

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
BUSINESS MEETING MINUTES
February 16, 2022**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:00 A.M., February 16, 2022 in Board Room 2, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Marie Gerardo, MS, RN, ANP-BC; Board of Nursing - Chair
Laurie Buchwald, MSN, WHNP, FNP; Board of Nursing
Ann Tucker Gleason, PhD; Board of Nursing
Blanton Marchese, Board of Medicine
David Archer, MD; Board of Medicine
Ryan Williams, MD; Board of Medicine

MEMBERS ABSENT: None

ADVISORY COMMITTEE

MEMBERS PRESENT: Kevin E. Brigle, RN, NP
Mark Coles, RN, BA, MSN, NP-C
Komkwuan P. Parachabutr, DNP, FNP-BC, WHNP-BC, CNM

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director; Board of Nursing
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice; Board of Nursing
Huong Vu, Operations Manager; Board of Nursing
Breana Renick, Administrative Support Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General; Board Counsel
Barbara Allison-Bryan, MD, Department of Health Professions Chief Deputy
William L. Harp, MD, Executive Director; Board of Medicine
Elaine Yeatts, DHP Policy Analyst
Erin Barrett, DHP Policy Analyst

IN THE AUDIENCE: None

INTRODUCTIONS: Committee members, Advisory Committee members and staff members introduced themselves.

ESTABLISHMENT OF A QUORUM:

Ms. Gerardo called the meeting to order and established that a quorum was present.

ANNOUNCEMENT: Ms. Gerardo noted the announcement as presented on the Agenda:
Laurie Buchwald, MSN, WHNP, FNP, was appointed to the Board of Nursing on September 17, 2021 to replace Louise Hershkowitz. Ms.

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Buchwald’s first term will expire on June 30, 2025. Ms. Buchwald was appointed by Ms. Gerardo, Board of Nursing President, to the Committee of the Joint Boards of Nursing and Medicine as a nurse practitioner Committee Member on September 20, 2021.

Ms. Buchwald shared her professional background and stated her appreciation to serve on the Committee.

REVIEW OF MINUTES: The minutes of the June 16, 2021 Business Meeting, August 6, 2021 Summary Suspension Telephone Conference Call, and the October 13, 2021 Formal Hearing were reviewed. Dr. Archer moved to accept the minutes as presented. The motion was seconded by Dr. Williams and passed unanimously.

DIALOGUE WITH AGENCY DIRECTOR: Dr. Allison-Bryan noted that Dr. Brown is at the General Assembly and then reported the following:

COVID Update

- Cases fell 42% nationwide and 30% in Virginia past week.
- Cases fell 70% in Virginia over the past month
- Hybrid immunity seems to be more beneficial than natural immunity or vaccine alone
- The positive testing rate was at 38% and has now decreased to 11%
- 90% of adults are fully vaccinated of which 50% are boosted
- 60% of 5-17 year olds have been vaccinated

General Assembly

- So far it has been a dynamic session with many bills that affect DHP being considered
- Delegate Adams presented two (2) opposing bills:
 - ❖ **HB243** – increasing duration of physician postgraduate training from 12 months to 36 months AND requiring physicians to obtain professional liability insurance
 - ❖ **HB896** – giving autonomous NPs to serve as a patient care team provider allowing them to enter into a practice agreement with new grads AND eliminating professional liability insurance requirement for autonomous NPs.

Transition within DHP

Both Drs. Brown and Allison-Bryan received 120 days letter from the new Administration requesting that they both continue serving at DHP while the new Administration makes its decision.

Dr. Allison-Bryan noted that Dr. Brown has expressed his interest in remaining in the DHP Director position.

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Dr. Allison-Bryan stated that she started at DHP on March 1, 2018 and will retire as of March 1, 2022.

Dr. Allison-Bryan added that the new sound system will be replaced by summer of 2022.

Ms. Gerardo thanked Dr. Allison-Bryan for her service to DHP.

PUBLIC COMMENT: No public comments were received.

