

**VIRGINIA BOARD OF NURSING
BUSINESS MEETING MINUTES
May 23, 2023**

TIME AND PLACE: The business meeting of the Board of Nursing was called to order at 9:00 A.M. on May 23, 2023, in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Brandon A. Jones, MSN, RN, CEN, NEA-BC; President

BOARD MEMBERS PRESENT: Cynthia M. Swineford, RN, MSN, CNE; First Vice-President
Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President
Carol Cartte, RN, BSN
Margaret J. Friedenberg, Citizen Member
Ann Tucker Gleason, PhD, Citizen Member
James L. Hermansen-Parker, MSN, RN, PCCN-K
Paul Hogan, Citizen Member
Dixie L. McElfresh, LPN
Helen Parke, DNP, FNP-BC
Meenakshi Shah, BA, RN

MEMBERS ABSENT: Laurie Buchwald, MSN, WHNP, FNP
Yvette L. Dorsey, DNP, RN
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT: Jay P. Douglas, RN, MSM, CSAC, FRE
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director
Claire Morris, RN, LNHA; Deputy Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Jacquelyn Wilmoth; Deputy Executive Director
Stephanie Willinger, Deputy Executive Director
Christine Smith, RN, MSN; Nurse Aide/RMA Education Program Manager
Randall Mangrum, DNP, RN; Nursing Education Program Manager
Patricia Dewey, RN, BSN, Discipline Case Manager
Huong Vu, Operations Manager
Ann Hardy, MSN, RN, Compliance and Case Adjudication Manager

OTHERS PRESENT: Laura Booberg, Senior Assistant Attorney General, Board Counsel
Arne Owens, DHP Director
James Jenkins, Jr., RN, DHP Chief Deputy
Matthew Novak, DHP Policy Analyst

IN THE AUDIENCE: Clark Barr, Medical Society of Virginia (MSV)
W. Scott Johnson, Hancock Daniel & Johnson PC
Richard Grossman, Virginia Council of Nurse Practitioners (VCNP)
Brittany Whitley, Virginia Nurses Association (VNA)
Avi Efreom, Adjudication Specialist, Administrative Proceedings Division
Ella Hayes, FunPals Summer Intern
Tamiera Redding, Board of Nursing staff
Ashley Wright, Board of Nursing staff
Adisa Vehab, Board of Nursing staff

Diana Wilson, Board of Nursing staff

ESTABLISHMENT OF A QUORUM:

Mr. Jones asked Board Members and Staff to introduce themselves. With 11 members present, a quorum was established.

ANNOUNCEMENTS:

Mr. Jones acknowledged the following:

Staff Update:

- **Tamiera Redding** accepted the Discipline Specialist position and started on May 10, 2023.

UPCOMING MEETINGS: The upcoming meetings listed on the agenda:

- NCSBN Executive Officers Summit is scheduled for June 21-23, 2023 in Newport Beach, CA. Ms. Douglas will attend as the President of NCSBN BOD
- NCSBN BOD is scheduled for July 11-12, 2023 in Chicago, IL. Ms. Douglas will attend as the President of NCSBN BOD.
- **Please note** – NCSBN Annual Meeting is scheduled for August 16-18, 2023 in Chicago. Board Members who are interested in attending, please let Mr. Jones and Ms. Douglas know.
- The Committee of the Joint Boards of Nursing and Medicine business meeting & proceedings are scheduled for June 14, 2023 at 9 AM in Board Room 2 → Ms. Douglas noted that the Committee will only hold the formal hearing, there will be no business meeting.
- The Education Informal Conference Committee is scheduled for June 20, 2023 at 9 AM in Board Room 3.
- HPMP Presentation is scheduled for July 18, 2023 Board Business Meeting.
- Nursing and Nurse Aide Education Program Training Sessions:
 - Preparation and Regulation Review for Program Directors and Faculty of PN & RN Pre-Licensure Nursing Programs is scheduled on Tuesday, June 6, 2023, at DHP – Conference Center from 9 am to 12 noon.
 - **VIRTUAL** Orientation to Establish a Nurse Aide Education Program is scheduled for Thursday, June 8, 2023
 - Preparation and Regulation Review for Coordinators and Instructors of Nurse Aide Education Programs is scheduled on Thursday, June 22, 2023, at DHP – Conference Center from 1 pm to 4 pm.

Mr. Jones asked staff if there are modifications to the Agenda.

Ms. Douglas noted that on June 14, 2023, the business meeting of the Committee of the Joint Boards has been cancelled. The Committee will conduct a formal hearing only on that day.

Mr. Jones noted that Ms. Buchwald will not be available for the formal hearings in Panel A on Wednesday, May 24, 2023, due to family emergency.

