

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
PANEL A  
March 23, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:05 A.M., on March 23, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS

PRESENT: Brandon A. Jones, MSN, RN, CEN, NEA-BC; President  
Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President  
Laurie Buchwald, MSN, WHNP, FNP  
Teri Crawford Brown, RNC, MSN  
Ann T. Gleason, PhD, Citizen Member  
Dixie L. McElfresh, LPN

STAFF PRESENT: Jay Douglas, MSM, RN, CSAC, FRE, Executive Director  
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice  
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel  
Julia Bennett, Deputy Executive Director, Administrative Proceedings Division (APD)

ESTABLISHMENT OF  
A PANEL:

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

FORMAL HEARING:

**Deja Stokes, CNA** **1401-187560**

Ms. Stokes appeared.

Amanda Wilson, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Marie Whisenand, Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Scott Dillon, Senior Investigator, Enforcement Division, and Kacey Thomas were present and testified.

CLOSED MEETING:

Ms. Buchwald moved that the Board of Nursing 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 deliberation to reach a decision in the matter of **Deja Stokes**. Additionally, Ms. Buchwald moved that Ms. Douglas, Dr. Hills, 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 Board in its deliberations. The motion was seconded by Dr. Smith and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:23 A.M.

Ms. Buchwald 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 Dr. Smith and carried unanimously.

ACTION: Dr. Gleason moved that the Board of Nursing reprimand **Deja Stokes**. The motion was seconded by Dr. Smith 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.

FORMAL HEARING: **Sara L. Berry, LPN Reinstatement Applicant** **0002-082054**

Ms. Berry did not appear.

Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Marie Whisenand, court reporter with Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Anna Badgley, former Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Ms. Buchwald moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(16) of the Code of Virginia at 11:52 A.M., for the purpose of deliberation to review the medical records of **Sara L. Berry**. Additionally, Ms. Buchwald moved that Ms. Douglas, Dr. Hills, Ms. Goode, Mr. Rutkowski, Ms. Badgley and Ms. Whisenand 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. Smith and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:57 A.M.

Ms. Buchwald 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 Dr. Smith and carried unanimously.

CLOSED MEETING: Ms. Buchwald moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:59 A.M., for the purpose of deliberation to reach a decision in the matter of **Sara L. Berry**. Additionally, Ms. Buchwald moved that Ms. Douglas, Dr. Hills, Ms. Goode and Mr. Rutkowski 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. Smith and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:08 P.M.

ACTION: Dr. Smith moved that the Board of Nursing deny the application of **Sara L. Berry** for reinstatement to practice practical nursing in the Commonwealth of Virginia and to continue her license on indefinite suspension. The motion was seconded by Ms. Crawford Brown 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 12:08 P.M.

RECONVENTION: The Board reconvened at 1:15 P.M.

FORMAL HEARING: **Kimberly Janai Smith, RN** **0001-288996**

Ms. Smith appeared.

Amanda Wilson, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Marie Whisenand, court reporter with Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Stephen Shirley, Senior investigator, Enforcement Division, Christy Thompson, HR Director, Brittany Burrage, RN Charge Nurse, and Sarah Kovalevich, LPN were present and testified.

CLOSED MEETING: Ms. Buchwald moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:53 P.M., for the purpose of deliberation to reach a decision in the matter of **Kimberly Janai Smith**. Additionally, Ms. Buchwald moved that Ms. Douglas, Dr. Hills, Ms. Goode and Mr. Rutkowski 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. Smith and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:20 P.M.

Ms. Buchwald 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 Dr. Smith and carried unanimously.

ACTION: Dr. Smith moved that the Board of Nursing continue the license of **Kimberly Janai Smith** to practice professional nursing in the Commonwealth of Virginia on suspension with suspension stayed contingent upon her entry and compliance with to the Virginia Health Practitioners' Monitoring Program (HPMP). The motion was seconded by Dr. Gleason 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.

FORMAL HEARING: **Shelly Jones, CNA** **1401-196299**

Ms. Jones appeared.

Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, and Sean Murphy, Assistant Attorney General, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Marie Whisenand, court reporter with Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Shawn Ledger, Senior Investigator, and Jessica Jackson, Bank employee, were present and testified.

CLOSED MEETING: Ms. Buchwald moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:23 P.M., for the purpose of deliberation to reach a decision in the matter of **Shelly Jones**.

Additionally, Ms. Buchwald moved that Ms. Douglas, Dr. Hills, Ms. Goode and Mr. Rutkowski, 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. Smith and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:53 P.M.

Ms. Buchwald 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 Dr. Smith and carried unanimously.

ACTION: Ms. McElfresh moved that the Board of Nursing reprimand **Shelly Jones** and to continue her certificate to practice as a nurse aide in the Commonwealth of Virginia on suspension for not less than two years. The motion was seconded by Dr. Smith 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.

ADJOURNMENT: The Board adjourned at 4:54 P.M.

---

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