

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
March 26, 2018**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 10:00 A.M. on March 26, 2018 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS PRESENT:**

Jennifer Phelps, LPN, QMHPA; First Vice President  
Dustin S. Ross, DNP, MBA, RN, NE-BC; Second Vice President  
Laura F. Cei, BS, LPN, CCRP  
Margaret J. Friedenberg, Citizen Member  
Joyce A. Hahn, PhD, RN, NEA-BC, FNAP  
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC  
Mark Monson, Citizen Member

**STAFF PRESENT:**

Brenda Krohn, RN, MS; Deputy Executive Director  
Jane Elliott, RN, PhD; Discipline Staff  
Darlene Graham, Senior Discipline Specialist  
Sylvia Tamayo-Suijk, Discipline Team Coordinator

**OTHERS PRESENT:**

Charis Mitchell, Assistant Attorney General, Board Counsel  
Senior Nursing students from George Washington University  
PN students from Bedford County School of Practical Nursing  
PN students from Paul D. Camp Community College  
Senior Nursing students from Hampton University

**ESTABLISHMENT OF A PANEL:**

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

**FORMAL HEARINGS:**

**David Hixon, RN Reinstatement 0001-233230**  
Mr. Hixon did not appear.

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

Joyce S. Johnson, Senior Investigator, Department of Health Professions, was present and testified.

**CLOSED MEETING:**

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:17 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Hixon. Additionally, Ms. Cei moved that Ms. Krohn, Dr. Elliott, Ms. Graham, Ms. Tamayo-Suijk, and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 10:32 A.M.

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

**ACTION:**

Dr. Hahn moved the Board of Nursing reinstate the license of David Hixon to practice professional nursing in the Commonwealth of Virginia and place his license on probation concurrent with California probationary 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.

**FORMAL HEARINGS:**

**Nancyrose Pattie Johnson Clark, CNA**                      **1401-039776**  
Ms. Clark appeared.

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

Patricia Dewey, Senior Investigator, Department of Health Professions, was present and testified.

**CLOSED MEETING:**

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:05 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Clark. Additionally, Ms. Cei moved that Ms. Krohn, Dr. Elliott, Ms. Graham, Ms. Tamayo-Suijk, 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 12:30 P.M.

Ms. Cei 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. Hahn 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. Ross moved that the Board of Nursing deny the application for reinstatement of Nancyrose Pattie Johnson Clark's certification to practice as a nurse aide in the Commonwealth of Virginia and continue her certification on indefinite suspension for a period of not less than one year. 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.

**RECESS:**

The Board recessed at 12:40 P.M.

**RECONVENTION:**

The Board reconvened at 1:30 P.M.

**FORMAL HEARINGS:**

**Ashley Rose O'Sullivan, RN Reinstatement 0001-251696**  
Ms. O'Sullivan appeared and accompanied by her mother, Amy Delaso.

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

Cheryl Hodgson, Senior Investigator, Department of Health Professions, Cathleen Cowden, Regional Director of Pharmacy at NOVANT Health UVA, and Tiffany Fisher, Nurse Manager at NOVANT Health UVA, were present and testified.

**CLOSED MEETING:**

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:44 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. O'Sullivan. Additionally, Ms. Cei moved that Ms. Krohn, Dr. Elliott, Ms. Graham, Ms. Tamayo-Suijk, 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 3:10 P.M.

Ms. Cei 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. Friedenbergh moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Woodcock, and amended by the Board. The motion was seconded and carried unanimously.

**ACTION:**

Dr. Hahn moved that the Board of Nursing continue the license of Ashley Rose O'Sullivan to practice professional nursing in the Commonwealth of Virginia on indefinite suspension with suspension stayed contingent upon proof of entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of HPMP for the period specified by HPMP. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

PN students from Paul D. Camp Community College left the meeting at 3:15 P.M.

**FORMAL HEARINGS:**

**Felicia F. Franklin, CNA**                      **1401-151563**  
Ms. Franklin did not appear.

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

C. Sudley Haas, Administrator at Coliseum Convalescent and Rehab Center, was present and testified.

**CLOSED MEETING:**

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:37 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Franklin. Additionally, Ms. Cei moved that Ms. Krohn, Ms. Graham, Ms. Tamayo-Suijk, 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 3:51 P.M.

Ms. Cei 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. Friedenbergr moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones, and amended by the Board. The motion was seconded and carried unanimously.

**ACTION:**

Mr. Monson moved that the Board of Nursing revoke the certificate of Felicia F. Franklin to practice nurse aide in the Commonwealth of Virginia and enter a Finding of Misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and passed with six vote in favor. Dr. McQueen-Gibson opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

**ADJOURNMENT:**

The Board adjourned at 3:53 P.M.

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Brenda Krohn, RN, MS  
Deputy Executive Director