CONSENT AGENDA:

The Board removed the following items from the consent agenda:

Mr. Jones removed **C1** – Board of Nursing Monthly Tracking Log, April 2022 – April 2023

Ms. Douglas removed **C3** – Executive Director Report

Mr. Hermansen-Parker moved to accept the items on consent agenda listed below as presented. The motion was seconded by Dr. Smith and carried unanimously.

Consent Agenda

B1 March 20, 2023	Formal Hearings
B2 March 21, 2023	Business Meeting
B3 March 22, 2023	Panel A – Formal Hearings
B4 March 22, 2023	Panel B – Formal Hearings
B5 March 23, 2023	Formal Hearings
B6 April 10, 2023	Telephone Conference Call
B7 May 8, 2023	Telephone Conference Call

C2 - Agency Subordination Recommendation Tracking Log

C4 – March 21, 2023, Disciplinary Committee Meeting Minutes

C5 – April 13, 2023 Committee of the Joint Boards of Nursing and Medicine Telephone Conference Call Minutes

C6 – HPMP Quarterly Report for January – March 2023

C7 – Dr. Hills’ April 11, 2023 APRN Roundtable Report

C8 – Ms. Morris’ NCSBN Midyear Meeting Report

C9 – Ms. Vu’s NCSBN Midyear Meeting Report

C10 – Dr. Parke’s NCSBN Midyear Meeting Report

C11 -Ms. Bargdill’s April 27-28, 2023 Massage Board Executive Summit Report

Discussion of Consent Agenda Items pulled:

C1 – Board of Nursing Monthly Tracking Log, April 2022 – April 2023

Mr. Jones noted that the Log is a 12-month tracking view instead of calendar year view and thanked Board staff for updating the tracking log.

Mr. Jones added that the Board closed the highest numbers of cases in April compared to the past 12 months.

C3 – Executive Director Report

Ms. Douglas added the following information to her report:

- Equipment update for the Conference Center is not completed yet as planned, additional improvements are coming.
- Application process – there are some issues with the automated robotic process, staff are working with IT to correct the issues.
- Operation Nightingale is requiring increased scrutiny & review of licensure applications.
- NCSBN announcement – Phil Dickinson has been selected as the new CEO for NCSBN effective 10/1/2023.
- Budget preparations are underway. Deputies worked together to provide proposals for review by Ms. Douglas.
- Legislative proposals underway – internal discussion is underway regarding transferring the adult immunization protocols' approval to VDH.
- Federal legislation – DHP is looking at federal requirements for the licensure portability for veterans and their spouses.
- Next Generation NCLEX (NGN) – started on April 1, 2023, no reports available yet but positive feedback received from faculty and students.

Dr. Smith moved to accept **C1** and **C3** as presented. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

DIALOGUE WITH DHP DIRECTOR OFFICE:

Mr. Owens provided the following information:

- May 1 was his six months anniversary at DHP and noted that Board staff are doing phenomenal work.
- Karen Shelton, MD, FACOG is the new State Health Commissioner
- Operational Improvements, such as BOX for digital case file management and bots are increasing efficiency.
- Compensation study is in process with the goal is to make DHP an attractive place to work.
- All staff training day occurred on April 25, 2023 and over 100 investigators attended the training
- Healthcare workforce is still the Governor's priority – phase 1 study is completed. Phase 2 & 3 are in process with the hope to have wrapped up in September 2023.
- Jim Jenkins, Chief Deputy Director, and Jaime Hoyle, Executive Director for Boards of Counseling, Psychology and Social Work, are representing DHP on the Governor's Right Help Right Now initiative to improve Behavioral Health

- 2023 General Assembly – workgroups are being developed and work is in process.
- 2024 – 2026 Biennial budget process is underway

Mr. Hogan asked if the new Health Commissioner is looking into work requirements for programs such as Medicaid.

Mr. Owens replied that he has not heard anything yet. Mr. Owens added that Virginia did expand Medicaid eligibility a few years back, but work requirements were not attached to it.

DISPOSITION OF
MINUTES:

None

REPORTS:

March 28, 2023 NCSBN Leadership Day:

Mr. Jones reported that the meeting was about contemporary governance reform and much of the discussion was evidence based, not of someone's opinions. Mr. Jones noted that it was a benefit to connect with many others across the country. Mr. Jones added that his takeaway was the highest performing teams are in an environment where psychological safety is a priority and where people get together and mingle.

March 29-30, 2023 NCSBN Midyear Meeting:

Mr. Jones reported that NCSBN is a leader in Artificial Intelligence (AI) and discussed using it in proctoring exams. Mr. Jones noted that ChatGPT cannot pass the NCLEX yet but can pass other national tests.

