

**VIRGINIA COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE  
BUSINESS MEETING MINUTES  
February 22, 2023**

**TIME AND PLACE:** The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:00 A.M., February 22, 2023 in Board Room 4, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**MEMBERS PRESENT:** Brandon A. Jones, MSN, RN, CEN, NEA-BC; Board of Nursing - **Chair**  
Laurie Buchwald, MSN, WHNP, FNP; Board of Nursing  
Helen M. Parke, DNP, FNP; Board of Nursing  
Blanton Marchese; Board of Medicine  
Joel Silverman, MD; Board of Medicine  
Ryan Williams, MD; Board of Medicine

**MEMBERS ABSENT:** None

**ADVISORY COMMITTEE**

**MEMBERS PRESENT:** Kevin E. Brigle, PhD, RN, ANP  
David A. Ellington, MD  
Stuart Mackler, MD  
Olivia Mansilla, MD  
Jean Snyder DNaP, CRNA – **joined at 9:29 A.M.**

**STAFF PRESENT:** Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for  
Advanced Practice  
Huong Vu, Operations Manager  
Claire Morris, RN, LNHA; Deputy Executive Director – **joined at 11 A.M.**

**OTHERS PRESENT:** James Rutkowski, Assistant Attorney General; Board Counsel  
Laura Booberg, Assistant Attorney General  
Arne Owens, DHP Director  
James Jenkins, Jr., RN, DHP Chief Deputy  
Erin Barrett, DHP Director of Legislative Affairs and Policy  
William L. Harp, MD, Executive Director; Board of Medicine – **joined at 9:06 A.M.**

**IN THE AUDIENCE:** Scott Castro, Medical Society of Virginia (MSV)  
Matthew Novak, Assistant to the DHP Director of Legislative Affairs and Policy  
Patricia Selig, Board of Nursing staff

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

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ESTABLISHMENT OF  
A QUORUM:

Mr. Jones called the meeting to order and established that a quorum was present.

ANNOUNCEMENT:

Mr. Jones noted that there are no announcements on the Agenda.

REVIEW OF MINUTES:

The minutes of the October 12, 2022 Business Meeting (**A1**), and October 12, 2022 Formal Hearing (**A2**) were reviewed.

Ms. Buchwald alerted staff to a typographical error that the word “**remind**” on the second page of the October 12, 2022 Formal Hearing minutes under Action, should read “**remain.**” All agreed.

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

Mr. Jones noted that **A3** was removed from the Agenda.

Mr. Jones added that **A4** and **A5** are provided for information only.

DIALOGUE WITH  
AGENCY DIRECTOR:

Mr. Owens reported the following:

- The transition from Dr. Brown to him went well.
- **Healthcare Workforce** – Virginia leadership is looking broadly across the workforce requesting recommendations for solutions from stakeholders across the state. Many stakeholders are already taking actions to remedy the shortage of workers.
- **Behavioral Health redesign** – Project BRAVO (Behavioral Health Redesign for Access, Value & Outcomes) is being operationalized
- **General Assembly** – will adjourn on February 27 and some DHP bills have moved forward
- **Data X-Waiver** – In late December of 2022, U.S. Congress removed the special SAMSHA registration requirement for prescribing buprenorphine to treat opioid use disorder (OUD). The intent of the removal of this barrier is to increase the prescribing of Medication-Assisted Treatment (MAT) in the primary care setting. DHP has already sent a blast email to licensees (MD/DO/NP/PA/ Pharmacists/ Pharmacy Tech) regarding the change.

Mr. Jones asked if audio visual equipment will be updated in the Conference Center soon. Mr. Owens said it is scheduled to be updated in April.

Mr. Jones thanks Mr. Owens for the report.

PUBLIC COMMENT: No public comments were received.

LEGISLATION/  
REGULATIONS:

**B1 Chart of Regulatory Actions:**

Ms. Barrett reviewed the Chart provided in the agenda. The Licensed Certified Midwife regulations are at the Secretary's office. She explained that the Fast-Track action regarding CNS practice agreement requirement only goes through the approval once and when it is approved by the Governor, it can be effective in 45 days.

**B2 Report of the 2023 General Assembly (GA):**

Ms. Barrett reviewed the 2023 GA report provided in the agenda and noted that the report included dead bills also.

Ms. Barrett noted that the GA passed one nurse practitioner (NP) bill:

**SB 975** – Changed applicable references to licensed nurse practitioners in the Code to advanced practice registered nurses (APRNs) in order to align the Code with the professional designations established by the Consensus Model for APRN Regulation supported by the National Council of State Boards of Nursing (NCSBN).

