

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
NOVEMBER 27, 2018**

- TIME AND PLACE:** The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on November 27, 2018, in Training Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.
- MEMBERS PRESENT:** Marie Gerardo, M.S., R.N., A.N.P.-B.C., *Chairperson*
Ann Tucker Gleason, Ph.D., Citizen Member
Kristina E. Page, L.M.T. – left at 2:15 p.m.
- STAFF PRESENT:** Jane Elliott, PhD., R.N., Discipline Staff
Charlette Ridout, R.N., M.S., C.N.E., Deputy Executive Director
- ADMINISTRATIVE PROCEEDINGS**
- STAFF PRESENT:** David Kazzie, Adjudication Specialist
- OTHERS PRESENT:** Cathy Hanchey, Senior Licensing/Discipline Specialist – left at 2:15 p.m.
Alicia Navon – joined at 10:30 a.m.
Jessica Navon – joined at 10:30 a.m.
Debra Hay-Pierce, Department of Health Professions, Senior Investigator – joined at 10:30 a.m.
Renee White, Department of Health Professions, Investigator – joined at 10:30 a.m.
Ray Shaner – joined at 1:00 p.m.
Deb Shaner – joined at 1:00 p.m.
Kym Jones – joined at 1:00 p.m.
- CONFERENCE SCHEDULED:** Delma Pierre, L.M.T. 0019-014235
Mr. Pierre did not appear.
- CLOSED MEETING:** Dr. Gleason moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:07 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Pierre. Additionally, Dr. Gleason moved that Dr. Elliott, Ms. Ridout, and Mr. Kazzie 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 9:36 A.M.
- Dr. Gleason moved that the Special Conference Committee 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:

Dr. Gleason moved to offer Delma Pierre a Consent Order for the Indefinite Suspension of his license to practice as a Licensed Massage Therapist, including his right to renew, in lieu of a Formal Hearing for not less than three (3) years. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Mr. Pierre and the Board.

**CONFERENCE
SCHEDULED:**

Randall Mark Brown, L.M.T. 0019-003015

Mr. Brown did not appear. Mr. Brown's attorney, James Driggs, appeared.

Ms. Alicia Navon joined the meeting at 10:30 a.m.

Ms. Jessica Navon joined the meeting at 10:30 a.m.

Ms. Hay-Pierce joined the meeting at 10:30 a.m.

Ms. White joined the meeting at 10:30 a.m.

CLOSED MEETING:

Dr. Gleason moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:56 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Brown. Additionally, Dr. Gleason moved that Dr. Elliott, Ms. Ridout, and Mr. Kazzie 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 11:20 A.M.

Dr. Gleason moved that the Special Conference Committee 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:

Dr. Gleason moved to refer the matter regarding Randall Mark Brown to a Formal Hearing of the Board of Nursing. The motion was seconded and carried unanimously.

Ms. Alicia Navon, Ms. Jessica Navon, Ms. Hay-Pierce, and Ms. White left the meeting at 11:30 A.M.

The Committee recessed at 11:30 A.M.

The Committee reconvened at 1:00 P.M.

**CONFERENCE
SCHEDULED:**

Rosemarie Rivera, L.M.T. Applicant

Ms. Rivera appeared, accompanied by her friends, Mr. Ray Shaner, Ms. Deb Shaner, and Ms. Kym Jones.

CLOSED MEETING:

Dr. Gleason moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:44 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Rivera. Additionally, Dr. Gleason moved that Dr. Elliott, Ms. Ridout, and Mr. Kazzie 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 2:04 P.M.

Dr. Gleason moved that the Special Conference Committee 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:

Dr. Gleason moved to issue an Order to Approve Rosemarie Rivera's Application for Licensure by Examination to practice as a Licensed Massage Therapist. 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. Rivera unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Rivera within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

Ms. Page, Mr. Shaner, Ms. Shaner, and Ms. Jones left the meeting at 2:15 P.M.

**CONFERENCE
SCHEDULED:**

O'Lillian Denise Harris Sow, C.N.A. Reinstatement 1401-040829

Ms. Sow appeared.

CLOSED MEETING:

Dr. Gleason moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:48 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Sow. Additionally, Dr. Gleason moved that Dr. Elliott, Ms. Ridout, and Mr. Kazzie 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 3:25 P.M.

Dr. Gleason moved that the Special Conference Committee 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:

Dr. Gleason moved to issue an Order to Deny O'Lillian Denise Harris Sow's Application for Reinstatement of her Certificate to practice as a Nurse Aide. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Sow, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Sow within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The Board adjourned at 3:40 P.M.



Jane Elliott, Ph.D., R.N.