Ms. Douglas noted that remote proctoring of NCLEX will be voted on at the NCSBN Annual meeting.

M. Jones stated that at the President's meeting it was reported that the National Association of Clinical Nurse Specialists (CNS) is working on classifying CNS as Advanced Practice Registered Nurses (APRN) and it could take till 2028 to have this change takes place.

Ms. Douglas added that IV Hydration and compounding were also addressed. Representatives around the country have met with FDA and DEA with concerns regarding these practices. Virginia has not received any cases as yet.

Mr. Jones added that great information is available in NCSBN Hive and encouraged Board Members to review.

OTHER MATTERS:

Board Counsel Update:

Ms. Booberg stated that she has nothing to report. Ms. Booberg noted that it

is a pleasure to work with the Board Members and thankful for staff for their assistance.

D1 – 2024 Dates for Board Meetings and Hearings:

Mr. Jones reminded Board Members to keep a copy of D1 for future reference.

D2 – Informal Conference (IFC) Schedule from July to December 2023:

Mr. Jones reminded Board Members to keep a copy of D2 for future reference.

Ms. Morris noted that Thursday, August 3, 2023 is now a Special Conference Committee day.

D3 – NCSBN International Guiding Principles for Telehealth Nursing:

Mr. Jones noted that this is provided for information only.

- **REMINDER** of Additional Formal Hearings in June 2023:
 - **Thursday, 6/1/2023** – Board Members are Ms. Swineford (**Chair**), Dr. Dorsey, Ms. Friedenber, Mr. Hogan, Dr. Parke and Ms. Peterson, LMT
 - **Monday, 6/5/2023** – Board Members are Mr. Jones (**Chair**), Ms. Cartte, Dr. Gleason, Mr. Hermansen-Parker, Ms. McElfresh, Ms. Shah, and Dr. Smith

Ms. Douglas thanked Board Members for their participation in extra formal hearing days.

Digital Access to Board Business Meeting in BOX:

Ms. Douglas stated that the Board is working on making business materials available in BOX and Mr. Jones will be piloting for the next meeting. Ms. Douglas added that if any Board Members are interested in piloting, please let Ms. Vu know.

Updating on Digital Case Management:

Ms. Bargdill noted that the digital process started in Nursing on May 2022. Cases are received by staff from Enforcement. Board staff is involved in process mapping and testing so that eventually cases will be moved into BOX from the Board of Nursing to Administrative Proceedings Division (APD).

Ms. Morris noted that she has been involved in all the workgroups. Ms. Morris added that Offline cases, cases that do not meet a threshold for violation of laws and regulations, are now processed 100% in BOX.

Journal of Nursing Regulation – April 2023 – Discuss materials provided, Mr. Jones and Ms. Douglas

- *Assessing the Impact of COVID-19 Pandemic on Nursing Education: A*

National Study of Prelicensure RN Programs
➤ *The 2022 National Nursing Workforce Survey*

Ms. Douglas stated that Dr. Shobo's work is also included in *The 2022 National Nursing Workforce Survey*. Ms. Douglas added that Dr. Shobo is the Executive Director for the DHP Healthcare Workforce Data Center (HWDC).

Ms. Douglas noted that according to the survey, 800K registered nurses (RN) intend to leave the workforce by 2027, 100K RNs left the workforce since 2020, and the expectation of about 650K nurses will leave the workforce over the next 10 years.

The Board noted the following issues indicated in the two publications:

- Academic/practice gap
- Readiness to practice indicator
- Resiliency training into Leadership management courses
- Retired faculty mentor junior nurses after retirement
- Transition to practice for new grads
- Burnout which leads to increase in errors

Mr. Owens left the meeting at 9:55 A.M.

PUBLIC COMMENT: None was received

Mr. Jenkins left the meeting at 10:11 A.M.

EDUCATION:

Education Update:

Ms. Wilmoth reported the following:

Nurse Aide Education Programs Update

- Christine Smith held an education seminar for nurse aide education programs at Germanna Community College to review regulatory requirements on March 27, 2023 with 31 participants.
- Christine Smith held an education seminar for nurse aide education programs at Radford University to review regulatory requirements on May 9, 2023 with 20 participants.
- New Regulations – program feedback has been mostly positive and the less restrictive requirements for the primary instructor have proven to be beneficial for programs that may have been placed inactive without this change.
- 140-hour requirement went into effect May 12, 2023.

Medication Aide Program Updates

- Christine Smith held a virtual education seminar for medication aide programs to review regulatory requirements on May 18, 2023 with 72 participants. Feedback during the session was very positive. We provided a survey.
- Board staff continue to work with PSI on item development for the registration exam.