The GA did not pass the following NP bills:

- **HB 2183** – would grant full practice authority to NPs upon licensure
- **HB 2287** – would replace CRNA supervision with collaboration
- **SB 1105** – would change regulation of APRNs and Licensed Certified Midwives from being jointly regulated by the Boards of Nursing and Medicine to the Board of Nursing only in preparation to adopt the APRN Compact. Bill pulled by the patron with intention of reintroducing next session having addressed several aspects of the Code not addressed in the current bill.

The GA passed the following 4 DHP bills:

- **HB 1573** – removes 2 existing mental health and impairment questions from all DHP applications
- **HB 1622** – removes the requirement that Boards receive information that a licensee is subject to disciplinary action in order for Boards to delegate to a qualified Agency Subordinate. Enables Agency Subordinates to conduct informal conference regarding application cases.
- **HB 1638** – instead of having to appear in-person, permits subject individual to receive application files via mail or email upon request
- **SB 1054** – The Central Criminal Records Exchange to the FBI will be involved when compacts are adopted in Virginia that require criminal background checks.

Ms. Buchwald commented that it was a disappointment that the NP bills were not passed. Dr. Snyder agreed.

Dr. Silverman noted that removal of the 2 mental health/impairment questions across DHP is a step forward toward healthcare professionals seeking mental health care.

Mr. Jones thanked Ms. Barrett for the report.

Mr. Jenkins left the meeting at 9:31 A.M.

Drs. Shobo and Hodgdon joined the meeting at 9:31 A.M.

**NEW BUSINESS:**

**Healthcare Workforce Data Center (HWDC) Reports:**

- ❖ Virginia's Licensed Nurse Practitioner Workforce: 2022
- ❖ Virginia's Licensed Nurse Practitioner Workforce: Comparison by Specialty

Dr. Shobo provided key findings of the 2022 reports:

Virginia's Licensed Nurse Practitioner (NP) Workforce: 2022

- Trends in the NP Workforce – increase in Full Time Equivalency Unit (FTE) and number of licenses
- Demographic Trends – percent female is stable and younger workforce
- NP Population Pyramid – numerical gain in all age groups and proportional gain in younger age group
- Educational Debt and Diversity – educational attainment stable, slight increase in % of debt, and significant increase in diversity
- Retirement Intentions – percent retiring in the next decade increased and those retiring by age 65 declined
- Northern Virginia has high concentration of NPs

Virginia's Licensed Nurse Practitioner Workforce: Comparison by Specialty – data from the 2021 and 2022 NP surveys

- NP Workforce by Specialty – Certified Registered Nurse Anesthetists (CRNA), Certified Nurse Midwives (CNM) and Certified Nurse Practitioners (CNP)
- Age and Gender Distribution
- Education and Debt
- Median Income
- Primary Employment Sector
- Top Establishments
- Future Plans
- Conclusion – the three groups have good employment prospects. However, significant differences by specialty exist on some measures.

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Ms. Barrett and Mr. Novak left the meeting at 9:58 A.M.

Ms. Buchwald asked how metro status is defined. Dr. Shobo stated that she utilized the USDA Codes for county. Dr. Shobo added that non metro includes rural areas that have populations size of 25K.

Dr. Williams asked why there was a decrease in debt? Was SES data considered? Dr. Shobo stated that there is no data but thought it may be influenced by fellowships and grants.

Mr. Marchese asked if there is a breakdown of NPs with the autonomous practice designation by practice location. Dr. Shobo replied that this data are not collected and there is no breakdown of the “other” practice setting category.

Dr. Ellington noted that Virginia Performs maps per 1,000 are used by the General Assembly for funding.

Mr. Owens asked if there are shortages of primary care physicians in rural areas. Dr. Shobo stated that there is a shortage of primary care physicians in rural areas. This gap has been filled by NPs in many rural areas.

Mr. Jones noted that it would be beneficial to have the data regarding autonomous practice locations per 1,000.

Mr. Jones thanked Drs. Shobo and Hodgdon for the reports.

Mr. Owens left the meeting at 10:36 A.M.

RECESS: The Committee recessed at 10:36 A.M.

RECONVENTION: The Committee reconvened at 10:47 A.M.

Advisory Committee MD Appointment:

Mr. Jones invited Dr. Hills to proceed with the recommendations for filling the MD position vacancy due to the ending of Dr. Hobgood’s term in December 2022. Mr. Jones thanked Dr. Hobgood for her service on the Advisory Committee.

- CV – Rizwan Ali, MD for consideration
- CV – Adam T. Kaul, MD for consideration

Dr. Hills stated that both of the physicians nominated are in psychiatry. Dr. Hills added that she heard back from Dr. Kaul and he is interested in serving but did not receive an update from Dr. Ali.

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Mr. Jones asked if there were any additional nominations from the floor. None was received.

Mr. Jones asked for a vote by show of hands regarding the nominations:  
Dr. Ali received one vote.  
Dr. Kaul received five votes.

