershkowitz asked Ms. Douglas to provide background information regarding this action. Ms. Douglas reminded members of Ms. Willinger written report submitted at a prior meeting and noted that administratively, this is less burdensome and more efficient for applicants. Additionally, Ms. Douglas added

that the two separate licenses created confusion for the public. Ms. Douglas noted that the Committee did not see any disadvantage for this action.

Dr. O'Connor moved to recommend to the BON and BOM the adoption of a NOIRA to begin regulatory process for elimination of a separate prescriptive authority license. The motion was seconded and passed unanimously.

NEW BUSINESS:

Board of Nursing Executive Director Report:

Ms. Douglas reported the following:

- New APRN Compact has been developed and three States (South Dakota, Wyoming, and Idaho) have adopted. Virginia current laws and regulations are a barrier to Virginia joining.
- Veteran Affairs - NCSBN is doing work with Veteran's Affairs Administration regarding expanding the scope of practice of APRNs and Board's access to information necessary for investigations.
- The New Enhanced Nurse Licensure Compact (eNLC) for RN's and LPN's only - went into effect on July 20, 2017 and is scheduled to be implemented on January 19, 2018. The eNLC establishes uniform licensure requirements and no Multi-State Privilege (MSP) license is issued if an individual does not meet these requirements. Additionally, a MSP license from another compact state can be the basis for an NP license.

ePrescribing Workgroup Update

Ms. Douglas stated that this was provided by Dr. Brown earlier.

BHP Report

Ms. Douglas highlighted actions taken by the BHP at its last meeting noting that the Board accepted the recommendation of the Regulatory Research Committee to not license Certified Anesthesiology Assistants (CAAs.)

Resignation of Cathy A. Harrison, DNAP, MSN, CRNA, Committee of the Joint Boards Advisory

Ms. Douglas noted that Dr. Harrison was with the Committee for a short time. She added that Dr. Harrison was hired by DHP as Investigator. Ms. Hershkowitz thanked Dr. Harrison for her service.

Appointment of Joint Boards CRNA Advisory Committee Member – Recommendation of Colonel Janet Setnor from VANA:

Ms. Hershkowitz stated that Colonel Setnor's Biography and CV are presented for the Committee consideration and action for the CRNA position on the Advisory Committee to replace Dr. Harrison.

Dr. Walker moved to accept the appointment of Colonel Setnor for the CRNA position on the Advisory Committee. The motion was seconded and passed.

2018 Committee of the Joint Boards of Nursing and Medicine Dates

Ms. Hershkowitz stated that Ms. Vu provided the 2018 Committee Dates handout for information only. Ms. Douglas reminded the Committee Members to hold those dates either for meetings or hearings.

Dr. Walker asked how Dr. Hills' position fits within the Board of Nursing. Ms. Douglas stated that the previous Deputy Executive Director's position had been vacant for a year. Ms. Douglas said that she reviewed the structure and organization of the Board and decided to focus the position with someone who is knowledgeable about advanced practice. Ms. Douglas noted that Dr. Hills is a lead staff person related to discipline for nurse practitioners and a point of contact for external inquiry about nurse practitioners. Ms. Douglas added that Dr. Hills will also be involved in probable review for nursing cases and will oversee the Compliance Division. Dr. Hills shared her background information with the Committee.

Ms. Dodson informed the Committee that there are few Midwife Programs for a non-nurse with Certified Midwife (CM) degrees in the United States, not Certified Nursing Midwife (CNM) degrees. She added that this group has inquired about the practicing of CMs in Virginia without CNM degree. She asked if the Committee would like for them to present at the Committee's meeting in December. She clarified that this group was not the Certified Professional Midwives (CPM's) regulated by the Board of Medicine.

Ms. Yeatts stated that the Code of VA would have to be changed to regulate a new profession. Ms. Yeatts said that Ms. Dodson may wish to contact BHP which is an advisory Board to the Department as it conducts studies on the need for regulation of professions. Ms. Douglas added that the contact person at BHP is Dr. Carter.

Dr. Brown reminded the Committee regarding the public comment about "*tramadol*". Ms. Hershkowitz asked Ms. Yeatts to clarify further. Ms. Yeatts noted that the minutes referencing "*tramadol*" were in error and suggested to amend the minutes to read "***While tramadol is an opioid type of drug, it was determined that it will be kept in 18VAC90-40-160(C), 18VAC90-40-190(D), and 18VAC90-40-270(D).***" Ms. Gerardo moved to amend the June 7 Business Meeting minutes as suggested by Ms. Yeatts. The motion was seconded and passed unanimously.

Members of the Advisory Committee, Dr. Brown, Ms. Yeatts left the meeting at 9:50 AM.

RECOMMENDATIONS AND CONSENT ORDER FOR CONSIDERATION

CLOSED MEETING: Ms. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine and the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:50 A.M. for the purpose of

deliberation to consider Agency Subordinate recommendations and Consent Order. Additionally, Ms. Gerardo moved that Ms. Douglas, Dr. Hills, Ms. Power, Ms. Vu, and Ms. Mitchell 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 10:20 P.M.