Nursing Education Programs Updates

- Randall Mangrum held an education seminar for nurse aide education programs at Germanna Community College to review regulatory requirements on March 27, 2023.
- Randal Mangrum held an education seminar for nurse aide education programs at Radford University to review regulatory requirements on May 9, 2023.
- 2023 First quarter NCLEX update.
 - PN: There were 30 programs that had first time test takes –11 with pass rates <80% (36.7% of programs that tested are less than 80% which is significantly greater than last year (19%). For first quarter VA is above national average.
 - RN: There were 55 programs with first time testers—21 with first time pass rates below 80%. (38% compared to 40.4% in 2022) For first quarter VA is above national average.
- Next Generation NCLEX (NGN) Preview Exam is available on www.nclex.com and NGN launched April 1, 2023 for RN and PN. Ms. Swineford, Dr. Parke and Dr. Mangrum had the opportunity to preview NGN.
 - From NCSBN: Historically, NCLEX candidates have been given the opportunity to question exam items and provide feedback. They can do so in two ways, at the point of exam administration or through a Review and Challenge request. Candidates can, free of charge, question any exam item and provide feedback while taking the exam. Separately, the Review and Challenge is a formal process with an associated cost by which candidates may submit a request to their nursing regulatory body (NRB) if they have concerns regarding NCLEX items. Both processes accomplish the goal of providing a venue for candidates to question exam items and provide feedback. Currently, not all NRBs offer candidates the option to pursue the Review and Challenge process and NCSBN receives very few Review and Challenge requests. Additionally, the launch of the Next Generation NCLEX introduces case scenarios that include six exam items. If one item in a case scenario is associated with a Review and Challenge, the remaining five items are subject to undue exposure, posing an unwarranted threat to our item bank robustness.

- As a result, effective April 1, 2023, NCSBN will discontinue the formal Review and Challenge process and will continue to allow candidates' the ability to question exam items during exam administration. NCSBN will ensure that all candidate feedback is analyzed and that any irregularities are reported to the NCLEX Examination Committee.

RECESS: The Board recessed at 10:21 A.M.

RECONVENTION: The Board reconvened at 10:33 A.M.

VIRTUAL Presentation regarding Consideration of Alternate International Credential Review Agency – **Josef Silny & Associates, Inc., International Education Consultants**

➤ Presentation's Materials

Ms. Willinger noted that the presentation's materials were provided to the Board at its March 2023 meeting and Mr. Silny's participating today virtually to answer any additional questions the Board has. Ms. Willinger added that the Board is required by the 2023 General Assembly to have multiple credential agencies in place by July 1, 2023.

Mr. Silney provided the following information:

- 27 boards of nursing accept their evaluations
- Has translation department
- The cost is \$400 charge to applicant and report is provided to applicant and the Board
- It takes about 15 business days for the evaluation to be completed
- So far in 2023, they received 3,371 applications
- Applicants pay the fee directly to Silney and the Board is not involved in this part of the process

Ms. McElfresh moved to accept Josef Silny & Associates, Inc., as an Alternate International Credential Review Agency. The motion was seconded by Dr. Parke and carried unanimously.

LEGISLATION/
REGULATION:

Mr. Novak reported the following on behalf of Ms. Barrett:

F1 Chart of Regulatory Actions

Mr. Novak provided an overview of the regulatory actions found in the chart.

F2 Consideration of Exempt Regulatory Changes to 18VAC90-30 and 18VAC90-40 to reflect Terminology change from "Nurse Practitioner" to "Advanced Practice Registered Nurse (APRN)" in SB975 of the 2023 General Assembly

Mr. Novak noted that this action will be reviewed by the Board of Medicine at its June 22, 2023 meeting.

Mr. Hermansen-Parker moved to amend 18VAC90-30 and 18VAC90-40 as presented by exempt action effective July 1, 2023. The motion was seconded by Ms. Shah and carried unanimously.

Mr. Owens rejoined the meeting at 11:03 A.M.

F3 – Consideration of Exempt Regulatory Changes to 18VAC90-15-10 to allow Agency Subordinates to hear credential cases in HB1622 of the 2023 General Assembly

Mr. Novak noted that due to regulatory review timelines, these changes will be effective November 22, 2023 or sooner.

Mr. Hermansen-Parker moved to amend 18VAC90-15-10 as presented by exempt action effective July 1, 2023. The motion was seconded by Dr. Smith and carried unanimously.

F4 - Consideration of Notice of Changes to Guidance Document 90-38 (Disposition of Disciplinary Cases against Practitioners Practicing on Expired Licenses or Registrations) and Repeal of Guidance Document 90-61 (Disposition of Disciplinary Cases against CNA's and RMA's Practicing on Expired Certificates or Registrations)

Mr. Novak noted that as part of a directive from the Governor's office, the policy office has reviewed Board of Nursing guidelines for revision.

