

APPROVED

**VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
FORMAL ADMINISTRATIVE HEARING**

September 9, 2014

**Department of Health Professions
9960 Mayland Drive, Suite #300**

Henrico, Virginia

CALL TO ORDER: A panel of the Board was called to order at 12:46 p.m.

MEMBERS PRESENT: Tom Orsini, NHA, Chair
Karen Hopkins Stanfield, ALFA
Randy Scott, NHA, ALFA
Marj Pantone, ALFA
Doug Nevitt, ALFA
Dr. Warren Koontz, Citizen Member

MEMBERS ABSENT: Amanda Gannon, NHA
Shervonne Banks, Citizen Member
Derrick Kendall, NHA

BOARD COUNSEL: Erin Barrett, Assistant Attorney General

STAFF PRESENT: Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Missy Currier, Deputy Executive Director
Kathy Petersen, Discipline Operations Manager

COURT REPORTER: Andrea Pegram, Court Reporting Services, LLC

**PARTIES ON BEHALF OF
COMMONWEALTH:** David Kazzie, Adjudication Specialist

**COMMONWEALTH
WITNESS:** Laura Pezzulo, DHP Senior Investigator

MATTER SCHEDULED: **Michael Burns**
License No.: 1701-002467
Case No.: 157160

**ESTABLISHMENT OF A
QUORUM:** With six (6) members of the Board present, a quorum was established.

DISCUSSION: Mr. Burns appeared before the Board in person in accordance with the Board's Notice of Formal Hearing dated July 21, 2014. Mr. Burns was not represented by counsel.

Mr. Burns acknowledged he understood of the Order of Proceedings and stated it was his intent to proceed without counsel.

The Board received evidence and sworn testimony from the party called by the Commonwealth, regarding the matters as set forth in the Statement of Particulars.

CLOSED SESSION: Upon a motion by Karen Stanfield, and duly seconded by Doug Nevitt, the Board voted to convene a closed meeting at 1:32 p.m., pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Michael Burns. Additionally, she moved that Ms. Hahn, Ms. Barrett, Ms. Helmick, Ms. Petersen and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE: Upon a motion by Doug Nevitt, and duly seconded by Ms. Stanfield, the Board voted to re-convene at 1:58 p.m. and announced its decision.

CERTIFICATION: Ms. Stanfield certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, with the Board certifying unanimously.

DECISION: Upon a motion by Ms. Stanfield, and duly seconded by Mr. Scott, the Board made certain Findings of Fact and Conclusions of Law and voted to **REVOKE** the license Mr. Burns.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 2:01 p.m.

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

Thomas Orsini, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date