VIRGINIA BOARD OF NURSING SPECIAL CONFERENCE COMMITTEE A INFORMAL CONFERENCES December 8, 2022

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was

convened at 9:08 A.M., on December 8, 2022, in Training Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Cynthia M. Swineford, MSN, RN, CNE, Chairperson

James L. Hermansen-Parker, MSN, RN, PCCN-K Erin C. O. Osiol, MSW, LMT – LMT cases only

STAFF PRESENT: Patricia L. Dewey, RN, BSN, Discipline Case Manager

ADMINISTRATIVE

PROCEEDINGS Tammie Jones, Adjudication Consultant
STAFF PRESENT: Michael Parsons, Adjudication Consultant
David Kazzie, Adjudication Consultant

CONFERENCE

SCHEDULED: Ashante Johnson, RMA, CNA 0031-007969 / 1401-148368

Ms. Johnson appeared.

CLOSED MEETING: Mr. Hermansen-Parker 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 9:34 A.M. for the purpose of deliberation to reach a decision in the matter of Ashante Johnson. Additionally, Mr. Hermansen-Parker moved that Ms. Dewey and Ms. Jones 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.

Mr. Hermansen-Parker 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: Mr. Hermansen-Parker moved to Issue an Order of Reprimand to Ashante

Johnson for both her Medication Aide registration and her Nurse Aide

certification. 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. Johnson, unless a written request to the Board for a formal hearing on the allegations made against her is

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received from Ms. Johnson 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: Yande Zhang, LMT

0019-011690

Yande Zhang did not appear.

Based upon information provided by Ms. Jones, Ms. Swineford ruled that adequate notice was provided to Yande Zhang.

CLOSED MEETING:

Mr. Hermansen-Parker 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 10:03 A.M. for the purpose of deliberation to reach a decision in the matter of Yande Zhang. Additionally, Mr. Hermansen-Parker moved that Ms. Dewey and Ms. Jones 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 10:06 A.M.

Ms. Osiol 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. Osiol moved to Offer Yande Zhang a Consent Order for the Indefinite Suspension of Yande Zhang's license to practice massage therapy 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 Yande Zhang and the Board. The motion was seconded and carried unanimously.

CONFERENCE SCHEDULED:

Bridget Ann Gardner, LMT 0019-007557

Ms. Gardner appeared, accompanied by her attorney, Margaret Hardy.

CLOSED MEETING:

Mr. Hermansen-Parker 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 11:29 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Gardner. Additionally, Mr. Hermansen-Parker moved that

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> Ms. Dewey and Mr. Parsons 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 12:06 P.M.

Ms. Osiol 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. Osiol moved to Offer Bridget Ann Gardner a Consent Order for the Indefinite Suspension of her license to practice massage therapy in lieu of a Formal Hearing, with said Suspension Stayed contingent upon verification of Ms. Gardner's entry into and remaining in compliance with HPMP. 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 Bridget Ann Gardner and the Board. The motion was seconded and carried unanimously.

RECESS:

The committee recessed at 12:08 P.M.

RECONVENTION:

The committee reconvened at 1:05 P.M.

CONFERENCE

SCHEDULED:

Alexandra Rose Lowry, LMT

0019-011971

Ms. Lowry appeared, accompanied by her attorney, Kimberly Gillespie, Steve Rosenthal, and Suzanne Lowry, Elizabeth Nagel, and Lynn Jaky.

CLOSED MEETING:

Mr. Hermansen-Parker 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 2:09 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lowry. Additionally, Mr. Hermansen-Parker moved that Ms. Dewey and Mr. Kazzie 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 2:35 P.M.

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Ms. Osiol 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. Osiol moved to Issue an Order to place Alexandra Rose Lowry on Probation with terms for two (2) years of employment as a Massage Therapist. 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. Lowry, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lowry 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.

ADJOURNMENT:

The Board adjourned at 2:45 P.M.

Patricia L. Dewey, RN, BSN Discipline Case Manager