

**VIRGINIA BOARD OF NURSING
BUSINESS MEETING
AGENDA (SECOND MAILING)**

Department of Health Professions – Perimeter Center
9960 Mayland Drive, Conference Center 201 – **Board Room 2**
Henrico, Virginia 23233

***DHP Mission** – the mission of the Department of Health Professions is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.*

Tuesday, September 10, 2024 at 9:00 A.M. – Quorum of the Board

CALL TO ORDER: Cynthia Swineford, RN, MSN, CNE; President

ESTABLISHMENT OF A QUORUM

9:05 A.M. - PUBLIC HEARING

Regulatory Changes pursuant to HB1499 of the 2024 General Assembly Session

ANNOUNCEMENT

• **Board Member Update:**

- **Shelly Smith, PhD, DNP, ANP-BC**, has been appointed by Ms. Swineford, Board President, to serve on the Committee of the Joint Boards of Nursing and Medicine effective August 1, 2024. Dr. Smith replaces Ms. Swineford.
- **Cleopatra Kitt, PhD**, from Roanoke, has been appointed by Governor Youngkin on August 2, 2024 to serve the first term from July 1, 2024 to June 30, 2028. Dr. Kitt replaces A. Tucker Gleason, PhD.

• **Staff Update:**

- **Jay Schmitz** has accepted the Discipline Specialist position with a start date of August 25, 2024.
- **Ka Yu-Cheng** has accepted the Compliance and Case Adjudication Manager with a start date of September 10, 2024. Ms. Yu-Cheng replaces Ms. Hardy.
- **Claire Morris, RN, LNHA**, has accepted the Executive Director position to replace Jay Douglas RN, MSM, CSAC, FRE. Ms. Douglas' retirement is effective September 2024.
- **Tuesday, September 10, 2024** – Recognition of Service for Jay Douglas – **Staff and External Stakeholders**

A. UPCOMING MEETINGS and HEARINGS:

- The Virginia Organization for Nurse Leaders (VONL) Fall Conference is scheduled for September 13, 2024 in Richmond, VA. Ms. Morris and Ms. Wilmoth will attend.
- The National League for Nursing (NLN) 2024 Education Summit is scheduled for September 18-20, 2024 in San Antonio, TX. Dr. Mangrum will attend.
- The FSMTB Annual Meeting is scheduled for October 3-5, 2024 in Washington, DC. Ms. Stoll will attend to represent Virginia Board of Nursing.
- NCSBN Leadership and Public Policy Conference is scheduled for October 9-11, 2024 in Charlottesville, VA. Ms. Morris will attend.
- The Education Informal Conference Committee is scheduled for October 13, 2024, at 9 AM in Board Room 3.
- The Committee of the Joint Boards of Nursing and Medicine Business Meeting is scheduled for October 23, 2024, at 9 am in Board Room 2.

REMINDER of Additional Formal Hearings in 2024:

- **Tuesday, October 29, 2024, in Board Room 4** → Ms. Swineford, Ms. Acuna, Dr. Cox, Ms. Freidenberg, Mr. Hogan, Ms. Kinchen, Dr. Kitt, Mr. Scott and Ms. Zehr
- **Monday, December 2, 2024, in Board Room 2** → Ms. Swineford, Ms. Acuna, Ms. Cartte, Dr. Cox, Ms. Freidenberg, Ms. Kinchen, Dr. Kitt, Dr. Parke and Ms. Zehr

REMINDER of Additional Special Conference Committee (SCC) to hear reinstatement cases in:

October 2024:

- SCC-D – Wednesday, October 2, 2024 → Parke and Hogan
- SCC-B – Tuesday, October 8, 2024 → Cartte and Friedenberg
- SCC-C – Tuesday, October 22, 2024 → Swineford and LMT Advisory Board Member
- SCC-A – Thursday, October 24, 2024 → Parke and Scott

December 2024:

- SCC-C – Tuesday, December 3, 2024 → Swineford and LMT Advisory Board Member
- SCC-D – Wednesday, December 11, 2024 → Cartte and Hogan
- SCC-B – Monday, December 16, 2024 → Cartte and Friedenberg
- SCC-A – Monday, December 16, 2024 → Parke and Scott

• **Nursing and Nurse Aide Education Program Training Sessions:**

- Orientation to Establish a Nurse Aide Education Program is scheduled **VIRTUALLY** on **October 3, 2024** from 1 pm to 3 pm.
- Orientation on Establishment of a PN or RN Pre-Licensure Nursing Program is scheduled on **October 15, 2024** at DHP – Conference Center 201, from 9 am to 12 pm.

- Preparation and Regulation Review for Coordinators and Instructors of Nurse Aide Education Programs is scheduled on **October 23, 2024** at Danville Community College, Foundation Hall- 1st Floor, Silverman Auditorium, from 9 am to 12 pm.
- Preparation and Regulation Review for Program Directors and Faculty of PN and RN Pre-Licensure Nursing Programs is scheduled on **October 23, 2024** at Danville Community College, Foundation Hall- 1st Floor, Silverman Auditorium, from 1 pm to 4 pm.
- Preparation and Regulation Review for Administrators and Instructors of Medication Aide Training Programs is scheduled **VIRTUALLY** on **November 14, 2024** from 1 pm to 3 pm.

REVIEW OF THE AGENDA:

- Additions, Modifications
- Adoption of a Consent Agenda
- **CONSENT AGENDA**

*B1 June 11, 2024	Formal Hearings
*B2 July 22, 2024	Formal Hearings
*B3 July 23, 2024	Business Meeting
*B4 July 24, 2024	Board of Nursing Officer Meeting
*B5 July 24, 2024	Panel A - Formal Hearings
*B6 July 24, 2024	Panel B - Formal Hearings
*B7 July 25, 2024	Formal Hearings
*B8 August 14, 2024	Telephone Conference Call
*B9 August 14, 2024	Consent Order Consideration and Formal Hearings

**C1 - Board of Nursing Monthly Tracking Log
 C2 - Agency Subordinate Recommendation Tracking Log
 C3 - Executive Director Report

*C4 – HPMP Quarterly Report – April to June 2024

*C5 – HB349 Workgroup July 22, 2024 Meeting DRAFT minutes

DIALOGUE WITH DHP DIRECTOR – Mr. Owens

B. DISPOSITION OF MINUTES – None

C. REPORTS

- Verbal Nure Licensure Compact (NLC) Annual Meeting on August 27, 2024 Report – **Ms. Morris**
- Verbal NCSBN Annual Meeting on August 28-30, 2024 Report - **Ms. Kinchen, Ms. Bargdill and Ms. Morris**

D. OTHER MATTERS:

- Board Counsel Update (**verbal report**)
- Board Member Scheduling and Time Commitment – **Ms. Swineford**
- Operation Nightingale Update – **Ms. Morris/Ms. Hardy**
- Voting of Interim First and Second Vice-President for the remaining of 2024 – **Ms. Swineford**

- Special Conference Committee (SCC) Composition – **Ms. Swineford/ Ms. Morris**

E. EDUCATION:

- Nurse Aide, Medication Aide and Nursing Education Program Updates – **Ms. Wilmoth (verbal report)**
- ****E2** - NCSBN Annual Report Summary – **Ms. Wilmoth**

F. REGULATIONS/LEGISLATION– Ms. Barrett/Mr. Novak

- ***F1** – Chart of Regulatory Actions
- ***F2** - Adoption of Exempt Regulatory Changes regarding Nursing Education Faculty pursuant to HB1499

10:00 A.M. – PUBLIC COMMENT

CONSIDERATION OF CONSENT ORDERS

- ***G1** – Candis Elizabeth Ginnold, RN
- ***G2** – Fen Li, LMT

12:00 P.M. – 12:45 P.M – LUNCH - Recognition of the following former Board Member for her service

- Yvette Dorsey, DNP

12:45 P.M. – Possible Summary Suspension Consideration

- TBD

1:30 P.M.

***E1** – August 13, 2024 Education Special Conference Committee DRAFT Minutes

June 18, 2024 Education Special Conference Committee Recommendations regarding:

- ***E1a** - Chambers Training Academy, Fredericksburg, Nurse Aide Program 1414100769

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS – Full Board

1	*Erin Nichole Patterson, CNA	2	*Amber Campbell, RN
3	*Megan Kowalewski, RN	4	*Henrietta Yvonne Haley Owah, CNA
5	*Consuella Loveline Anderson, CNA, ACNA	6	*Rometta Lenice Saunders, CNA
7	*Antonio Smith, CNA	8	*Danielle Latoya White, RMA
9	*Shelby Lyn Killeen, RMA	10	*Sandra Elaine Higgins Reid, RMA
11	*Dashika Shamise Dennis, CNA	12	*Kenya Springs, CNA
13	*Lindsey Nicole Poff, LPN	14	*Wilma R. Bryant, CNA
15	*Lisa Lynn Batten Good, LPN	16	*Pauline Chong, RN
17	*Amelia Shantel Poulin, RMA Applicant	18	*Cheyenne Korman, CNA
19	*Arielle N. Winston, LPN	20	*Haley Elizabeth Gray, RMA
21	*Devyn Elizabeth Johnson, RN	22	*Mamie Mariama Rogers, CNA Applicant
23	*Kelly Ann Mattson, RN	24	*Sherri Lynne Washington, RN

25	*Christy Lynn Pierce, RMA Applicant	26	**Jodie Mingea Taylor, LPN
27	**Jacqueline Joylette Bishop-Stafford Hopkins, RN	28	**Perry Gibbs Richmond, RN
29	**Ashley Peckham, RN Applicant	30	**Jessica Moyers, LPN Applicant
31	**Pamela Teresa McClain, LPN	32	**Destini S. Eldrige, CNA
33	**Eric Pearson, RN		

ADJOURNMENT OF BUSINESS AGENDA

NOMINATING COMMITTEE MEETING – immediately following the Business meeting

Board Member: Shantell Kitchen, LPN
 Helen Parke, DNP
 Robert Scott, RN

Board Staff: Claire Morris, RN, LNHA; Executive Director

- Slate to be voted on November 19, 2024
- Officer terms begin on January 1, 2025

(*1st mailing – 8/21) (**2nd mailing – 8/28)

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
June 11, 2024

B1

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:03 A.M., on June 11, 2024, in Board Room 4, 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
Carol Cartte, RN, BSN
Margaret J. Friedenberg, Citizen Member
Ann T. Gleason, PhD, Citizen Member
Shantell Kinchen, LPN

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Christina Bargdill, BSMN, MHS, RN; Deputy Executive Director
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist

**OTHERS PRESENT:
ESTABLISHMENT
OF A PANEL:**

Laura Booberg, Assistant Attorney General
With six members of the Board present, a panel was established.

FORMAL HEARINGS:

Julia Faith Cothran Tucker, LPN **0002-100986**

Ms. Tucker appeared, represented by Nathan Kottkamp and Mr. Johnson, her legal counsel.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Maria Josen, Senior Investigator, Enforcement Division, and Daphne Whitmire, Director of HR for Atlantic Shores Retirement Community, 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 10:11 A.M., for the purpose of deliberation to reach a decision in the matter of **Julia Faith Cothran Tucker**. Additionally, Ms. Kinchen moved that Dr. Ms. Douglas, 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. Cartte and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:30 A.M.

Ms. Cartte 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. Cartte moved that the Board of nursing indefinitely suspend the license of **Julia Faith Cothran Tucker** to practice practical nursing in the Commonwealth of Virginia for not less than one year from entry of order. The motion was seconded by Dr. Gleason and carried with 4 votes in favor. Ms. Kinchen and Ms. Acuna opposed the motion.

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 11: 31 A.M.

RECONVENTION: The Board reconvened at 11:36 A.M.

CONSIDERATION OF CONSENT ORDERS

Chen Cai, LMT **0019-017613**

Ms. Kinchen moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Chen Cai** to practice as a massage therapist in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

Muriel H. Helvenstine, RN **0019-015793**

Ms. Kinchen moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Muriel H. Helvenstine** to practice as a professional nurse in the

Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

FORMAL HEARINGS: **Latoya T. Marlyn, CNA Reinstatement Applicant**
1401-225490

Ms. Marlyn appeared.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Joyce Felix, Daughter of resident of Consulate Healthcare of Williamsburg, and Kelly Ashley, Senior Investigator, Enforcement Division, 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 1:08 P.M., for the purpose of deliberation to reach a decision in the matter of **Latoya T. Marlyn**. Additionally, Ms. Kinchen moved that Dr. Ms. Douglas, 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. Cartte and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:18 P.M.

Ms. Cartte 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. Kinchen moved that the Board of Nursing deny the application for reinstatement and revoke the certificate of **Latoya T. Marlyn** to practice as a nurse aide in the Commonwealth of Virginia with a finding of misappropriation of patient property. The motion was seconded by Ms. Cartte 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 1:19 P.M.

RECONVENTION: The Board reconvened at 1:57 A.M.

FORMAL HEARINGS: **Mojisola R. Majekodunmi, RN** 0001-298183

Ms. Majekodunmi appeared.

Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Katie Land, Senior Investigator, Enforcement Division, was 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 2:40 P.M., for the purpose of deliberation to reach a decision in the matter of **Mojisola R. Majekodunmi**. Additionally, Ms. Kinchen moved that Dr. Ms. Douglas, 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. Cartte and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:47 P.M.

Ms. Cartte 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. Acuna moved that the Board of nursing revoke the license of **Mojisola R. Majekodunmi** to practice professional nursing 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.

ADJOURNMENT:

The Board adjourned at 2:48 P.M.

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

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
July 22, 2024

B2

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:03 A.M., on July 22, 2024, in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

A Tucker Gleason, PhD; First Vice-**President**
Delia Acuna, FNP-C
Carol Cartte, RN, BSN
Victoria Cox, DNP, RN
Margaret Friedenberg, Citizen Member
Helen Parke, DNP, FNP-BC

STAFF PRESENT:

Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
Advanced Practice
Ann Hardy, MSN, RN, Compliance and Case Adjudication Manager
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director – **joined
at 10:39 A.M.**
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist

OTHERS PRESENT:

Laura Booberg, Assistant Attorney General
Practical Nursing students from Paul D. Camp Community College

**ESTABLISHMENT
OF A PANEL:**

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

FORMAL HEARINGS:

Dekara Johnson, RN **0001-316039**

Ms. Johnson appeared.

Christine Andreoli and Jovanni Armstead, Adjudication Specialists, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Earlina King, court reporter with County Court Reporters, recorded the proceedings.

Katie Land, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING:

Dr. Parke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 9:55 A.M., for the purpose of deliberation to reach a decision in the matter of **Dekara**

Johnson. Additionally, Dr. Parke moved that Dr. Hills, Ms. Hardy, 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 Dr. Cox and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:16 A.M.

Dr. Parke 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 Dr. Cox and carried unanimously.

ACTION:

Dr. Parke moved that the Board revoke the license of **Dekara Johnson** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Cox 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. Hills left the meeting at 10:19 A.M.

RECESS:

The Board recessed at 10:19 A.M.

RECONVENTION:

The Board reconvened at 10:39 P.M.

Ms. Bargdill joined the meeting at 10:39 A.M.

FORMAL HEARINGS:

Rebecca Anne Tolbert, LPN

0002-053554

Ms. Tolbert appeared and was accompanied by Regina Brittingham, friend and previous co-worker.

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

Tonya James, Board of Nursing Compliance Case Manager, Jackie Holloway, RN, DON at Shore Health & Rehab Center, and Regina Brittingham, LPN, were present and testified.

CLOSED MEETING: Dr. Parke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:47 A.M., for the purpose of deliberation to reach a decision in the matter of **Rebecca Anne Tolbert**. Additionally, Dr. Parke moved that Ms. Bargdill, Ms. Hardy, 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 Dr. Cox and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:21 P.M.

Dr. Parke 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: Dr. Cox moved that the Board revoke the license of **Rebecca Anne Tolbert** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte 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 12:22 P.M.

A Tucker Gleason, PhD
First Vice-President

**VIRGINIA BOARD OF NURSING
BUSINESS MEETING MINUTES
July 23, 2024**

TIME AND PLACE: The business meeting of the Board of Nursing was called to order at 9:00 A.M. on July 23, 2024, in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Cynthia M. Swineford, RN, MSN, CNE; President

BOARD MEMBERS PRESENT: Carol Cartte, RN, BSN
Victoria Cox, DNP, RN
Yvette L. Dorsey, DNP, RN
Margaret J. Friedenberg, Citizen Member
Ann Tucker Gleason, PhD, Citizen Member
Paul Hogan, Citizen Member
Shantell Kinchen, LPN
Helen Parke, DNP, FNP-BC
Lila Peake, RN

MEMBERS ABSENT: Delia Acuna, FNP-C
Pamela Davis, LPN
Robert Scott, RN

STAFF PRESENT: Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director
Claire Morris, RN, LNHA; Incoming Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Jacquelyn Wilmoth; Deputy Executive Director
Randall Mangrum, DNP, RN; Nursing Education Program Manager
Christine Smith, RN, MSN; Nurse Aide/RMA Education Program Manager
Francesca Iyengar, MSN, RN; Discipline Case Manager
Patricia Dewy, RN, BSN; Discipline Case Manager
Huong Vu, Operations Manager
Ann Hardy, MSN, RN, Compliance and Case Adjudication Manager

OTHERS PRESENT: Laura Booberg, Senior Assistant Attorney General, Board Counsel
Arne Owens, DHP Director
Erin Barrett, JD, Director of Legislative and Regulatory Affairs
Matthew Novak, DHP Policy Analyst
Chris Moore, DHP Finance and Budget Director – **joined at 10:51 AM**

IN THE AUDIENCE: W. Scott Johnson, Hancock Daniel & Johnson, P.C.
Kelsey Wilkinson, Medical Society of Virginia (MSV)
Janet Walls, CEO of Virginia Nurses Association (VNA)/Virginia Nurses Foundation (VNF)
Lindsey Cardwell, Director of Professional Development, VNA/VNF
Toni Parks, Board of Nursing Staff
Ofelia Solomon, Board of Nursing Staff

ESTABLISHMENT OF
A QUORUM:

With 10 members present, Ms. Swineford indicated that a quorum was established.

ANNOUNCEMENTS:

Ms. Swineford congratulated Ms. Morris on her new role as Board Executive Director and announced the following:

Board Member Update:

- **Delia Acuna, FNP-C**, has been appointed by Ms. Swineford, Board President, to serve on the Committee of the Joint Boards of Nursing and Medicine effective April 1, 2024. Ms. Acuna replaces Ms. Buchwald.
- **Lila Peake, RN**, from Lynchburg, has been appointed by Governor Youngkin on April 26, 2024 to serve the unexpired term to June 30, 2024. Ms. Peake replaces Ms. Meenakshi Shah, BA, RN. Ms. Peake was re-appointed on July 3, 2024 to serve the first term from July 1, 2024 to June 30, 2028.
- **Shelly Smith, PhD, DNP, ANP-BC**, from Powhatan, has been appointed by Governor Youngkin on July 12, 2024 to serve the unexpired term to June 30, 2025. Dr. Smith replaces Laurie Buchwald, MSN, WHNP, FNP.
- **Jodi Zehr, RN**, from Rustburg, has been appointed by Governor Youngkin on July 12, 2024 to serve the first term from July 1, 2024 to June 30, 2028. Ms. Zehr replaces Yvette Dorsey, DNP, RN.