Ms. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine and 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.

Nicole Renee Cofer, LNP 0024-168302

Dr. O'Connor moved to accept the Agency Subordinate recommendation to reprimand Nicole Renee Cofer and to indefinitely suspend her license to practice as a nurse practitioner in the Commonwealth of Virginia. The suspension shall be stayed upon proof of Ms. Cofer's re-entry into a Contact with the Virginia Health Practitioners' Monitoring Program (HPMP) and comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Heather Kiser Duty, LNP 0024-000084 and Authorization to Prescribe 0017-136873

Dr. O'Connor moved to modify the Agency Subordinate recommendation to indefinitely suspend the license Heather Kiser Duty to practice as a nurse practitioner and the Authorization to Prescribe in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

Paul M. Colton, LNP 0024-170972 and Authorization to Prescribe 0017-141527

Ms. Gerardo moved to accept the consent order of reinstatement the license of Paul M. Colton to practice as a nurse practitioner in the Commonwealth of Virginia without restriction. The motion was seconded and passed unanimously.

ADJOURNMENT:

As there was no additional business, the meeting was adjourned at 10:25 A.M.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
FORMAL HEARING MINUTES
October 11, 2017**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 10:30 A.M., October 11, 2017 in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

CHAIR: Louise Hershkowitz, CRNA, MSHA; Chair

COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE MEMBERS PRESENT:
Marie Gerardo, MS, RN, ANP-BC, Board of Nursing, Joint Board Member
Kevin O'Connor, MD, Board of Medicine, Joint Board Member
Kenneth Walker, MD, Board of Medicine, Joint Board Member

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Jodi P. Power, RN, JD; Senior Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Darlene Graham, Senior Discipline Specialist; Board of Nursing

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

ESTABLISHMENT OF A QUORUM: With four members of the Committee of the Joint Boards present, a quorum was established.

FORMAL HEARING: **Jason A. Panek, LNP 00024-172801, Authorization to Prescribe 0017-142329**
Mr. Panek appeared and was accompanied by Andre Hakes, Esquire.

David Kazzie, Adjudication Specialist, and Julia Bennett, Assistant Attorney General, represented the Commonwealth. Ms. Mitchell was legal counsel for the Committee of Joint Boards and Board of Nursing. Theresa Pata, court reporter from Crane Snead and Associates, recorded the proceedings.

Kevin Pultz, Senior Investigator, Department of Health Professions, Patient A, Maura Hogan, Senior Group Leader, Discovery School, Anthony Taylor, Investigator, Buckingham County Sheriff's Office, and Matthew Browning, Program Director, Discovery School, were present and testified.

Dianne Johnson, RMA, Discovery School, testified via telephone.

RECESS: The Committee recessed at 1:43 P.M.

RECONVENTION: The Committee reconvened at 2:15 P.M.

RECESS: The Committee recessed at 3:00 P.M.

Virginia Board of Nursing
Committee of Joint Boards of Nursing and Medicine Minutes – Formal Hearing
October 11, 2017

RECONVENTION: The Committee reconvened at 3:10 P.M.

CLOSED MEETING: Ms. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(28) of the *Code of Virginia* at 3:58 P.M., for the purpose to reach a decision in the matter of Mr. Panek. Additionally, Ms. Gerardo moved that Ms. Power, Dr. Hills, 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 4:21 P.M.

Dr. Walker moved that the Committee of the Joint Boards of Nursing and Medicine and panel 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. Gerardo moved that the Committee of the Joint Boards of Nursing and Medicine dismiss the case against Jason A. Panek, LNP and impose no sanction for lack of clear and convincing evidence of a violation of law or regulation governing the practice. The motion was seconded and carried unanimously.

ADJOURNMENT: The meeting was adjourned at 4:23 P.M.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director

VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE OF THE BOARD OF NURSING AND THE
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
MINUTES
October 11, 2017

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine was convened at 4:35 P.M., in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Louise Hershkowitz, CRNA, MSHA, Chairperson
Marie Gerardo, MS, RN, ANP-BC
Dr. Kevin O'Connor, MD

STAFF PRESENT: Jay P. Douglas, Executive Director, Board of Nursing
Robin Hills, DNP, WHNP, Deputy Director, Board of Nursing
Anne Joseph, Deputy Director, Administrative Proceedings Division

CONFERENCES
SCHEDULED:

Sandra Rosado, RN, LNP, Reinstatement Applicant 0001-213307; 0024-167930

Ms. Rosado appeared, accompanied by Carole Schriefer, Esquire, legal counsel.

CLOSED MEETING: Ms. Gerardo moved that the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 5:22 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Rosado. Additionally, Ms. Gerardo moved that Ms. Douglas, Dr. Hills, and Ms. Joseph 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 5:34 P.M.

Ms. Gerardo moved that the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine 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. Gerardo moved to issue an Order to approve the application for reinstatement of Ms. Rosado's license to practice professional nursing in Virginia. Ms. Rosado will be issued a valid in Virginia only license.