Dr. Parke moved to amend Guidance Document 90-38 as presented. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

Dr. Parke moved to repeal Guidance Document 90-61. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

F5 – Consideration of Amendment to GD 90-62 (Medication Administration Training Curriculum)

Mr. Hermansen-Parker moved to amend GD 90-62 as presented. The motion was seconded by Ms. Shah and carried unanimously.

F6 - Consideration of Repeal of GD 90-34 (Board Motion on Review and Challenge of NCLEX)

Dr. Parke moved to repeal GD 90-34. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

F7 - Consideration of Repeal of GD 90-39 (Indefinite Suspension Timeframes)

Dr. Smith moved to repeal GD 90-39. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

F8 - Consideration of Repeal of GD 90-42 (Reinstatement following Mandatory Suspension)

Mr. Hermansen-Parker moved to repeal GD 90-42. The motion was seconded by Ms. Shah and carried unanimously.

CONSIDERATION OF CONSENT ORDERS:

G1 – Ania B. Ramondo, RN

0001-246631

Ms. Shah moved that the Board of Nursing accept the consent order to reprimand **Ania B. Ramondo** and to suspend her license to practice professional nursing in the Commonwealth of Virginia with suspension stayed contingent upon:

- Ms. Ramondo’s continued compliance with all terms and conditions of the Virginia Health Practitioners’ Monitoring Program (HPMP) for the period specified by the HPMP; and
- Within 60 days from the date of entry of the Order, Ms. Ramondo shall provide written proof satisfactory to the Board of successful completion of Board-approved courses of at least 3 credit hours in the subject of professional boundaries in nursing.

The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G2 – Phyllis C. Jenkins, LPN

0002-069032

Ms. Shah moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Phyllis C. Jenkins** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G4 – Logan Truslow, RN

0001-295074

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:22 A.M., for the purpose of deliberation to reach a decision in the matter of **Logan Truslow, RN**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Bargdill, Ms. Vu and Ms. Booberg 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. Hermansen-Parker and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:25 A.M.

Dr. Gleason 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 by Mr. Hermansen-Parker and carried unanimously.

Dr. Smith moved that the Board of Nursing accept the consent order to indefinitely suspend the license of **Logan Truslow** to practice professional in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G3 – Jasmine Stephenson, RN

0001-268490

Mr. Hermansen-Parker recused himself from considering since he is aware of the case.

Ms. McElfresh moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the license of **Jasmine Stephenson** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

E1 – April 18, 2023 Education Informal Conference Committee DRAFT minutes

Ms. Shah moved to accept the minutes as presented. The motion was seconded by Ms. Swineford and carried unanimously.

RECESS: The Board recessed at 11:44 A.M.

RECONVENTION: The Board reconvened at 1:03 P.M.

CONSIDERATION OF POSSIBLE SUMMARY SUSPENSION:

Case 226466/223403/213997/203512

Sean Murphy, Senior Assistant Attorney General, and Melissa Armstrong, Adjudication Specialist, Administrative Proceedings Division, joined the meeting at 1:03 P.M.

Sean Murphy, Senior Assistant Attorney General, presented evidence that the continued practice of practical nursing by, **Jennifer G. Webb LPN (0002-097390)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 1:07 P.M., for the purpose of deliberation to reach a decision in the matter of **Jennifer G. Webb, LPN**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Bargdill, Ms. Vu and Ms. Booberg 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. Hermansen-Parker and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:19 P.M.

Dr. Gleason 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 by Ms. Buchwald and carried unanimously.

Dr. Parke moved to summarily suspend the license of **Jennifer G. Webb** to practice practical nursing pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license for a period of not less than two years from the date of entry of the Order in lieu of a formal hearing. The motion was seconded by Ms. Shah and carried unanimously.

Mr. Murphy left the meeting at 1:21 P.M.

Case 221199

Amanda C. Padula-Wilson, Assistant Attorney General, joined the meeting at 1:21 P.M.

Amanda C. Padula-Wilson, Senior Assistant Attorney General, presented evidence that the continued practice as a certified nurse aide by **Shelby J. Lavoie, CNA (1401-099957)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 1:32 P.M., for the purpose of deliberation to reach a decision in the matter of **Shelby J. Lavoie, CNA**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Bargdill, Ms. Vu and Ms. Booberg 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. Hermansen-Parker and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:40 P.M.

Dr. Gleason 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 by Ms. Buchwald and carried unanimously.

Ms. Shah moved to summarily suspend the certificate of **Shelby J. Lavoie** to practice as a nurse aide pending a formal administrative hearing and to offer a consent order for revocation of her certificate and a Finding of Abuse in lieu of a formal hearing. The motion was seconded by Dr. Smith and carried unanimously.