BON Staff Recognized for Years of State Services

- 10 Years of Services – Joseph Corley
- 15 Years of Services – Eric Berthiaume, Robin Hills and Huong Vu
- 20 Years of Services – Arlene Johnson
- 30 Years of Services – Stephanie Willinger
- **Jay Douglas, MSM, RN, CSAC, FRE**, Executive Director for the Virginia Board of Nursing, will be honored with the prestigious **R. Louise McManus Award** for her sustained and significant contributions through the highest commitment and dedication to the mission and vision of NCSBN at the NCSBN Annual Meeting held in Chicago, August 28-30, 2024.
- **Cynthia Swineford, RN, MSN, CNE, Board President**, has been appointed to the FY2025 Awards Committee by the NCSBN Board of Directors.

- **Randall Mangrum, DNP, RN, Nursing Education Program Manager**, has been selected to serve as a Member of the NCSBN NCLEX Item Review Subcommittee.

Staff Update:

- **Ofelia Solomon** has accepted the Licensing Supervisor for the LMT, RMA and CNA programs and started on May 10, 2024.
- **Claire Morris, RN, LNHA**, has accepted the Executive Director position to replace Jay Douglas RN, MSM, CSAC, FRE. Ms. Douglas' retirement is effective September 2024.
- **Toni Parks, RN**, has accepted the Probable Cause Reviewer position with a start date of July 15, 2024.
- **Ann Hardy, MSN, RN**, has accepted the Deputy Executive Director/Nursing Discipline position and will start on July 25, 2024. Ms. Hardy is to replace Ms. Morris.
- **Felisa Smith, PhD, MSA, RN, CNE**, former Board Member, has accepted the Probable Cause Review position with a start date of July 29, 2024.
- **Sylvia Attia** has accepted the CNA Licensing Specialist position and will start on August 10, 2024.
- **Thomasena Wicker**, has accepted the Nursing Education Program Inspector position and will start on August 10, 2024.
- **Jessica Long** has accepted the LMT Licensing Specialist position and will start on August 12, 2024.
- **Tuesday, September 10, 2024** – Recognition of Service for Jay Douglas – **Staff and External Stakeholders.**

UPCOMING MEETINGS: The upcoming meetings listed on the agenda:

- Nurse Licensure Compact (NLC) Annual Meeting is scheduled for August 27, 2024 in Chicago, IL. Ms. Douglas will attend as Commissioner to represent Virginia Board of Nursing. Ms. Morris will attend as well.
- NCSBN Annual Meeting is scheduled for August 28-30, 2024 in Chicago, IL. Ms. Douglas will attend as President of the NCSBN Board of Directors. Ms. Swineford, Board President, and Ms. Morris will attend as Delegates.

Ms. Kinchen, Board Member, and Ms. Bargdill will attend to represent the Virginia Board of Nursing.

- The Education Informal Conference Committee is scheduled for August 13, 2024, at 10 AM in Board Room 3.
- The Committee of the Joint Boards of Nursing and Medicine Business Meeting is scheduled for October 23, 2024, at 9 am in Board Room 2.

REMINDER of Additional Formal Hearings in 2024:

- **Wednesday, August 14, 2024** → Ms. Swineford, Ms. Davis, Ms. Freidenberg, Dr. Gleason and Mr. Hogan
- **Tuesday, October 29, 2024** → Ms. Swineford, Dr. Gleason, Ms. Acuna, Dr. Cox, Ms. Freidenberg, Mr. Hogan, Ms. Kinchen and Mr. Scott.
- **Monday, December 2, 2024** → Ms. Swineford, Dr. Gleason, Ms. Acuna, Ms. Cartte, Dr. Cox, Ms. Freidenberg, Ms. Kinchen and Dr. Parke.

REMINDER of Additional Special Conference Committee (SCC) to hear reinstatement cases:

August 2024:

- SCC-A – Thursday, August 1, 2024 → Parke and Scott
- SCC-D – Tuesday, August 6, 2024 → **TBD** and Hogan
- SCC-C – Tuesday, August 20, 2024 → Gleason and LMT Advisory Board Member
- SCC- B – Thursday, August 22, 2024 → Cartte and Friedenber

October 2024:

- SCC-D – Wednesday, October 2, 2024 → **TBD** and Hogan
- SCC-B – Tuesday, October 8, 2024 → Cartte and Friedenber
- SCC-C – Tuesday, October 22, 2024 → Gleason and LMT Advisory Board Member
- SCC-A – Thursday, October 24, 2024 → Parke and Scott

December 2024:

- SCC-C – Tuesday, December 3, 2024 → Gleason and LMT Advisory Board Member
- SCC-D – Wednesday, December 11, 2024 → **TBD** and Hogan
- SCC-B – Monday, December 16, 2024 → Cartte and Friedenber
- SCC-A – Monday, December 16, 2024 → Parke and Scott

- **Nursing and Nurse Aide Education Program Training Sessions:**
 - Orientation to Establish a Nurse Aide Education Program is scheduled **VIRTUALLY** on **October 3, 2024** from 1 pm to 3 pm.
 - Orientation on Establishment of a PN or RN Pre-Licensure Nursing Program is scheduled on **October 15, 2024** at DHP – Conference Center 201, from 9 am to 12 pm.
 - Preparation and Regulation Review for Coordinators and Instructors of Nurse Aide Education Programs is scheduled on **October 23, 2024** at Danville Community College, Foundation Hall- 1st Floor, Silverman Auditorium, from 9 am to 12 pm.
 - Preparation and Regulation Review for Program Directors and Faculty of PN and RN Pre-Licensure Nursing Programs is scheduled on **October 23, 2024** at Danville Community College, Foundation Hall- 1st Floor, Silverman Auditorium, from 1 pm to 4 pm.
 - Preparation and Regulation Review for Administrators and Instructors of Medication Aide Training Programs is scheduled **VIRTUALLY** on **November 14, 2024** from 1 pm to 3 pm.

**ORDERING OF
AGENDA:**

Ms. Swineford asked staff if there are modifications to the agenda.

Ms. Douglas stated that there are no changes to the business meeting and discipline agendas.

CONSENT AGENDA:

Ms. Vu noted that Ms. Kinchen's credential was left off the March 18, 2024 formal hearing minutes and the minutes will be edited before posting to Townhall.

Ms. Douglas removed C3 and Ms. Bargdill removed C7 from the consent agenda.

Ms. Swineford reminded Board Members to keep the 2025 Dates for Board Meetings and Hearings (**UPDATED VERSION**) and the 2025 Dates for Education Special Conference Committee for future reference.

Board Member Scheduling and Time Commitment:

Ms. Swineford stated that Board Members are expected to participate three days for board week and extra hearings in alternate months in order to manage the heavy caseload.

Ms. Douglas added that staff has decreased numbers of days for Special Conference Committees on the even month by using Agency Subordinates for informal conferences. Ms. Douglas commented that staff are appreciative for Board Members' participation in extra formal hearing dates.

Ms. Douglas noted that agency subordinate recommendations considered today are presented to a full board because there are not enough Board Members to be divided into two panels.

Dr. Parke moved to accept the non-pulled items on the consent agenda listed below as presented. The motion was seconded by Dr. Dorsey and carried unanimously.

Consent Agenda

- B1** March 18, 2024 Formal Hearings
- B2** March 19, 2024 Business Meeting
- B3** March 20, 2024 Panel A - Formal Hearings
- B4** March 20, 2024 Panel B - Formal Hearings
- B5** March 21, 2024 Formal Hearings
- B6** April 10, 2024 Telephone Conference Call
- B7** April 16, 2024 Telephone Conference Call
- B8** April 18, 2024 Formal Hearings
- B9** April 29, 2024 Telephone Conference Call
- B10** May 10, 2024 Telephone Conference Call
- B11** May 20, 2024 Consideration Meeting & Formal Hearings
- B12** May 20, 2024 Telephone Conference Call
- B13** May 21, 2024 Panel A – Consideration Meeting & Formal Hearings
- B14** May 21, 2024 Panel B – Consideration Meeting & Formal Hearings
- B15** May 22, 2024 Formal Hearings
- B16** June 25, 2024 Telephone Conference Call

C1 - Board of Nursing Monthly Tracking Log

C2 - Agency Subordinate Recommendation Tracking Log

C4 – HPMP Quarterly Report – January to March 2024

C5 - NCSBN Governance and Bylaws Review Committee on March 25-26, 2024, in Chicago, IL – **Ms. Glazier**

C6 - NCSBN International Center for Regulatory Scholarship (ICRS) Advanced Leadership Institute Graduation on April 3-4, 2024 in Washington, DC – **Dr. Mangrum and Ms. Lucy Smith**

C8 - NCSBN Model Act and Rules Committee Meeting on April 15-16, 2024, in Chicago, IL - **Ms. Wilmoth**

C9 - NCSBN IT-Operation Conference on May 22-27, 2024 in Salt Lake City, Utah – **Ms. Willinger**

C10 - NCSBN Discipline Case Manager Conference on May 30-31, 2024 in Annapolis, MD – **Ms. Iyengar**

C11 - Regulatory Review Committee April 26, 2024 Meeting minutes

C12 - Committee of the Joint Boards of Nursing and Medicine April 24, 2024 Discipline Meeting minutes

C13 - Committee of the Joint Boards of Nursing and Medicine June 26, 2024 Discipline Meeting minutes

2025 Dates for Board Meetings and Hearings – **UPDATED VERSION**

2025 Dates for Education Special Conference Committee

Discussion of items pulled from the Consent Agenda:

C3 - Executive Director Report

Ms. Douglas added that Mr. Moore and Ms. Wilmoth will collaborate with Virginia Department of Health (VDH) regarding the distribution of the Mary Marshall scholarship fund, which is managed by VDH. Ms. Douglas noted in 2022, the Board voted to increase the fund above \$65,000. For the 2024 scholarship awards, VDH has not met to review the applications and provide the Board with information regarding number of applicants that meet the requirements for the scholarship award. Ms. Douglas stated that nurse aides were also included to receive the scholarship funds; more awareness efforts are needed.

Ms. Douglas stated that Ms. Shah would like the Board to know that she regrets about fulfilling her duties before her term expires on the Board.

C7 - Federation of State of Massage Therapy Boards (FSMTB) Massage Board Executive (MBE) Summit on April 3-5, 2024 in Savannah. GA.

Ms. Bargdill stated that the top three issues discussed at the Summit were human traffic, education and deregulation language. Ms. Bargdill noted the following:

- Movement towards uniformity and standardization of licensure activities across member Boards. The 2011 NCSBN Uniform Licensure Requirements document was used as an example.
- Interstate Massage Therapy Compact – only Nevada has passed legislation to join the compact and seven states are needed to establish the compact.
- Massage therapy education – the United States Department of Education recently revoked the 150% rule which impacts eligibility for financial aid, and a general increase in requests for offering testing in other languages and for accommodation for testing. Virginia requires 500 hours of training, which is less than neighboring states.

Dr. Dorsey moved to accept the **C3** and **C7** as amended. The motion was seconded by Ms. Cartte and carried unanimously.

**DIALOGUE WITH DHP
DIRECTOR OFFICE:**

Mr. Owens thanked Board Members for their service to the Commonwealth and provided the following information:

- New Security Measures – aka “Expect the Check” which started on July 1 and is a standard procedure at state offices downtown.
- 2025 General Assembly (GA) – planning is in process. Budget was passed by 2024 GA for 12 full-time positions at DHP
- DHP is still in the process of reviewing staff salaries to ensure equitable compensation and competitive with private sector.
- DHP Senior Leadership changes are:
 - Executive Director for Enforcement - Sarah Rogers
 - Executive Director for Nursing – Claire Morris
 - Executive Director for ASLOV – Kelli Moss
 - Director of Communications – Kelly Smith
 - Chief Operating Officer – Leslie Knachel

Ms. Swineford thanked Mr. Owens for his report.

**DISPOSITION OF
MINUTES:**

None

REPORTS:

None

OTHER MATTERS:

Board Counsel Update:

Ms. Booberg stated that the Board has one appeal case pending which will be heard at the Virginia Beach Circuit Court in September 2024.

D1 – Credentia/CNA Written Exam Process Change:

Ms. Bargdill stated that Credentia is contracted by the Board to manage the administration of the National Nurse Aide Assessment Program (NNAAP)

competency examination to applicants for nurse aide certification in the Commonwealth of Virginia. Credentia is working to improve access to testing, efficiency of test administration and satisfaction for test-takers and Boards.

Ms. Bargdill added that Credentia is requesting to change to a proctor model for the in-person paper pencil written exams instead of utilizing an evaluator to administer these exams. The proctor model would mean that the test site would provide a proctor to administer the exam instead of Credentia providing an evaluator, as is the current process.

Dr. Cox moved to continue the use of evaluator for written exam. The motion was seconded by Dr. Parke and carried with nine votes in favor of the motion. Mr. Hogan opposed the motion.

Board Member Scheduling and Time Commitment:

Ms. Swineford has previously commented on.

Operation Nightingale Update:

Ms. Morris reviewed the overall status of Operation Nightingale cases the Board currently has.

Voting of Interim Second Vice-President at September Meeting:

Ms. Swineford said that Dr. Dorsey has received thank you email from the Secretary's Office for her service on the Board. Ms. Swineford added that at the September business meeting, the Board will need to vote on the Interim Second Vice-President.

Ms. Swineford thanks Dr. Dorsey for her role on the Board and it was an honor to serve with Dr. Dorsey.

Dr. Dorsey stated that it is an honor and privilege to serve on the Board. Dr. Dorsey said that patients depend on the Board to keep them safe and it is not a place to serve your own agenda on the Board.

Volunteer needed to serve on the Nominating Committee:

- Slate to be voted on November 19, 2024
- Officer terms begin on January 1, 2025

Ms. Swineford stated that volunteers are needed for the Nominating Committee which will meet in September.

Ms. Douglas added that three board members are needed to serve on the Nominating Committee.

EDUCATION:

Education Update:

Ms. Wilmoth reported the following:

Nurse Aide Education Program Updates

Credentia - online Written Practice Exam was launched on May 22, 2024, and will provide candidates that opportunity to become familiar with the styles and types of questions that will appear on the actual exam. There are fees associated with the exam in increments of \$30, \$50 or \$60.

Medication Aide Program Updates

In December 2023, newly developed questions were added to the medication aide exam and a 1% increase in passing standard was implemented. A meeting with PSI this month revealed 2nd quarter pass rates are comparable to 1st quarter pass rates for first-time test takers with a pass rate of 67%. The test items are performing the same as compared to the 1st quarter and include both AI and SME-created questions. A workgroup is being formed to review 40 items and create 58 new items by the end of the year to enrich the test bank.

Nursing Education Programs Updates

- Regulatory review continues
- NCSBN Annual Report - results are in and will be presented at next business meeting.
- Bluefield University has informed the board they are in a teach out after the results of a financial analysis. Loudon County PN also reports they are a closed program due to dwindling public interest in program.
- 2nd quarter NCLEX results: RN – 4 programs less than 80%; PN – 5 programs less than 80%.

RECESS:

The Board recessed at 9:54 A.M.

RECONVENED:

The Board reconvened at 10:00 A.M.

PUBLIC COMMENT:

Janet Wall, CEO of Virginia Nurses Association (VNA)/Virginia Nurses Foundation (VNF) commented the following:

- Congratulations to Ms. Douglas on her retirement and to Ms. Morris on her new role as Executive Director for the Board.
- Satisfactory survey results in innovation grant launching soon for well-being of nurses
- First Nurse Leader Forum will be in September

- Unintentional Medication Error – meeting will convene later on today
- Fall Conference is scheduled for November 22-23, 2024 in Short Pump. Leader nominations are due by July 31, 2024.

LEGISLATION/
REGULATION:

Ms. Barrett reported the following:

F1 - Chart of Regulatory Actions

Ms. Barrett reviewed the regulatory actions found in the chart.

F2 – Adoption of Exempt Regulatory Action regarding Counseling for Opioid Prescriptions, changes to 18VAC90-40-12, pursuant to HB699

Ms. Barrett stated that HB699 passed in the 2024 General Assembly requires changes to 18VAC90-40-12.

Ms. Barret noted that the exempt action was voted on by the Board of Medicine at its June 13, 20224 meeting.

Dr. Dorsey moved to adopt the exempt regulatory changes to amend 18VAC90-40-21 as presented. The motion was seconded by Ms. Cartte and carried unanimously.

F3 – Adoption of Exempt Regulatory Action regarding APRN Clinical Practice prior to Autonomous Practice, changes to 18VAC90-30-86, pursuant to HB971

Ms. Barrett stated that HB971 passed by the 2024 General Assembly changed required practice from five years to three prior to autonomous practice designation for APRNs.

Ms. Barret noted that the exempt action was approved by the Board of Medicine at its June 13, 20224 meeting.

Dr. Parke moved to adopt the exempt regulatory changes to amend 18VAC90-30-86 as presented. The motion was seconded by Ms. Cartte and carried unanimously.

F4 – Adoption of Fast-Track Regulatory Amendment regarding Out-of-State Clinical Experience pursuant to SB553

Ms. Barret stated that although SB553 only required the Board to accept 100% of out-of-state clinical hours for programs within 60 miles of a state border, treating such programs differently than programs more than 60 miles from a border is operationally problematic. Staff have recommended removing the requirement to maintain continuity of the regulations and ensure the regulations apply to all programs. This removal will also allow

programs more than 60 miles from a border to conduct international clinical experiences.

Mr. Hogan moved to adopt a fast-track regulatory action to remove requirements for in-state clinical hours as presented. The motion was seconded by Dr. Gleason and carried with six votes in favor of the motion. Dr. Cox, Dr. Dorsey, Ms. Friedenbergs and Ms. Kinchen opposed the motion.

F5 – Adoption of Notice of Intended Regulatory Action (NOIRA) for Changes to Chapter 27, the Regulations Governing Nurse Education Programs, following Periodic Review and Review of Regulatory Committee

Ms. Barret stated that the Nursing Education Regulatory Review Committee met in November 2023, January and April of 2024, and has worked to review Chapter 27 to modernize and streamline the requirements for nursing education programs. Ms. Barrett added that the Board can now begin the regulatory process by issuing a NOIRA to notify the public that the Board intends to amend Chapter 27.

Dr. Dorsey moved to adopt a NOIRA for Chapter 27, the Regulations Governing Nurse Education Programs. The motion was seconded by Dr. Parke and carried with nine votes in favor of the motion. Ms. Kinchen opposed the motion.

F7 – Action needed for Marcella Williams’ Petition for Rulemaking regarding Requirement for Self-Care Training, 18VAC90-27-90 and 18VAC90-27-100

Ms. Barrett stated that the Nursing Education Regulatory Review Committee reviewed the petition and the Committee agreed that inclusion of required self-care in clinical hours was not warranted.

Ms. Barrett added that six comments were received, three were in favor of the petition and three in opposition.

Dr. Dorsey moved that the Board take no action on the petition due to no identified way on aligning with curriculum. The motion was seconded by Dr. Gleason and carried unanimously.

