

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Wednesday September 13, 2023**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:13 A.M., on September 13, 2023, in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Ann T. Gleason, PhD, Citizen Member, Chair
Delia Acuna, FNP-C
Laurie Buchwald, MSN, WHNP, FNP
Victoria Cox, DNP, RN
Margaret Friedenberg, Citizen Member
Paul Hogan, Citizen Member
Shantell Kinchen, LPN
Helen Parke, DNP, FNP-BC
Robert Scott, RN
Dawn Hogue, LMT - **2pm case only**

STAFF PRESENT:

Jay P. Douglas, RN, MSM, CSAC, FRE; Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
Advanced Practice – **9 am and 11 cases only**
Lelia Claire Morris, RN, LNHA; Deputy Executive Director - **1 pm case
only**
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director – **2 pm
case only**
Sylvia Tamayo-Suijk, Senior Nursing Discipline Specialist

OTHERS PRESENT:

Laura Booberg, Assistant Attorney General

**ESTABLISHMENT OF
A PANEL:**

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

FORMAL HEARINGS:

**Lucricia Marie Smith, CNA, RMA Reinstatement Applicant
1401-099668, 0031-005506**

Ms. Smith appeared.

Lori Pound, Adjudication Consultant, Administrative Proceedings
Division represented the Commonwealth. Ms. Booberg was legal counsel
for the Board. Dina Lotito, court reporter, recorded the proceedings.

Marissa Snyder, Senior Investigator, Enforcement Division, was present
and testified.

CLOSED MEETING: Mr. Hogan moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 9:53 A.M., for the purpose of deliberation to reach a decision in the matter of **Lucricia Marie Smith**. Additionally, Mr. Hogan moved that Ms. Douglas, Dr. Hills, Ms. Tamayo-Suijk 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 seconded by Dr. Cox and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:31 A.M.

Mr. Hogan 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. Scott and carried unanimously.

ACTION: Ms. Buchwald moved that the Board of Nursing approve the application for reinstatement of the certificate of **Lucricia Marie Smith** to practice as a nurse aide in the Commonwealth of Virginia and approve the application for reinstatement of the registration of **Lucricia Marie Smith** to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Dr. Cox and carried unanimously.

This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

RECESS: The Board recessed at 10:32 A.M.

RECONVENTION: The Board reconvened at 11:01 A.M.

FORMAL HEARINGS: **William Alvis James, III, RN** **0001-296613**

Mr. James appeared.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Dina Lotito, court reporter, recorded the proceedings.

Beatrice Shaw, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Ms. Kinchen moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:54 A.M., for the purpose of deliberation to reach a decision in the matter of **William Alvis James, III**. Additionally, Ms. Kinchen moved that Ms. Douglas, Dr. Hills, Ms. Tamayo-Suijk, 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 seconded by Ms. Friedenberg and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:26 P.M.

Ms. Kinchen 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. Friedenberg and carried unanimously.

ACTION: Ms. Buchwald moved that the Board of Nursing deny the application for **William Alvis James, III** to reinstate his license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Scott and carried with seven votes in favor. Dr. Cox and Ms. Kinchen opposed the motion.

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Dr. Hills left the meeting at 12:27 P.M.

Ms. Morris joined the meeting at 1:13 P.M.

FORMAL HEARINGS: **Sandrika Datrece Taylor, LPN 0002-080064**

Ms. Taylor did not appear.

Michael Parsons, Adjudication Consultant, Administrative Proceedings Division, and David Robinson, Assistant Attorney General, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Dina Lotito, court reporter, recorded the proceedings.

Brittany Kitchen, Senior Investigator, Enforcement Division, Kimberly Martin, Senior Investigator, Enforcement Division, Brian Stevenson, NHA, former administrator at Signature Healthcare, Cyre Frederick, LPN, at Signature Healthcare, Rheanna Laughlin, CNA at Waverly Rehab and Healthcare Center were present and testified.

RECESS: The Board recessed at 1:51 P.M.

RECONVENTION: The Board reconvened at 2:05 P.M

CLOSED MEETING: Mr. Scott moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:44 P.M., for the purpose of deliberation to reach a decision in the matter of **Sandrika Datrece Taylor**. Additionally, Mr. Scott moved that Ms. Douglas, Ms. Morris, Ms. Tamayo-Suijk 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 seconded by Ms. Acuna and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:06 P.M.

Mr. Scott 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. Acuna and carried unanimously.

ACTION: Dr. Parke moved that the Board of Nursing indefinitely suspend the license of **Sandrika Datrece Taylor** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Cox and carried unanimously.

This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

Ms. Morris and Ms. Buchwald left the meeting at 3:07 P.M.

Ms. Hogue and Ms. Bargdill joined the meeting at 3:24 P.M.

FORMAL HEARINGS: **Mohamed Bhana, LMT** **0019-017283**

Mr. Bhana appeared, accompanied by Bruce Fickley, his legal counsel.

Anne Joseph, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Booberg was legal counsel for the Board. Dina Lotito, court reporter, recorded the proceedings.

Alan Burton, Senior Investigator, Enforcement Division, Client "A" and Client "B" were present and testified.

RECESS: The Board recessed at 4:49 P.M.

RECONVENTION: The Board reconvened at 4:59 P.M

RECESS: The Board recessed at 5:48 P.M.

RECONVENTION: The Board reconvened at 6:04 P.M

CLOSED MEETING: Dr. Cox moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 7:02 P.M., for the purpose of deliberation to reach a decision in the matter of **Mohamed Bhana**. Additionally, Dr. Cox moved that Ms. Douglas, Ms. Bargdill, Ms. Tamayo-Suijk 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 seconded by Ms. Friedenbergs and carried unanimously.

RECONVENTION: The Board reconvened in open session at 7:40 P.M.

Dr. Cox 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. Friedenbergs and carried unanimously.

ACTION: Ms. Hogue moved that the Board of Nursing revoke the license of **Mohamed Bhana** to practice massage therapy in the Commonwealth of Virginia. The motion was seconded by Dr. Parke and carried with eight votes in favor. Ms. Kinchen opposed the motion.

Virginia Board of Nursing
Formal Hearings
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This decision shall be effective upon entry by the Board of a written Order stating the findings, conclusion, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 7:41 P.M.

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