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. Rosado unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Rosado within such time. If service of the order is made by mail, 3 additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ACTION: Dr. O'Connor moved to issue an Order to approve the application for reinstatement of Ms. Rosado's license to practice as a nurse practitioner in Virginia. Ms. Rosado will be issued an unrestricted license.

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. Rosado unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Rosado within such time. If service of the order is made by mail, 3 additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The meeting was adjourned at 5:35 P.M.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

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Virginia Board of Nursing
Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director

Board of Nursing (804) 367-4515
Nurse Aide Registry (804) 367-4569
Medication Aide Registry (804) 367-4420
FAX (804) 527-4455

Memo

To: Board Members
From: Jay P. Douglas, MSM, RN, CSAC, FRE
Date: April 21, 2017
Re: Dates for 2018 Board Meetings and Formal Hearings

The following dates are proposed for the 2018 Board meetings and formal hearings:

January 29 – February 1, 2018

March 26 – 29, 2018

May 14 – 17, 2018

July 16 – 19, 2018

September 17 – 20, 2018

November 13 – 14 and December 6, 2018

cc: C. Mitchell
J. Banning
A. Joseph

Virginia Board of Nursing
2018 Informal Conference Schedule
 *Chairperson

Special Conference Committee A Jennifer Phelps, LPN * Michelle Hereford, MSHA, RN, FACHE	Special Conference Committee B Trula Minton, M.S., R.N.* Laura Cei, BS, LPN, CCRP
Special Conference Committee C Louise Hershkowitz CRNA, MSHA* Margaret Friedenber, Citizen Member	Special Conference Committee D Marie Gerardo, MS, RN, ANP-BC* Alice Clark, Citizen Member
Special Conference Committee E * Dustin Ross, DNP, MBA, RN	Special Conference Committee F Mark Monson, Citizen Member * Ethlyn McQueen-Gibson, DNP, MSN, RN, BC

DATE	SCC/AG SUB	STAFF	CASES	MEETING ROOM	WAITING ROOM	APD STAFF	BON STAFF
Wednesday January 10 2018	Ag Sub – AG	RH	Nsg/LNP	HR 5	HR 1		DG
Thursday January 11 2018	Ag Sub – EJE	LK	Nsg	HR 3	HR 1		LG/MB
Wednesday January 17 2018	Ag Sub – NKD	EJE	CNA	HR 5	HR 2		PHR
Wednesday January 17 2018	Education IFC	PS/CR	Edu. Prog.	BR 2			BY
Thursday January 18 2018	Ag Sub – JEP	BK	CNA	HR 5	HR 2		PHR
Monday February 5 2018	SCC-A	RH	Nsg	BR 3	TR 2		LG
Tuesday February 6 2018	SCC-C	JP	Nsg	TR 1	HR 6		MB
Tuesday February 6 2018	SCC-F	EJE	Nsg	HR 3	HR 6		DG
Wednesday February 7 2018	JB MTG	JD/RH	LNP	BR 2			HV/DG
Thursday February 8 2018	SCC-D	BK	Appl	HR 3	HR 1		LA
Tuesday February 13 2018	SCC-E	JP	Nsg	BR 4	HR 6		MB
Wednesday February 14 2018	Ag Sub – NKD	EJE	CNA	HR 5	HR 2		PHR
Thursday February 15 2018	Ag Sub – EJE	BK	CNA	HR 5	HR 2		PHR
Tuesday February 20 2018	SCC-B	BK	Appl/LMT	BR 1	HR 1		LA
Thursday February 22 2018	Ag Sub – JEP	LK	Nsg	HR 5	HR 2		LG/MB
Tuesday March 6 2018	Ag Sub – EJE	RH	Nsg	TR 2	HR 6		LG
Thursday March 8 2018	Ag Sub – JEP	BK	CNA	HR 5	HR 2		PHR
Wednesday March 14 2018	Ag Sub – NKD	EJE	CNA	HR 5	HR 2		PHR
Wednesday March 14 2018	Education IFC	PS/CR	Edu. Prog.	TR 1			BY
Monday April 2 2018	SCC-A	BK	Appl/LMT	BR 4	HR 6		LA
Tuesday April 3 2018	SCC-E	RH	Nsg	BR 4	HR 6		MB
Thursday April 5 2018	SCC-D	BK	Appl	BR 4	HR 6		LA
Tuesday April 10 2018	SCC-B	RH	Nsg	BR 3	HR 6		LG
Wednesday April 11 2018	JB MTG	JD/RH	LNP	BR 4			HV/DG
Wednesday April 11 2018	Ag Sub – NKD	EJE	CNA	HR5	HR 2		PHR
Thursday April 12 2018	SCC-C	JP	Nsg	HR 3	HR 1		MB
Tuesday April 17 2018	SCC-F	JP	Nsg	TR 1	HR 4		MB
Thursday April 19 2018	Ag Sub – JEP	BK	CNA	HR 5	HR 2		PHR
Wednesday April 25 2018	Ag Sub – EJE	LK	Nsg	HR 5	HR 2		LG
Wednesday May 2 2018	Ag Sub – NKD	EJE	CNA	HR 5	HR 2		PHR
Wednesday May 2 2018	Education IFC	PS/CR	Edu. Prog.	BR 2			BY
Tuesday May 8 2018	Ag Sub – EJE	BK	CNA	HR 3	HR 2		PHR
Wednesday May 9 2018	Ag Sub – AG	RH	Nsg/LNP	HR 3	HR 2		MB
Thursday May 10 2018	Ag Sub – JEP	LK	Nsg	TR 1	HR 6		LG
Monday June 4 2018	SCC-A	RH	Nsg	BR 4	HR 6		LG
Tuesday June 5 2018	SCC-E	BK	Appl/LMT	HR 3	HR 6		LA
Wednesday June 6 2018	SCC-D	JP	Nsg	TR 1	HR 6		LG
Thursday June 7 2018	Ag Sub – AG	RH	Nsg/LNP	HR 5	HR 2		MB
Tuesday June 12 2018	SCC-C	BK	Appl	TR 1	HR 4		LA
Wednesday June 13 2018	JB MTG	JD/RH	LNP	BR 2			HV/DG
Wednesday June 13 2018	SCC-B	JP	Nsg	BR 3	HR 6		MB
Thursday June 14 2018	Ag Sub – EJE	LK	Nsg	HR 5	HR 2		LG
Tuesday June 19 2018	SCC-F	JP	Nsg	TR 1	HR 6		MB
Wednesday June 20 2018	Ag Sub – NKD	EJE	CNA	HR 5	HR 2		PHR
Thursday June 21 2018	Ag Sub – JEP	BK	CNA	HR 5	HR 2		PHR