Mr. Jones announced that Dr. Kaul has been appointed to the Advisory Committee.

**ENVIRONMENTAL SCAN – ADVISORY COMMITTEE MEMBERS**

Mr. Jones asked for updates from the Advisory Committee Members.

Dr. Snyder noted that there is CRNA workforce shortage and disappointed that the CRNA bill was not passed which would have helped address this shortage.

Dr. Ellington reported that Dr. Sterling Ransone, Jr., MD, a Virginia Physician, has been elected as Board Chair of the American Academy of Family Physicians (AAFP). Dr. Ellington added that it is great to have VA physicians in the national organization leadership.

Dr. Brigle reported that VCNP is disappointed at the outcome of the bill that would have allowed all eligible NPs to obtain autonomous practice.

Mr. Jones thanked Advisory Committee Members for their participation.

Members of the Advisory Committee, Dr. Harp, and the public left the meeting at 10.55 A.M.

RECESS: The Committee recessed at 10:55 A.M.

RECONVENTION: The Committee reconvened at 11:00 A.M.

Ms. Morris joined the meeting at 11:00 A.M.

**AGENCY SUBORDINATE RECOMMENDATION CONSIDERATION**

**Donna Marie Greenfield, LNP**  
Ms. Greenfield did not appear.

**0024-166424**

Mr. Marchese moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to reprimand **Donna Marie Greenfield, LNP**. The motion was seconded by Dr. Williams and carried unanimously.

**Kimberly Butler Vivaldi, LNP**

**0024-119875**

Ms. Vivaldi appeared and addressed the Committee.

CLOSED MEETING: Ms. Buchwald 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 11:06 A.M., for the purpose of consideration of the agency subordinate recommendation regarding **Kimberly Butler Vivaldi, LNP**. Additionally, Ms. Buchwald moved that Ms. Morris, Ms. Vu, Ms. Booberg, and Mr. Rutkowski, Board counsel, 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 by Dr. Williams and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:15 A.M.

Ms. Buchwald 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 by Mr. Marchese and carried unanimously.

Ms. Buchwald moved that the Committee of the Joint Boards of Nursing and Medicine modify the recommended decision of the agency subordinate regarding **Kimberly Butler Vivaldi, LNP** removing the monetary penalty of \$1,000, and requiring Ms. Vivaldi, within 90 days from date of entry of the Order, to provide written proof of successful completion of a Committee of the Joint Boards-approved course of at least three contact hours in the subject of medical ethics and professionalism. The motion was seconded by Mr. Marchese and carried unanimously.

**Winter Marie McFarland, LNP**

**0024-176125**

Ms. McFarland did not appear. Ms. McFarland's legal counsel, Nora T. Ciancio, Esq., appeared on her behalf and addressed the Committee.

CLOSED MEETING: Ms. Buchwald 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 11:21 A.M., for the purpose of consideration of the agency subordinate recommendation regarding **Winter Marie McFarland, LNP**. Additionally, Ms. Buchwald moved that Ms. Morris, Ms. Vu, Ms. Booberg, and Mr. Rutkowski, Board counsel, 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 by Mr. Marchese and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:24 A.M.

Ms. Buchwald 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 by Mr. Marchese and carried unanimously.

Dr. Parke moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Winter Marie McFarland** to practice as a nurse practitioner in the Commonwealth of Virginia. The motion was seconded by Dr. Silverman and carried unanimously.

**Christina Pacileo Blottner, LNP**

**0024-167023**

Ms. Blottner did not appear. Ms. Blottner's legal counsel, Nora T. Ciancio, Esq., appeared on her behalf and addressed the Committee.

CLOSED MEETING:

Ms. Buchwald 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 11:27 A.M., for the purpose of consideration of the agency subordinate recommendation regarding **Christina Pacileo Blottner, LNP**. Additionally, Ms. Buchwald moved that Ms. Morris, Ms. Vu, Ms. Booberg, and Mr. Rutkowski, Board counsel, 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 by Mr. Marchese and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:28 A.M.

Ms. Buchwald 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 by Mr. Marchese and carried unanimously.

Dr. Williams moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to require **Christina Pacileo Blottner**, within 90 days from date of entry of the Order, to provide written proof of successful completion of a Committee of the Joint Boards-approved course of at least three contact hours in the subject of professional boundaries, and a review of the NP regulations. The Order will also include a statement that Ms. Blottner will comply with the laws and regulations governing the practice of licensed



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nurse practitioners. The motion was seconded by Ms. Buchwald and carried unanimously.

ADJOURNMENT:

As there was no additional business, the meeting was adjourned at 11:29 A.M.

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Robin L. Hills, DNP, RN, WHNP  
Deputy Executive Director for Advanced Practice