F8 – Revision of Guidance Document 90-62 – Medication Administration Training Curriculum Approved by the Board of Nursing for Various Settings

Ms. Barrett stated that the Draft changes to Guidance Document 90-62 reflecting nomenclature changes and changes in licensing authority from Department of Social Services to the Department of Education.

Dr. Cox moved to adopt the amendments to Guidance Document 90-62 as presented. The motion was seconded by Ms. Cartte and carried unanimously.

F9 - Draft Exempt Regulatory Changes regarding Nursing Education Faculty pursuant to HB1499 – PROVIDED FOR INFORMATION ONLY

Ms. Barrett said that the draft regulatory changes are provided for information only. The legislation requires a public hearing prior to adoption of the changes by exempt action. The public hearing will occur at the September meeting, at which the Board will vote on the regulatory changes.

Ms. Barrett added that changes must be effective by January 1, 2025, which means the Board must obtain OAG and Governor office approval for the exempt action in time to submit the changes to the Registrar in early November.

Mr. Moore joined the meeting at 10:51 A.M.

F6 - Proposed Action for Fee Increase

Ms. Barrett reviewed the chart which details proposed changes, rationale, and costs considered.

Ms. Douglas noted that the last raised fees was in 2011. Prior to that time, the last fee increase was in 2003.

The Board discussed and considered the following:

- Certified Nurse Aide (CNA) Registry Expenditures
- Salary increases mandate by the General Assembly
- Additional operational increases affecting available funds
- One-time fee decrease pursuant to statutory directive for the renewal period of 2017-2019 resulted in a decrease of revenue of \$2,395,212
- Cash balance projections without fee increase as of July 2024

Dr. Gleason moved to adopt proposed regulatory changes regarding fees as presented → **Option 1: 65 – 70% increases, with some increases higher, will result in FY2026 Cash Balance of (\$2,853,878). Cash Balance will become positive in FY2027. Next deficit predicted to be FY2033.** The motion was seconded by Dr. Parke and carried unanimously.

RECESS: The Board recesses at 11:35 A.M.

RECONVENTION: The Board reconvened at 11:40 A.M.

POLICY FORUM: Healthcare Workforce Data Center (HWDC) Report – Yetty Shobo, PhD, Executive Director, and Barbara Hodgdon, PhD, Deputy Director

- Virginia’s Nursing Education Programs: 2022 – 2023 Academic Year

Dr. Hodgdon provided the following Key Findings:

- Attrition rates in PN hospital-based programs could be a concern
- Percentage of admitted who are enrolled is an issue for RN programs
- Facility commitment and faculty shortages were barriers for both PN and RN programs
- Faculty turnover increasing over time; appointment rates also decreasing for PN programs
- Higher resignations than appointments in High School extended PN programs

Ms. Swineford thanked Drs. Shobo and Hodgdon for the report.

RECESS: The Board recessed at 12:00 P.M.

RECONVENTION: The Board reconvened at 1:30 P.M.

CONSIDERATION OF CONSENT ORDERS:

G1 – Carole D. Pearson, LPN Reinstatement Applicant 0002-067894

Ms. Cartte moved that the Board of Nursing accept the consent order to grant the application of **Carole D. Pearson** for reinstatement of her license to practice as a practical nurse in the Commonwealth of Virginia with terms and conditions. The motion was seconded by Dr. Cox and carried unanimously.

G2 – Ping Zhang, LMT 0019-015319

Ms. Cartte moved that the Board of Nursing accept the consent order to accept the voluntary surrender for indefinite suspension the license of **Ping Zhang** to practice massage therapy in the Commonwealth of Virginia. The motion was seconded by Dr. Cox and carried unanimously.

G3 – Jessica Vera Lee Swartout, LPN 0002-098878

Ms. Cartte moved that the Board of Nursing accept the consent order to indefinitely suspend the license of Jessica Vera Lee Swartout to practice practical nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Swartout's entry into a contract with the Virginia Health Practitioners’ Monitoring Program (HPMP) and remain in compliance with

all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Dr. Cox and carried unanimously.

E1 – June 18, 2024 Education Special Conference Committee DRAFT minutes

Ms. Cartte moved that the Board of Nursing accept the June 18, 2024 Education Special Conference Committee minutes as presented. The motion was seconded by Dr. Cox and carried unanimously.

CONSIDERATION OF June 18, 2024 EDUCATION SPECIAL CONFERENCE COMMITTEE RECOMMENDATIONS:

E1a – J. Sargeant Reynolds Community College, Richmond, Practical Nursing Program, US28105500

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to continue **J. Sargeant Reynolds Community College, Richmond, Practical Nursing Program** on conditional approval. The motion was seconded by Dr. Cox and carried unanimously.

E1b – Mountain Gateway Community College, Clifton Forge, Registered Nursing Education Program, US28406700

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to continue **Mountain Gateway Community College, Clifton Forge, Registered Nursing Education Program** on conditional approval. The motion was seconded by Dr. Cox and carried unanimously.

E1c – New River Community College Associate Degree Nursing Education Program, US28406100

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for two faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1d – Liberty University, Traditional and Accelerated Baccalaureate Nursing Education Program, US28500000 and US28511300

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for six faculty members and to deny the continuing

faculty exception request for two faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1e – George Mason University, Traditional and Accelerated Baccalaureate Nursing Education Program, US28508400 and US2850000

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for one faculty member and to deny the continuing faculty exception request for five faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1f – Marymount University Baccalaureate Nursing Education Program, US28505500 and US28501600

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for six faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1g – Rappahannock Community College Associate Degree Nursing Education Program, US28408800

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for three faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1h – Bon Secours Memorial College of Nursing Baccalaureate Nursing Education Program, US28502500

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for two faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1i – George Washington University Baccalaureate Nursing Education Program, US28504500

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for two faculty members. The motion was seconded by Dr. Cox and carried unanimously.

E1j - University of Virginia Baccalaureate Nursing Education Program, US28505700

Ms. Cartte moved that the Board of Nursing accept the recommendations of the Education Special Conference Committee to approve the continuing faculty exception request for two faculty members and to deny the continuing faculty exception request for one faculty member. The motion was seconded by Dr. Cox and carried unanimously.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

#26 – Hawanatu S. Kalokoh, CNA

1401-218574

Ms. Kalokoh appeared and addressed the Board.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:42 P.M. for the purpose of considering the agency subordinate recommendations regarding **Hawanatu S. Kalokoh, CNA**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Dorsey and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:50 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Dorsey and carried unanimously.

Ms. Cartte moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Hawanatu S. Kalokoh** to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded by Dr. Dorsey and carried unanimously.

#25 – Sinnah Koroma, CNA

1401-154789

Ms. Koroma appeared and address the Board.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:58 P.M. for the purpose of considering the agency subordinate recommendations regarding **Sinnah Koroma, CNA**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Cox and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:05 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Cox and carried unanimously.

Ms. Cartte moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Sinnah Koroma** to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded by Dr. Cox and carried unanimously.

**#35 – Audrea Lynn Hicks Slemp, LPN Applicant
Case Number 231593**

Ms. Slemp appeared and addressed the Board.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:10 P.M. for the purpose of considering the agency subordinate recommendations regarding **Audrea Lynn Hicks Slemp, LPN Applicant**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Cox and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:19 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Cox and carried unanimously.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to grant the application of **Audrea Lynn Hicks**

Slemp for licensure by examination to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Cox and carried unanimously.

#45 – Misti Spring Wise, CNA

1401-138694

Ms. Wise appeared and addressed the Board.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:23 P.M. for the purpose of considering the agency subordinate recommendations regarding **Misti Spring Wise, CNA**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Cox and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:27 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Cox and carried unanimously.

Ms. Cartte moved that the Board of Nursing accept the recommended decision of the agency subordinate to place the certificate of **Misti Spring Wise** on probation with terms and conditions. The motion was seconded by Dr. Cox and carried unanimously.

#43 – Chavelle Denita Dickens, LPN

0002-086110

Ms. Dickens appeared and addressed the Board. Ms. Dickens also submitted a written response.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:32 P.M. for the purpose of considering the agency subordinate recommendations regarding **Chavelle Denita Dickens, LPN**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Cox and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:48 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Cox and carried unanimously.

Ms. Cartte moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Chavelle Denita Dickens** and to indefinitely suspend her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Dorsey and carried with seven votes in favor of the motion. Dr. Cox, Mr. Hogan and Ms. Kinchen opposed the motion.

#3 – Stephanie Tennille Martin, RN

0001-185694

Mr. Martin appeared and addressed the Board.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:59 P.M. for the purpose of considering the agency subordinate recommendations regarding **Stephanie Tennille Martin, RN**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Parke and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:05 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Cox and carried unanimously.

Ms. Kinchen moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Stephanie Tennille Martin** and to indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

RECESS: The Board recesses at 3:06 P.M.

RECONVENTION: The Board reconvened at 3:16 P.M.

The following Agency Subordinate Recommendations were accepted by the Board as presented:

#2 – Nicole Lynn Faison, RN **0001-304932**
Ms. Faison did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to require **Nicole Lynn Faison**, within 60 days from the date of entry of the Order, to provide written proof of successful completion of Board-approved courses of at least three contact hours in each of the subjects of (i) professional accountability and legal liability for nurses and (ii) proper handling and documentation of medication. The motion was seconded by Ms. Cartte and carried unanimously.

#4 – Jennifer L. Pruitt, CNA **1401-215690**
Ms. Pruitt did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of **Jennifer L. Pruitt** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#5 – Mayte Sanchez, RN **0001-309871**
Ms. Sanchez did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Mayte Sanchez** and to require Ms. Sanchez, within 90 days from the date of entry of the Order, to provide written proof of successfully completion of Board-approved courses of at least three (3) contact hours in each of the subjects of (i) ethics and professionalism in nursing, (ii) de-escalation techniques for nurses, and (iii) dealing with difficult situations in patient care for nurses. The motion was seconded by Ms. Cartte and carried unanimously.

#6 – Rhonda Sayre, CNA **1401-194972**
Ms. Sayre did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Rhonda Sayre** to practice as a nurse aide in the Commonwealth of Virginia and to enter twelve Findings of Neglect against her in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Cartte and carried unanimously.

#7 – Elisha Victoria Bowman, LPN

0002-083006

Ms. Bowman did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of **Elisha Victoria Bowman** to renew her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#9 – Crystal Morris Jack, RN

0001-286234

Ms. Jack did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Crystal Morris Jack**, to place her registered nurse license on probation for a period of not less than 12 months (the period begins on the date of entry of the Order and ends at such time Ms. Jack has completed 12 months of active professional nursing practice), and to require Ms. Jack, within 90 days from the date of entry of the Order, to provide written proof satisfactory to the Board of successful completion of Board-approved courses of at least three contact hours each in the subjects of (i) proper documentation, (ii) end-of-life care and pain management, (iii) professional accountability and legal liability for nurses, and (iv) ethics and professionalism in nursing. The motion was seconded by Ms. Cartte and carried unanimously.

#10 – Alicia Nicole Paschall, RN

0001-266914

Ms. Paschall did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to place the registered nurse license of **Alicia Nicole Paschall** on probation with terms and conditions. The motion was seconded by Ms. Cartte and carried unanimously.

#11 – Jennifer Lynn Morais, LPN

0002-100766

Ms. Morais did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate reprimand **Jennifer Lynn Morais** and to indefinitely suspend her right to review her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#13 – Abigail Morton, RN

0001-262173

Ms. Morton did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate suspend the license of **Abigail Morton** to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Morton's entry into a contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remain in compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Cartte and carried unanimously.

#14 - Aleshia Williams, CNA

1401-176732

Ms. Williams did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Aleshia Williams** and to indefinitely suspend her certificate to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order. The motion was seconded by Ms. Cartte and carried unanimously.

#15 - Hannah Marie Carey, RN

0001-272769

Ms. Carey did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no further action at this time against **Hannah Marie Carey** contingent upon Ms. Carey's continued compliance with all terms and conditions of her contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and any subsequent contracts for the period specified in the contract. The motion was seconded by Ms. Cartte and carried unanimously.

#16 – Rita Scott Warren, LPN

0002-035208

Ms. Warren did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Rita Scott**

Warren to practice practical nursing in the Commonwealth of Virginia until such time Ms. Warren submits written proof satisfactory to the Board that she is in compliance with the continued competency requirements outlined in 18VAC90-19-160 of the Regulations Governing the Practice of Nursing. The motion was seconded by Ms. Cartte and carried unanimously.

#17 - Deborah Ruth Spainhour, RN

0001-100653

Ms. Spainhour did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the license of **Deborah Ruth Spainhour** to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Spainhour's entry into a contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remain in compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Cartte and carried unanimously.

#19 - Takia Carter Tinsley, LPN

0002-068271

Ms. Tinsley did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Takia Carter Tinsley** and to indefinitely suspend her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#20 - Amanda Michelle Kingori, LPN

0002-086167

Ms. Kingori did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate indefinitely suspend the license of **Amanda Michelle Kingori** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#21 - Sarah S. Durham, LPN

0002-096638

Ms. Durham did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to require **Sarah S. Durham**, within 90 days from the date of entry of the Order, to provide written proof of successful completion of Board-approved courses of at least three contact hours in each

of the subject of (i) ethics and professionalism in nursing, (ii) professional accountability and legal liability for nurses, and (iii) professional boundaries in nursing. The motion was seconded by Ms. Cartte and carried unanimously.

#23 - Robyn Carrier, LPN

**Tennessee License Number 81010
With Multistate Privilege**

Ms. Carrier did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the privilege of **Robyn Carrier** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#24 - Tessa Marie Palser Damon, RN

0001-161792

Ms. Damon did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Tessa Marie Palser Damon** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#29 - Delores Ann Hardy Cook, RMA

0031-000092

Ms. Cook did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Delores Ann Hardy Cook** and when renewing her registration as a medication aide in the Commonwealth of Virginia, Ms. Cook is required to provide written proof of successful completion of a Board-approved registered medication aide refresher course of at least four contact hours and Board-approved course of at least four contact hours in each of the subject of (i) ethics and professionalism in medication aide practice and (ii) professional accountability and legal liability for medication aides. The motion was seconded by Ms. Cartte and carried unanimously.

#30 - Rozlyne A. Holmes, CNA

1401-200622

Ms. Holmes did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Rozlyne A. Holmes** and to require Ms. Holmes, within 60 days from the date of entry of the Order, to provide

written proof of satisfactory to the Board of successful completion of Board-approved courses of at least five contact hours in the subject of professional accountability and at least three contact hours in the subject of critical thinking as they relate to the practice of a certified nurse aide. The motion was seconded by Ms. Cartte and carried unanimously.

#31 - Jeanne Townsend, CNA

1401-182329

Ms. Townsend did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Jeanne Townsend** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Cartte and carried unanimously.

#32 - Sheila L. Coates, CNA

1401-191027

Ms. Coates did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Sheila L. Coates** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Cartte and carried unanimously.

#34 - Ashley Jaelyn Graham, CNA

1401-185474

Ms. Graham did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Ashley Jaelyn Graham** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Cartte and carried unanimously.

#36 - Brittani Elizabeth Breeden, RMA Applicant Case # 231573

Ms. Breeden did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to deny the application of **Brittani Elizabeth Breeden** for registration to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#37 - Travis Dickenson, LPN

0002-091412

Mr. Dickenson did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Travis Dickenson** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#39 - Kelsey Johnson, CNA

1401-174572

Ms. Johnson did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Kelsey Johnson** and to require Ms. Johnson, within 60 days from the date of entry of the Order, to provide written proof of successful completion of Board-approved courses of at least three contact hours in each of the subjects of (i) ethics and professionalism in nurse aide practice, and (ii) critical thinking. The motion was seconded by Ms. Cartte and carried unanimously.

#41 - David Kerzner, RN

0001-319392

Mr. Kerzner did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **David Kerzner** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#42 - Miata Tashia Reed, RMA

0031-012182

Ms. Reed did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of **Miata Tashia Reed** to renew her registration to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

#44 - Catalina Zand, LPN

0002-088719

Ms. Zand did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Catalina Zand** and to revoke her

right to renew her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte and carried unanimously.

The Board went into closed session to consider the remaining agency subordinate recommendations.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:23 P.M. for the purpose of considering the remaining agency subordinate recommendations regarding **#1, #8, #12, #18, #22, #27, #28, #33, #38 and #40**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Bargdill, Ms. Hardy, Ms. Vu 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 properly seconded by Dr. Parke and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:01 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 properly seconded by Dr. Cox and carried unanimously.

#1 – Sydney Paige Youther, RN

0001-282496

Ms. Youther did not appear.

Dr. Gleason moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension the license of **Sydney Paige Youther** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Parke and carried unanimously.

#8 – Charlene Maria Gilbridge-Klik, RN

0001-137161

Ms. Gilbridge-Klik did not appear.

Dr. Cox moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of **Charlene Maria Gilbridge-Klik** to renew her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Parke and carried unanimously.

#12 – Yvettrise Marquitta Hoskie, CNA

1401-071854

Ms. Hoskie did not appear.

Mr. Hogan moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Yvettrise Marquitta Hoskie** and to indefinitely suspend her certificate to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Dr. Cox and carried unanimously.

18 – Katelyn Elizabeth Stargardt, RN

South Dakota License # R057311 With Multistate Privilege

Ms. Stargardt did not appear.

Dr. Gleason moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand **Katelyn Elizabeth Stargardt** and to require her, within 60 days from the date of entry of the Order, to provide written proof satisfactory to the Board of successful completion of Board-approved courses of at least three contact hours in each of the subjects of (i) professional accountability and legal liability for nurses and (ii) medication errors/proper handling and documentation of medication. The motion was seconded by Dr. Parke and carried unanimously.

#22 – Neeka Deneen Barrow, RN

0001-223470

Ms. Barrow did not appear.

Dr. Gleason moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the license of **Neeka Deneen Barrow** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Parke and carried unanimously.

#27 – Jasmine Nikecia Bray, CNA

1401-161890

Ms. Bray did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Jasmine Nikecia Bray** and to require her, within 60 days from the date of entry of the Order, to provide written proof satisfactory to the Board of successful completion of Board-approved course(s) of at least five contact hours in the subject of professional accountability and legal liability for nurse aides, and of at least three contact hours in the subject of patient abandonment as it relates to nurse aide practice. The motion was seconded by Ms. Cartte and carried unanimously.

#28 – Jasmine Nikecia Bray, RMA

0031-011185

Ms. Bray did not appear.

Ms. Kinchen moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Jasmine Nikecia Bray** and to require her, within 60 days from the date of entry of the Order, to provide written proof satisfactory to the Board of successful completion of Board-approved course(s) of at least five contact hours in the subject of professional accountability and legal liability as it relates to medication aides, and of at least three contact hours in the subject of patient abandonment as it relates to medication aide practice . The motion was seconded by Ms. Cartte and carried unanimously.

#33 – Quashaunda Voncile Haynes, CNA

1401-212171

Ms. Haynes did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Quashaunda Voncile Haynes** and to assess a monetary penalty of \$500.00 to be paid within 90 days from the date of entry of the order. The motion was seconded by Mr. Hogan and carried unanimously.

