

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
March 18, 2019**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:10 A.M., on March 18, 2019 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
Marie Gerardo, MS, RN, ANP-BC, Second Vice President
Laura F. Cei, BS, LPN, CCRP
Margaret Friedenberg, Citizen Member
Tucker Gleason, PhD, Citizen Member
Trula Minton, MS, RN

STAFF PRESENT:

Jodi P. Power, RN, JD, Senior Deputy Executive Director
Charlette Ridout, RN, MS, CNE, Deputy Executive Director
Lelia Claire Morris, RN, LNHA, Discipline Case Manager
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
PN Students from Paul D. Camp Community College
Clinical Nurse Leader Nursing Students from University of Virginia
PN Students from Bedford School of Practical Nursing
Senior Nursing Students from Bon Secours Memorial College

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Stephanie N. Kirkbride, RN **0001-258140**
Ms. Kirkbride appeared and was accompanied by her husband, Steven Kirkbride.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Kim Martin, Senior Investigator, Department of Health Professions, and Steven Kirkbride 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 10:13 A.M., for the purpose of deliberation to reach a decision in the matter of Ms.

Kirkbride. Additionally, Ms. Cei moved that Ms. Power, Ms. Morris, 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 10:38 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. 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. Gerardo moved that the Board of Nursing reprimand Stephanie N. Kirkbride and require her to complete three NCSBN online courses within 60 days of entry of the Order:

- ❖ *Professional Accountability & Legal Liability for Nurses*
- ❖ *Righting a Wrong: Ethics & Professionalism in Nursing*
- ❖ *Disciplinary Actions: What Every Nurse Should Know*

The motion was seconded and carried unanimously.

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

RECESS: The Board recessed at 10:40 A.M.

RECONVENTION: The Board reconvened at 10:50 A.M.

FORMAL HEARINGS: **Donnie Lee Trent, II, RN Reinstatement** **0001-205200**
Mr. Trent appeared.

Holly Woodcock, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Sarah Rogers, Senior Investigator, Department of Health Professions, was present and testified. Amy Stewart, Health Practitioners' Monitoring Program (HPMP) Case Manager, testified via telephone.

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 11:50 A.M., for the purpose of deliberation to reach a decision in the matter of Mr. Trent. Additionally, Ms. Cei moved that Ms. Power, Ms. Ridout, Ms. Morris, 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 12:32 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.

ACTION: Ms. Minton moved that the Board of Nursing reinstate the license of Donnie Lee Trent, II to practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

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

RECESS: The Board recessed at 12:35 P.M.

RECONVENTION: The Board reconvened at 1:20 P.M.

FORMAL HEARINGS: **Heidi Lee Johnson, RN** **0001-148296**
Ms. Johnson appeared and was accompanied by her husband, Gregory Mack.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Donna Foster, attorney with LeClair Ryan, who represents Sentara Health Systems, was also present.

Sarah Rogers, 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 2:14 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Johnson. Additionally, Ms. Cei moved that Ms. Power, Ms. Ridout, Ms. Morris, 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 2:30 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. Gleason 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. Minton moved that the Board of Nursing deny the application for reinstatement of Heidi Lee Johnson and continue her professional nursing license in the Commonwealth of Virginia on indefinite suspension, with suspension to be stayed contingent upon her entry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter. The motion was seconded and carried unanimously.

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FORMAL HEARINGS: **Aimee Lynn Poldy, RN** **0001-204307**
Ms. Poldy appeared.

Grace Stewart, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court

reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Wendy Morris, Senior Investigator, Department of Health Professions, and Teresa Dale, RN, Surgical Services Manager at Sentara Careplex Hospital, 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 3:54 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Poldy. Additionally, Ms. Cei moved that Ms. Power, Ms. Ridout, Ms. Morris, 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 4:08 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. Stewart and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Gerardo moved that the Board of Nursing continue the license of Aimee Lynn Poldy to practice professional nursing in the Commonwealth of Virginia on indefinite suspension, with suspension to be stayed upon her entry into the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter. The motion was seconded and carried unanimously.

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RECESS: The Board recessed at 4:10 P.M.

RECONVENTION: The Board reconvened at 4:25 P.M.

FORMAL HEARINGS: **Thomas Kamau Nganga, LPN** **0002-089277**
Mr. Nganga did not appear.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. L. Kim Taylor, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceedings.

Kimberly Lynch, RN, MS, Senior Investigator, Department of Health Professions, Detective Z. J. Noah, Henrico Police Department – Special Victims Unit, Christine Stevens, BSN, RN, Forensic Nurse Examiner for Bon Secours, and Denise Downing, CNA, 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 5:29 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Nganga. Additionally, Ms. Cei moved that Ms. Power, Ms. Ridout, Ms. Morris, 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 5:42 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 Mr. Kazzie and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Ms. Gerardo moved that the Board of Nursing revoke the license of Thomas Kamau Nganga to practice practical nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

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ADJOURNMENT: The Board adjourned at 5:45 P.M.

Jodi Power, RN, JD
Senior Deputy Executive Director