Draft: 11/02/17

JPP - Jodi Power JEP - Judy Piersall

**VIRGINIA BOARD OF NURSING
EDUCATION INFORMAL CONFERENCE COMMITTEE
MINUTES
November 8, 2017**

**TIME AND
PLACE:**

The meeting of the Education Informal Conference Committee was convened at 9:10 a.m. in Suite 201, Department of Health Professions 9960 Mayland Drive, Second Floor, Board Room 2, Henrico, Virginia.

**MEMBERS
PRESENT:**

Louise Hershkowitz, CRNA, MSHA, Chair
Mark D. Monson, Citizen Member

**STAFF
PRESENT:**

Jodi Power, RN, JD, Senior Deputy Executive Director
Paula B. Saxby, RN, Ph.D., Deputy Executive Director
Charlette Ridout, RN, MS, CNE, Senior Nursing Education Consultant,
Anne Joseph, Deputy Director, Administrative Proceedings
Division
Beth Yates, Administrative Assistant

CONFERENCES SCHEDULED:

REGISTERED NURSING, PRACTICAL NURSING, AND NURSE AIDE EDUCATION PROGRAMS

Stratford University, Falls Church, BSN program, US28502100

Diane Fiedler, MSN, Assistant Program Director, Dr. Catherine Bowe, Dean, Dr. Nancie Crespi, Director of Nursing, Woodbridge Campus, Dr. Marie M. Lexima, Director of Nursing, Falls Church Campus, Dr. A. Lee Smith, Vice President of Academics and Faculty were in attendance. They were represented by Stephen T. Chema, Attorney.

At 10:57 a.m. Mr. Monson moved that the Education Informal Conference Committee convene a closed meeting pursuant to §2.2-3711 (A) (27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter Stratford University, Falls Church, BSN program. Additionally, he moved that Ms. Power, Dr. Saxby, Ms. Ridout, Ms. Joseph, and Ms. Yates attend the closed meeting because their presence in the closed meeting was deemed necessary.

The motion was seconded and carried unanimously. The Committee reconvened in open session at 11:54 a.m.

Mr. Monson moved that the Education Informal Conference Committee 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.

Action: Recommend to withdraw approval of Stratford University, Falls Church Baccalaureate Degree Nursing Education Program with terms and conditions as specified in the attached recommendation.

12:00 Public Comment

There was no public comment

Ms. Power and Ms. Joseph left the meeting at 12:00 p.m.

Ms. Jay Douglas, Executive Director and Ms. Brenda Krohn, Deputy Executive Director joined the meeting at 12:00 p.m.

The Committee recessed at 12:01 p.m.

The Committee reconvened at 1: 00 p.m.

Medication Aide Training Curriculum for Department of Corrections Officers

Ms. Krohn presented the curriculum to the Committee.

Action: Recommend to approve the curriculum for the Department of Corrections Officers and add the curriculum information to Guidance Document 90-62.

Program Status Update

Ms. Ridout, Senior Nursing Education Consultant presented the report regarding the status of several nursing education programs, including the result of a continued approval survey visit; Nursing Accreditation status for five programs; a name change for one program; and a program closure for one LPN to RN bridge program.