#38 – Casey E. Swift, RN

0001-266234

Ms. Swift did not appear but submitted a written response.

Ms. Cartte moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand **Casey E. Swift** and to require her, within 60 days from the date of entry of the Order, to provide written proof satisfactory to the Board of successful completion of Board-approved courses of at least three contact hours in each of the subjects of (i) ethics and professionalism in nursing, and (ii) professional accountability and legal liability for nurses. The motion was seconded by Kinchen and carried unanimously.

#40 – Shauntae Riva Knight, LPN

0002-100168

Ms. Knight did not appear.

Dr. Cox moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the license of **Shauntae Riva Knight** to practice practical nursing in the Commonwealth of Virginia for a period of not less than two years. The motion was seconded by Ms. Cartte and carried unanimously.

ADJOURNMENT: The Board adjourned at 4:02 P.M.

Cynthia M. Swineford, RN, MSN, CNE
President

DRAFT

**Virginia Board of Nursing
OFFICER MEETING**

B4

July 24, 2024

Time and Place: The Board of Nursing Officer meeting was convened at 8:00 A.M. on July 24, 2024 at Department of Health Professions – Perimeter Center, 9960 Mayland Drive, Suite 201 – Hearing Room 4, Henrico, Virginia.

Board Members Present: Cynthia Swineford, RN, MSN, SNE; President
Tucker Gleason, PhD First Vice-President
Yvette Dorsey, DNP, RN Second Vice-President

Staff Members Present: Jay P. Douglas, RN, MSM, CSAC, FRE
Claire Morris, RN, LNHA

1. Meeting Debrief:

- Discussion regarding advantages of having the full panel consider Agency Subordinate Recommendations
- Acknowledged mentorship between existing Board Members and new Board Members with robust engagement from new Board Members
- Re-visited idea of having new Board Members being assigned a Board Member mentor.

2. Nominating Committee Process:

- Historically three members to include an RN, LPN and Citizen board member
- Once committee is established, Board Members may approach committee members with nominations
- A Board Member may be on the committee and run for office.
- Acknowledgement of new Board Member makeup impact on officer nominations.

3. Transition to new Executive Director

- Explained dual encumbrance, training and transition plan.
- New Executive Director will orient incoming Board Members.

The meeting was adjourned at 8:50a.m.

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Panel A - July 24, 2024 in Board Room 4

B5

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:28 A.M., on July 24, 2024, in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Yvette Dorsey, DNP, RN; **Second Vice-President**
Victoria Cox, RN, BSN
Margaret J. Friedenberg, Citizen Member
Ann T. Gleason, PhD, Citizen Member
Helen Parke, DNP, FNP-BC
Robert Scott, RN

STAFF PRESENT:

Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Jaquelyn Wilmoth, RN, MSN; Deputy Executive Director
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General

**ESTABLISHMENT
OF A PANEL:**

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

FORMAL HEARINGS:

Rebecca Ann Justice, RN

0001-225276

Ms. Justice did not appear.

Claire Foley and Jovonni Armstead, Adjudication Specialists, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Parke Slater, Senior Investigator, Enforcement Division, Ashley Lawson, RN, DON at Westminster Canterbury of Lynchburg, Holly Vaughan, RN at Westminster Canterbury of Lynchburg, Troy Childress, RN, Nurse Manager at the Summit Senior Living, and Catrice Witcher, LPN at Seven Hills Rehab & Nursing, were present and testified.

RECESS:

The Board recessed at 10: 17 A.M.

RECONVENTION:

The Board reconvened at 10:25 A.M.

CLOSED MEETING: Dr. Cox moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:28 A.M., for the purpose of deliberation to reach a decision in the matter of **Rebecca Ann Justice**. Additionally, Dr. Cox moved that Ms. Douglas, Ms. Wilmoth, 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 Dr. Gleason and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:40 A.M.

Dr. Cox 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 Dr. Gleason and carried unanimously.

ACTION: Mr. Scott moved that the Board of nursing revoke the license of **Rebecca Ann Justice** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Gleason 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: **Helina Adusei, RN** **0001-298884**

Ms. Adusei appeared.

Christine Andreoli, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Beatrice Shaw, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Dr. Cox moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 12:04 P.M., for the purpose of deliberation to reach a decision in the matter of **Helina Adusei**. Additionally, Dr. Cox moved that Ms. Douglas, Ms. Wilmoth,

Ms. Tamayo-Suijk and Mr. Rutkowki, 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 Dr. Gleason and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:23 P.M.

Dr. Cox 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 Dr. Gleason and carried unanimously.

ACTION: Dr. Cox moved that the Board of Nursing revoke the right of **Helina Adusei** to renew her license to practice professional nursing 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.

RECESS: The Board recessed at 12:24 P.M.

RECONVENTION: The Board reconvened at 1:28 P.M.

FORMAL HEARINGS: **Netsanet Mekonnen Asres, RN** **0001-298388**

Ms. Asres appeared.

Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Cortney Merkel, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Dr. Cox 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 **Metsanet**

Mekonnen Asres. Additionally, Dr. Cox moved that Ms. Douglas, Ms. Wilmoth, 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 Dr. Gleason and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:07 P.M.

Dr. Cox 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 Dr. Gleason and carried unanimously.

ACTION: Dr. Cox moved that the Board of nursing revoke the license of **Netsanet Mekonnen Asres** to practice professional nursing 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.

FORMAL HEARINGS: **Petty Nyanchama Onchonga, RN** **0001-2974040**

Ms. Onchonga appeared.

Christine Andreoli, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Joyce Johnson, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Dr. Cox moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:41 P.M., for the purpose of deliberation to reach a decision in the matter of **Petty Nyanchama Onchonga**. Additionally, Dr. Cox moved that Ms. Douglas, Ms. Wilmoth, 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 Dr. Gleason and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:48 P.M.

Dr. Cox 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 Dr. Gleason and carried unanimously.

ACTION: Mr. Scott moved that the Board of nursing revoke the right of **Petty Nyanchama Onchonga** to renew her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Cox 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 2:48 P.M.

RECONVENTION: The Board reconvened at 3:01 P.M.

FORMAL HEARINGS: **Cecelia Bangura, RN** **0001-288440**

Ms. Bangura appeared and was represented by John O. Iweanoge, II, with the Iweanoges' Firm, PC..

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Colleen Gregory Gettel, County Court Reporters, recorded the proceedings.

Beatrice Shaw, Senior Investigator, Enforcement Division, was present and testified.

RECESS: The Board recessed at 4:48 P.M.

RECONVENTION: The Board reconvened at 4:59 P.M.

CLOSED MEETING: Dr. Cox moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 5:32 P.M., for the purpose of deliberation to reach a decision in the matter of **Cecelia Bangura**. Additionally, Dr. Cox moved that Ms. Douglas, Ms. Wilmoth, 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 Dr. Gleason and carried unanimously.

RECONVENTION: The Board reconvened in open session at 5:45 P.M.

Dr. Cox 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 Dr. Gleason and carried unanimously.

ACTION: Dr. Cox moved that the Board of nursing revoke the license of **Cecelia Bangura** to practice professional nursing 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 5:46 P.M.

Jay Douglas, MSM, RN, CSAC, FRE
Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Panel B - July 24, 2024 in Board Room 2**

B6

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M., on July 24, 2024, in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Cynthia Swineford, MSN, RN, CNE; **President**
Carol Cartte, RN, BSN
Paul Hogan, Citizen Member
Shantell Kinchen, LPN
Lila Peake, RN

STAFF PRESENT:

Claire Morris, RN, LNHA; Deputy Executive Director
Ann Hardy, MSN, RN; Compliance and Case Adjudication Specialist
Tamika Claiborne, BS, Senior Licensing Discipline Specialist

OTHERS PRESENT:

Laura Booberg, Assistant Attorney General
Students from Henrico County – St. Mary’s Hospital School of Practical Nursing

**ESTABLISHMENT
OF A PANEL:**

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

FORMAL HEARINGS:

**Tova Alicisha Tinsley, LPN
092294**

0002-

Ms. Tinsley did not appear.

David Robinson, Assistant Attorney General, and Carolann McNicole, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Julissa Jackson, County Court Reporters, recorded the proceedings.

Teresa Nolen, LPN, Unit Manager at Martinsville Health & Rehab, Cheryl Ramey, RN, DON at Mulberry Creek Nursing & Rehab Center, were present and testified.

Donna Holtsclaw, LPN testified via telephone.

RECESS: The Board recessed at 10: 11 A.M.

RECONVENTION: The Board reconvened at 10:22 A.M.

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 10:41 A.M., for the purpose of deliberation to reach a decision in the matter of **Tova Alicisha Tinsley**. Additionally, Ms. Kinchen moved that Ms. Morris, Ms. Hardy, Ms. Claiborne 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. Cartte and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:43 A.M.

Ms. Kinchen 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. Cartte and carried unanimously.

ACTION: Ms. Kinchen moved that the Board of nursing revoke the license of **Tova Alicisha Tinsley** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Hogan 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 11:44 P.M.

RECONVENTION: The Board reconvened at 1:06 P.M.

FORMAL HEARINGS: **Malvis Esua, RN** **0001-306675**

Ms. Esua appeared.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal

counsel for the Board. Julissa Jackson, County Court Reporters, recorded the proceedings.

Cortney Merkel, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Ms. Peake moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:26 P.M., for the purpose of deliberation to reach a decision in the matter of **Malvis Esua**. Additionally, Ms. Peake moved that Ms. Morris, Ms. Hardy, Ms. Claiborne 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. Cartte and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:45 P.M.

Ms. Peake 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. Cartte and carried unanimously.

ACTION: Ms. Kinchen moved that the Board of Nursing revoke the license of **Helina Adusei** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Cartte 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 2:47 P.M.

RECONVENTION: The Board reconvened at 2:59 P.M.

FORMAL HEARINGS: **Amie Sankoh, RN** **0001-303051**

Ms. Sankoh appeared and was accompanied by Ahmed Bowling, her father, and Sarah Boye, her co-worker.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Julissa Jackson, County Court Reporters, recorded the proceedings.

Kimberly Hyler, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Ms. Peake moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:57 P.M., for the purpose of deliberation to reach a decision in the matter of **Amie Sankok**. Additionally, Ms. Peake moved that Ms. Morris, Ms. Hardy, Ms. Claiborne 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. Cartte and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:26 P.M.

Ms. Peake 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 Mr. Hogan and carried unanimously.

ACTION: Ms. Kinchen moved that the Board of nursing revoke the license of **Amie Sankoh** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Hogan 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 4:27 P.M.

Claire Morris, RN, LNHA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
July 25, 2024

B7

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:27 A.M., on July 25, 2024, in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Cynthia Swineford, MSN, RN, CNE; **President**
Delia Acuna, FNP-C
Yvette Dorsey, DNP, RN
Shantell Kinchen, LPN
Lila Peake, RN
Robert Scott, RN

STAFF PRESENT:

Christina Bagdill, BSN, MHS, RN; Deputy Executive Director
Ann Hardy, MSN, RN; Compliance and Case Adjudication Specialist
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist

OTHERS PRESENT:

Laura Booberg, Assistant Attorney General
Sonia Bapoungue, French Interpreter, Syncroz Language Solutions

**ESTABLISHMENT
OF A PANEL:**

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

FORMAL HEARINGS:

Augustin Kamto, CNA **1401-210910**

Mr. Kamto appeared and was accompanied by his wife.

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Julissa Jackson, County Court Reporters, recorded the proceedings.

Scott Dillon, Senior Investigator, DHP Enforcement Division, Maria Lantz, RN, DON at Harrisonburg Health & Rehab, Andrea Strawderman, RN, Harrisonburg Health & Rehab, Tammy Johnson, RN, Forensic Nurse Examiner, Sentara RMH Medical Center, and Lauren Braithwaite (now Shockley), RN, Nurse Examiner, Sentara RMH Medical Center, were present and testified.

RECESS: The Board recessed at 10: 15 A.M.

RECONVENTION: The Board reconvened at 10:27 A.M.

RECESS: The Board recessed at 11: 31 A.M.

RECONVENTION: The Board reconvened at 11:42 A.M.

RECESS: The Board recessed at 1: 02 P.M.

RECONVENTION: The Board reconvened at 2:18 P.M.

RECESS: The Board recessed at 3:00 P.M.

RECONVENTION: The Board reconvened at 3:18 P.M.

RECESS: The Board recessed at 4:21 P.M.

RECONVENTION: The Board reconvened at 4:37 P.M.

Jay Douglas, MSM, RN, CSAC, FRE, Executive Director, and Claire Morris, RN, LNHA joined the meeting at 4:37 P.M.

CLOSED MEETING: Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(8) of the Code of Virginia at 4:38 P.M., for the consultation with and the provision of legal advice by the Assistant Attorney General in the matter of settlement of two cases. Additionally, Dr. Dorsey moved that Ms. Douglas, Ms. Morris, Ms. Bargdill, Ms. Hardy, 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 4:57 P.M.

Dr. Dorsey 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.

Ms. Douglas and Ms. Morris left the meeting at 4:57 P.M.

CLOSED MEETING:

Mr. Scott moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 7:17 P.M., for the purpose of deliberation to reach a decision in the matter of **Augustin Kamto**. Additionally, Mr. Scott moved that Ms. Bargdill, Ms. Hardy, 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 Dr. Dorsey and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 8:26 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 Dr. Dorsey and carried unanimously.

ACTION:

Ms. Acuna moved that the Board of nursing revoke the certificate of **Augustin Kamto** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse against him in the Virginia Nurse Aide Registry. The motion was seconded by Mr. Scott and carried with four votes in favor of the motion. Dr. Dorsey and Ms. Kinchen opposed the motion.

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 8:27 P.M.

Christina Bargdill, BSN, MHS, RN
Deputy Executive Director

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
August 14, 2024

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held August 14, 2024, at 8:31 A.M.

The Board of Nursing members participating in the call were:

Cynthia Swineford, RN, MSN, CNE; **Chair**
Carol Cartte, RN, BSN – **via phone**
Victoria Cox, DNP, RN – **via phone**
Pamela Davis, LPN
Margaret Friedenberg, Citizen Member
Paul Hogan, Citizen Member
Shantell Kinchen, LPN – **via phone**
Lila Peake, RN – **via phone**
Robert Scott, RN – **via phone**

Others participating in the meeting were:

Laura Booberg, Assistant Attorney General, Board Counsel
Sean Murphy, Assistant Attorney General
David Kazzie, Adjudication Consultant, Administrative Proceeding Division
Amanda Paula-Wilson, Assistant Attorney General
Claire Foley, Adjudication Specialist, Administrative Proceeding Division – **via phone at 8:54 A.M.**
David Robinson, Assistant Attorney General
Avi Efreom, Adjudication Specialist, Administrative Proceeding Division – **via phone**
Claire Morris, RN, LHNA; Incoming Executive Director
Ann Hardy, MSN, RN; Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Huong Vu, Operations Manager

The meeting was called to order by Ms. Swineford. With nine members of the Board of Nursing participating, a quorum was established.

Sean Murphy, Assistant Attorney General, presented evidence that the continued practice professional nursing by **Malgorzata Marta Wiesak, RN (0001-295485)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Davis moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 8:39 A.M., for the purpose of deliberation to reach a decision in the matter of **Malgorzata Marta Wiesak**. Additionally, Ms. Davis moved that Ms. Morris, Ms. Bargdill, Ms. Hardy, Dr. Hills, Ms. Vu and Ms. Booberg 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. Hogan and carried unanimously.

Mr. Murphy, Mr. Kazzie, Ms. Paula-Wilson, Mr. Robinson, Mr. Efreom left the meeting at 8:38 A.M.

RECONVENTION: The Board reconvened in open session at 8:51 A.M.

Mr. Kazzie, Ms. Paula-Wilson, Mr. Robinson, Mr. Efreom re-joined the meeting at 8:5 A.M.

Ms. Davis 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. Cartte and carried unanimously.

Ms. Cartte moved to summarily suspend the license of **Malgorzata Marta Wiesak** to practice professional nursing in the Commonwealth of Virginia pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license with suspension stayed contingent upon Ms. Wiesak's entry into and compliance with the Virginia Practitioners' Monitoring Program (HPMP) terms and conditions for the time specified by the HPMP in lieu of a formal hearing. The motion was seconded by Ms. Davis and carried unanimously.

Mr. Kazzie left the meeting at 8:53 A.M.

Ms. Foley joined the meeting via phone at 8:54 A.M.

Amanda Paula-Wilson, Assistant Attorney General, presented evidence that the continued practice massage therapy by **William Wright, LMT (0019-019443)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Davis moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 8:59 A.M., for the purpose of deliberation to reach a decision in the matter of **William Wright**. Additionally, Ms. Davis moved that Ms. Morris, Ms. Bargdill, Ms. Hardy, Dr. Hills, Ms. Vu and Ms. Booberg 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. Cartte and carried unanimously.

Ms. Paula-Wilson, Ms. Foley Mr. Robinson, Mr. Efreom left the meeting at 8:59 A.M.

RECONVENTION: The Board reconvened in open session at 9:03 A.M.

Ms. Davis 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. Ms. Peake and carried unanimously.

Ms. Paula-Wilson, Ms. Foley Mr. Robinson, Mr. Efreom re-joined the meeting at 9:03 A.M.

Ms. Cartte moved to summarily suspend the license of **William Wright** to practice massage therapy in the Commonwealth of Virginia pending a formal administrative hearing and to offer a consent order for revocation of his license in lieu of a formal hearing. The motion was seconded by Dr. Cox and carried unanimously.

Amanda Paula-Wilson, Assistant Attorney General, presented evidence that the continued practice professional nursing by **Linda Boakye, RN** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Davis moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 9:10 A.M., for the purpose of deliberation to reach a decision in the matter of **Linda Boakye**. Additionally, Ms. Davis moved that Ms. Morris, Ms. Bargdill, Ms. Hardy, Dr. Hills, Ms. Vu and Ms. Booberg 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. Peake and carried unanimously.

Ms. Paula-Wilson, Ms. Foley Mr. Robinson, Mr. Efreom left the meeting at 9:10 A.M.

RECONVENTION: The Board reconvened in open session at 9:21 A.M.

Ms. Davis 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. Peake and carried unanimously.

Ms. Paula-Wilson, Ms. Foley Mr. Robinson, Mr. Efreom re-joined the meeting at 9:21A.M.

Ms. Cartte moved to summarily suspend the right of **Linda Boakye** to renew her registered nurse license pending a formal administrative hearing and to offer a consent order for revocation of her right to renew her license in lieu of a formal hearing. The motion was seconded by Dr. Cox and carried unanimously.

Ms. Paula-Wilson and Ms. Foley left the meeting at 9:25 A.M.

David Robinson, Assistant Attorney General, present evidence that the continued practice professional nursing by **Olachi Doris Ekeocha, RN** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Davis moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 9:28 A.M., for the purpose of deliberation to reach a decision in the matter of **Olachi Doris Ekeocha**. Additionally, Ms. Davis moved that Ms. Morris, Ms. Bargdill, Ms. Hardy, Dr. Hills, Ms. Vu and Ms. Booberg 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. Hogan and carried unanimously.

Mr. Robinson and Mr. Efreom left the meeting at 9:28 A.M.