LEGISLATION/
REGULATIONS:

B1 Chart of Regulatory Actions:

Ms. Yeatts reviewed the Chart provided in the agenda noting that the new certified midwife profession will be regulated by the Committee of the Joint Boards. Ms. Yeatts added that the proposed regulations will be considered by the Committee of the Joint Boards at its April 20, 2022 meeting, by the Board of Nursing at its May 17, 2022 meeting, and by the Board of Medicine at its June 16, 2022 meeting.

Yetty Shobo, PhD, Deputy Executive Director, Healthcare Workforce Data Center, joined the meeting at 9:30 AM

B2 Report of the 2022 General Assembly (GA):

Ms. Yeatts reviewed the 2021 GA report provided in the agenda.

Ms. Yeatts stated that she will be retiring as of April 1, 2022 and Ms. Barrett has been hired as her replacement.

Dr. Archer thanked Ms. Yeatts for the report and asked if she perceived an increase in regulatory actions regarding healthcare professionals.

Ms. Yeatts replied that she did not think so and added that members of the GA are more receptive to allow practitioners to practice to the full extent of the education and training.

Ms. Gerardo thanked Ms. Yeatts for her services to the Boards.

NEW BUSINESS:

Healthcare Workforce Data Center (HWDC) Reports

Dr. Yetty Shobo presented on the nurse practitioner survey reports. She stated that the Virginia Department of Health Professions' Healthcare Workforce Data Center (HWDC) administers the survey during the license renewal process, which takes place during a two-year renewal cycle on the birth month of each licensee.

Dr. Shobo provided key findings of the 2021 reports which will be posted on the DHP website upon approval:

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- ❖ Virginia’s Licensed Nurse Practitioner Workforce: 2021
 - Trends in the NP Workforce
 - Trends in Age and Gender
 - Trends in Educational Attainment
 - Trends in Work Locations
 - Trends in Retirement Intentions

- ❖ Virginia’s Licensed Nurse Practitioner Workforce: Comparison by Specialty
 - NP Workforce by Specialty
 - Age and Gender Distribution
 - Education and Debt
 - Median Income
 - Primary Employment Sector
 - Top Establishments
 - Future Plans

Dr. Williams asked if there are data on pre-licensure income and debt level for all the specialties. Dr. Shobo replied that it was not part of the survey.

Mr. Marchese asked how many NP programs started in the last 10 years. Ms. Douglas stated that the Board does not regulate NP programs but estimated that there are 10-15 Schools/Colleges of Nursing that offer NP programs in Virginia.

Dr. Gleason asked if there is plan to increase access to care to rural areas. Dr. Allison-Bryan encouraged Committee members to review the HB793 report available on HWDC website, which includes the distribution of the NP workforce per capita throughout the Commonwealth.

Mr. Marchese asked how mobile the NP workforce is. Dr. Shobo replied the NP workforce is very mobile.

Dr. Williams moved to accept the reports as presented. The motion was seconded by Ms. Buchwald and passed unanimously.

RECESS: The Committee recessed at 10:35 A.M.

Ms. Yeatts, Ms. Barrett, and Dr. Allison-Bryan left the meeting at 10:35 A.M.

RECONVENTION: The Committee reconvened at 10:49 A.M.

Members of Advisory Appointment:

- ❖ Thokizeni Lipato, MD (1st term ended 2021)
- ❖ Janet L. Setnor, CRNA (1st term ended 2021)

Ms. Gerardo invited Ms. Douglas to proceed with the recommendations for filling these 2 open advisory committee positions.

Ms. Douglas stated that Dr. Olivia Mansilla's CV is presented for the Committee's consideration and action for the physician position on the Advisory Committee to replace Dr. Lipato.

Ms. Douglas stated that Dr. Jean Snyder's CV is presented for the Committee's consideration and action for the CRNA position on the Advisory Committee to replace Ms. Setnor.