RECESS: The Board recessed at 1:41 P.M.

RECONVENTION: The Board reconvened at 1:50 P.M.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

#3 – Syble Elaine Craig Hallstrom, RN

0001-277238

Ms. Hallstrom appeared and addressed the Board.

CLOSED MEETING: Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:00 P.M. for the purpose of considering the agency subordinate recommendation regarding **Syble Elaine Craig Hallstrom**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Bargdill, Ms. Morris, Ms. Vu, and Ms. Booberg, 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:12 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 Mr. Hermansen-Parker and carried unanimously.

Dr. Parke moved that the Board of Nursing modify the recommendation of the agency subordinate to reprimand **Megan Rigney Ortiz** and to indefinitely suspend her license to practice professional nursing in the Commonwealth of Virginia until she pays a monetary fine of \$300.00. The motion was seconded

by Ms. McElfresh and carried with 10 votes in favor of the motion. Dr. Smith opposed the motion.

#18 – Angel Renee Owens, RMA

0031-013156

#19 – Angel Renee Owens, CNA

1401-157911

Ms. Owens appeared and addressed the Board.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:16 P.M. for the purpose of considering the agency subordinate recommendation regarding **Angel Renee Owens**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Bargdill, Ms. Morris, Ms. Vu, and Ms. Booberg, 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:29 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 Mr. Hermansen-Parker and carried unanimously.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registration of **Angel Renee Owens** to practice as a medication aide in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order. The motion was seconded by Ms. Shah and carried with seven votes in favor of the motion. Ms. Cartte, Ms. Friedenberg, Dr. Parke and Dr. Smith opposed the motion.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of **Angel Renee Owens** to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order. The motion was seconded by Ms. Shah and carried unanimously.

#1 – Christine Marie Jordan, LPN

0002-097124

Ms. Jordan did not appear but submitted a written response.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Christine Marie Jordan** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#4 – Margo C. Rose, CNA

1401-118961

Ms. Rose did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of **Margo C. Rose** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#7 – Sophia Louise Howard, RMA

0031-002433

Ms. Howard did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the registration of **Sophia Louise Howard** to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#8 – Sophia Louise Howard, CNA

1401-07996

Ms. Howard did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Sophia Louise Howard** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#9 – Jennifer Marie Bookard Smith, CNA

1401-036208

Ms. Smith did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Jennifer Marie Bookard Smith** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#10 – Chinelo Joy Osogu, CNA

1401-155098

Ms. Osogu did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Chinelo Joy Osogu** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#11 – Donna Kaye Martin, CNA

1401-188307

Ms. Martin did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Donna Kaye Martin** to

practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#12 – Heather Nicole Fix, LPN

0002-077629

Ms. Fix did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Heather Nicole Fix** and to indefinitely suspend her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Shah and carried unanimously.

#13 – Mary Ann McCloud, RN

0001-265271

Ms. McCloud did not appear but submitted a written response.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Mary Ann McCloud** to practice professional nursing in the Commonwealth of Virginia for a period of not less than one year from the date of entry of the Order. The motion was seconded by Ms. Shah and carried unanimously.

#15 – Wanda Malone, RN

0001-279129

Ms. Malone did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate reprimand **Wanda Malone** and within 90 days from the date of entry of the Order, Ms. Malone shall provide written proof satisfactory to the Board of successful completion of Board-approved course(s) of at least eight contact hours in the subject of critical care nursing. The motion was seconded by Ms. Shah and carried unanimously.

#16 – Thiada Y Holmes, LPN

0002-080255

Ms. Holmes did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate reprimand **Thiada Y Holmes** and within 90 days from the date of entry of the Order, Ms. Malone shall provide written proof satisfactory to the Board of successful completion of Board-approved course(s) of at least three contact hours in each of the subjects of professional accountability and legal liability and proper handling and documentation of medications. The motion was seconded by Ms. Shah and carried unanimously.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:37 P.M. for

the purpose of considering the agency subordinate recommendations regarding **#2, #5, #6 and #14**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Bargdill, Ms. Vu, and Ms. Booberg, 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 Ms. Shah and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:03 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 Mr. Hermansen-Parker and carried unanimously.

#2 – Susan Marie Brown, RN

0001-166136

Ms. Brown did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Susan Marie Brown** with suspension stayed upon of Ms. Brown's entry into a contract with Virginia Health Practitioners' Monitoring Program (HPMP) within 90 days of the date of entry of the Order and comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Shah and carried unanimously.

#5 – Kimberly Diane Cole, RN

0001-186314

Mr. Cole did not appear.