RECONVENTION: The Board reconvened in open session at 9:30 A.M.

Ms. Davis 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 Mr. Hogan and carried unanimously.

Ms. Cartte moved to summarily suspend the right of **Olachi Doris Ekeocha** to renew her registered nurse license pending a formal administrative hearing and to offer a consent order for revocation of her right to renew her license in lieu of a formal hearing. The motion was seconded by Ms. Davis and carried unanimously.

The meeting was adjourned at 9:32 A.M.

Claire Morris, RN, LNHA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
CONSENT ORDER CONSIDERATION
AND
FORMAL HEARINGS
August 14, 2024

B9

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:44 A.M., on August 14, 2024, in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Cynthia Swineford, MSN, RN, CNE; **President**
Pamela Davis, RN
Margaret Freidenberg, Citizen Member
Paul Hogan, Citizen Member
Maria Mercedes Olivieri, LMT

STAFF PRESENT:

Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Ann Hardy, MSN, RN; Deputy Executive Director
Claire Morris, RN, LHNA; Incoming Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for
Advanced Practice
Huong Vu, Operations Manager
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist – **joined the meeting at 10:00 A.M.**

OTHERS PRESENT:

Laura Booberg, Assistant Attorney General

**ESTABLISHMENT
OF A PANEL:**

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

CONSENT ORDER CONSIDERATION:

YuYan Wang, LMT

0019-015279

Ms. Davis moved that the Board of Nursing accept the consent order to indefinitely suspend the license of **YuYan Wang** to practice as a massage therapy in the Commonwealth of Virginia. The motion was seconded by Ms. Friedenber and carried unanimously.

Zachary Nelson Guzman, LMT

0019-008138

Ms. Davis moved that the Board of Nursing accept the consent order for voluntary surrender for revocation of **Zachary Nelson Guzman's**

license to practice massage therapy in the Commonwealth of Virginia. The motion was seconded by Ms. Friedenberg and carried unanimously.

Phuong Duy Nguyen, LMT

0019-017915

Ms. Davis moved that the Board of Nursing accept the consent order to indefinitely suspend the right of **Phuong Duy Nguyen** to renew his license to practice massage therapy in the Commonwealth of Virginia. The motion was seconded by Ms. Friedenberg and carried unanimously.

Ms. Morris, Dr. Hills, and Ms. Vu left the meeting at 9:46 A.M.

Ms. Tamayo-Suijk joined the meeting at 10:00 A.M.

FORMAL HEARINGS:

Rebecca Lynn Oyster, LMT

0019-007833

Ms. Oyster did not appear.

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Josh Delauter, County Court Reporters, recorded the proceedings.

Melvia Baylor, Board of Nursing Compliance Specialist, was present and testified.

CLOSED MEETING:

Mr. Hogan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:19 A.M., for the purpose of deliberation to reach a decision in the matter of **Rebecca Lynn Oyster**. Additionally, Mr. Hogan moved that Ms. Bargdill, Ms. Hardy, 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. Davis and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:26 A.M.

Mr. Hogan 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: Mr. Hogan moved that the Board of Nursing suspend the license of **Rebecca Lynn Oyster** to practice as a massage therapist in the Commonwealth of Virginia until such time as Ms. Oyster provides satisfactory proof of meeting the licensure requirements for renewal. The motion was seconded by Ms. Davis 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 10:27 A.M.

Ms. Bargdill left the meeting at 10:27 A.M.

RECONVENTION: The Board reconvened at 11:03 A.M.

Dr. Hills joined the meeting at 11:03 A.M.

FORMAL HEARING: **YuQin Wang, LMT** **0019-015226**

Ms. Wang appeared and was accompanied by Jeong Chan, her sister.

Avi Efreom, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Josh Delauter, County Court Reporters, recorded the proceedings.

Ms. Swineford granted a continuance in order for the Board to obtain the service of a Mandarin Interpreter.

RECESS: The Board recessed at 11:06 A.M.

The service of Mandarin Interpreter was obtained by the Board.

Yumei Silva, Mandarin Interpreter joined the meeting at 1:00 P.M. and provided the interpretation for the Board.

RECONVENTION: The Board reconvened at 1:14 P.M.

Melvina Baylor, Board of Nursing Compliance Specialist, was present and testified.

CLOSED MEETING: Mr. Hogan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:06 P.M., for the purpose of deliberation to reach a decision in the matter of **YuQin Wang**. Additionally, Mr. Hogan moved that Dr. Hills, Ms. Hardy, 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. Davis and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:27 P.M.

Mr. Hogan 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. Olivieri moved that the Board of nursing indefinitely suspend the license of **YuQin Wang** to practice as a massage therapist in the Commonwealth of Virginia until such time as Ms. Wang demonstrates compliance with continuing competency requirements. The motion was seconded by Ms. Davis 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 2:28 P.M.

RECONVENTION: The Board reconvened at 2:48 P.M.

FORMAL HEARING: **Xiao Ying Wang, LMT** **0019-013139**

Ms. Wang appeared, was accompanied by her son, Zimu Han, and was represented by Mark Passero, her attorney.

Christine Andreoli, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Josh Delauter, County Court Reporters, recorded the proceedings.

Yumei Silvia provided the Mandarin interpretation for the Board.

CLOSED MEETING: Mr. Hogan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:50 P.M., for the purpose of deliberation to reach a decision in the matter of **Xiao Ying Wang**. Additionally, Mr. Hogan moved that Dr. Hills, Ms. Hardy, 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. Davis and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:31 P.M.

Mr. Hogan 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. Olivieri moved that the Board of nursing reinstate the license of **Xiao Ying Wang** to practice as a massage therapist in the Commonwealth of Virginia contingent upon Ms. Wang providing proof of successful completion of terms. The motion was seconded by Ms. Friedenberg and carried with three votes in favor of the motion. Ms. Swineford and Ms. Davis opposed the motion.

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 4:32 P.M.

Ann Hardy, MSN, RN
Deputy Executive Director

BOARD OF NURSING MONTHLY STATS - PAGE 1

<i>License Count</i>	24-Jan	24-Feb	24-Mar	24-Apr	24-May	24-Jun	24-Jul	24-Aug	24-Sep	24-Oct	24-Nov	24-Dec
Nursing												
Practical Nurse	27,053	27,009	27,009	26,950	26,966	26,913	26,904					
Registered Nurse	120,991	121,291	121,448	121,224	121,317	122,203	122,873					
Licensed Certified Midwife (new regulated profession - effective 2/1/2024)			3	5	5	6	6					
Massage Therapy	8,168	8,184	8,190	8,186	8,202	8,207	8,204					
Medication Aide	7,045	7,134	7,245	7,214	7,249	7,285	7,279					
Advanced Practice Registered Nurse (APRN) Total (effective 7/1/2023 --> NPs are now APRNs)	20,118	20,256	20,432	20,593	20,766	20,980	21,123					
Autonomous Practice	3,254	3,287	3,332	3,382	3,420	3,451	3,493					
Clinical Nurse Specialist	377	375	371	375	374	373	373					
Certified Nurse Midwife	473	480	481	488	491	495	497					
Certified Registered Nurse Anesthetist	2,544	2,554	2,568	2,573	2,591	2,620	2,631					
Other APRNs	13470	13560	13680	13775	13890	14041	14129	0	0	0	0	0
Total for Nursing	183375	183874	184327	184172	184505	185594	186389	0	0	0	0	0
Nurse Aide	50,465	50,506	50,511	50,630	50,665	50,448	50,416					
Advanced Nurse Aide	51	50	50	50	50	49	49					
Total for Nurse Aide	50516	50556	50561	50680	50715	50497	50465	0	0	0	0	0
License Count Grand Total	233891	234430	234888	234852	235220	236091	236854	0	0	0	0	0

BOARD OF NURSING MONTHLY STATS - PAGE 2

<i>Open Cases Count</i>												
Nursing	1752	1832	1831	1821	1917	1941	2024					
Nurse Aide	495	485	528	486	495	517	518					
Open Cases Total	2247	2317	2359	2307	2412	2458	2542	0	0	0	0	0
<i>Case Count by Occupation</i>												
Rec'd RN	74	78	91	75	75	74	72					539
Rec'd PN	27	43	44	21	54	43	46					278
Rec'd APRN, AP, CNS	42	36	54	35	43	39	33					282
Rec'd LMT	8	5	3	4	4	11	5					40
Rec'd RMA	14	10	11	18	10	10	30					103
Rec'd Edu Program	2	2	2	1	0	2	1					10
Total Received Nursing	167	174	205	154	186	179	187	0	0	0	0	1,252
Closed RN	53	67	94	76	72	60	39					461
Closed PN	22	30	38	61	55	27	17					250
Closed APRN, AP, CNS	40	25	44	17	17	17	46					206
Closed LMT	8	3	13	10	1	6	4					45
Closed RMA	8	18	4	14	11	17	11					83
Closed Edu Program	2	0	0	0	7	0	0					9
Total Closed Nursing	133	143	193	178	163	127	117	0	0	0	0	1,054
<i>Case Count - Nurse Aides</i>												Total
Received	60	45	56	50	49	48	49					357
Rec'd Edu Program	0	0	1	1	0	0	1					3
Total Received CNA	60	45	57	51	49	48	50	0	0	0	0	360
Closed	41	65	26	70	63	34	56					355
Closed Edu Program	1	0	0	0	1	0	0					2
Total Closed CNA	42	65	26	70	64	34	56	0	0	0	0	357
All Cases <u>Closed</u>	175	208	219	248	227	161	173	0	0	0	0	1,411
All Cases <u>Received</u>	227	219	262	205	235	227	237	0	0	0	0	1,612

HPMP QUARTERLY REPORT APRIL 1, 2024 - JUNE 30, 2024													
Board	License Type	Intake Interviews	Enrollments			Discharges						Stays Processed	Participant Census Census as of 6/30/2024
			Board Order	Voluntary w/ Invest	Voluntary	Resignation	Ineligible	Dismissal	Urgent Dismissal	Completion	Successful Completion		
Audiology/Speech Pathology	SLP												3
TOTALS		0	0	0	0	0	0	0	0	0	0	0	3
Counseling	LPC					1							1
Counseling	QMHP												1
Counseling	Resident in Counseling												1
Counseling	RPRS (Reg Peer Recovery Support)	1				1							
Counseling	Trainee for QMHP												1
TOTALS		1	0	0	0	2	0	0	0	0	0	0	4
Dentistry	DDS												1
Dentistry	DMD												1
Dentistry	RDH						1						3
TOTALS		0	0	0	0	0	1	0	0	0	0	0	5
Funeral/Emblamers	FSL								1				
TOTALS		0	0	0	0	0	0	0	1	0	0	0	0
Long Term Care	NHA												2
TOTALS		0	0	0	0	0	0	0	0	0	0	0	2
Medicine	DC	1	1				2						1
Medicine	DPM												1
Medicine	Intern/Resident	1			1								8
Medicine	LRT (Licensed Rad Tech)	1			1								4
Medicine	MD	15	1	4	5		2					2	73
Medicine	OT										1		
Medicine	PA												10
Medicine	RT (Resp Therapist)	1											2
Medicine	SurgTech								1				1
Medicine	DO	1		1							1		13
TOTALS		20	2	5	7	0	4	0	1	0	2	2	113
Nursing	APRN	2	1		1				1				16
Nursing	LPN	2		2		1							16
Nursing	RN	17	5	4	4	11			3		5		111
TOTALS		21	6	6	5	12	0	0	4	0	5	0	143
Optometry	OD												1
TOTALS		0	0	0	0	0	0	0	0	0	0	0	1
Pharmacy	PharmTech												1
Pharmacy	RPh	3	1		1						1		16

TOTALS		3	1	0	1	0	0	0	0	0	1	0	17
Physical Therapy	PT	1											3
Physical Therapy	PTA												2
TOTALS		1	0	0	0	0	0	0	0	0	0	0	5
Veterinary Medicine	DVM	2		2									6
Veterinary Medicine	Vet Tech												1
TOTALS		2	0	2	0	0	0	0	0	0	0	0	7
TOTALS		48	9	13	13	14	5	0	6	0	8	2	300

9-Jul-24

**VIRGINIA BOARD OF NURSING
HB349 WORKGROUP MEETING
Monday, July 22, 2024
Minutes**

Time and Place	The Board of Nursing convened the HB349 Workgroup Meeting at 1:32 P.M. on July 22, 2024 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.
Board Members Present	Carol Cartte, RN, BSN Chair Delia Acuna, FNP-C, Board Member
Stakeholders Present	Andrew Lamar, Virginia Nurses Association (VNA) April Payne, Virginia Health Care Association (VHCA)/Virginia Center for Assisted Living (VCAL) Scott Johnson, VHCA/VCAL Allyson Flinn, Virginia Department of Health (VDH) Melissa Green, VDH Karen Riley, Leading Age Virginia
Staff Members Present	Claire Morris, RN, LNHA, Deputy Executive Director, Incoming Executive Director Jacquelyn Wilmoth, RN, MSN, Deputy Executive Director Christina Bargdill, RN, BSN, MHS, Deputy Executive Director Christine Smith, RN, MSN, Nurse Aide/RMA Education Program Manager Erin Barrett, JD, DHP Director of Legislative and Regulatory Affairs Matt Novak, Policy and Economic Analyst- Joined at 2:28 pm

Introduction and Review of Charge to Workgroup

Ms. Cartte welcomed committee members and reviewed the committee charge.

Public Comment No Public Comment.

Review of Regulatory Process

Ms. Barrett reviewed the regulatory process and projected timeline as it relates to House Bill 349 (HB349) legislation.

Review of Medication Aide Statutes and Regulations:

The committee reviewed the legislation highlighting the Medication Aide statute §54.1-3041, 3042 and 3043 and the regulations Governing the registration of medication Aides under 18VAC90-60-10. The committee discussed the differences between the assisted living and nursing homes in terms of both patient populations and governing laws and regulations. The committee also discussed requirements for training and the need for more robust curriculum to best prepare the advanced RMA to work in the nursing home environment. It was noted that the legislation does not give the Board jurisdiction to regulate advanced RMA training programs or curriculum.

During the discussion clarification was provided regarding the intent of the new professional designation of advanced RMA to decrease workload for the nursing staff. The advanced RMA is intended to administer routine medications to residents in the long-term care (LTC) setting and not to individuals in the skilled nursing (SNF) setting. Additionally, the advanced RMA scope of practice was not intended to include the administration of medications intravenously or via a g-tube, or medications, such as oral Coumadin, which require ongoing laboratory monitoring and nursing assessment. There is a desire to include routine intramuscular (IM) injections into the scope of practice for the advanced RMA. The Board may consider adding a current and active nurse aide certificate to eligibility criteria for the advanced RMA to ensure the advanced RMA is able to provide direct care to residents in addition to administering medications.

Additional discussion centered around statutory considerations. Code of Virginia §54.1-3408 of the Drug Control Act to include language authorizing the advanced RMA to administer medications in the nursing home setting. There was also concern raised about the timing of the promulgation of regulations by VDH to authorize medication aides to administer drugs in a certified nursing facility at the same time the Board of Nursing is required to promulgate regulations to implement the provisions of the act.

Next Steps

April Payne, VHCA/VCAL, will send forward to all committee members a summary of information obtained from other states regarding the qualifications and scope of practice medication aides working in nursing homes.

A report containing the recommendations of the workgroup will be prepared and provided to the Chairmen of the Senate Committee on Education and Health and the House committee on Health and Human Services by November 1, 2024.

Meeting Adjourned 2:30 p.m.



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Board Members

From: Jacquelyn Wilmoth, RN, MSN
Deputy Executive Director

Date: August 26, 2024

Subject: 2023 NCSBN Nursing Education Annual Report Data Summary

Virginia Board of Nursing has participated in the NCSBN Annual Report since its inception in 2020. While not required in regulation for programs to complete, many of our approved nursing programs complete the survey providing valuable information to both NCSBN and the Virginia Board of Nursing.

Attached is a summary of the results from the survey completed by Virginia programs in January 2024, including a summary of the responses to the questions provided by board members. Additionally, the aggregate data from 2021-2022 is included in this packet.

The Board continues to have the opportunity to recommend additional questions for the NCSBN survey to obtain data that is not collected in the regulatory required annual report. **Please consider question topics and provide them to me in advance of the November Business Meeting** for compiling and presentation. The next NCSBN Annual Report will be sent to programs early 2024 for voluntary completion.

Note: The Annual Report that is required in regulation has a workforce focus. The data is compiled by the Healthcare Workforce Data Center (HWDC) and presented annually to the Board. The results are also posted on the [HWDC website](#).

Programs Completion Rates

- 95 (68.3%) programs in the Commonwealth completed the optional report
 - 35.1% PN
 - 8.2% RN – accelerated bachelor’s
 - 30.9% RN – associate degree
 - 23.7% - RN bachelor’s degree

ESL Services

- *57 (60%) programs offer resources for ESL students to practice reading, listening, speaking and writing

Student to Faculty Ratio

- Didactic/theory courses
 - 20% - less than 15 students
 - 61% - 16-30 students
 - 19% - over 30 students

Clinical Experiences

- 62% - 10 students
- 38% - less than 10 students

Errors/Near Misses in Clinical

- *78 (82%) programs have formal remediation in place for students who commit errors/near misses in their clinical experiences

Learning Modalities

- *53 programs report an online component to their program ranging from 4% - 55%

Simulation

- 87 programs offer simulated clinical experiences
 - For the programs that utilize simulation, 0.9%-23.6% of total clinical hours are simulated
- 5 institutions have a SSH certified simulation lab

Formal remediation for students needing academic support

- 87 programs offer formal remediation to promote success for students who are “at risk” of failure

Student enrollment

There were 11,136 students enrolled in nursing education programs at the beginning of the 2023 academic year.

*Increase from the 2022 results

NCSBN Quality Indicators

1. Accreditation
2. Without full approval
3. Experience organizational changes
4. Younger than 7 years
5. Less than 50% direct client care
6. Director Turnover
7. Percentage of FTE Faculty ($\geq 35\%$)
8. Less than 70% graduation rates

ACCREDITATION

35.8% programs do not hold national nursing accreditation

WITHOUT FULL APPROVAL

18.9% programs do not have full approval

EXPERIENCED ORGANIZATIONAL CHANGES

*54.7% programs experienced organizational changes

DIRECTOR TURNOVER

*17.9% programs experienced director turnover

PROGRAM LEADERSHIP

*35 programs have a new program director in the last year

8 programs have a new assistant/associate director in the last year

*17 programs have had 4 or more program directors in the past 5 years

17 programs have had 3 program directors in the past 5 years

8 programs have program directors who have administrative responsibilities over allied health programs in addition to nursing.

