

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 16, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:00 A.M. on November 16, 2017 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Marie Gerardo, MS, RN. ANP-BC; Secretary, Chair
Laura F. Cei, BS, LPN, CCRP
Alice Clark, Citizen Member
Margaret J. Friedenberg, Citizen Member
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC

STAFF PRESENT:

Brenda Krohn, RN, MS; Deputy Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Huong Vu, Executive Assistant

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Senior Nursing Students from Bon Secours Memorial College
Senior Nursing Students from Riverside College of Health Careers

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Charlene Valencia Green, RN 0001-230454
Ms. Green appeared.

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

Kelly Ashley, Senior Investigators, Department of Health Professions, and Clariza Hernandez, LPN at Regency Healthcare & Rehabilitation Center, testified via telephone.

CLOSED MEETING:

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:24 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Green. Additionally, Ms. Cei moved that Ms. Krohn, Dr. Hills, Ms. Vu 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 11:58 A.M.

Ms. Cei 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. Clark 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. McQueen-Gibson moved that the Board of Nursing reprimand Charlene Valencia Green and require her to complete the following NCSBN courses within 90 days from entry of the Order:

- *Documentation: A Critical Aspect;*
- *Medication Errors: Causes & Prevention; and*
- *Professional Accountability & Legal Liability for Nurses*

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 12:00 P.M.

RECONVENTION:

The Board reconvened at 12:14 P.M.

FORMAL HEARINGS:

Sheila Marie Stokes, RN 0001-152552
Ms. Stokes appeared.

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

Kelly D. Ashley, Senior Investigator, Department of Health Professions, was present and testified.

CLOSED MEETING:

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:52 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Stokes. Additionally, Ms. Cei moved that Ms. Krohn, Dr. Hills, Ms. Vu 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 1:17 P.M.

Ms. Cei 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. Clark 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. McQueen-Gibson moved that the Board of Nursing place the license of Sheila Marie Stokes to practice professional nursing in the Commonwealth of Virginia on probation for a period of not less than two years of active practice with terms. 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 1:20 P.M.

RECONVENTION:

The Board reconvened at 1:54 P.M.

FORMAL HEARINGS:

Debra Robinson Swingle, RN 0001-111701

Ms. Swingle appeared and was accompanied by Linda Rhoads, her sister.

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

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

CLOSED MEETING:

Ms. Cei moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:02 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Swingle. Additionally, Ms. Cei moved that Ms. Krohn, Dr. Hills, Ms. Vu 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 3:25 P.M.

Ms. Cei 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. Clark 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:

Dr. McQueen-Gibson moved that the Board of Nursing deny the application of Debra Robinson Swingle for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia. 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 3:29 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director