

VIRGINIA BOARD OF NURSING
VIRTUAL FORMAL HEARINGS
January 28, 2021

TIME AND PLACE: The virtual Webex meeting of the Virginia Board of Nursing was called to order at 9:06 A.M. on January 28, 2021.

Due to COVID-19 declared state of emergency and consistent with Amendment 28 to HB29 (Budget Bill for 2018-2020) and the applicable provision of §2.2-3708.2 in the Freedom of Information Act, the Board convened a virtual meeting to consider such regulatory and business matters as was presented on the agenda for the Board to discharge its lawful purposes, duties, and responsibilities.

**BOARD MEMBERS
PARTICIPATING
VIRTUALLY:**

Mark Monson, Citizen Member; First Vice-President
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC; Second Vice-President
Yvette Dorsey, DNP, RN
Margaret Freidenberg, Citizen Member
A Tucker Gleason, PhD, Citizen Member
James Hersmansen-Parker, MSN, RN, PCCN-K
Meenakshi Shah, BA, RN

**STAFF PRESENT
AT DHP:**

Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Sally Ragsdale, Discipline Specialist

**STAFF PARTICIPATING
VIRTUALLY:**

Charlette Ridout, RN, MS, CNE; Deputy Executive Director
Patricia Dewey, RN, BSN; Discipline Case Manager
Darlene Graham, Senior Discipline Specialist
Huong Vu, Executive Assistant

**OTHERS PARTICIPATING
VIRTUALLY:**

Charis Mitchell, Assistant Attorney General, Board Counsel
Rumki Bannerjee, MD, Medical Director, Apex MD
David Brown, RN
Tina Quallis, Pharmacist
Sherry Foster, Regional Manager, DHP Enforcement
Debra Hay-Pierce, Senior Investigator, DHP Enforcement
Rebecca Ribley, Adjudication Specialist, Administrative Proceedings Division (APD)
Cynthia Gaines, Adjudication Specialist, APD
Mandy Wilson, Adjudication Specialist, APD
David Robinson, Adjudication Specialist, APD
Julia Bennett, Deputy Executive Director, APD
Jay P. Douglas, Executive Director, Board of Nursing
Ann Tiller, Compliance Manager, Board of Nursing
Jacquelyn Wilmoth, Deputy Executive Director, Board of Nursing

ESTABLISHMENT OF A
PANEL:

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

CONSIDERATION OF CONSENT ORDERS:

**G1 - Amanda Jolene Spencer, LPN
South Carolina Multi-State Privilege – PN46721**

Mr. Hermansen-Parker moved to accept the consent order to accept the voluntary surrender for indefinite suspension of Amanda Jolene Spencer's privilege to practice practical nursing in the Commonwealth of Virginia. The motion was properly seconded by Dr. Gleason. A roll call was taken and the motion was carried unanimously.

**G2 - Sophie Echo Anderson, RN Reinstatement Applicant
0001-260091**

Mr. Hermansen-Parker moved to accept the consent order to indefinitely suspend the license of Sophie Echo Anderson to practice professional nursing in the Commonwealth with suspension stayed upon proof of Ms. Anderson's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and complying with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was properly seconded by Dr. Gleason. A roll call was taken and the motion was carried unanimously.

G3 - Michelle Louise Stevans, LPN **0002-036767**

Mr. Hermansen-Parker moved to accept the consent order to reprimand Michelle Lousie Stevans and continue her license on indefinite suspension to practice practical nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Stevans' entry into and continued compliance all terms and conditions of the Virginia Health Practitioners' Monitoring Program (HPMP) for the period specified by the HPMP. The motion was properly seconded by Dr. Gleason. A roll call was taken and the motion was carried unanimously.

Anthony Jerlando Contino, LMT **0019-15557**

Mr. Hermansen-Parker moved to accept the consent order to revoke the license of Anthony Jerlando Contino to practice massage therapy in the Commonwealth of Virginia. The motion was properly seconded by Dr. Gleason. A roll call was taken and the motion was carried unanimously.

RECESS: The Board recessed at 9:16 A.M.

RECONVENTION: The Board reconvened in open session at 10:02 A.M.

FORMAL HEARINGS: **Ashley N. Webb, RN** **0001-251467**

Ms. Webb participated.

Rebecca Ribley, Adjudication Specialist, Department of Health Professions Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. M. Pamela Lima Vasquez, court reporter, Veteran Reporters, recorded the proceeding.

Sherry Foster, Regional Manager, Department of Health Professions Enforcement, Debra Hay-Pierce, Senior Investigator, Department of Health Professions Enforcement, Rumki Bannerjee, MD, Medical Director at Apex MD, Tina Quallis, Pharmacist, and David Brown, RN participated and testified.

RECESS: The Board recessed at 10:25 A.M.

RECONVENTION: The Board reconvened in open session at 10:35 A.M.

RECESS: The Board recessed at 12:36 P.M.

RECONVENTION: The Board reconvened in open session at 12:46 P.M.

CLOSED MEETING: Ms. Shah moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:43 P.M., for the purpose of deliberation to reach a decision in the matter of Ashley N. Webb. Additionally, Ms. Shah moved that Ms. Morris, Ms. Ridout, Ms. Dewey, Ms. Graham, Ms. Ragsdale Ms. Vu and Ms. Mitchell, Board counsel, 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 properly seconded by Dr. Gleason. A roll call was taken and the motion carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:47 P.M.

Ms. Shah 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 properly seconded by Ms. Friedenbergl. A roll call was taken and the motion carried unanimously.

ACTION:

Mr. Hermansen-Parker moved that the Board of Nursing suspend the license of Ashley N. Webb to practice professional nursing in the Commonwealth of Virginia for the period of not less than one year from entry of the Order. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Webb at her address of record. The motion was properly seconded by Dr. McQueen-Gibson. A roll called was taken and the motion carried with five votes in favor of the motion. Drs. Dorsey and Gleason 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 2:51 P.M.

RECONVENTION:

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

FORMAL HEARINGS:

Stephanie C. Vance, LPN Reinstatement Applicant 0002-052427

Ms. Vance participated.

Cynthia Gaines, Adjudication Consultant, Department of Health Professions Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. M. Pamela Lima Vasquez, court reporter, Veteran Reporters, recorded the proceeding.

Due to lack of notice to Ms. Vance, the Board granted continuance for later date.

ADJOURNMENT:

The Board adjourned at 3:45 P.M.

Lelia Claire Morris, RN, LNHA
Deputy Executive Director