16 programs do not have dedicated administrative support

PROGRAM AGE

22.1% of programs are younger than 7 years

GRADUATION RATES

58.9% of programs have <70% graduation rates

DIRECT CLIENT CARE

1.1% programs have <50% direct client care

FACULTY

38.9% programs have less than 35% full-time (37.5 hours) faculty

*11 programs do not offer formal orientation for part-time faculty

4 programs do not offer formal orientation for full time faculty

*7 programs do not offer formal mentoring for new full-time faculty

SUMMARY OF QUALITY INDICATORS

- 5 programs meet all the quality indicators
- 23 programs do not meet 3 of the quality indicators
- 15 programs do not meet 4 of the quality indicators
- 6 programs do not meet 5 or more of the quality indicators

Quality indicators compared to program NCLEX success rates

- 21 programs do not meet 4 or more of the quality indicators:
 - 6 of those programs are new and did not have NCLEX pass rates for 2018-2022
 - 9 of those programs have at least one year of NCLEX pass rates <80% for 2018-2022
- 69 programs do not meet 1-3 of the quality indicators:
 - 28 of those programs have at least one year of NCLEX pass rates <80% for 2017-2021
 - 7 of the 28 programs (25%) do not meet 3 of the quality indicators

Board of Nursing Questions

Virtual Simulation

- 50 programs have no virtual simulation
- 36 programs have 1-25% virtual simulation
- 6 programs have 26-50% virtual simulation
- 3 programs have >50% virtual simulation

Faculty Recruitment Measures

- 27 programs offer flexible Scheduling
- 23 programs offer competitive Salary
- 15 programs offer tuition Reimbursement
- Other: Advertising, shadowing opportunities for interested faculty, clinical partnerships, benefits package

Faculty Retention Measures

- 9 programs offer Health Insurance Stipend
- 0 programs offer Childcare Stipend
- 10 programs offer Tax exempt saving account
- Other: professional development funding; healthy work environment; flexible scheduling; training and development opportunities

Enrollment benefits to students

- 76 programs offer Scholarships
- 58 programs offer work study programs
- 0 programs offer health insurance stipends
- 74 programs offer tutoring
- 3 programs offer on-site childcare
- Other: guaranteed employment with clinical site contracts; offer loans and grants; small classes; some VCCS programs offer free tuition to high school graduates who meet SEED criteria; food pantry/clothes closet; gym membership; flexible payment schedule

Jan. 25, 2024

National Nursing Education Database: 2021–2022 Aggregate Data

Nancy Spector, PhD, RN, FAAN

Josephine Silvestre, MSN, RN

Qiana McIntosh, MBA

Nicole Kaminski-Ozturk, PhD, PMP

Introduction

In the fall of 2020 NCSBN launched the Annual Report Program, which is the first national program to collect annual education data from all nursing programs in participating U.S. nursing regulatory bodies (NRBs). This program is based on NCSBN's studies of quality indicators of nursing programs (Spector et al., 2020), where NCSBN's Annual Report team collects demographic data and evidence-based quality indicators of nursing programs for the NRBs. Most NRBs require nursing education annual data as part of their approval process of nursing programs.

Each nursing program in participating states/jurisdictions receives a report of their metrics and each participating NRB receives a report of all their programs' metrics, including how their programs are meeting the quality indicators. Annually NCSBN will disseminate a report of the aggregate data so that programs and NRBs can benchmark the program metrics. The NRBs and nursing programs can then work together to identify needed improvements – before NCLEX® Exam pass rates and other outcomes fall. It is important to remember that NCLEX pass rates are lagging indicators, meaning that they don't begin to fall until other key quality indicators have not been met (Spector et al., 2020).

Participating NRBs

While 20 U.S. NRBs participated in NCSBN's Annual Report Program in 2020–21 (NCSBN, 2023), 23 NRBs participated in 2021–2022. Table 1 illustrates how the participating jurisdictions in 2020–2021 compared to those in 2021–2022. A goal of the Annual Report Program is that all NRBs will participate, thus providing us with the first national nursing education database of all U.S. nursing programs.

Table 1. Participants in 2020–21 and 2021–22

	2020–2021	2021–2022
Participating NRBs	20	23
Number of Programs	843	972
Enrolled Students	112,147	124,912
Full-time Faculty	8,263	9,653
Part-time Faculty	3,104	4,402
Clinical Adjunct Faculty – Employed by Program	7,296	8,822
Clinical Adjunct Faculty – Not Employed by Program	472	837

Results

Table 2 illustrates program demographics. Similar to the 2020–2021 data, there are only five diploma programs and seven master's entry programs in this sample, which limits generalizations across those populations. As can be seen from Table 2, the majority of the bachelor's and accelerated bachelor's programs are urban, while the majority of licensed practical/vocational nurse (LPN/VN) and associate's programs are rural. These findings compare to the 2020–2021 data. The majority of LPN/VN, associate's and bachelor's programs are publicly owned, though 44.4% of the of the bachelor's programs are private not-for-profit, as are a majority of the master's entry programs. Of note, 24.1% of the 29 accelerated BSN programs are private for-profit programs. Of the LPN/VN programs and associate's programs, 12.4% and 12%, respectively, are private for-profit programs. These findings related to private for-profit programs are similar to those from 2020–2021. Regarding learning modalities, only 20.7% of the accelerated Bachelor of Science in Nursing (BSN) programs are in-person only, though the majority of the other program types are in-person-only (range from 56.8% to 80%). This compares to the 2020–2021 data, though the accelerated BSN programs had more in-person-only learning in 2020–2021 (39.1%). Similar to 2020–2021 data, online-only learning is present in associate's and accelerated BSN programs to a very limited extent and not at all in the other programs. Of the six program types evaluated, between 20% and 75.9% had some hybrid component. The literature often cites hybrid or blended education, when well implemented, to be beneficial in higher education (Müller & Mildemberger, 2021). Similar to 2020–2021 data most nursing program directors do not have administrative authority over allied health. In this 2021–2022 sample, most programs do not have an assistant/associate director, which is similar to the 2020–2021 data. However, nearly all the programs have dedicated administrative support for assisting with day-to-day activities of the nursing program. In accordance with 2020–2021 data, most programs implement formal orientation for adjunct faculty, full-time faculty and part-time faculty, as well as mentoring of full-time faculty. It should be noted, however, that while definitions of orientation and mentoring are provided, these data are self-reported.

Table 2. Program Demographics

	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry
N	330	5	367	234	29	7
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Geographic Location						
Urban	90 (27.3%)	2 (40.0%)	109 (29.7%)	106 (45.3%)	19 (65.5%)	2 (28.6.0%)
Suburban	75 (22.7%)	2 (40.0%)	75 (20.4%)	57 (24.4%)	10 (34.5%)	4 (57.1%)
Rural	161 (48.8%)	1 (20.0%)	174 (47.4%)	65 (27.8%)	0 (0.0%)	1 (14.3%)
Other	4 (1.2%)	0 (0.0%)	9 (2.5%)	6 (2.6%)	0 (0.0%)	0 (0.0%)
Institutional Ownership						
Public	279 (84.5%)	2 (40.0%)	299 (81.5%)	107 (45.7%)	11 (37.9%)	3 (42.9%)
Private, Not-for-Profit	10 (3.0%)	2 (40.0%)	24 (6.5%)	104 (44.4%)	11 (37.9%)	4 (57.1%)
Private, For-Profit	41 (12.4%)	1 (20.0%)	44 (12.0%)	23 (9.8%)	7 (24.1%)	0 (0.0%)
Learning Modalities						
In-Person Only	250 (75.8%)	4 (80.0%)	209 (56.9%)	133 (56.8%)	6 (20.7%)	4 (57.1%)
Online Only	0 (0.0%)	0 (0.0%)	3 (0.8%)	0 (0.0%)	1 (3.4%)	0 (0.0%)
Hybrid	80 (24.2%)	1 (20.0%)	155 (42.2%)	101 (43.2%)	22 (75.9%)	3 (42.9%)
Simulated Clinical Experience Offered						
Yes	273 (82.7%)	5 (100.0%)	354 (96.5%)	226 (96.6%)	29 (100.0%)	7 (100.0%)
No	57 (17.3%)	0 (0.0%)	13 (3.5%)	8 (3.4%)	0 (0.0%)	0 (0.0%)

Table 2. Program Demographics						
	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry
N	330	5	367	234	29	7
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Director Has Administrative Responsibility for Allied Health						
Yes	93 (28.2%)	1 (20.0%)	91 (24.8%)	22 (9.4%)	1 (3.4%)	0 (0.0%)
No	237 (71.8%)	4 (80.0%)	276 (75.2%)	212 (90.6%)	28 (96.6%)	7 (100.0%)
Program Has Assistant/Associate Director						
Yes	76 (23.0%)	2 (40.0%)	102 (27.8%)	98 (41.9%)	15 (51.7%)	3 (42.9%)
No	254 (77.0%)	3 (60.0%)	265 (72.2%)	136 (58.1%)	14 (48.3%)	4 (57.1%)
Director Has Dedicated Administrative Support						
Yes	274 (83.0%)	5 (100.0%)	336 (91.6%)	210 (89.7%)	23 (79.3%)	6 (85.7%)
No	56 (17.0%)	0 (0.0%)	31 (8.4%)	24 (10.3%)	6 (20.7%)	1 (14.3%)
Formal Orientation for New Adjunct Clinical Faculty						
Yes	279 (84.5%)	4 (80.0%)	341 (92.9%)	213 (91.0%)	28 (96.6%)	6 (85.7%)
No	51 (15.5%)	1 (20.0%)	26 (7.1%)	21 (9.0%)	1 (3.4%)	1 (14.3%)
Formal Orientation for New Full-Time Faculty						
Yes	317 (96.1%)	5 (100.0%)	361 (98.4%)	232 (99.1%)	29 (100.0%)	7 (100.0%)
No	13 (3.9%)	0 (0.0%)	6 (1.6%)	2 (0.9%)	0 (0.0%)	0 (0.0%)
Formal Orientation for New Part-Time Faculty						
Yes	275 (83.3%)	5 (100.0%)	328 (89.4%)	203 (86.8%)	25 (86.2%)	6 (85.7%)
No	55 (16.7%)	0 (0.0%)	39 (10.6%)	31 (13.2%)	4 (13.8%)	1 (14.3%)
Formal Mentoring for New Full-Time Faculty						
Yes	293 (88.8%)	5 (100.0%)	353 (96.2%)	217 (92.7%)	27 (93.1%)	7 (100.0%)
No	37 (11.2%)	0 (0.0%)	14 (3.8%)	17 (7.3%)	2 (6.9%)	0 (0.0%)

Table 3 illustrates the clinical hours (direct care, simulation and skills lab¹) across the six program types, while Table 4 reports on the trend of direct care clinical hours (those hours where students take care of actual patients) in the U.S. between 2010 and 2022. While the mean of direct care clinical hours for bachelor's and Accelerated Bachelor of Science in Nursing (ABSN) programs decreased slightly from 2020-2021, the rest of the programs' direct care hours increased slightly. Nearly all programs have simulation (Table 2), though as can be seen in Table 3, the number of simulation hours being used is low (range: 46.96 to 93.31 hours). According to NCSBN's Member Board Profiles (NCSBN, 2022), 35 (61%) of the U.S. NRBs allow up to 50% of the clinical hours² to be replaced by simulation, as long as accepted simulation guidelines are used. Therefore, in most states and U.S. jurisdictions regulation is not a barrier to programs using simulation (NCSBN, 2022). Interestingly, all of the six program types use more skills lab hours than simulation hours.

1. Direct patient care, simulation, and skills lab are all defined in the survey.

2. 7 NRBs (12%) allow up to 25%; 1 (2%) NRB allows more than 75%; 1 (2%) NRB allows up to 30%; 2 (4%) NRBs allow no simulation to replace clinical experiences; and in 11 (19%) NRBs simulation is not addressed in the statute or rules.

	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry
N	330	5	367	234	29	7
Direct Patient Care Hours						
Mean	406.13	612.00	445.43	610.29	552.85	736.57
SD	±181.68	±392.98	±299.58	±240.2	±156.75	±155.14
Simulation Hours						
Mean	46.96	56.30	67.44	83.26	93.31	59.57
SD	±43.73	±32.75	±57.45	±62.29	±63.3	±26.92
Skills Lab Hours						
Mean	110.86	99.30	105.05	112.03	108.14	104.14
SD	±63.54	±59.20	±78.59	±69.71	±69.41	±56.73

Table 4 reports on the trend of direct care clinical experience hours from 2010 through 2022. The 2010 and 2017 data on direct care clinical experience hours were obtained in national studies by NCSBN (Smiley, 2019), while the 2020–2021 and 2021–2022 data are from the aggregate Annual Report data, from participating NRBS, for those years (NCSBN, 2023). As is apparent in Table 4, direct care clinical hours have decreased in U.S. nursing programs since 2010. When comparing direct care clinical hours across English speaking countries, Hungerford (2019) found in a scoping review exercise that the U.S. lags behind Australia, New Zealand and the United Kingdom³. The pandemic could be a reason for decreasing hours in 2020–2021 and 2021–2022, so we will see if this downward trend reverses with the 2022–2023 data. While direct care clinical hours are pivotal to positive outcomes in nursing education (Spector et al., 2020), at this time we do not have evidence on the specific numbers of clinical experience hours students should have. This is an important indicator to monitor.

	2010 (median hours)	2017 (median hours)	2020-21 (mean hours)	2021-22 (mean hours)
Master's Entry	770	780	665	736.57
Bachelor's	765	712	625.64	610.29
Associate's	628	573	437.61	445.43
Diploma	720	683	530.21	612.00
LPN/VN	(data not collected)	565	386.3	406.13

NCSBN's mixed-methods, national study of nursing education, followed by an analysis of the data by researchers, educators, attorneys and regulators, determined the key quality indicators of nursing education programs (Spector et al., 2020). It is crucial for nursing education programs and NRBS to identify any quality indicators that have not been met so that programs can be proactive in making improvements before their outcomes are adversely impacted. Therefore, the Annual Reports that the NRBS and nursing programs receive have a summary of the eight key quality indicators that need to be met. Table 5 illustrates the percentage of the 972 nursing programs, across program types, in the 2021–2022 Annual Report program that met, or did not meet, the quality indicators. Nursing programs can present these national data to their administrators to convince them that more resources and/or funding are needed so they will meet national standards.

³ Australia mandates 800 hours; New Zealand mandates 1100 hours; the United Kingdom mandates 2300 hours.

Compared to the 2020–2021 Annual Report aggregate data for programs meeting quality indicators (NCSBN, 2023), the 2021–2022 data are similar. For example, LPN/VN programs continue to lag behind other nursing programs for national nursing accreditation. The literature suggests that national nursing accreditation leads to better program outcomes (Spector et al., 2020). Another trend identified was that many programs experienced major organizational changes. Some of these changes include new director or assistant/associate director, staff or faculty layoff, changes in institutional leadership, collapsing programs, economic efficiencies which often lead to layoffs or cutting programs, etc. The research suggests that this lack of upper administrative support is associated with poorer outcomes (Spector et al., 2020). There were 26.4% (similar to the percentage in 2020–2021) of the programs in this database that had less than 35% full-time faculty, which is a major quality indicator and can lead to poorer outcomes (Spector et al., 2020). In the 2021–2022 database, we found that on-time graduation rates of 70% (used by the U.S. national nursing accreditors and the U.S. Department of Education) are not being met by programs. While graduation rates were not identified as a quality indicator in the NCSBN study (Spector et al., 2020), that may be because not all NRBs had been consistently collecting those data. However, we are now consistently collecting those data and will be statistically analyzing if on-time graduation rates are associated with better program outcomes. Indeed, 45.4% of the programs in the 2021–2022 database have less than 70% graduation rates.

	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry	Grand Total
N	330	5	367	234	29	7	972
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Accreditation Status							
Yes	42 (12.7%)	3 (60.0%)	283 (77.1%)	227 (97.0%)	29 (100.0%)	7 (100.0%)	591 (60.8%)
No	288 (87.3%)	2 (40.0%)	84 (22.9%)	7 (3.0%)	0 (0.0%)	0 (0.0%)	381 (39.2%)
Programs' Approval Status							
Fully Approved	303 (91.8%)	4 (80.0%)	326 (88.8%)	216 (92.3%)	26 (89.7%)	6 (85.7%)	881 (90.6%)
Not Approved/Conditional/Probationary or Warning Status	27 (8.2%)	1 (20.0%)	41 (11.2%)	18 (7.7%)	3 (10.3%)	1 (14.3%)	91 (9.4%)
Experienced Major Organizational Changes							
Yes	144 (43.6%)	3 (60.0%)	166 (45.2%)	131 (56.0%)	21 (72.4%)	5 (71.4%)	470 (48.4%)
No	186 (56.4%)	2 (40.0%)	201 (54.8%)	103 (44.0%)	8 (27.6%)	2 (28.6%)	502 (51.6%)
Director Turnover							
Less than or Equal to Three Directors over the Past Five Years	308 (93.3%)	5 (100.0%)	328 (89.4%)	213 (91.0%)	23 (79.3%)	7 (100.0%)	884 (90.9%)
More than Three Directors over the Past Five Years	22 (6.7%)	0 (0.0%)	39 (10.6%)	21 (9.0%)	6 (20.7%)	0 (0.0%)	88 (9.1%)
Less Than 50% Direct Care Clinical Experience							
Greater than 50% Direct Care Clinical Experience	309 (93.6%)	5 (100.0%)	343 (93.5%)	226 (96.6%)	29 (100.0%)	7 (100.0%)	919 (94.5%)
Less than 50% Direct Care Clinical Experience	21 (6.4%)	0 (0.0%)	24 (6.5%)	8 (3.4%)	0 (0.0%)	0 (0.0%)	53 (5.5%)
Less Than 35% Full-Time Faculty							
Greater than 35% Full-Time Faculty	266 (80.6%)	3 (60.0%)	265 (72.2%)	163 (69.6%)	13 (44.8%)	5 (71.4%)	715 (73.6%)
Less than 35% Full-Time Faculty	64 (19.4%)	2 (40.0%)	102 (27.8%)	71 (30.3%)	16 (55.2%)	2 (28.6%)	257 (26.4%)

	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry	Grand Total
N	330	5	367	234	29	7	972
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Less Than 70% Graduation Rate							
Greater than or Equal to 70% Graduation Rate	150 (45.5%)	0 (0.0%)	199 (54.2%)	159 (67.9%)	18 (62.1%)	5 (71.4%)	531 (54.6%)
Less than 70% Graduation Rate	180 (54.5%)	5 (100.0%)	168 (45.8%)	75 (32.1%)	11 (37.9%)	2 (28.6%)	441 (45.4%)
Programs Established 2017 or Before 2017/After 2017							
2017 or before	313 (94.9%)	5 (100.0%)	330 (89.9%)	209 (89.3%)	23 (79.3%)	3 (42.9%)	883 (90.8%)
After 2017	17 (5.1%)	0 (0.0%)	37 (10.1%)	25 (10.7%)	6 (20.7%)	4 (57.1%)	89 (9.2%)

Besides the key quality indicators, other quality indicators were identified by the NCSBN mixed-methods study (Spector et al., 2020) and these are highlighted in Table 6. While most programs provide disability support services, services for students with low socioeconomic statuses and formal remediation for students needing academic support, English as a second language (ESL) services/resources are missing in many nursing programs. While there is slight improvement from the 2020–2021 data, the majority of programs are not offering resources in ESL. Promoting more diversity in nursing education has become a major focus and providing these students with ESL resources has been shown to enhance outcomes (Sailsman, 2021; Spector et al., 2020). Therefore, nurse educators need to be more proactive with advocating for their ESL students, and the administrators should pay attention to this quality indicator. Of all the programs in the 2021–2022 database, 81.8% have remediation in place for students making errors or near misses in their clinical experiences, which means that 18.2% do not. These data are similar to 2020–2021 data, and this remains an area where improvements should be made. Similar to the 2020–2021 data, though even a little lower, only 4.1% of the simulation labs are accredited and 19.3% of simulation faculty are certified. With the advances being seen in simulation, this is an area where programs should focus in the future.

