# VIRGINIA BOARD OF NURSING MINUTES

#### **September 19, 2018**

Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05

A.M. on September 19, 2018 in Board Room 2, Department of Health

Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS PRESENT:** 

Jennifer Phelps, BS, LPN, QMHPA, First Vice President

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP Michelle D. Hereford, MSHA, RN, RACHE Ethlyn McQueen-Gibson, MSN, RN, BC

Mark Monson, Citizen Member Meenakshi Shah, BA, RN

STAFF PRESENT: Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director for Advanced

**Practice** 

Ann Tiller, Compliance Manager

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. Hereford moved that the Board of Nursing convene a closed meeting

pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:09 A.M., for the purpose of consideration of the agency subordinate recommendations, except for recommendation number 1, Siyossette Deberry, CNA. Additionally, Ms. Hereford moved that Dr. Hill, Ms. Tiller, 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 10:13 A.M.

Ms. Hereford 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.

# Krista Jade Burnett Overby, CNA

1401-128904

Ms. Overby did not appear.

Dr. Hahn moved that the Board or Nursing accept the recommended decision of the agency subordinate to reprimand Krista Jade Burnett Overby. The motion was seconded and carried unanimously.

### Regine Felicite Kammegne Dzukou, CNA

1401-177515

Ms. Dzukou did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Regine Felicite Kammegne Dzukou. The motion was seconded and carried unanimously.

#### Regine Felicite Kammegne Dzukou, RMA

0031-009519

Ms. Dzukou did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Regine Felicite Kammegne Dzukou. The motion was seconded and carried unanimously.

### Ramona Theresa Leggett, RMA

0031-005126

Ms. Leggett did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Ramona Theresa Leggett. The motion was seconded and carried unanimously.

#### Ramona Theresa Leggett, CNA

1401-111062

Ms. Leggett did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Ramona Theresa Leggett. The motion was seconded and carried unanimously.

# Darlene Renee Gilkerson, RMA

0031-003867

Ms. Gilkerson did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Darlene Renee Gilkerson. The motion was seconded and carried unanimously.

#### Yuan Cooper, RN

0001-248167

Ms. Cooper did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Yuan Cooper and to indefinitely suspend her right to renew her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

### Stacy Michelle Smith, CNA Applicant

Ms. Smith did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to deny the application of Stacy Michelle Smith for certification to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

# **Evelyn Ingram Simpson, LPN**

0002-029614

Ms. Simpson did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Evelyn Ingram Simpson to practice practical nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#### Stephanie A. Hale, LPN

0002-081525

Ms. Hale did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Stephanie A. Hale to practice practical nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

# **Chasity Lynn McMillian, LPN**

0002-074211

Mr. McMillian did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Chasity Lynn McMillian to practice practical nursing in the Commonwealth of Virginia. Said suspension is to be stayed upon proof of Ms. McMillian's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried unanimously.

Marye Molitoris, RN

Maryland License Number: R092942 with

multistate privileges

Virginia Board of Nursing **Panel A** – Agency Subordinate Recommendations
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Ms. Molitoris did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Marye Molotoris and to require her within 90 days from the date of entry of the Order to provide written proof satisfactory to the Board of successful completion of the NCSBN course "Professional Accountability & legal Liability for Nurses." The motion was seconded and carried unanimously.

# Cynthia Ann Wyatt Bennett, RMA 0031-005740

Ms. Bennett did not appear.

Ms. Hereford moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the registration of Cynthia Ann Wyatt Bennett to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#### Allison Barnes, CNA

1401-141839

Ms. Barnes did not appear.

Dr. Hahn moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Allison Barnes. The motion was seconded and carried unanimously.

# Rebecca Burton, RN Alabama License Number: 1-122267 with multistate privileges

Ms. Burton did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Rebecca Burton. The motion was seconded and carried unanimously.

#### Siyossette Deberry, CNA 1401-125156

Ms. Deberry appeared.

# CLOSED MEETING:

Ms. Hereford moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:32 A.M., for the purpose of consideration of the agency subordinate recommendation of Siyossette Deberry, CNA. Additionally, Ms. Hereford moved that Dr. Hill, Ms. Tiller, 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 10:33 A.M.

