

APPROVED

**VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
FORMAL ADMINISTRATIVE HEARING**

Tuesday, December 11, 2012 **Department of Health Professions** **Henrico, Virginia**
9960 Mayland Drive, Suite #300

CALL TO ORDER: A panel of the Board was called to order at 10:11 a.m.

MEMBERS PRESENT: Tom Orsini, NHA, Chair
 Martha Hunt, ALFA
 Randy Scott, NHA, ALFA
 Kathleen Fletcher, Citizen Member
 Karen Hopkins Stanfield, Citizen Member

MEMBERS ABSENT: Ted LeNeave, NHA
 Amanda Gannon, NHA
 Gracie Bowers, Citizen Member
 Doug Nevitt, ALFA

BOARD COUNSEL: Erin Barrett, Assistant Attorney General

STAFF PRESENT: Lisa R. Hahn, Executive Director
 Lynne Helmick, Deputy Executive Director
 Kathy Petersen, Discipline Operations Manager
 Missy Currier, Board Operations Manager

COURT REPORTER: Wanda Blanks, Farnsworth and Taylor Reporting

OTHERS PRESENT: Christopher Reho, Certified Court Reporter
 John W. Bane, Esq.
 Prue Salasky, Daily Press
 Darrel Mason, Esq.

**PARTIES ON BEHALF OF
COMMONWEALTH:** David Kazzie, Adjudication Specialist

**COMMONWEALTH
WITNESS:** Kelly Ashley, DHP Senior Investigator
 Kim Martin, DHP Senior Investigator
 Virginia Goodell, Licensing Inspector, VA Dept. DSS
 Patricia Meyer, Licensing Inspector, VA Dept. DSS
 Ivy Burham, VA Dept. DSS

MATTER SCHEDULED:

Scott Schuett, ALFA
License No.: 1706-000506
Registration No.: 1707-000060
Case No.: 143951, 145346 & 146464

ESTABLISHMENT OF A QUORUM:

With five (5) members of the Board present, a quorum was established.

DISCUSSION:

Mr. Schuett did not appear before the Board in accordance with the Board's Amended Notice of Formal Hearing dated November 2, 2012, and was not represented by counsel. Mr. Schuett notified the Board the morning of the hearing that he would be unable to make it due to a family illness.

The Board received evidence and sworn testimony from the parties called by the Commonwealth regarding the matters as set forth in the Statement of Particulars.

CLOSED SESSION:

Upon a motion by Martha Hunt, and duly seconded by Karen Hopkins Stanfield, the Board voted to convene a closed meeting at 12:19 p.m., pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Scott Schuett, ALFA. Additionally, she moved that Ms. Hahn, Ms. Barrett, Ms. Helmick, Ms. Petersen and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Upon a motion by Martha Hunt, and duly seconded by Karen Hopkins Stanfield, the Board voted to re-convene at 12:46 p.m. and announced its decision.

CERTIFICATION:

Ms. Hunt certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, with the Board certifying unanimously.

DECISION:

Upon a motion by Randy Scott, and duly seconded by Kathy Fletcher, the Board made certain Findings of Fact and Conclusions of Law. The Board voted to **REVOKE** the license Mr. Schuett and imposed a \$25,000 monetary penalty.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 3:51 p.m.

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

Thomas Orsini, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date