	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry	Grand Total
N	330	5	367	234	29	7	972
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Disability Support Services							
Yes	322 (97.6%)	5 (100.0%)	365 (99.5%)	233 (99.6%)	29 (100.0%)	7 (100.0%)	961 (98.9%)
No	8 (2.4%)	0 (0.0%)	2 (0.5%)	1 (0.4%)	0 (0.0%)	0 (0.0%)	11 (1.1%)
ESL Services							
Yes	124 (37.6%)	2 (40.0%)	186 (50.7%)	99 (42.3%)	10 (34.5%)	4 (57.1%)	425 (43.7%)
No	206 (62.4%)	3 (60.0%)	181 (49.3%)	135 (57.7%)	19 (65.5%)	3 (42.9%)	547 (56.3%)
Services for Low Socioeconomic Class Students							
Yes	305 (92.4%)	4 (80.0%)	349 (95.1%)	214 (91.5%)	24 (82.8%)	6 (85.7%)	902 (92.8%)
No	25 (7.6%)	1 (20.0%)	18 (4.9%)	20 (8.5%)	5 (17.2%)	1 (14.3%)	70 (7.2%)
Formal Remediation Process for Students Needing Academic Support							
Yes	273 (82.7%)	4 (80.0%)	313 (85.3%)	198 (84.6%)	28 (96.6%)	6 (85.7%)	822 (84.6%)
No	57 (17.3%)	1 (20.0%)	54 (14.7%)	36 (15.4%)	1 (3.4%)	1 (14.3%)	150 (15.4%)

Table 6. Other Quality Indicators							
	LPN/VN	Diploma	Associate's	Bachelor's	Accelerated BSN	Master's Entry	Grand Total
N	275	7	326	208	23	4	843
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)
Formal Remediation Process for Students Committing Errors/Near Misses							
Yes	263 (79.7%)	3 (60.0%)	309 (84.2%)	188 (80.3%)	26 (89.7%)	6 (85.7%)	795 (81.8%)
No	67 (20.3%)	2 (40.0%)	58 (15.8%)	46 (19.7%)	3 (10.3%)	1 (14.3%)	177 (18.2%)
Certified Simulation Faculty							
Yes	29 (8.8%)	2 (40.0%)	70 (19.1%)	70 (29.9%)	13 (44.8%)	4 (57.1%)	188 (19.3%)
No	244 (73.9%)	3 (60.0%)	284 (77.4%)	155 (66.2%)	16 (55.2%)	3 (42.9%)	705 (72.5%)
Does not offer simulated clinical experience	57 (17.3%)	0 (0.0%)	13 (3.5%)	9 (3.8%)	0 (0.0%)	0 (0.0%)	79 (8.1%)
Accredited Simulation Lab							
Yes	7 (2.1%)	0 (0.0%)	10 (2.7%)	14 (6.0%)	8 (27.6%)	1 (14.3%)	40 (4.1%)
No	266 (80.6%)	5 (100.0%)	344 (93.7%)	211 (90.2%)	21 (72.4%)	6 (85.7%)	853 (87.8%)
Does not offer simulated clinical experience	57 (17.3%)	0 (0.0%)	13 (3.5%)	9 (3.8%)	0 (0.0%)	0 (0.0%)	79 (8.1%)

Conclusion

This 2021-2022 national report of 972 nursing education programs is provided for NRBs and nursing programs to benchmark nursing education metrics to these evidence-based quality indicators. Nurse regulators can work with nursing programs to identify deficiencies so that nursing programs can make improvements *before* outcomes (such as NCLEX pass rates) are adversely affected. These 2021–2022 data illustrate the nursing education trends:

- Clinical experience hours have decreased since 2010, though there has been a slight improvement since 2020–2021;
- More than 50% of the nursing programs have no resources and programs for ESL students;
- LPN/VN programs lag behind other nursing programs for being nationally nursing accredited;
- More than a quarter of all nursing programs have less than 35% of their faculty being full-time;
- Many nursing programs do not have a 70% on-time graduation rate;
- Higher administration is often not supportive of nursing education; and
- A majority of simulation labs are not accredited. Similarly a majority of simulation faculty are not certified.

More states are joining this Annual Report Program every year and our goal is for all NRBs to participate in the program. This database is a major contribution to nursing education and we are grateful to the NRBs and nursing programs that have participated.

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Board of Nursing
Current Regulatory Actions
As of August 19, 2024

F1

Regulations at the Governor's office

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC90-30	Exempt	Reduction of required practice years prior to autonomous practice.	7/25/2024	3 days	Amends requirements pursuant to 2024 legislation.
18VAC90-40	Exempt	Places requirements in regulation related to patient counseling prior to prescribing opioids.	7/25/2024	3 days	Amends requirements pursuant to 2024 legislation.

Regulations at the Secretary's office

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC90-30	Fast-Track	Implementation of clinical nurse specialist practice agreement changes from 2022 General Assembly.	9/15/2022	612 days	Implements changes to existing regulations regarding CNS practice agreements.
18VAC90-19	NOIRA	Implementation of 2022 periodic review.	3/22/2023	503 days	Implementation of amendments of Chapter 19 resulting from the 2022 periodic review of regulations.
18VAC90-21	NOIRA	Implementation of 2022 periodic review.	3/22/2023	503 days	Implementation of amendments of Chapter 21 resulting from the 2022

					periodic review of regulations.
18VAC90-27	NOIRA	Periodic review of Chapter 27.	7/25/2024	12 days	Implements changes identified during periodic review.

Regulations at the Department of Planning and Budget

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC90-27	Fast-track	Amendment to clinical hours pursuant to 2024 legislation.	7/25/2024	3 days	Amends clinical hours requirements pursuant to legislation from the 2024 General Assembly Session.

Regulations at the OAG

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC90-19 18VAC90-25 18VAC90-27 18VAC90-30 18VAC90-50 18VAC90-60 18VAC90-70	Proposed	Fee increase.	7/29/2024	21 days	Fee increase needed to maintain Board operations.

Recently effective or awaiting publication

None.

Agenda Item: Exempt regulatory amendments regarding nurse faculty requirements**Included in your agenda package:**

- Portion of HB1499 of the 2024 General Assembly Session which related to nursing faculty changes;
- Exempt regulatory changes consistent with the legislative requirements;
- Full text of HB1499 for reference.

Staff note: The Board held a public hearing related to these changes earlier.

Action needed:

- Motion to adopt exempt regulatory changes regarding faculty requirements contained in Chapter 27.

HB1499 enactment clauses 3 and 4

3. That the Board of Nursing shall amend its regulations to add or remove the following requirements related to educational requirements for nursing faculty: (i) for baccalaureate degree and prelicensure graduate degree programs, add requirements that every clinical nursing faculty member hold a graduate degree in nursing, or hold a baccalaureate degree in nursing and be enrolled in a graduate degree program, or hold a baccalaureate degree in nursing and hold alternative credentials, and that clinical faculty members with a graduate degree other than in nursing be required to hold a baccalaureate degree in nursing; (ii) for associate degree and diploma programs, remove requirements that the majority of the members of the nursing faculty hold a graduate degree, preferably with a major in nursing, and that all members of the nursing faculty hold a baccalaureate degree with a major in nursing; (iii) for associate degree and diploma programs, add requirements that the didactic members of the nursing faculty hold a graduate degree, preferably with a major in nursing, or hold a baccalaureate degree and be actively enrolled in a graduate degree program and that the clinical members of the nursing faculty hold a baccalaureate degree in nursing or an associate degree in nursing and be actively enrolled in a baccalaureate degree program in nursing; (iv) for practical nursing programs, remove the requirement that the majority of the members of the nursing faculty hold a baccalaureate degree, preferably with a major in nursing; and (v) for practical nursing programs, add a requirement that the nursing faculty hold a baccalaureate degree, preferably with a major in nursing, or hold an associate degree and be actively enrolled in a baccalaureate degree program.

4. That the Board of Nursing shall promulgate regulations to implement the provisions of the third enactment of this act to be effective no later than January 1, 2025. The Board of Nursing's initial adoption of regulations necessary to implement the provisions of the third enactment of this act shall be exempt from the Administrative Process Act (§ [2.2-4000](#) et seq. of the Code of Virginia), except that the Board of Nursing shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.

Project 7934 - Final

Board of Nursing

Changes to nursing education faculty requirements pursuant to 2024 legislation

18VAC90-27-10. Definitions.

In addition to words and terms defined in § 54.1-3000 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Accreditation" means having been accredited by an agency recognized by the U.S. Department of Education to include the Accreditation Commission for Education in Nursing, the Commission on Collegiate Nursing Education, the Commission for Nursing Education Accreditation, or a national nursing accrediting organization recognized by the board.

"Advisory committee" means a group of persons from a nursing education program and the health care community who meets regularly to advise the nursing education program on the quality of its graduates and the needs of the community.

"Approval" means the process by which the board or a governmental agency in another state or foreign country evaluates and grants official recognition to nursing education programs that meet established standards not inconsistent with Virginia law.

"Associate degree nursing program" means a nursing education program preparing for registered nurse licensure, offered by a Virginia college or other institution and designed to lead to an associate degree in nursing, provided that the institution is authorized to confer such degree by SCHEV.

"Baccalaureate degree nursing program" or "prelicensure graduate degree program" means a nursing education program preparing for registered nurse licensure, offered by a Virginia college

or university and designed to lead to a baccalaureate or a graduate degree with a major in nursing, provided that the institution is authorized to confer such degree by SCHEV.

"Board" means the Board of Nursing.

"Clinical faculty" means nursing faculty that instructs students in the direct client care environment.

"Clinical setting" means any location in which the clinical practice of nursing occurs as specified in an agreement between the cooperating agency and the school of nursing.

"Conditional approval" means a time-limited status that results when an approved nursing education program has failed to maintain requirements as set forth in this chapter.

"Cooperating agency" means an agency or institution that enters into a written agreement to provide clinical or observational experiences for a nursing education program.

"Diploma nursing program" means a nursing education program preparing for registered nurse licensure, offered by a hospital and designed to lead to a diploma in nursing, provided the hospital is licensed in this state.

"Direct client care" means nursing care provided to patients or clients in a clinical setting supervised by qualified faculty or a designated preceptor.

"Full approval" means the status granted to a nursing education program when compliance with regulations pertaining to nursing education programs has been verified.

"Initial approval" means the status granted to a nursing education program that allows the admission of students.

"National certifying organization" means an organization that has as one of its purposes the certification of a specialty in nursing based on an examination attesting to the knowledge of the nurse for practice in the specialty area.

"NCLEX" means the National Council Licensure Examination.

"NCSBN" means the National Council of State Boards of Nursing.

"Nursing education program" means an entity offering a basic course of study preparing persons for licensure as registered nurses or as licensed practical nurses. A basic course of study shall include all courses required for the degree, diploma, or certificate.

"Nursing faculty" means registered nurses who teach the practice of nursing in nursing education programs.

"Practical nursing program" means a nursing education program preparing for practical nurse licensure that leads to a diploma or certificate in practical nursing, provided the school is authorized by the Virginia Department of Education or by an accrediting agency recognized by the U.S. Department of Education.

"Preceptor" means a licensed nurse who is employed in the clinical setting, serves as a resource person and role model, and is present with the nursing student in that setting, providing clinical supervision.

"Program director" means a registered nurse who holds a current, unrestricted license in Virginia or a multistate licensure privilege and who has been designated by the controlling authority to administer the nursing education program.

"Recommendation" means a guide to actions that will assist an institution to improve and develop its nursing education program.

"Requirement" means a mandatory condition that a nursing education program must meet to be approved or maintain approval.

"SCHEV" means the State Council of Higher Education for Virginia.

"Simulation" means an evidence-based teaching methodology utilizing an activity in which students are immersed into a realistic clinical environment or situation and in which students are required to learn and use critical thinking and decision-making skills.

"Site visit" means a focused onsite review of the nursing program by board staff, usually completed within one day for the purpose of evaluating program components such as the physical location (skills lab, classrooms, learning resources) for obtaining initial program approval, in response to a complaint, compliance with NCLEX plan of correction, change of location, or verification of noncompliance with this chapter.

"Survey visit" means a comprehensive onsite review of the nursing program by board staff, usually completed within two days (depending on the number of programs or campuses being reviewed) for the purpose of obtaining and maintaining full program approval. The survey visit includes the program's completion of a self-evaluation report prior to the visit, as well as a board staff review of all program resources, including skills lab, classrooms, learning resources, and clinical facilities, and other components to ensure compliance with this chapter. Meetings with faculty, administration, students, and clinical facility staff will occur.

18VAC90-27-60. Faculty.

A. Qualifications for all faculty.

1. Every member of the nursing faculty, including the program director, shall (i) hold a current license or a multistate licensure privilege to practice nursing in Virginia as a registered nurse without any disciplinary action that currently restricts practice and (ii) have had at least two years of direct client care experience as a registered nurse prior to employment by the program. Persons providing instruction in topics other than nursing shall not be required to hold a license as a registered nurse.

2. Every member of a nursing faculty supervising the clinical practice of students, including simulation in lieu of direct client care, shall meet the licensure requirements of the jurisdiction in which that practice occurs and shall provide evidence of education or experience in the specialty area in which they supervise student clinical experience for quality and safety. Prior to supervision of students, the faculty providing supervision shall have completed a clinical orientation to the site in which supervision is being provided. Faculty members who supervise clinical practice by simulation shall also demonstrate simulation knowledge and skills in that methodology and shall engage in ongoing professional development in the use of simulation.

3. The program director and each member of the nursing faculty shall maintain documentation of professional competence through such activities as nursing practice, continuing education programs, conferences, workshops, seminars, academic courses, research projects, and professional writing. Documentation of annual professional development shall be maintained in employee files for the director and each faculty member until the next survey visit and shall be available for board review.

4. For baccalaureate degree and prelicensure graduate degree programs:

a. The program director shall hold a doctoral degree with a graduate degree in nursing.

b. Every member of the didactic nursing faculty shall hold a graduate degree; the majority of the faculty shall have a graduate degree in nursing. Faculty members with a graduate degree with a major other than in nursing shall have a baccalaureate degree with a major in nursing.

c. Clinical nursing faculty shall hold:

(1) A graduate degree in nursing;

(2) A baccalaureate degree in nursing and be enrolled in a graduate degree program;

or

(3) A baccalaureate degree in nursing and hold alternative credentials.

Clinical nursing faculty with a graduate degree other than in nursing must hold a baccalaureate degree in nursing.

5. For associate degree and diploma programs:

a. The program director shall hold a graduate degree with a major in nursing.

b. ~~The majority of the members of the nursing faculty shall hold a graduate degree, preferably with a major in nursing.~~ Didactic members of the nursing faculty shall hold:

(1) A graduate degree, preferably with a major in nursing; or

(2) A baccalaureate degree and be actively enrolled in a graduate program.

c. ~~All members of the nursing faculty shall hold a baccalaureate or graduate degree with a major in nursing.~~ Every member of the clinical nursing faculty shall hold:

(1) A baccalaureate degree in nursing; or

(2) An associate degree in nursing and be actively enrolled in a baccalaureate program in nursing.

6. For practical nursing programs:

a. The program director shall hold a baccalaureate degree with a major in nursing.

b. ~~The majority of the members of the nursing faculty shall hold a baccalaureate degree, preferably with a major in nursing.~~ All nursing faculty shall hold:

(1) A baccalaureate degree, preferably with a major in nursing; or

(2) An associate degree and be actively enrolled in a baccalaureate degree program.

B. Number of faculty.

1. The number of faculty shall be sufficient to prepare the students to achieve the objectives of the educational program and to ensure safety for clients to whom students provide care.
2. When students are giving direct care to clients, the ratio of students to faculty shall not exceed 10 students to one faculty member, and the faculty shall be on site solely to supervise students.
3. When preceptors are utilized for specified learning experiences in clinical settings, the faculty member may supervise up to 15 students.

C. Functions. The principal functions of the faculty shall be to:

1. Develop, implement, and evaluate the philosophy and objectives of the nursing education program;
2. Design, implement, teach, evaluate, and revise the curriculum. Faculty shall provide evidence of education and experience necessary to indicate that they are competent to teach a given course;
3. Develop and evaluate student admission, progression, retention, and graduation policies within the framework of the controlling institution;
4. Participate in academic advisement and counseling of students in accordance with requirements of the Financial Educational Rights and Privacy Act (20 USC § 1232g);
5. Provide opportunities for and evidence of student and graduate evaluation of curriculum and teaching and program effectiveness; and
6. Document actions taken in faculty and committee meetings using a systematic plan of evaluation for total program review.

18VAC90-27-170. Requests for exception to requirements for faculty. (Repealed.)

After full approval has been granted, a program may request board approval for exceptions to requirements of 18VAC90-27-60 for faculty as follows:

~~1. Initial request for exception.~~

~~a. The program director shall submit a request for initial exception in writing to the board for consideration prior to the academic year during which the nursing faculty member is scheduled to teach or whenever an unexpected vacancy has occurred.~~

~~b. A description of teaching assignment, a curriculum vitae, and a statement of intent from the prospective faculty member to pursue the required degree shall accompany each request.~~

~~c. The executive director of the board shall be authorized to make the initial decision on requests for exceptions. Any appeal of that decision shall be in accordance with the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).~~

~~2. Request for continuing exception.~~

~~a. Continuing exception will be based on the progress of the nursing faculty member toward meeting the degree required by this chapter during each year for which the exception is requested.~~

~~b. The program director shall submit the request for continuing exception in writing prior to the next academic year during which the nursing faculty member is scheduled to teach.~~

~~c. A list of courses required for the degree being pursued and college transcripts showing successful completion of a minimum of two of the courses during the past academic year shall accompany each request.~~

~~d. Any request for continuing exception shall be considered by the informal factfinding committee, which shall make a recommendation to the board.~~

VIRGINIA ACTS OF ASSEMBLY -- 2024 SESSION

CHAPTER 754

An Act to amend and reenact §§ 32.1-122.7, 32.1-122.7:1, 32.1-122.7:2, 54.1-3600, and 54.1-3606 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 20.2 of Title 2.2 a section numbered 2.2-2040.1 and by adding a section numbered 54.1-3606.3, relating to Virginia Health Workforce Development Authority; Virginia Health Care Career and Technical Training and Education Fund created; psychological practitioner defined; educational requirements for nursing faculty.

[H 1499]

Approved April 8, 2024

Be it enacted by the General Assembly of Virginia:

1. That §§ 32.1-122.7, 32.1-122.7:1, 32.1-122.7:2, 54.1-3600, and 54.1-3606 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 20.2 of Title 2.2 a section numbered 2.2-2040.1 and by adding a section numbered 54.1-3606.3 as follows:

§ 2.2-2040.1. Virginia Health Care Career and Technical Training and Education Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Health Care Career and Technical Training and Education Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. The Fund shall be administered by the Director of the Department of Workforce Development and Advancement. Moneys in the Fund shall be used solely for the purposes of supporting the mission of the Virginia Health Workforce Development Authority, as described in § 32.1-122.7. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department of Workforce Development and Advancement.

