

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
July 15, 2013**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:10 A.M. on July 15, 2013 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS
PRESENT:**

Louise Hartz, Citizen Member; Chairperson
Joyce A. Hahn, PhD, APRN, NEA-BC
Jane R. Ingalls, RN, PhD
Florence Jones-Clarke, RN, MS
William Traynham, LPN, CSAC

STAFF PRESENT:

Brenda Krohn, RN, MS; Deputy Executive Director
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Braden Curtis, Assistant Attorney General
Charis Mitchell, Assistant Attorney General (joined later)
Nursing students from Centura College West; and Virginia Commonwealth University

**ESTABLISHMENT OF
A QUORUM:**

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

FORMAL HEARINGS:

Tamira T. Nagy, RN Reinstatement Applicant 0001-208210
Ms. Nagy appeared, accompanied by a friend, Kathy Burnett, RN.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Curtis was legal counsel for the Board. Wanda Blanks, court reporter with Farnsworth & Taylor Reporting, recorded the proceedings.

Gayle Miller, Senior Investigator, Department of Health Professions; Denise Sexton, Senior Investigator, Department of Health Professions; Teresa Cumiford, RN, CCU, Carilion New River Valley Medical Center; and Kathy Burnett, RN were present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:44 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Nagy. Additionally, Mr. Traynham moved that Ms. Krohn, Ms. Mitchell; Ms. Graham and Mr. Curtis 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 11:07 A.M.

Mr. Traynham 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.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Jones-Clarke moved that the Board of Nursing approve the reinstatement application of Tamira Nagy as a professional nurse with multistate privileges. The motion was seconded and carried unanimously.

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

FORMAL HEARINGS:

Loretta M. Simmons, CNA Reinstatement Applicant 1401-094840

Ms. Simmons did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Mr. Curtis was legal counsel for the Board. Wanda Blanks court reporter with Farnsworth & Taylor Reporting, recorded the proceedings.

Gayle Miller, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:37 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Simmons. Additionally, Mr. Traynham moved that Ms. Krohn, Ms. Mitchell, Ms. Graham and Mr. Curtis 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 11:56 A.M.

Mr. Traynham 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.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Mr. Traynham moved that the Board of Nursing deny the reinstatement application of the nurse aide certification of Loretta Simmons and revoke the right to renew her certification and enter a finding of misappropriation of patient property into the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

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

FORMAL HEARINGS:

Tiffany A. Porter, LPN 0002-054120

Ms. Porter did not appear.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Curtis was legal counsel for the Board. Wanda Blanks, court reporter with Farnsworth & Taylor Reporting, recorded the proceedings.

Andria Christian, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:14 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Porter. Additionally, Mr. Traynham moved that Ms. Krohn, Ms. Mitchell, Ms. Graham and Mr. Curtis attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 12:28 P.M.

Mr. Traynham 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.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board. The motion was seconded and carried unanimously.

ACTION:

Dr. Ingalls moved that the Board of Nursing accept the voluntary surrender of the practical nursing license of Tiffany Porter; reprimand Ms. Porter and continue her license on indefinite suspension until such time as she can appear before the Board and prove that she is safe and competent to practice as a practical nurse. The motion was seconded and carried unanimously.

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

RECESS: The Board recessed at 12:30 P.M.

RECONVENTION: The Board reconvened at 1:15 P.M.

FORMAL HEARINGS: **Keisha M. Brooks, LPN 0002-072926**
Ms. Brooks appeared.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Mr. Curtis was legal counsel for the Board. Wanda Blanks, court reporter with Farnsworth & Taylor Reporting, recorded the proceedings.

Elyse Johnson, Human Resources Director, The Pediatric Connection was present and testified.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:34 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Brooks. Additionally, Mr. Traynham moved that Ms. Krohn, Ms. Mitchell, Ms. Graham and Mr. Curtis 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 3:10 P.M.

Mr. Traynham 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.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Dr. Ingalls moved that the Board of Nursing issue a reprimand to Keisha Brooks and place Ms. Brooks on probation for not less than two years of active employment as a practical nurse in a supervised setting and complete five National Council of State Boards of Nursing online courses within 90 days of entry of the order. The motion was seconded and carried unanimously.

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

FORMAL HEARINGS: **Krista Y. Schofield, CNA 1401-126021**
Ms. Schofield appeared.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Mr. Curtis was legal counsel for the Board. Wanda Blanks, court reporter with Farnsworth & Taylor Reporting, recorded the proceedings.

Kelli Moss, Senior Investigator, Department of Health Professions; and Kathy Ward, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:13 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Schofield. Additionally, Mr. Traynham moved that Ms. Krohn, Ms. Mitchell, Ms. Graham and Mr. Curtis 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 4:41 P.M.

Mr. Traynham 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.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Jones-Clarke moved that the Board of Nursing reprimand Krista Schofield; reinstate her nurse aide certification and place Ms. Schofield on probation with terms for 12 months of active employment as a nurse aide. The motion was seconded and carried unanimously.

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

Mr. Curtis left the meeting, Ms. C. Mitchell joined the meeting.

FORMAL HEARINGS:

Ann-Mary Nadeau, RN 0001-142847

Ms. Nadeau did not appear.

Tammie Jones, Adjudication Specialist, represented the Commonwealth. Ms. C. Mitchell was legal counsel for the Board. Wanda Blanks, court reporter with Farnsworth & Taylor Reporting, recorded the proceedings.

Charlotte Hudson, Senior Investigator, Department of Health Professions; and Kathy Ward, Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:09 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Nadeau. Additionally, Mr. Traynham moved that Ms. Krohn, Ms. G. Mitchell, Ms. Graham and Ms. C. 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 5:17 P.M.

Mr. Traynham 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.

Dr. Ingalls moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Dr. Hahn moved that the Board of Nursing reprimand Ann-Mary Nadeau and continue her professional nursing license on indefinite suspension. The motion was seconded and carried unanimously.

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

ADJOURNMENT: The Board adjourned at 5:20 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director