Virginia Board of Nursing **Panel A** – Agency Subordinate Recommendations
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Ms. Hereford 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 modify the recommended decision of the agency subordinate to reprimand Siyossette Deberry. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 10:35 A.M.

Robin L. Hills, DNP, RN, WHNP Deputy Executive Director for Advanced Practice

# VIRGINIA BOARD OF NURSING FORMAL HEARINGS September 19, 2018

Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:48

A.M. on September 19, 2018 in Board Room 2, Department of Health

Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS PRESENT:** 

Jennifer Phelps, BS, LPN, QMHPA, First Vice President

Joyce Hahn, PhD, RN, NEA-BC, FNAP Michelle D. Hereford, MSHA, RN, RACHE Ethlyn McQueen-Gibson, DNP, MSN, RN, BC

Mark Monson, Citizen Member Meenakshi Shah, BA, RN

STAFF PRESENT: Robin L. Hills, DNP, RN, WHNP, Deputy Executive Director for Advanced

Practice

Ann Tiller, Compliance Manager

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: Martina Nicole Crowder, LPN 0002-093777

Ms. Crowder appeared and was accompanied by Nicholas Crowder, her

husband.

David Kazzie, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lakesha Jackson, court reporter with Crane-Snead &

Associates, recorded the proceedings.

Martha Kamara, DON at Raleigh Court Health & Rehab Center, was present and testified. Alan Burton, Senior Investigator, Department of Health

Professions, testified via telephone.

CLOSED MEETING: Ms. Shah moved that the Board of Nursing convene a closed meeting

pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:26 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Crowder. Additionally, Ms. Shah moved that Dr. Hills, Ms. Tiller, Ms. Graham and Ms. Mitchell 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 12:52 P.M.

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

ACTION:

Mr. Monson moved that the Board of Nursing reprimand Martina Nicole Crowder and require her to complete within 60 days from the date of entry of the Order the following NCSBN courses: *Professional Accountability & Legal Liability for Nurses* and *Righting a Wrong – Ethics & Professionalism in 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.

RECESS: The Board recessed at 12:55 P.M.

RECONVENTION: The Board reconvened at 1:30 P.M

FORMAL HEARINGS: Lisa Carol Cook Foote, RN 0001-176014

Ms. Foote appeared and was accompanied by Anthony Foote.

Holly Woodcock, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lakisha Jackson, court reporter with Crane-Snead & Associates, recorded the proceedings.

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

CLOSED MEETING: Ms. Hereford moved that the Board of Nursing convene a closed meeting

pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:55 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Foote. Additionally, Ms. Hereford moved that Dr. Hills, Ms. Tiller, 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 2:09 P.M.

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

**ACTION:** 

Dr. Hahn moved that the Board of Nursing reinstate the license of Lisa Carol Cook Foote 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.

FORMAL HEARINGS:

Robert Eason Lambertson, LPN 0002-074907

Mr. Lambertson appeared.

David Kazzie, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lakesha Jackson, court reporter with Crane-Snead & Associates, recorded the proceedings.

CLOSED MEETING:

Ms. Hereford moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:56 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Lambertson. Additionally, Ms. Hereford moved that Dr. Hills, Ms. Tiller, 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 4:37 P.M.

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

ACTION:

Mr. Monson moved that the Board of Nursing place Robert Eason Lambertson on probation with terms and conditions for a period of not less than two years of employment 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.

ADJOURNMENT: The Board adjourned at 4:40 P.M.

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Robin L. Hills, DNP, RN, WHNP Deputy Executive Director for Advanced Practice

# VIRGINIA BOARD OF NURSING MINUTES

### **September 19, 2018**

Panel - B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:04 A.M. on

September 19, 2018 in Board Room 3, Department of Health Professions, 9960

Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS PRESENT:** 

Marie Gerardo, MS, RN, ANP-BC, Second Vice President

Laura Cei, BS, CCRP

Ann Tucker Gleason, PhD, Citizen Member

Dixie McElfresh, LPN Trula Minton, MS, RN

Grace Thapa, DNP, FNP-BC, AE-C

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director

Stephanie Willinger; Deputy Executive Director Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT: James Rutkowski, 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:

Debra K. Taylor, CNA 1401-033603

Ms. Taylor appeared and was accompanied by Ashley Taylor and Jessica Heglar.

