

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
INFORMAL CONFERENCES
August 12, 2013**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on August 12, 2013 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Evelyn Lindsay, L.P.N.; Chairperson
Kelly S. McDonough, D.N.P., R.N.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A.; Deputy Executive Director

OTHERS PRESENT: Anne Joseph Deputy Director; Administrative Proceedings Division

CONFERENCES
SCHEDULED: **Gabriele Hart, R.N. 0001-094372**
Ms. Hart did not appear.

CLOSED MEETING: Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 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 Ms. Hart. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 9:14 A.M.

Ms. McDonough moved that the Special 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. McDonough moved to offer a Consent Order for indefinite suspension of her license. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Hart and the Board.

CONFERENCES
SCHEDULED: **Valencia Hayes, L.P.N. 0002-080032**
Ms. Hayes appeared, accompanied by her mother, Wynetta Hayes.

CLOSED MEETING: Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:04 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hayes. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 10:44 A.M.

Ms. McDonough moved that the Special 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.

CLOSED MEETING: Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:48 A.M. deliberate with Peggy Wood, Health Practitioners Monitoring Program Manager regarding the HPMP process. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 11:05 A.M.

Ms. McDonough moved that the Special 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. McDonough moved to issue an Order for Ms. Hayes to obtain a mental health and substance abuse evaluation by a Board approved mental health professional within 45 days of Order entry. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Hayes, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Hayes within such time. If service of the Order is made by mail, three

additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Shameka Harris, R.N. 0001-173367

Ms. Harris appeared.

Ms. Lindsay acknowledged to Ms. Harris that she was familiar with Ms. Harris' manager and that she recognized her, and further stated she could remain objective. Ms. Harris had no objection to Ms. Lindsay chairing the Committee.

CLOSED MEETING:

Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 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 Ms. Harris. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 12:10 P.M.

Ms. McDonough moved that the Special 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. McDonough moved to issue an Order of reprimand to Ms. Harris. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Harris, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Harris within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Victoria Cross, R.N. 0001-214967

Ms. Cross appeared.

CLOSED MEETING:

Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:32 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cross. Additionally, Ms. McDonough moved that Ms.

Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 12:43 P.M.

Ms. McDonough moved that the Special 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. McDonough moved to issue an Order of reprimand to Ms. Cross. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Cross, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Cross within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Yupei Tian, RN 0001-127846

Ms. Tian appeared, accompanied by her attorney, Margaret Hardy.

CLOSED MEETING: Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:00 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Tian. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

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

Ms. McDonough moved that the Special 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. McDonough moved to close the case and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Melanie M. Neal, R.N. North Carolina 257636 with multistate privilege
Ms. Neal appeared.

CLOSED MEETING: Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:36 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Neal. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 2:46 P.M.

Ms. McDonough moved that the Special 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. McDonough moved to close the case and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing regulations. The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Ann M. Cobbler, L.P.N. 0002-068384
Ms. Cobbler did not appear.

CLOSED MEETING: Ms. McDonough moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cobbler. Additionally, Ms. McDonough moved that Ms. Mitchell and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

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

Ms. McDonough moved that the Special 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. McDonough moved to issue an Order to place Ms. Cobbler on probation for one year employment as a practical nurse. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Cross, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Cross within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The Board adjourned at 3:10 P.M.

A handwritten signature in cursive script, reading "Gloria Mitchell", is written over a horizontal line.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director