Action: Recommend to accept as information.

Continued Faculty Exceptions

Liberty University, BSN Program, Lynchburg, US28500000

The Education Committee reviewed a request from Liberty University for continuing faculty exceptions.

Action: Recommend to refer the matter to an informal conference at the January 17, 2018 education meeting.

Meeting adjourned at 1:47 p.m.

Paula B. Saxby, R.N., Ph.D.
Deputy Executive Director

Charlette Ridout, R.N., M.S.
Senior Nursing Education Consultant

**Agenda Item: Regulatory Actions - Chart of Regulatory Actions
As of October 26, 2017**

Board		Board of Nursing
Chapter	Action / Stage Information	
[18 VAC 90 - 19]	Regulations Governing the Practice of Nursing	<u>Waiver of CGFNS and TOEFL</u> [Action 4871] Fast-Track - Register Date: 11/13/17 Effective 12/28/17
[18 VAC 90 - 20]	Regulations of the Board of Nursing (Repealed)	<u>Amendment to name tag requirement</u> [Action 4725] Proposed - Register Date: 7/24/17 Board to adopt final in Nov.
[18 VAC 90 - 27]	Regulations Governing Nursing Education Programs	<u>Accreditation of RN Education programs</u> [Action 4570] Proposed - Register Date: 7/24/17 Board to adopt final in Nov.
[18 VAC 90 - 27]	Regulations Governing Nursing Education Programs	<u>Definition of full approval and timing of criminal background checks for nursing education programs</u> [Action 4926] Fast-Track - DPB Review in progress [Stage 8077]
[18 VAC 90 - 30]	Regulations Governing the Licensure of Nurse Practitioners	<u>Supervision and direction of laser hair removal</u> [Action 4863] NOIRA - Register Date: 10/2/17 Regulatory Advisory Panel to convene in Nov.
[18 VAC 90 - 40]	Regulations for Prescriptive Authority for Nurse Practitioners	<u>Prescribing of opioids</u> [Action 4797] Proposed - DPB Review in progress [Stage 8063]
[18 VAC 90 - 40]	Regulations for Prescriptive Authority for Nurse Practitioners	<u>Correction of section relating to practice agreements</u> [Action 4883] Fast-Track - At Secretary's Office [Stage 8020]
[18 VAC 90 - 50]	Regulations Governing the Licensure of Massage Therapists	<u>Periodic review</u> [Action 4559] Final - At Secretary's Office [Stage 8068]

Agenda Item: Proposed Regulatory Action

Staff note:

The Committee of the Joint Boards of Nursing and Medicine has discussed the elimination of a separate license for prescriptive authority for nurse practitioners. The Code of Virginia does have certain requirements for prescriptive authority but does not mandate a separate license.

Therefore, the action to implement elimination must be regulatory and begin with a Notice of Intended Regulatory Action (NOIRA).

The NOIRA will include the likelihood that Chapter 40, Regulations for Prescriptive Authority for Nurse Practitioners, will be repealed and the necessary provisions incorporated into a new Part in Chapter 30, Regulations Governing the Licensure of Nurse Practitioners.

Committee action:

To adopt the recommendation of the Committee of the Joints Boards for the adoption of a NOIRA to begin the regulatory process for elimination of a separate prescriptive authority license.

Agenda Item: Regulatory Action – Final amendments for Accreditation of RN Nursing Education Programs

Included in your package are copies of:

- Copy of the Proposed action published on Townhall – there were no public comments
- Copy of proposed regulations

Board Action:

Motion to adopt final amendments identical to the proposed regulations

Virginia.gov Agencies | Governor



Logged in as

Elaine J. Yeatts

 Agency Department of Health Professions

 Board Board of Nursing


 Chapter Regulations Governing Nursing Education Programs [18 VAC 90 – 27]
Action: Accreditation of RN Education programs

Action 4570 / Stage 7860

Proposed Stage
 Edit Stage
 Withdraw Stage
 Go to RIS Project

Documents		
<input checked="" type="radio"/> Proposed Text	4/21/2017 4:03 pm	Sync Text with RIS
<input type="checkbox"/> Agency Statement	3/8/2017 (modified 4/24/2017)	Upload / Replace
<input type="checkbox"/> Attorney General Certification	3/13/2017	
<input type="checkbox"/> DPB Economic Impact Analysis	4/27/2017	
<input type="checkbox"/> Agency Response to EIA	7/1/2017	Upload / Replace
<input checked="" type="radio"/> Governor's Approval Memo	6/30/2017	
<input checked="" type="radio"/> Registrar Transmittal	7/1/2017	

Status	
Incorporation by Reference	No
Exempt from APA	No, this stage/action is subject to article 2 of the <i>Administrative Process Act</i> and the standard executive branch review process.
Attorney General Review	Submitted on 3/8/2017 Review Completed: 3/13/2017 Result: Certified
DPB Review	Submitted on 3/13/2017 Economist: Larry Getzler Policy Analyst: Melanie West Review Completed: 4/27/2017 <i>DPB's policy memo is "Governor's Confidential Working Papers"</i>
Secretary Review	Secretary of Health and Human Resources Review Completed: 5/16/2017

Governor's Review	Review Completed: 6/30/2017 Result: Approved
Virginia Registrar	Submitted on 7/1/2017 The Virginia Register of Regulations Publication Date: 7/24/2017  Volume: 33 Issue: 24
Public Hearings	09/19/2017 10:15 AM
Comment Period	Ended 9/22/2017 0 comments

Contact Information	
Name / Title:	Jay P. Douglas, R.N. / <i>Executive Director</i>
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This person is the primary contact for this board.