Dr. Smith moved that the Board of Nursing reject the recommended decision of the agency subordinate and refer the matter regarding **Kimberly Diane Cole** to a formal hearing. The motion was seconded by Dr. Parke and carried unanimously.

#6 – Tina Marie Pascua, RN

0001-144543

Ms. Pascua did not appear.

Mr. Jones and Ms. Shah disclosed that they are aware of Ms. Pascua's employment at the hospital but does not know Ms. Pascua. They added that they feel they can evaluate objectively. There was no objection to their participation from the Board.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Tina Marie Pascua** and to place her

on probation with terms and conditions. The motion was seconded by Dr. Smith and carried unanimously.

#14 – Sarah C. Steffens Livingston, RN **0001-209921**
Ms. Lovington did not appear but submitted a written response.

Dr. Gleason moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand **Sarah C. Steffens Livingston** and to require Ms. Livingston continue compliance with all terms and conditions of her Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and any subsequent Contracts for the period specified in the Contact. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

RECESS: The Board recessed at 3:05 P.M.

RECONVENTION: The Board reconvened at 3:11 P.M.

#21 – Trevon Molock, CNA **1401-209948**
Mr. Molock did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Trevon Molock** and enter a Finding of abuse against him in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Swineford and carried unanimously.

#22 – Jessica N. Bailey, CNA **1401-208159**
Ms. Bailey did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of **Jessica N. Bailey** to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than two years from the date of entry of the Order. The motion was seconded by Ms. Swineford and carried unanimously.

#25 – John Henry O'Donald, RN **0001-143691**
Mr. O'Donald did not appear.

Mr. Hermansen-Parker disclosed that he is aware of Mr. O'Donald's employment at the hospital but do not know Mr. O'Donald. Mr. Hermansen-Parker added that he feels he can evaluate objectively. There was no objection to his participation from the Board.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of John Henry

O'Donald to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Swineford and carried unanimously.

#26 – Erin E. Beck, RN
Ms. Beck did not appear.

0001-217887

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no further action at the time contingent upon Erin E. Beck's entry into the Virginia Health Practitioners' Monitoring Program (HPMP) within 90 days from the date of entry of the Order and comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Swineford and carried unanimously.

#32 – Barbara A. Etheridge, CNA
Ms. Etheridge did not appear.

1401-207684

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Barbara A. Etheridge** to practice as a nurse aide in the Commonwealth of Virginia and enter Findings of Abuse and Neglect against her in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Swineford and carried unanimously.

CLOSED MEETING:

Dr. Gleason moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:16 P.M. for the purpose of considering the agency subordinate recommendations regarding **#17, #20, #23, #24, #27, #28, #29, #30 and #31**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Bargdill, Ms. Vu, and Ms. Booberg, 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 Ms. Shah and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:04 P.M.

Dr. Gleason moved that the Board of Nursing certify that it heard, discussed and 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 Mr. Hermansen-Parker and carried unanimously.

#17 – Nyola Gwen Shaw, LPN

0002-093042

Ms. Shaw did not appear but submitted a written response.

Ms. Shah moved that the Board of Nursing accept the recommended decision of the agency subordinate to place **Nyola Gwen Shaw** on indefinitely probations with terms and conditions for a period of not less than two years for the date of entry of the Order. The motion was seconded by Ms. Swineford and carried unanimously.

#20 – Mittle Essie Caines, CNA

1401-120726

Mr. Canes did not appear.

Ms. Cartte moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Mittle Essie Caines** and within 60 days from the date of entry of the Order, Ms. Caines shall provide written proof satisfactory to the Board of successful completion of at least four contact hours of continuing education in each of the following subjects: professional accountability, ethics and professionalism, and disciplinary actions: what every CNA should know. The motion was seconded by Ms. Swineford and carried with six votes in favor of the motion. Ms. Friedenber, Dr. Gleason, Mr. Hogan, Dr. Parke and Dr. Smith opposed the motion.

#23 – Roger Ingram Morrison, CNA

1401-081001

Mr. Morrison did not appear.

Ms. Cartte moved that the Board of Nursing accept the recommended decision of the agency subordinate that within 60 days from the date of entry of the Order, **Roger Ingram Morrison** shall provide written proof satisfactory to the Board of successful completion of a Board-approved course of five credit hours in professional accountability. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

#24 – Renee Seher Allen, RN

0001-229885

Ms. Allen did not appear but submitted a written response.

Ms. Cartte moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer the matter regarding **Renee Seher Allen** to a formal hearing. The motion was seconded by Dr. Parke and carried unanimously.

#27 – Kimberly Lewis, CNA

1401-202660

Ms. Lewis did not appear.

Dr. Parke moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Kimberly Lewis** to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded by Dr. Smith and carried with nine votes in favor of the motion. Ms. Cartte and Mr. Hogan opposed the motion.