§ 32.1-122.7. Virginia Health Workforce Development Authority; purpose.

A. There is hereby created as a public body corporate and as a political subdivision of the Commonwealth the Virginia Health Workforce Development Authority (the Authority), with such public and corporate powers as are set forth in § 32.1-122.7:2. The Authority is hereby constituted as a public instrumentality, exercising public and essential governmental functions with the power and purpose to provide for the health, welfare, convenience, knowledge, benefit, and prosperity of the residents of the Commonwealth and such other persons who might be served by the Authority. The Authority is established to move the Commonwealth forward in achieving its vision of ensuring a quality health workforce for all Virginians.

B. The mission of the Authority is to facilitate the development of a statewide health professions pipeline that identifies, educates, recruits, and retains a diverse, appropriately geographically distributed, and culturally competent quality workforce. The mission of the Authority is accomplished by: (i) providing the statewide infrastructure required for health workforce needs assessment and planning that maintains engagement by health professions training programs in decision making and program implementation; (ii) serving as the advisory board and setting priorities for the Virginia Area Health Education Centers Program; (iii) coordinating with and serving as a resource to relevant state, regional, and local entities, including the Department of Health Professions Workforce Data Center, the Joint Legislative Audit and Review Commission, the Joint Commission on Health Care, *the Behavioral Health Commission*, the Southwest Virginia Health Authority, or any similar regional health authority that may be developed; (iv) informing state and local policy development as it pertains to health care delivery, training, and education; (v) identifying and promoting evidence-based strategies for health workforce pipeline development and interdisciplinary health care service models, particularly those affecting rural and other underserved areas; (vi) supporting communities in their health workforce recruitment and retention efforts and developing partnerships and promoting models of participatory engagement with business and community-based and social organizations to foster integration of health care training and education; (vii) *setting priorities for and evaluating graduate medical education programs overseen by the Commonwealth*; (viii) *advocating for programs that will result in reducing the debt load of newly trained health professionals*; ~~(viii)~~ (ix) *setting priorities for and managing the Virginia Health Care Career and Technical Training and Education Fund*; (x) identifying high priority target areas within each region of the Commonwealth and working toward health workforce development initiatives that improve health measurably in those areas; ~~(ix)~~ (xi) fostering or creating innovative health workforce

development models that provide both health and economic benefits to the regions they serve; ~~(x)~~ (xii) developing strategies to increase diversity in the health workforce by examining demographic data on race and ethnicity in training programs and health professional licensure; ~~(xi)~~ (xiii) identifying ways to leverage technology to increase access to health workforce training and health care delivery; and ~~(xii)~~ (xiv) developing a centralized health care careers roadmap in partnership with the Department of Health Professions that includes information on both licensed and unlicensed professions and that is disseminated to the Commonwealth's health care workforce stakeholders to raise awareness about available career pathways.

§ 32.1-122.7:1. Board of Directors of the Virginia Health Workforce Development Authority.

The Virginia Health Workforce Development Authority (*the Authority*) shall be governed by a Board of Directors. The Board of Directors shall have a total membership of ~~15~~ 19 members that shall consist of three legislative members, nine nonlegislative citizen members, and ~~three~~ seven ex officio members. Members shall be appointed as follows: two members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one member of the Senate, to be appointed by the Senate Committee on Rules; and nine nonlegislative citizen members, three of whom shall be representatives of health professional educational or training programs, five of whom shall be health professionals or employers or representatives of health professionals, and one of whom shall be a representative of community health, to be appointed by the Governor. The Commissioner of Health ~~or his designee~~, the Chancellor of the Virginia Community College System ~~or his designee~~, and the Director of the Department of Health Professions ~~or his designee~~, *the Director of the Department of Workforce Development and Advancement, the Director of the State Council of Higher Education for Virginia, the Chairman of the House Committee on Appropriations, and the Chairman of the Senate Committee on Finance and Appropriations or their designees* shall serve ex officio with voting privileges. Members appointed by the Governor shall be citizens of the Commonwealth.

Legislative members and ex officio members shall serve terms coincident with their terms of office. All appointments of nonlegislative citizen members shall be for two-year terms following the initial staggering of terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative and citizen members may be reappointed; however, no citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's term limit. Vacancies shall be filled in the same manner as the original appointments.

The Board of Directors shall elect a chairman and vice-chairman annually from among its members. A majority of the members of the Board of Directors shall constitute a quorum.

The Board of Directors shall report biennially on the activities and recommendations of the Authority to the Secretary of Health and Human Resources, the Secretary of Education, the Secretary of Commerce and Trade, the ~~Chief Workforce Development Advisor~~ *Secretary of Labor*, the State Board of Health, the State Council of Higher Education for Virginia, the Joint Commission on Health Care, *the Chairman of the House Committee on Appropriations, the Chairman of the Senate Committee on Finance and Appropriations*, the Governor, and the General Assembly. In any reporting period where state general funds are appropriated to the Authority, the report shall include a detailed summary of how state general funds were expended.

The accounts and records of the Authority showing the receipt and disbursement of funds from whatever source derived shall be in a form prescribed by the Auditor of Public Accounts. The Auditor of Public Accounts, or his legally authorized representative, shall examine the accounts of the Authority as determined necessary by the Auditor of Public Accounts. The cost of such audit shall be borne by the Authority.

§ 32.1-122.7:2. Powers and duties of the Virginia Health Workforce Development Authority; exemptions.

A. The *Virginia Health Workforce Development Authority (the Authority)* is authorized to serve as the incorporated consortium of allopathic and osteopathic medical schools in Virginia as required by federal statute to qualify for the receipt of Area Health Education Centers programs, legislatively mandated under the Public Health Service Act as amended, Title VII, Section 751, and 42 U.S.C. § 294a, and to administer federal, state, and local programs as needed to carry out its public purpose and objectives. The Authority is further authorized to exercise independently the powers conferred by this section in furtherance of its corporate and public purposes to benefit citizens and such other persons who might be served by the Authority.

B. The Authority is authorized to monitor, collect, and track data pertaining to health care delivery, training, and education from Virginia educational institutions and other entities as needed to carry out its public purpose and objectives in areas where such data efforts do not already exist. *The Authority is further authorized to request and seek data for program evaluation purposes and may partner with other agencies and institutions to help manage and analyze health workforce data. The Authority shall assist in the coordination of data from various sources, including the Department of Education, the Department of Health Professions, the Department of Health, the Virginia Office of Education*

Economics, the Workforce Data Trust, and the George Mason University Center for Health Workforce.

C. The Authority shall have the authority to assess policies, engage in policy development, and make policy recommendations.

D. The Authority shall have the authority to apply for and accept federal, state, and local public and private grants, loans, appropriations, and donations; hire and compensate staff, including an executive director; rent, lease, buy, own, acquire, and dispose of property, real or personal; participate in joint ventures, including to make contracts and other agreements with public and private entities in order to carry out its public purpose and objectives; and make bylaws for the management and regulation of its affairs.

E. The Authority shall be exempt from the provisions of ~~Chapters 29~~ *the Virginia Personnel Act* (§ 2.2-2900 et seq.) and ~~43~~ *the Virginia Public Procurement Act* (§ 2.2-4300 et seq.) of ~~Title 2.2~~.

F. The exercise of powers granted by this article and the undertaking of activities in the furtherance of the purpose of the Authority shall constitute the performance of essential governmental functions. Therefore, the Authority shall be exempt from any tax or assessment upon any project or property acquired or used by the Authority under the provisions of this article or upon the income therefrom, including sales and use taxes on tangible personal property used in the operation of the Authority. This exemption shall not extend to persons conducting business for which local or state taxes would otherwise be required.

§ 54.1-3600. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Applied psychologist" means an individual licensed to practice applied psychology.

"Board" means the Board of Psychology.

"Certified sex offender treatment provider" means a person who is certified to provide treatment to sex offenders and who provides such services in accordance with the provisions of §§ 54.1-3005, 54.1-3505, 54.1-3611, and 54.1-3705 and the regulations promulgated pursuant to these provisions.

"Clinical psychologist" means an individual licensed to practice clinical psychology.

"Practice of applied psychology" means application of the principles and methods of psychology to improvement of organizational function, personnel selection and evaluation, program planning and implementation, individual motivation, development and behavioral adjustment, as well as consultation on teaching and research.

"Practice of clinical psychology" includes, but is not limited to:

1. "Testing and measuring" ~~which that~~ consists of the psychological evaluation or assessment of personal characteristics such as intelligence, abilities, interests, aptitudes, achievements, motives, personality dynamics, psychoeducational processes, neuropsychological functioning, or other psychological attributes of individuals or groups.

2. "Diagnosis and treatment of mental and emotional disorders" ~~which that~~ consists of the appropriate diagnosis of mental disorders according to standards of the profession and the ordering or providing of treatments according to need. Treatment includes providing counseling, psychotherapy, marital/family therapy, group therapy, behavior therapy, psychoanalysis, hypnosis, biofeedback, and other psychological interventions with the objective of modification of perception, adjustment, attitudes, feelings, values, self-concept, personality, or personal goals, the treatment of alcoholism and substance abuse, *the treatment of* disorders of habit or conduct, as well as of the psychological aspects of physical illness, pain, injury, or disability.

3. "Psychological consulting" ~~which that~~ consists of interpreting or reporting on scientific theory or research in psychology, rendering expert psychological or clinical psychological opinion, *or* evaluation, or engaging in applied psychological research, program or organizational development, *or* administration, supervision, or evaluation of psychological services.

"Practice of psychology" means the practice of applied psychology, clinical psychology, or school psychology.

The "practice of school psychology" means:

1. "Testing and measuring" ~~which that~~ consists of psychological assessment, evaluation, and diagnosis relative to the assessment of intellectual ability, aptitudes, achievement, adjustment, motivation, personality, or any other psychological attribute of persons as individuals or in groups that directly relates to learning or behavioral problems that impact education.

2. "Counseling" ~~which that~~ consists of professional advisement and interpretive services with children or adults for amelioration or prevention of problems that impact education. Counseling services relative to the practice of school psychology include but are not limited to the procedures of verbal interaction, interviewing, behavior modification, environmental manipulation, and group processes.

3. "Consultation" ~~which that~~ consists of educational or vocational consultation or direct educational services to schools, agencies, organizations, or individuals. Psychological consulting as ~~herein defined~~ *relative to the practice of school psychology* is directly related to learning problems and related adjustments.

4. Development of programs such as designing more efficient and psychologically sound classroom situations and acting as a catalyst for teacher involvement in adaptations and innovations.

"Psychological practitioner" means a person licensed pursuant to § 54.1-3606.3 to diagnose and treat mental and emotional disorders by providing counseling, psychotherapy, marital therapy, family therapy, group therapy, or behavioral therapy and to provide an assessment and evaluation of an individual's intellectual or cognitive ability, emotional adjustment, or personality, as related to the treatment of mental or emotional disorders.

"Psychologist" means a person licensed to practice school, applied, or clinical psychology.

"School psychologist" means a person licensed by the Board of Psychology to practice school psychology.

§ 54.1-3606. License required.

A. In order to engage in the practice of applied psychology, school psychology, or clinical psychology, or to engage in practice as a *psychological practitioner*, it shall be necessary to hold a license.

B. Notwithstanding the provisions of subdivision 4 of § 54.1-3601 or any Board regulation, the Board of Psychology shall license, as school psychologists-limited, persons licensed by the Board of Education with an endorsement in psychology and a master's degree in psychology. The Board of Psychology shall issue licenses to such persons without examination, upon review of credentials and payment of an application fee in accordance with regulations of the Board for school psychologists-limited.

Persons holding such licenses as school psychologists-limited shall practice solely in public school divisions; holding a license as a school psychologist-limited pursuant to this subsection shall not authorize such persons to practice outside the school setting or in any setting other than the public schools of the Commonwealth, unless such individuals are licensed by the Board of Psychology to offer to the public the services defined in § 54.1-3600.

The Board shall issue persons, holding licenses from the Board of Education with an endorsement in psychology and a license as a school psychologist-limited from the Board of Psychology, a license which notes the limitations on practice set forth in this section.

Persons who hold licenses as psychologists issued by the Board of Psychology without these limitations shall be exempt from the requirements of this section.

§ 54.1-3606.3. Licensure of psychological practitioners; independent practice.

A. *It is unlawful for any person to practice or hold himself out as a psychological practitioner in the Commonwealth or use the title of psychological practitioner unless he holds a license issued by the Board.*

B. *The Board shall establish criteria for licensure as a psychological practitioner, which shall include the following:*

1. *Documentation that the applicant received a master's degree in psychology or counseling psychology from a program accredited by the American Psychological Association, from a program equivalent to those accredited by the American Psychological Association as determined by the Board, or from a program accredited by another national accrediting body approved by the Board; and*

2. *Documentation that the applicant successfully completed the academic portion of a national exam recognized by the Board.*

C. *Every psychological practitioner who meets the requirements of subsection B shall practice under the supervision of a clinical psychologist unless the requirements of subsection D are met. The Board shall determine the requirements and procedures for such supervision.*

D. *A psychological practitioner may practice without supervision upon:*

1. *Successful completion of the clinical portion of a national exam recognized by the Board; and*

2. *Completion of one year of full-time experience, as determined by the Board, of practice under the supervision of a clinical psychologist.*

Upon receipt of documentation of such examination and experience requirements and a fee as established by the Board, the Board shall issue to the psychological practitioner a new license that includes a designation indicating that the psychological practitioner is authorized to practice independently.

E. *The Board shall determine appropriate standards of practice for psychological practitioners.*

F. *The Board shall promulgate such regulations as may be necessary to implement the provisions of this section.*

2. That the Board of Psychology shall promulgate regulations to implement the provisions of the first enactment of this act in Title 54.1 to be effective no later than January 1, 2025. The Board of Psychology's initial adoption of regulations necessary to implement the provisions of the first enactment of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Psychology shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.

3. That the Board of Nursing shall amend its regulations to add or remove the following requirements related to educational requirements for nursing faculty: (i) for baccalaureate degree and prelicensure graduate degree programs, add requirements that every clinical nursing faculty member hold a graduate degree in nursing, or hold a baccalaureate degree in nursing and be

enrolled in a graduate degree program, or hold a baccalaureate degree in nursing and hold alternative credentials, and that clinical faculty members with a graduate degree other than in nursing be required to hold a baccalaureate degree in nursing; (ii) for associate degree and diploma programs, remove requirements that the majority of the members of the nursing faculty hold a graduate degree, preferably with a major in nursing, and that all members of the nursing faculty hold a baccalaureate degree with a major in nursing; (iii) for associate degree and diploma programs, add requirements that the didactic members of the nursing faculty hold a graduate degree, preferably with a major in nursing, or hold a baccalaureate degree and be actively enrolled in a graduate degree program and that the clinical members of the nursing faculty hold a baccalaureate degree in nursing or an associate degree in nursing and be actively enrolled in a baccalaureate degree program in nursing; (iv) for practical nursing programs, remove the requirement that the majority of the members of the nursing faculty hold a baccalaureate degree, preferably with a major in nursing; and (v) for practical nursing programs, add a requirement that the nursing faculty hold a baccalaureate degree, preferably with a major in nursing, or hold an associate degree and be actively enrolled in a baccalaureate degree program.

4. That the Board of Nursing shall promulgate regulations to implement the provisions of the third enactment of this act to be effective no later than January 1, 2025. The Board of Nursing's initial adoption of regulations necessary to implement the provisions of the third enactment of this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Nursing shall provide an opportunity for public comment on the regulations prior to adoption of such regulations.

**VIRGINIA BOARD OF NURSING
EDUCATION SPECIAL CONFERENCE COMMITTEE
Tuesday, August 13, 2024**

Department of Health Professions – Perimeter Center
9960 Mayland Drive, Conference Center 201 – **Board Room 3**
Henrico, Virginia 23233

TIME AND PLACE: The meeting of the Education Special Conference Committee was convened at 9:00 a.m. in Suite 201, Department of Health Professions, 9960 Mayland Drive, Second Floor, Board Room 3, Henrico, Virginia.

MEMBERS PRESENT: Cynthia Swineford, RN, MSN, CNE Chair
Shantell L. Kinchen, LPN

STAFF PRESENT: Claire Morris, RN, LNHA, Incoming Executive Director
Jacquelyn Wilmoth, MSN, RN, Deputy Executive director
Randall Mangrum, DNP, RN, Nursing Education Program Manager
Christine Smith, MSN, RN, Nurse Aide/RMA Education Program Manager
Stephanie Willinger, Deputy Executive Director for Licensure
Grace Stewart, Adjudication Specialist
Beth Yates, Education Program Specialist

Public Comment

There was no public comment.

OET Language Assessment, In person and Via Conference Call

Elizabeth Denton, Senior Director of Partnerships, America was present and Joy Ingwerson, Subject Matter Expert and Consultant, joined the meeting via conference phone to represent the company.

The board considered the request from OET Language Assessment. Ms. Kinchen moved to recommend that OET Language Assessment be accepted to provide education credentialing services for internationally educated nurses.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 10, 2024.

American National University, PN and BSN Education Program Application Reports

Dr. Marie-Bernard Lazare, Dean of Nursing, Dr. Joel Musgrove, Senior Executive Vice President of Operations, and Dr. Carolyn Scott, Chief Academic Officer were present to represent American National University.

Ms. Kinchen moved that the Education Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A) (27) of the Code of Virginia at 11:17 a.m. for the purpose of deliberation to reach a decision in the matter of American National University, PN and BSN Education Program application reports. Additionally, Ms. Kinchen moved that Ms. Morris, Ms. Wilmoth and Ms. Yates attend the closed meeting because

their presence in the closed meeting was deemed necessary and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously. The Committee reconvened in open session at 12:09 p.m.

Ms. Kinchen moved that the Education Informal Conference Committee of 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. Kinchen moved to recommend that American National University online PN and online BSN Nursing Education Programs be granted initial approval.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 10, 2024.

Ms. Willinger left the meeting at 12:10 p.m.

Chambers Training Academy, Fredericksburg, Nurse Aide Education Program, 1414100769

No representatives for the program were present.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Ms. Swineford ruled that adequate notice was provided to Chambers Training Academy.

ACTION:

Ms. Kinchen moved to recommend that approval to offer a nurse aide education program at Chambers Training Academy be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 10, 2024.

Discussion Regarding Program Codes for Parallel Programs

Discussion occurred regarding programs who offer multiple entry points to a nursing education program that culminates in the same degree. Board staff provided an example of an associate degree program that offers advanced placement to LPNs as well as a *traditional* option for students. The two tracts run simultaneously, with different courses, until the end of the program where all students come together for coursework and complete the program earning the same degree.

Ms. Kinchen moved to recommend that the programs should be assigned individual program codes because they began as separate programs, and the curriculums are not the same.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 10, 2024.

Meeting adjourned at 1:58 p.m.

Jacquelyn Wilmoth, MSN, RN
Executive Director

DRAFT