CLOSED MEETING: Dr. Gleason 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. Taylor. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Willinger, Ms. Tamayo-Suijk and Mr. Rutkowski, 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 9:30 A.M.

Dr. Gleason 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. Thapa moved that the Board of Nursing modify the recommended decision of the agency subordinate remove §54.1-3007(2) and (8) and the associated

regulation from Finding of Fact #2, remove Finding of Fact #5, and moved to issue a Reprimand to Ms. Debra K. Taylor without a Finding of Neglect. The motion was seconded and carried unanimously.

# Malanda Tiara Coleman, RMA

0031-009992

Ms. Coleman did not appear.

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

# Tiffany Monique Key, RMA

0031-009549

Ms. Key did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand and indefinitely suspend Tiffany Monique Key's right to renew her license to practice as a registered medication aide in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

#### Paula Renee Moses, LPN

0002-085364

Ms. Moses did not appear.

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

### Leslie Ann F. Fraser, CNA

1401-089650

Ms. Fraser did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of Leslie Ann F. Fraser to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Neglect against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

#### **Bronya Louene Runshaw, LPN**

0002-081241

Ms. Runshaw did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Bronya Louene Runshaw, require her to complete three NCSBN courses; *Documentation: A Critical Aspect of Client Care; Medication Errors: Causes & Prevention* and *Professional Accountability* 

Virginia Board of Nursing **Panel B** – Agency Subordinate Recommendations
September 19, 2018

& Legal Liability for Nurses, within 90 days of entry of the Order, and provide written proof to the Board of successful completion. The motion was seconded and carried unanimously.

# Tracey Lynn Sloan, LPN

0002-088673

Ms. Sloan 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 Tracey Lynn Sloan to practice practical nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

# Felicia Nanetta Pollard, RN

0001-148914

Ms. Pollard did not appear.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate requiring her to complete the following NCSBN course: "Documentation: A Critical Aspect of Client Care", within 90 days of entry of the Order, and provide written proof of successful completion. The motion was seconded and carried unanimously.

#### **CLOSED MEETING:**

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:34 A.M., for the purpose of consideration of the agency subordinate recommendations. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Willinger, Ms. Tamayo-Suijk and Mr. Rutkowski, 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 10:09 A.M.

Dr. Gleason 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.

Mary Beth Crosson, CNA

1401-151933

Ms. Crosson did not appear.

Ms. Cei moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer this matter to a formal hearing. The motion was seconded and carried unanimously.

# Alma Throckmorton Ratcliff, LPN 0002-040805

Ms. Ratcliff did not appear.

Ms. Cei moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Alma Throckmorton Ratcliff to practice practical nursing in the Commonwealth of Virginia. This suspension applies to any multistate privilege. The motion was seconded and carried unanimously.

# Kenneitha Faye Herring Cowell, CNA 1401-097150

Ms. Cowell did not appear but submitted written response.

Ms. Minton moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Kenneitha Cowell 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 with five in favor of the motion. Dr. Thapa opposed the motion.

# Jontae Nakisha McDaniel, CNA 1401-103448

Ms. McDaniel did not appear.

Dr. Gleason moved that the Board of Nursing modify the recommended decision of the agency subordinate by deleting Conclusions of Law violations of Virginia Code §54.1-3007(2) and (8) and 18VAC 90-25-100(2)(e) in Findings of Fact #2 and to reprimand Jontae Nakisha McDaniel. The motion was seconded and carried unanimously.

# Jontae Nakisha McDaniel, RMA 0031-007088

Ms. McDaniel did not appear.

Dr. Gleason moved that the Board of Nursing modify the recommended decision of the agency subordinate by deleting Conclusions of Law violations of Virginia Code §54.1-3007(2) and (8) and 18VAC 90-60-120(2)(f) in Findings of Fact #2 and to reprimand Jontae Nakisha McDaniel. The motion was seconded and carried unanimously.

Judy D. Turner, CNA

1401-022838

Ms. Turner did not appear.

