

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 18, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:06 A.M. on September 18, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Margaret J. Freidenberg, Citizen Member
Trula Minton, MS, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC

STAFF PRESENT:

Brenda Krohn, RN, MS; Deputy Executive Director
Jane Elliott, RN, PhD; Discipline Staff
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Anita Arrowood, LPN 0002-093827
Ms. Arrowood appeared.

Steve Bulger, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Kim Martin, Senior Investigator, Department of Health Professions, testified via telephone. Penny Harvey, Market Asset Protection Manager at Virginia Beach Wal-Mart, and Michael Henson, Market Health and Wellness Pharmacist Director at Virginia Beach Wal-Mart, were present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:45 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Arrowood. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, 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 12:16 P.M.

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

ACTION:

Ms. Phelps moved the Board of Nursing reprimand Anita Marie Arrowood and to require her to complete NCSBN course called “*Professional Accountability and Legal Liability for Nurses*” within 90 days from entry of the Order. The motion was seconded and carried with four votes in favor of the motion. Dr. Hahn and Mr. Monson opposed the motion.

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 12:20 P.M.

RECONVENTION:

The Board reconvened at 1:20 P.M.

Senior Nursing Students from VCU joined the meeting.

FORMAL HEARINGS:

David Workman Mitchell, RN 0001-143493

Mr. Mitchell appeared represented by Jessica Robinson, his attorney.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Anna Badgley, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:25 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Mitchell. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, 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 3:00 P.M.

Ms. Phelps 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.

Mr. Monson 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:

Ms. Minton moved that the Board of Nursing approve Mr. Mitchell's application for reinstatement of a valid in Virginia only license to practice professional nursing in the Commonwealth of Virginia contingent upon his successful completion of a Board approved RN refresher course. The motion was seconded and passed unanimously.

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VCU students left the meeting at 3:07 P.M.

Ms. Krohn left the meeting at 3:07 P.M.

FORMAL HEARINGS:

Paula Susan Sparrow High, RN 0001-188504

Ms. High appeared.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Margaret Starks, Senior Investigator, Department of Health Professions, and Rebecca Britt, Case Manager, Virginia Health Practitioners' Monitoring Program (HPMP), were present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 4:01 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. High. Additionally, Ms. Phelps moved that Dr. Elliott, Ms. Graham, 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 4:12 P.M.

Mr. Monson 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.

Ms. Minton 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. Phelps moved that the Board of Nursing reprimand Paula Susan Sparrow High and indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia for a period of not less than two (2) years. The motion was seconded and passed unanimously.

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Ms. Krohn rejoined the meeting at 4:12 P.M.

FORMAL HEARINGS:

Melinda Lauraine Byrd Rollins, RN 0001-150148

Ms. Rollins appeared.

David Kazzie, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Stephanie Fried and Sharon Squires, Senior Investigators, Department of Health Professions, were present and testified.

CLOSED MEETING:

Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 5:08 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Rollins. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, 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 5:26 P.M.

Mr. Monson 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. Poston 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: Ms. Phelps moved that the Board of Nursing reprimand Melinda Lauraine Byrd Rollins, reinstate her license to practice professional nursing in the Commonwealth of Virginia, and place her license on probation for one year of active employment with terms. The motion was seconded and passed 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: **Lisa Clements Lucas, RN 0001-164450**
Ms. Clements appeared accompanied by Cindi Clements, her Step-Mother.

Steve Bulger, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Medford Howard, court reporter with Crane-Snead & Associates, recorded the proceedings.

Patricia Dewey and Kim Martin, Senior Investigators, Department of Health Professions, and Cyndi Clements, were present and testified.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:48 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Lucas. Additionally, Ms. Phelps moved that Ms. Krohn, Dr. Elliott, Ms. Graham, 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 6:59 P.M.

Ms. Phelps 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. Poston moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Bulger, and amended by the Board. The motion was seconded and carried unanimously.

ACTION: Mr. Monson moved that the Board of Nursing deny the application for reinstatement of Lisa Clements Lucas' license to practice professional nursing in the Commonwealth of Virginia, continue her license on indefinite suspension with suspension stayed contingent upon entry into Virginia Health Practitioners' Monitoring Program (HPMP) and in compliance with all terms of the HPMP. The motion was seconded and passed unanimously.

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ADJOURNMENT: The Board adjourned at 7:00 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director