#28 – Tammy Lynn Sonier, LPN

0002-083712

Ms. Sonier did not appear but submitted written response.

Dr. Gleason moved that the Board of Nursing amended the recommended decision of the agency subordinate as follows:

- In Finding of Facts and Conclusions Law #2d to read *“In her March 11, 2022, interview with the investigator for the Virginia Department of Health Professions, Respondent stated that she consumes one to two alcoholic drinks on night in which she is scheduled to work the following day, and three to four drinks on nights that she does not scheduled to work the following day. She reported consuming alcohol three to four days per week.”*
- Reprimand **Tammy Lynn Sonier**
- Within 90 days from the date of entry of the Order, Ms. Sonier shall provide written proof satisfactory to the Board of successful completion of a minimum of three contact hours in each of the subjects of ethics and professionalism in nursing, and medication administration
- The Board shall take no further action at this time, contingent upon Ms. Sonier’s entry into the Virginia Health Practitioners’ Monitoring Program (HPMP) within 60 days from the date of entry of the Order, and comply with all terms and conditions of the HPMP for the period specified by the HPMP.

The motion was seconded by Ms. Friedenbergl and carried unanimously.

#29 – Janet Ann-Marie Dean, LPN

0002-046031

Ms. Dean did not appear.

Dr. Gleason moved that the Board of Nursing amend the recommended decision of the agency subordinate:

- Move Findings of Fact and Conclusions of Law # 3 after existing #5
- Add *“In case 221327”* to the beginning of existing Findings of Fact and Conclusions of Law # 4
- The Board dismissed case number 206367
- Regarding case number 221327:
 - Reprimand Janet Ann-Marie Dean
 - Within 90 days from the date of entry of the Order, Ms. Dean shall provide written proof satisfactory to the Board of successful completion of three contact hours of continuing education in each of following courses: ethics & professionalism in nursing, proper handling & documentation of medication, and professional accountability & legal liability for nurses,

The motion was seconded by Dr. Smith and carried unanimously.

#30 – Deborah Tibbs Covey, LPN

0002-071332

Ms. Covey did not appear.

Dr. Gleason moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Deborah Tibbs Covey** to practice practical nursing in the Commonwealth of Virginia with suspension stayed contingent upon proof of Ms. Covey's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and comply with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Dr. Smith and carried unanimously.

#31 – Jeffrey M. Hubble, RN

0001-186407

Mr. Hubble did not appear.

Dr. Gleason moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand **Jeffrey M. Hubble** and to indefinitely suspend his license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

CONSIDERATION OF April 18, 2023 EDUCATION INFORMAL CONFERENCE COMMITTEE RECOMMENDATIONS:

Mr. Hermansen-Parker and Dr. Smith left the meeting at 4:05 P.M.

Mr. Hermansen-Parker and Dr. Smith rejoined the meeting at 4:07 P.M.

Ms. McElfresh moved that the Board of Nursing accept the recommendations of the Education Informal Conference Committee to continue the approval of the following programs on **CONDITIONAL APPROVAL**, subject to their 2023 and 2024 NCLEX passage rate meeting or exceeding 80%:

- **E1-A** J. Sergeant Reynolds Community College, Richmond, Associate Degree Program, US28406300M&M
- **E1-B** Germanna Community College, Locust Grove, Practical Nursing Program, US28104000
- **E1-C** Virginia Highlands Community College, Abingdon, Practical Nursing Program, US28110800

The motion was seconded by Ms. Cartte and carried unanimously.

- **E1-D** Medical Learning Center, Fairfax, Practical Nursing Education Program, US28110500

Ms. McElfresh moved that the Board of Nursing accept the recommendation of the Education Informal Conference Committee to withdraw the approval of Medical Learning Center, Practical Nursing Program, Fairfax, to operate a practical nursing education training program and shall be closed no later than December 31, 2023. The motion was seconded by Ms. Cartte and carried unanimously.

MEETING DEBRIEF:

Board Members listed the following positive aspects of the meeting:

- VIRTUAL Presentation regarding Consideration of Alternate International Credential Review Agency from Josef Silny & Associates, Inc., International Education Consultants, was fantastic. Detail explanation from Mr. Silny help the Board to have better understanding.
- Appreciation for the publications from the Journal of Nursing Regulation
- Matthew Novak is very knowledgeable about regulations/legislation
- Recognition lunch for Former Board Counsel was great

Board Members made the following suggestions for improvement:

- Don't apologize for pulling recommendations for discussion in closed meeting
- Need more mental breaks during the meeting

ADJOURNMENT:

The Board adjourned at 4:19 P.M.

Brandon A. Jones, MSN, RN, CEN, NEA-BC
President