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Project 4925 - Proposed

BOARD OF NURSING

Accreditation of RN Education programs

Part I

General Provisions

18VAC90-27-10. Definitions.

In addition to words and terms defined in § 54.1-3000 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Accreditation" means having been accredited by an agency recognized by the U.S. Department of Education to include the Accreditation Commission for Education in Nursing, the Commission on Collegiate Nursing Education, the Commission for Nursing Education Accreditation, or a national nursing accrediting organization recognized by the board.

"Advisory committee" means a group of persons from a nursing education program and the health care community who meets regularly to advise the nursing education program on the quality of its graduates and the needs of the community.

"Approval" means the process by which the board or a governmental agency in another state or foreign country evaluates and grants official recognition to nursing education programs that meet established standards not inconsistent with Virginia law.

"Associate degree nursing program" means a nursing education program preparing for registered nurse licensure, offered by a Virginia college or other institution and designed to lead to an associate degree in nursing, provided that the institution is authorized to confer such degree by SCHEV.

"Baccalaureate degree nursing program" or "prelicensure graduate degree program" means a nursing education program preparing for registered nurse licensure, offered by a Virginia college or university and designed to lead to a baccalaureate or a graduate degree with a major in nursing, provided that the institution is authorized to confer such degree by SCHEV.

"Board" means the Board of Nursing.

"Clinical setting" means any location in which the clinical practice of nursing occurs as specified in an agreement between the cooperating agency and the school of nursing.

"Conditional approval" means a time-limited status that results when an approved nursing education program has failed to maintain requirements as set forth in this chapter.

"Cooperating agency" means an agency or institution that enters into a written agreement to provide clinical or observational experiences for a nursing education program.

"Diploma nursing program" means a nursing education program preparing for registered nurse licensure, offered by a hospital and designed to lead to a diploma in nursing, provided the hospital is licensed in this state.

"Initial approval" means the status granted to a nursing education program that allows the admission of students.

"National certifying organization" means an organization that has as one of its purposes the certification of a specialty in nursing based on an examination attesting to the knowledge of the nurse for practice in the specialty area.

"NCLEX" means the National Council Licensure Examination.

"NCSBN" means the National Council of State Boards of Nursing.

"Nursing education program" means an entity offering a basic course of study preparing persons for licensure as registered nurses or as licensed practical nurses. A basic course of study shall include all courses required for the degree, diploma, or certificate.

"Nursing faculty" means registered nurses who teach the practice of nursing in nursing education programs.

"Practical nursing program" means a nursing education program preparing for practical nurse licensure that leads to a diploma or certificate in practical nursing, provided the school is authorized by the Virginia Department of Education or by an accrediting agency recognized by the U.S. Department of Education.

"Preceptor" means a licensed nurse who is employed in the clinical setting, serves as a resource person and role model, and is present with the nursing student in that setting, providing clinical supervision.

"Program director" means a registered nurse who holds a current, unrestricted license in Virginia or a multistate licensure privilege and who has been designated by the controlling authority to administer the nursing education program.

"Recommendation" means a guide to actions that will assist an institution to improve and develop its nursing education program.

"Requirement" means a mandatory condition that a nursing education program must meet to be approved or maintain approval.

"SCHEV" means the State Council of Higher Education for Virginia.

"Site visit" means a focused onsite review of the nursing program by board staff, usually completed within one day for the purpose of evaluating program components such as the physical location (skills lab, classrooms, learning resources) for obtaining initial program approval, in

response to a complaint, compliance with NCLEX plan of correction, change of location, or verification of noncompliance with this chapter.

"Survey visit" means a comprehensive onsite review of the nursing program by board staff, usually completed within two days (depending on the number of programs or campuses being reviewed) for the purpose of obtaining and maintaining full program approval. The survey visit includes the program's completion of a self-evaluation report prior to the visit, as well as a board staff review of all program resources, including skills lab, classrooms, learning resources, and clinical facilities, and other components to ensure compliance with this chapter. Meetings with faculty, administration, students, and clinical facility staff will occur.

18VAC90-27-220. Maintaining an approved nursing education program.

A. The program director of each nursing education program shall submit an annual report to the board.

B. ~~Each~~ Prior to (insert three years from the effective date of this regulation), each registered nursing education program shall be reevaluated as follows:

1. Every registered nursing education program that has not achieved accreditation as defined in 18VAC90-27-10 shall be reevaluated at least every five years by submission of a comprehensive self-evaluation report based on Parts II (18VAC90-27-30 et seq.) and III (18VAC90-27-150 et seq.) of this chapter and a survey visit by a representative or representatives of the board on dates mutually acceptable to the institution and the board.

