

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 9, 2024

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:43 A.M., on September 9, 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**
Carol Cartte, RN, BSN
Shantell Kinchen, LPN
Robert Scott, RN
Shelly Smith, PhD, DNP, ANP-BC
Annie Lively, LMT – **joined at 2:34 P.M.**

STAFF PRESENT:

Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Ann Hardy, MSN, RN; Deputy Executive Director
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General

ESTABLISHMENT
OF A PANEL:

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

FORMAL HEARINGS:

Kloe Shamblin, CNA **1401-212518**

Ms. Johnson appeared and was represented by Elizabeth Coleman, Esq.

Avi Efreom, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Joshua Delauter, court reporter with County Court Reporters, recorded the proceedings.

David Cowras, Senior Investigator, Enforcement Division, Reagan Meadows CNA at Kissito Healthcare, Jamie Baker, RN (previously a CNA) at Kissito Healthcare, and Amy Harris, LPN at Kissito Healthcare, were present and testified.

CLOSED MEETING:

Ms. Kinchen moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:43 A.M., for the purpose of deliberation to reach a decision in the matter of **Khloe Shamblin**. Additionally, Ms. Kinchen moved that Ms. Bargdill, Ms. Hardy, Ms. Tamayo-Suijk and Mr. Rutkowski, 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 Mr. Scott and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:01 P.M.

Mr. Scott 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. Kichen and carried unanimously.

ACTION: Ms. Cartte moved that the Board dismiss the case and impose no sanction against **Khloe Shamblin**'s certificate to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Kinchen 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 12:02 P.M.

RECONVENTION: The Board reconvened at 1:03 P.M.

FORMAL HEARINGS: **Vashti E. Harding, CNA** **1401-175776**

Ms. Harding appeared.

Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowshi was legal counsel for the Board. Joshue Delauter, court reporter with County Court Reporters, recorded the proceedings.

Maria Josen, Senior Investigator, Enforcement Division, and Karl Keffer, NHA (previously Administrator at James River Nursing and Rehab Center) were present and testified.

CLOSED MEETING: Ms. Kinchen moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 1:54 P.M., for

the purpose of deliberation to reach a decision in the matter of **Vashti E. Harding**. Additionally, Ms. Kinchen moved that Ms. Bargdill, Ms. Hardy, Ms. Tamayo-Suijk and Mr. Rutkowski, 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 Mr. Scott and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:21 P.M.

Mr. Scott 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. Kinchen and carried unanimously.

ACTION:

Mr. Cartte moved that the Board reprimand **Vashti E. Harding** with terms. The motion was seconded by Mr. Scott 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.

Dr. Smith left the meeting at 2:21 P.M.

Ms. Lively joined the meeting at 2:34 P.M.

FORMAL HEARINGS:

William Wright, LMT

0019-019443

Mr. Wright did not appear.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowschi was legal counsel for the Board. Joshue Delauter, court reporter with County Court Reporters, recorded the proceedings.

Parke Slater, Senior Investigator, Enforcement Division, and Client A were present and testified.

CLOSED MEETING:

Ms. Kinchen moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:09 P.M., for the purpose of deliberation to reach a decision in the matter of **William**

Wright. Additionally, Ms. Kinchen moved that Ms. Bargdill, Ms. Hardy, Ms. Tamayo-Suijk and Mr. Rutkowski, 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 Mr. Scott and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:15 P.M.

Mr. Scott 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. Kinchen and carried unanimously.

ACTION:

Ms. Lively moved that the Board revoke the license of **William Wright** to practice massage therapy in the Commonwealth of Virginia. The motion was seconded by Mr. Scott 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

ADJOURNMENT:

The Board adjourned at 3:16 P.M.

Cynthia Swineford, MSN, RN, CNE
President