VIRGINIA BOARD OF NURSING FORMAL HEARINGS Panel A September 14, 2021

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:06

A.M., on September 14, 2021 in Board Room 4, Department of Health

Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS

PRESENT: Marie Gerardo, MS, RN, ANP-BC; President

Yvette L. Dorsey, DNP, RN

Margaret Friedenberg, Citizen Member

James Hersmansen-Parker, MSN, RN, PCCN-K

Dixie L. McElfresh, LPN

STAFF PRESENT: Claire Morris, RN, LNHA; Deputy Executive Director

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

Francesca Iyengar, MSN, RN, Discipline Case Manager Cathy Hanchey, Senior Licensing/Discipline Specialist

Lakisha Goode, Discipline Team Coordinator – left at 11:30 A.M.

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

Julia K. Bennett, Administrative Proceedings Division

Sherry Gibson, Enforcement Division Ka Yu-Cheng, Enforcement Division

Christine Ludwig, Enforcement Division – joined at 1:00 P.M.

ESTABLISHMENT OF

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

FORMAL HEARING: Dena Ann Spruill, RMA, CNA 0031-011198, 1401-066711

Ms. Spruill did not appear.

Tammie Jones, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Tammy S. Keckley, court reporter with Veteran Reporters,

recorded the proceedings.

Anna Badgley, Senior Investigator, Enforcement Division, was present and

testified. Ashleigh Davis, ALFA, was present and testified.

CLOSED MEETING: Mr. Hermansen-Parker moved that the Board of Nursing convene a closed

meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:23 A.M., for the purpose of deliberation to reach a decision in the matter of **Dena Ann Spruill**. Additionally, Mr. Hermansen-Parker moved that Ms. Morris, Ms.

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Bargdill, Ms. Iyengar, Ms. Hanchey, Ms. Goode, and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:30 AM.

Mr. Hermansen-Parker moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Ms. McElfresh moved that the Board of Nursing revoke the certificate of **Dena Ann Spruill** to practice as a nurse aide in the Commonwealth of Virginia with a Finding of Abuse. Additionally, Ms. McElfresh moved that the Board of Nursing revoke the registration of **Dena Ann Spruill** to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker 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 11:30 A.M.

RECONVENTION: The Board reconvened in open session at 1:10 P.M.

FORMAL HEARING: Lyrae S. Tinsley, CNA 1401-112199

Ms. Tinsley appeared.

David Kazzie, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Tammy S. Keckley, court reporter with Veteran Reporters, recorded the proceedings.

Kevin Wolfe, Senior Investigator, Enforcement Division, was present and testified. Maria Ira Santos, RN, testified by phone. Sarah Lindsey Gernerd, CNA, testified by phone. Kyle Anthony Wagner, Prince William County Police Officer, testified by phone.

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CLOSED MEETING:

Mr. Hermansen-Parker moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:06 P.M. for the purpose of deliberation to reach a decision in the matter of **Lyrae S. Tinsley**. Additionally, Mr. Hermansen-Parker moved that Ms. Morris, Ms. Bargdill, Ms. Iyengar, Ms. Hanchey, and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:35 P.M.

Ms. McElfresh moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Mr. Hermansen-Parker moved that the Board of Nursing issue a reprimand and place the certificate of **Lyrae S. Tinsley** to practice as a nurse aide in the Commonwealth of Virginia on probation with terms for not less than one year. The motion was seconded by Ms. Dorsey 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 HEARING:

Lavonna C. Harrell, LPN

0002-087289

Ms. Harrell appeared.

David Robinson, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Tammy S. Keckley, court reporter with Veteran Reporters, recorded the proceedings.

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

CLOSED MEETING:

Mr. Hermansen-Parker moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:32 P.M. for the purpose of deliberation to reach a decision in the matter of **Lavonna C. Harrell**. Additionally, Mr. Hermansen-Parker moved that Ms. Morris, Ms. Bargdill, Ms. Iyengar, Ms. Hanchey, and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary and

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their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:45 P.M.

Mr. Hermansen-Parker moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and

carried unanimously.

ACTION:

Ms. Dorsey moved that the Board of Nursing approve the application of **Lavonna C. Harrell** for reinstatement of her license to practice practical nursing in the Commonwealth of Virginia only. The motion was seconded by Ms. Friedenberg and carried unanimously.

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

ADJOURNMENT:

The Board adjourned at 4:45 P.M.

Claire Morris, RN, LNHA Deputy Executive Director