2. A registered nursing education program that has maintained accreditation as defined in 18VAC90-27-10 shall be reevaluated at least every 10 years by submission of a comprehensive self-evaluation report as provided by the board. As evidence of compliance with specific requirements of this chapter, the board may accept the most recent study report, site visit report, and final decision letter from the accrediting body. The

board may require additional information or a site visit to ensure compliance with requirements of this chapter. If accreditation has been withdrawn or a program has been placed on probation by the accrediting body, the board may require a survey visit. If a program fails to submit the documentation required in this subdivision, the requirements of subdivision 1 of this subsection shall apply.

After (insert three years from the effective date of this regulation), each registered nursing education program shall have accreditation or candidacy status and shall be reevaluated at least every 10 years by submission of a comprehensive self-evaluation report as provided by the board. As evidence of compliance with specific requirements of this chapter, the board may accept the most recent study report, site visit report, and final decision letter from the accrediting body. The board may require additional information or a site visit to ensure compliance with requirements of this chapter. If a program has been placed on probation by the accrediting body, the board may require a survey visit. If a program fails to submit the documentation required in this subdivision, the requirements of subdivision 1 of this subsection shall apply.

C. Each practical nursing education program shall be reevaluated as follows:

1. Every practical nursing education program that has not achieved accreditation as defined in 18VAC90-27-10 shall be reevaluated at least every five years by submission of a comprehensive self-evaluation report based on Parts II (18VAC90-27-30 et seq.) and III (18VAC90-27-150 et seq.) of this chapter and a survey visit by a representative or representatives of the board on dates mutually acceptable to the institution and the board.

2. A practical nursing education program that has maintained accreditation as defined in 18VAC90-27-10 shall be reevaluated at least every 10 years by submission of a comprehensive self-evaluation report as provided by the board. As evidence of compliance with specific requirements of this chapter, the board may accept the most

recent study report, site visit report, and final decision letter from the accrediting body. The board may require additional information or a site visit to ensure compliance with requirements of this chapter. If accreditation has been withdrawn or a program has been placed on probation by the accrediting body, the board may require a survey visit. If a program fails to submit the documentation required in this subdivision, the requirements of subdivision 1 of this subsection shall apply.

D. Interim site or survey visits shall be made to the institution by board representatives at any time within the initial approval period or full approval period as deemed necessary by the board. Prior to the conduct of such a visit, the program shall submit the fee for a survey visit as required by 18VAC90-27-20.

~~D.~~ E. Failure to submit the required fee for a survey or site visit may subject an education program to board action or withdrawal of board approval.

18VAC90-27-230. Continuing and withdrawal of full approval.

A. The board shall receive and review the self-evaluation and survey reports required in 18VAC90-27-220 B or C or complaints relating to program compliance. Following review, the board may continue the program on full approval so long as it remains in compliance with all requirements in Parts II (18VAC90-27-30 et seq.), III (18VAC90-27-150 et seq.), and IV (18VAC90-27-210 et seq.) of this chapter.

B. If the board determines that a program is not maintaining the requirements of Parts II, III, and IV of this chapter or for causes enumerated in 18VAC90-27-140, the board may:

1. Place the program on conditional approval with terms and conditions to be met within the timeframe specified by the board; or
2. Withdraw program approval.

C. If the board either places a program on conditional approval with terms and conditions to be met within a timeframe specified by the board or withdraws approval, the following shall apply:

1. No further action will be required of the board unless the program requests an informal conference pursuant to §§ 2.2-4019 and 54.1-109 of the Code of Virginia.

2. If withdrawal or continued program approval with terms and conditions is recommended following the informal conference, the recommendation shall be presented to the board or a panel thereof for review and action.

3. If the recommendation of the informal conference committee is accepted by the board or a panel thereof, the decision shall be reflected in a board order and no further action by the board is required unless the program requests a formal hearing within 30 days from entry of the order in accordance with § 2.2-4020 of the Code of Virginia.

4. If the decision of the board or a panel thereof following a formal hearing is to withdraw approval or continue on conditional approval with terms or conditions, the program shall be advised of the right to appeal the decision to the appropriate circuit court in accordance with § 2.2-4026 of the Code of Virginia and Part 2A of the Rules of the Supreme Court of Virginia.

D. If a program approval is withdrawn, no additional students may be admitted into the program effective upon the date of entry of the board's final order to withdraw approval. Further, the program shall submit quarterly reports until the program is closed, and the program must comply with board requirements regarding closure of a program as stated in 18VAC90-27-240.

