

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 16, 2020
Panel - A

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:09 A.M. on September 16, 2020 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Marie Gerardo, MS, RN, ANP-BC, First Vice President
Yvette L. Dorsey, DNP, RN
Ann Tucker Gleason, PhD, Citizen Member
Louise Hershkowitz, CRNA, MSHA, President
Dixie McElfresh, LPN
Felisa A. Smith, RN, MSA, MSN/Ed, CNE
Erin Osiol, MSW, LMT, Advisory Board Member (**LMT case only**)

STAFF PRESENT:

Lelia Claire Morris, RN, LNHA, Deputy Executive Director
Charlette N. Ridout, RN, MS, CNE, Deputy Executive Director - **joined at 10:26 A.M.**
Sylvia Tamayo-Suijk, Discipline Team Coordinator

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:

Lina Hu, LMT **0019-012351**
Ms. Hu did not appear.

Rebecca Ribley and Grace Stewart, Adjudication Specialists for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Stephen Grider, court reporter with Veteran Reporters, recorded the proceeding.

Anna Badgley, Senior Investigator, Department of Health Professions, testified by phone. Officer Zachary Stellwag and Investigator Kevin Martin, Hanover County Sheriff's Office, were 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 9:29 A.M., for the purpose of deliberation to reach a decision in the matter of Lina Hu. Additionally, Dr. Gleason moved that Ms. Morris, Ms. Tamayo-Suijk, 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 9:29 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.

ACTION: Ms. Osiol moved that the Board of Nursing revoke the right of Lina Hu to renew her license to practice massage therapy in the Commonwealth of Virginia. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Hu at her address of record. 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 9:38 A.M.
Ms. Osiol left the meeting.

RECONVENTION: The Board reconvened in open session at 9:45 A.M.

FORMAL HEARINGS: **Mary Boggan, RN** **NM License #82789**
with Multistate Privilege

Ms. Boggan did not appear.

Grace Stewart, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Stephen Grider, court reporter with Veteran Reporters, recorded the proceeding.

Ashley Andrews (Baird), RN, Emergency Department, Centra Southside Community Hospital, 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 10:10 A.M., for the purpose of deliberation to reach a decision in the matter of Mary Boggan. Additionally, Dr. Gleason moved that Ms. Morris, Ms. Tamayo-Suijk, 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 10:25 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.

ACTION: Ms. Hershkowitz moved that the Board of Nursing indefinitely suspend the privilege of Mary Boggan to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Boggan at her address of record. 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 10:26 A.M.
Ms. Morris left the meeting.
Ms. Ridout joined the meeting.

RECONVENTION: The Board reconvened in open session at 10:41 A.M.

FORMAL HEARINGS: **Angela Lewis, RN** **MS License #863419**
with Multistate Privilege
Ms. Lewis did not appear.

Grace Stewart, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Stephen Grider, court reporter with Veteran Reporters, recorded the proceeding.

Christopher Moore, Senior Investigator with the Department of Health Professions, testified by phone. Karlene Bloom, RN, Nurse Manager, Sentara Halifax Regional Hospital, 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 11:07 A.M., for the purpose of deliberation to reach a decision in the matter of Angela Lewis. Additionally, Dr. Gleason moved that Ms. Ridout, Ms. Tamayo-Suijk, 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 11:19 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.

ACTION: Ms. McElfresh moved that the Board of Nursing indefinitely suspend the privilege of Angela Lewis to practice professional nursing in the Commonwealth of Virginia. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Lewis at her address of record. 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: **Murillo Badenas Millin, LPN** **0002-090574**
Mr. Millin did not appear.

Sean Murphy, Assistant Attorney General and Tammie Jones, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Stephen Grider, court reporter with Veteran Reporters, recorded the proceeding.

Rosemarie Doyon, RN, Clinical Manager, Sentara Nursing Center, Norfolk 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 11:50 A.M., for the purpose of deliberation to reach a decision in the matter of Murillo Badenas Millin. Additionally, Dr. Gleason moved that Ms. Ridout, Ms. Tamayo-Suijk, 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 12:27 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 and carried unanimously.

ACTION:

Ms. McElfresh moved that the Board of Nursing reprimand Murillo Badenas Millin and require completion of the following three NCSBN courses prior to renewal of his license to practice as a practical nurse: “*Documentation: A Critical Aspect of Client Care*”, “*Medication Errors: Causes and Prevention*”, and “*Ethics of Nursing Practice*”. The basis for this decision will be set forth in a final Board Order which will be sent to Mr. Millin at his address of record. 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 12:28 P.M.

Lelia Claire Morris, RN, LNHA
Deputy Executive Director