

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE F
INFORMAL CONFERENCES
April 5, 2022**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:01 A.M., on April 5, 2022, in Training Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Yvette Dorsey, DNP, RN, Chairperson
Margaret J. Friedenberg, Citizen Member
Maria Mercedes Olivieri, LMT

STAFF PRESENT: Christina Bargdill, BSN, MHS, RN, Deputy Executive Director

**ADMINISTRATIVE
PROCEEDINGS
STAFF PRESENT:** Shevaun Roukous, Senior Adjudication Analyst
Mandy Wilson, Adjudication Specialist
Rebecca Ribley, Adjudication Specialist
Christine Corey, Adjudication Specialist

OTHERS PRESENT: Cathy M. Hanchey, Board of Nursing

**CONFERENCE
SCHEDULED:** **Qi Guan, L.M.T. 0019-012978**
Qi Guan did not appear.

Based upon information provided by Ms. Roukous, Dr. Dorsey ruled that adequate notice was provided to Qi Guan.

CLOSED MEETING: Ms. Olivieri moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 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 Qi Guan. Additionally, Ms. Olivieri moved that Ms. Bargdill and Ms. Roukous 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 9:55 A.M.

Ms. Friedenberg 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. Friedenberg moved to Issue an Order to place Qi Guan on Probation with terms. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such Order on Qi Guan, unless a written request to the Board for a formal hearing on the allegations made against Qi Guan is received from Qi Guan 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.

**CONFERENCE
SCHEDULED:**

MiLinya Mone't Maxey, L.M.T. 0019-009933
Ms. Maxey did not appear.

Based upon information provided by Ms. Wilson, Dr. Dorsey ruled that adequate notice was provided to Ms. Maxey.

CLOSED MEETING:

Ms. Olivieri moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 10:39 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Maxey. Additionally, Ms. Olivieri moved that Ms. Bargdill and Ms. Wilson 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 12:01 P.M.

Ms. Olivieri 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. Olivieri moved to Issue an Order of Reprimand to MiLinya Mone't Maxey and require Ms. Maxey to provide proof of completion of Courses within 60 days of entry of the order: three (3) CEUs each in the areas of Professional Ethics, Boundaries, and Business Practices. The motion was seconded and carried unanimously.

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

RECESS: The committee recessed at 12:02 P.M.

RECONVENTION: The committee reconvened at 2:09 P.M.

CONFERENCE
SCHEDULED: **Khristina Mitchell, L.M.T. Applicant**
Ms. Mitchell appeared.

CLOSED MEETING: Ms. Olivieri moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 2:34 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Maxey. Additionally, Ms. Olivieri moved that Ms. Bargdill and Ms. Wilson 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 2:45 P.M.

Ms. Olivieri 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. Olivieri moved to Issue an Order to Approve Ms. Mitchell's Application for licensure as a Massage Therapist and issue an unrestricted license. The motion was seconded and carried unanimously.

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

CONFERENCE
SCHEDULED: **David Wu, L.M.T. 0019-008270**
Mr. Wu did not appear.

Based upon information provided by Ms. Wilson, Dr. Dorsey ruled that adequate notice was provided to Mr. Wu.

CLOSED MEETING: Ms. Olivieri moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 2:55 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Wu. Additionally, Ms. Olivieri moved that Ms. Bargdill and Ms. Wilson 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 3:48 P.M.

Ms. Olivieri 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. Olivieri moved to Issue an Order of Reprimand to David Wu and an Order for a Monetary Penalty of \$5,000 to be paid within 90 days of entry of the Order. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such Order on Mr. Wu, unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Wu 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.

CONFERENCE SCHEDULED: **YingYu Xuan, L.M.T.** **0019-015305**
YingYu Xuan did not appear.

Based upon information provided by Ms. Corey, Dr. Dorsey ruled that adequate notice was provided to YingYu Xuan.

CLOSED MEETING: Ms. Olivieri moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to 2.2-3711(A)(27) of the *Code of Virginia* at 4:07 P.M. for the purpose of deliberation to reach a decision in the matter of YingYu Xuan. Additionally, Ms. Olivieri moved that Ms. Bargdill and Ms. Corey 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 4:27 P.M.

Ms. Olivieri 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. Olivieri moved to Offer YingYu Xuan a Consent Order for the Indefinite Suspension of the right to renew the license for massage therapy for YingYu Xuan for not less than two years in lieu of a formal hearing. 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 YingYu Xuan and the Board. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 4:27 P.M.



Christina Bargdill, BSN, MSH, RN
Deputy Executive Director