Virginia Board of Nursing **Panel B** – Agency Subordinate Recommendations September 19, 2018

> Ms. Cei moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Judy D. Turner's right to renew her certificate to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#### Jessica Dean Phoenix, CNA 1401-136986

Ms. Phoenix did not appear but submitted written response.

Dr. Gleason moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the certification of Jessica Dean Phoenix to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

### Gay Lynn Brown, RN

0001-194184

Ms. Brown did not appear.

Ms. Cei moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Gay Lynn Brown's 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 with five in favor of the motion. Ms. Minton abstained from voting.

ADJOURNMENT: The Board adjourned at 10:12 A.M.

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

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# VIRGINIA BOARD OF NURSING FORMAL HEARINGS September 19, 2018

Panel – B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:22 A.M.

on September 19, 2018 in Board Room 3, Department of Health Professions,

9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS PRESENT:** 

Marie Gerardo, MS, RN, ANP-BC, Second Vice President

Laura Cei, BS, CCRP

Ann Tucker Gleason, PhD, Citizen Member

Dixie McElfresh, LPN Trula Minton, MS, RN

Grace Thapa, DNP, FNP-BC, AE-C

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director

Stephanie Willinger; Deputy Executive Director Sylvia Tamayo-Suijk, Discipline Team Coordinator

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS: Sheila Murphy, RN MD license # R153466 with Multistate Privilege

Ms. Murphy did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with

Crane-Snead & Associates, Inc., recorded the proceedings.

Tonya James, Compliance Case Manager for the Board of Nursing was present

and testified.

CLOSED MEETING: Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant

to §2.2-3711(A)(27) of the *Code of Virginia* at 10:36 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Murphy. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Willinger, Ms. Tamayo-Suijk 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 10:45 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.

Ms. Minton 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:

Dr. Gleason moved that the Board of Nursing indefinitely suspend the multistate privilege of Sheila Murphy 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.

RECESS: The Board recessed at 10:45 A.M.

RECONVENTION: The Board reconvened at 1:02 P.M.

FORMAL HEARINGS: Julie N. Hoover, RN 0001-190334

Ms. Hoover appeared.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, Inc., recorded the proceedings.

Sarah Rogers, HQ Investigator, Department of Health Professions, was present and testified.

**CLOSED MEETING:** 

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:39 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Hoover. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Willinger, Ms. Tamayo-Suijk and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:53 P.M.

Ms. Minton 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. Cei 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:** 

Dr. Thapa moved that the Board of Nursing reinstate the license of Julie N. Hoover 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.

RECESS: The Board recessed at 1:55 P.M.

RECONVENTION: The Board reconvened at 2:06 P.M.

FORMAL HEARINGS: Michelle Renee Dunevant, RN 0001-167981

Ms. Dunevant appeared.

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

Kimberly Lynch, Senior Investigator, Department of Health Professions and Rebecca Britt, Case Manager, Health Practitioners' Monitoring Program, were present and testified.

CLOSED MEETING:

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:07 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Dunevant. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Willinger, Ms. Tamayo-Suijk and Mr. Rutkowski attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:38 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. Gleason 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 reprimand Ms. Dunevant and continue the indefinite suspension of her license to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years. The motion was seconded and carried with five votes in favor of the motion. Ms. Cei 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 3:40 P.M.

RECONVENTION: The Board reconvened at 3:48 P.M.

FORMAL HEARINGS: Aleshia White, CNA 1401-141337

Ms. White did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, Inc., recorded the proceedings.

Tonya James, Compliance Case Manager for the Board of Nursing was present and testified. Laura Pezzulo, Senior Investigator, Department of Health Professions testified via telephone.

**CLOSED MEETING:** 

Ms. Minton moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:07 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. White. Additionally, Ms. Minton moved that Ms. Douglas, Ms. Willinger, Ms. Tamayo-Suijk 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 4:15 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. Gleason 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. Thapa moved that the Board of Nursing reprimand Aleshia White and

indefinitely suspend her certificate to practice as a nurse 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.

ADJOURNMENT: The Board adjourned at 4:17 P.M.

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

**Executive Director**