

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Thursday April 18, 2024**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 8:36 A.M., on April 18, 2024, in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS
PRESENT:

Cynthia M. Swineford, MSN, Rn, CNE; **President**
Delia Acuna, FNP-C
Pamela Davis, LPN
Margaret Friedeberg, Citizen Member
A Tucker Gleason, PhD, Citizen Member

STAFF PRESENT:

Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Huong Vu, Operations Manager
Sylvia Tamayo-Suijk, Senior Licensing/Discipline Specialist – **joined the meeting at 9 A.M.**

OTHERS PRESENT:

Laura A. Booberg, Assistant Attorney General

ESTABLISHMENT
OF A PANEL:

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

CONSIDERATION OF CONSENT ORDERS

G1 – Guilian Wang, LMT

0019-018175

Dr. Gleason moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Guilian Wang** to practice as a massage therapist in the Commonwealth of Virginia. The motion was seconded by Ms. Acuna and carried unanimously.

G2 – Gui Qiu Lu, LMT

0019-015793

Dr. Gleason moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Gui Qiu Lu** to practice as a massage therapist in the Commonwealth of Virginia. The motion was seconded by Ms. Acuna and carried unanimously.

G3 – Zhemei Liao, LMT

0019-018995

Dr. Gleason moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Zhemei Liao** to practice as a massage therapist in the Commonwealth of Virginia. The motion was seconded by Ms. Acuna and carried unanimously.

G4 – Muriel H. Helvestine, RN

0001-086330

Dr. Gleason moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Muriel H. Helvestine** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Acuna and carried unanimously.

G5 – Suiying Wu, LMT

0019-016845

Dr. Gleason moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Suiying Wu** to practice as a massage therapist in the Commonwealth of Virginia. The motion was seconded by Ms. Acuna and carried unanimously.

Ms. Vu left the meeting at 9 A.M.

Ms. Tamayo-Suijk joined the meeting at 9 A.M.

FORMAL HEARINGS:

Shantavia Patterson, RMA Reinstatement Applicant

0002-071382

Ms. Patterson appeared.

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Virginia Mack, court reporter with County Court Reporters, recorded the proceedings.

Renee White, Senior Investigator, Enforcement Division, 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 9:38 A.M., for

the purpose of deliberation to reach a decision in the matter of **Shantavia Patterson**. Additionally, Dr. Gleason moved that Ms. Morris, Ms. Bargdill, Ms. Tamayo-Suijk and Ms. Booberg, 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 by Ms. Acuna and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:49 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 by Ms. Acuna and carried unanimously.

ACTION: Ms. Davis moved that the Board of Nursing approve the reinstatement application of **Shantavia Patterson** for her registration to practice as a medication aide the Commonwealth of Virginia. The motion was seconded by Ms. Acuna 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 9:50 A.M.

RECONVENTION: The Board reconvened at 10:02 A.M.

FORMAL HEARINGS: **Tara Danita Kelley, CNA Reinstatement Applicant**
1401-069523

Ms. Kelley appeared, accompanied by Elain Kelley and Trish Holm.

Christine Andreoli, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Virginia Mack, court reporter with County Court Reporters, recorded the proceedings.

RECESS: The Board recessed at 10:22 A.M.

RECONVENTION: The Board reconvened at 10:58 A.M.

RECESS: The Board recessed at 11:23 A.M.

RECONVENTION: The Board reconvened at 11:31 A.M.

The case regarding **Tara Danita Kelley, CNA** was continued.

FORMAL HEARINGS: **Kimberly Renee Nybeck, CNA Reinstatement Applicant**
1401-113804

Ms. Nybeck did not appear.

Avi Efreom, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Virginia Mack, court reporter with County Court Reporters, recorded the proceedings.

William Gorwood, Senior Investigator, Enforcement Division, 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 11:58 A.M., for the purpose of deliberation to reach a decision in the matter of **Kimberly Renee Nybeck**. Additionally, Dr. Gleason moved that Ms. Bargdill, Ms. Morris, Ms. Tamayo-Suijk and Ms. Booberg, 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 by Ms. Acuna and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:02 P.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 by Ms. Acuna and carried unanimously.

ACTION: Ms. Acuna moved that the Board of Nursing deny the application for reinstatement of the license of **Kimberly Renee Nybeck** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Friedenberg 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.

FORMAL HEARINGS: **Starr Nevaughn Pettus-Smith, CNA Reinstatement Applicant**
1401-151366

Ms. Pettus-Smith appeared.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Virginia Mack, court reporter with County Court Reporters, recorded the proceedings.

Katie Land, Senior Investigator, Enforcement Division, 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 1:40 P.M., for the purpose of deliberation to reach a decision in the matter of **Starr Nevaughn Pettus-Smith**. Additionally, Dr. Gleason moved that Ms. Bargdill, Ms. Morris, Ms. Tamayo-Suijk and Ms. Booberg, 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 by Ms. Acuna and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:48 P.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 by Ms. Acuna and carried unanimously.

ACTION: Ms. Acuna moved that the Board of Nursing approve the reinstatement application of **Starr Nevaughn Pettus-Smith** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Friedenberg 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.

FORMAL HEARINGS: **Gregory Williams, RN** **0001-289540**

Ms. Williams appeared.

Anne Joseph, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Virginia Mack, court reporter with County Court Reporters, recorded the proceedings.

Amy Tanner, Senior Investigator, Enforcement Division, 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 3:58 P.M., for the purpose of deliberation to reach a decision in the matter of **Gregory Williams**. Additionally, Dr. Gleason moved that Ms. Morris, Ms. Bargdill, Ms. Tamayo-Suijk and Ms. Booberg, 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 by Ms. Acuna and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:40 P.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 by Ms. Davis and carried unanimously.

ACTION: Ms. Acuna moved that the Board of Nursing continue the registered nursing license of **Gregory Williams** on indefinite suspension for a period of not less than two years. The motion was seconded by Ms. Acuna 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.

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ADJOURNMENT: The Board adjourned at 4:41 P.M.

Christina Bargdill, BSN, MHS, RN;
Deputy Executive Director