Ms. Douglas noted that the recommendation for Jean Snyder was from Adrienne Hartgerink, DNP, MSN, CRNA, Virginia Association of Nurse Anesthetists (VANA) President. Ms. Douglas added that Dr. Snyder provided expert witness service to the Board of Nursing from time to time.

Mr. Marchese moved to accept the appointment of Dr. Mansilla for the physician position on the Advisory Committee. The motion was seconded by Ms. Buchwald and passed unanimously.

Mr. Marchese moved to accept the appointment of Dr. Snyder for the CRNA position on the Advisory Committee. The motion was seconded by Dr. Archer and passed unanimously.

ENVIRONMENTAL SCAN – ADVISORY COMMITTEE MEMBERS

Ms. Gerardo asked for the updates from the Advisory Committee Members.

Mr. Coles noted that HB1245, which repeals the sunset provision on the bill that was passed in 2021, is hopeful in keeping with the trend.

Mr. Brigle shared that the credentialing process at VCU has been streamlined due to NPs acquiring the autonomous practice designation.

Dr. Archer noted that nurses are leaving hospital at a high speed and asked if that is also going on across the Commonwealth. Mr. Coles noted that at Sentara where he is employed, there has been a high turnover of nurses due in no small part to the recruitment by companies, particularly travel nursing companies, offering significant pay increases.

Ms. Douglas agreed that it is a trend in Virginia and nationally. She also noted that due to this recruitment of seasoned nurses and other factors, the

health systems are experiencing a significant experience gap with the high rate of employment of novice nurses.

Ms. Gerardo thanked Advisory Committee Members for their participation.

The Members of the Advisory Committee and Dr. Harp left the meeting at 11:00 A.M.

AGENCY SUBORDINATE RECOMMENDATION CONSIDERATION

Dr. Hills left the meeting at 11:05 AM

CLOSED MEETING: Dr. Gleason moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:05 A.M., for the purpose of consideration of the agency subordinate recommendations. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Vu, Ms. Renick 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 seconded by Mr. Marchese and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:23 A.M.

Dr. Gleason moved that the Committee of the Joint Boards of Nursing and Medicine 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.

Daphne Carol Jenkins, LNP **0024-164470**
Ms. Jenkins did not appear.

Dr. Gleason moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to reprimand **Daphne Carol Jenkins** and to assess a monetary penalty of \$4,000.00 to be paid to the Board within 120 days from the date of entry of the Order. The motion was seconded by Dr. Williams and carried unanimously.

Vickie Lynn Boyd Stevens, LNP **0024-175507**
Ms. Stevens did not appear but submitted a written response.

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Dr. Archer moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to reprimand **Vickie Lynn Boyd Stevens**, to require Ms. Stevens to complete approved courses of at least five credit hours each in the subjects of chronic pain management, prescribing of opioids, and medical recordkeeping within 90 days from the date of entry of the Order, and to read and provide a written summary of Drug Laws for Practitioners and Regulations for Prescriptive Authority for Nurse Practitioners: Part VI Management of Chronic Pain (18VAC90-40-180 through -240) within 90 days from the date of entry of the Order. The motion was seconded by Ms. Buchwald and carried unanimously.

Maria Theresa Lee, LNP

0024-174900

Ms. Lee did not appear.

Mr. Marchese moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to take no sanction against **Maria Theresa Lee**. The motion was seconded by Dr. Williams and carried unanimously.

Oluwakemi Olubunmi Osidele, LNP

0024-172973

Ms. Osidele did not appear.

Dr. Williams moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to reprimand **Oluwakemi Olubunmi Osidele**. The motion was seconded by Ms. Buchwald and carried unanimously.

Ms. Gerardo noted the next meeting is on Wednesday, April 20, 2022, in Board Room 2.

Ms. Gerardo added that the Committee will conduct informal conferences scheduled at 1:00 pm and the Committee Members are Ms. Gerardo, Ms. Buchwald and Dr. Williams.

ADJOURNMENT:

As there was no additional business, the meeting was adjourned at 11:26 A.M.

Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director