**Agenda Item: Board Action – Final regulation
Name badges**

Included in your agenda package:

- Copy of the Proposed action published on Townhall – there were no public comments

- Copy of proposed regulations

Action:

Motion to adopt final regulations identical to amendments to 18VAC 90-19-50

Virginia.gov Agencies | Governor



Logged in as

Elaine J. Yeatts


 Agency **Department of Health Professions**
 Board **Board of Nursing**
 Chapter **Regulations of the Board of Nursing (Repealed) [18 VAC 90 - 20]**
Action: Amendment to name tag requirement

Action 4725 / Stage 7881

Proposed Stage
 [Edit Stage](#)
 [Withdraw Stage](#)
 [Go to RIS Project](#)

Documents		
<input checked="" type="radio"/> Proposed Text	7/10/2017 9:40 am	Sync Text with RIS
<input type="checkbox"/> Agency Statement	3/27/2017 (modified 3/30/2017)	Upload / Replace
<input type="checkbox"/> Attorney General Certification	3/30/2017	
<input type="checkbox"/> DPB Economic Impact Analysis	5/11/2017	
<input type="checkbox"/> Agency Response to EIA	5/11/2017	Upload / Replace
<input type="checkbox"/> Governor's Approval Memo	6/30/2017	
<input type="checkbox"/> Registrar Transmittal	7/1/2017	

Status	
Incorporation by Reference	No
Exempt from APA	No, this stage/action is subject to article 2 of the <i>Administrative Process Act</i> and the standard executive branch review process.
Attorney General Review	Submitted on 3/27/2017 Review Completed: 3/30/2017 Result: Certified
DPB Review	Submitted on 3/30/2017 Economist: Larry Getzler Policy Analyst: Jeannine Rose Review Completed: 5/11/2017 <i>DPB's policy memo is "Governor's Confidential Working Papers"</i>
Secretary Review	Secretary of Health and Human Resources Review Completed: 5/16/2017

Governor's Review	Review Completed: 6/30/2017 Result: Approved
Virginia Registrar	Submitted on 7/1/2017 <u>The Virginia Register of Regulations</u> Publication Date: 7/24/2017  <u>Volume: 33 Issue: 24</u>
Public Hearings	09/19/2017 10:00 AM
Comment Period	Ended 9/22/2017 0 comments

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This person is the primary contact for this chapter.

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Project 4985 - Proposed

BOARD OF NURSING

Amendment to name tag requirement

18VAC90-19-50. Identification; accuracy of records.

A. Any person regulated by this chapter who provides direct client care shall, while on duty, wear identification that is clearly visible and indicates the ~~person's first and last name and the~~ appropriate title for the license, registration, or student status under which he is practicing in that setting. Name identification on a badge for identification of health care practitioners shall follow the policy of the health care setting in which the nurse is employed. Any person practicing in hospital emergency departments, psychiatric and mental health units and programs, or in health care facilities units offering treatment for clients in custody of state or local law-enforcement agencies may use identification badges with first name and first letter only of last name and appropriate title.

B. A licensee who has changed his name shall submit as legal proof to the board a copy of the marriage certificate, a certificate of naturalization, or court order evidencing the change. A duplicate license shall be issued by the board upon receipt of such evidence and the required fee.

C. Each licensee shall maintain an address of record with the board. Any change in the address of record or in the public address, if different from the address of record, shall be submitted by a licensee electronically or in writing to the board within 30 days of such change. All notices required by law and by this chapter to be mailed by the board to any licensee shall be validly given when mailed to the latest address of record on file with the board.

Department of Health Professions

Legislative Proposals for 2018 General Assembly

- 1) Delivery of DHP subpoenas
Authorize the Department to deliver a subpoena issued pursuant to enforcement of law by registered or certified mail or by commercial parcel delivery service. It will also specify that the Department may seek enforcement of the subpoena in cases of non-compliance.
- 2) Clarification for electronic renewal notice
Amend Code sections for the Boards of Funeral Directors and Embalmers, Medicine, and Nursing that require renewal notices to be sent by "mail" to licensees. The amendments will clarify that the board may send such notices electronically.
- 3) Addition of schedule V and naxolone to PMP
Add Schedule V drugs for which a prescription has been written and also the drug naloxone to the definition of covered substances to be included on a Prescription Monitoring Program (PMP) report.
- 4) Student exemption for polysomnographic tech
Amend the Code relating to a requirement for licensure to practice as a polysomnographic technologist to allow for practice under supervision by a student or person in training for a period of 18 months from the start of the educational program or traineeship extending to a maximum of six months from conclusion of the program to allow time for processing an application for licensure.
- 5) Registration of nonresident warehouseers and third-party logistics
Authorize the Board of Pharmacy to register nonresident warehouseers and nonresident third-party logistics providers and to promulgate regulations as necessary to prevent diversion and to protect the public.
- 6) Fentanyl class in Drug Control Act
Amend Schedule I of the Drug Control Act to place a fentanyl classification system so a drug with a new fentanyl substance could be immediately deemed to be an illegal substance.
- 7) Mid-level licensure for SW
Create three levels of licensure with a distinction between the bachelor's and master's level persons with a generalist practice and the master's level person who has the education and supervised person to provide clinical social work services.