

VIRGINIA BOARD OF NURSING
BUSINESS MEETING
Final Agenda

Department of Health Professions – Perimeter Center
9960 Mayland Drive, Conference Center 201 – **Board Room 2**
Henrico, Virginia 23233

DHP Mission – the mission of the Department of Health Professions is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.

Tuesday, September 13, 2022 at 9:00 A.M. – Quorum of the Board

CALL TO ORDER: Brandon A. Jones, MSN, RN, CEN, NEA-BC; President

ESTABLISHMENT OF A QUORUM.

ANNOUNCEMENT

Board Member Update:

- **Carol Cartte, RN, BSN, of Glen Allen** was appointed by the Governor on August 1, 2022 to replace Teri Crawford Brown, RNC, MSN to serve from July 1, 2022 to June 30, 2026
- **Helen M. Parke, DNP, FNP-BC of Lynchburg** was appointed by the Governor on August 2, 2022 to replace Marie Gerardo, MS, RN, ANP-PC to serve from July 1, 2022 to June 30, 2026

Staff Update:

- **Rebecca Coffin** accepted the Nursing Education Program Inspector position and started on May 23, 2022
- **Michelle Duesberry-Woody** accepted the Nurse Aide Education Program Inspector position and started on May 23, 2022
- **Sherry Allen** accepted the Nurse Aide Education Program Inspector position and started on June 21, 2022
- **Tamika Claiborne** accepted the Senior Licensing Discipline Specialist position for the License Certified Midwife and started on August 10, 2022.

A. UPCOMING MEETINGS:

- The NCSBN Board of Directors (BOD) is scheduled for September 27-28, 2022 in Chicago, IL. Ms. Douglas will attend as the President of NCSBN BOD.
- The NCSBN Tri-Regulatory Symposium is scheduled for October 13-14, 2022 in Washington, DC. Ms. Douglas will attend as the President of NCSBN BOD.

- The Committee of Joint Boards of Nursing and Medicine meeting is scheduled for October 12, 2022, at 9 am in Board Room 2.
- The NCSBN BOD Strategic Planning is scheduled for October 24-25, 2022 in Boston, MA. Ms. Douglas will attend as the President of NCSBN BOD.
- The Education Informal Conference Committee is scheduled for Tuesday, November 1, 2022 at 9:00 am in Board Room 3.
- The NCSBN Leadership & Public Policy Conference is scheduled for November 2-4, 2022 in St. Augustine, FL.
- The Massage Therapy Advisory Board meeting is scheduled for November 9, 2022, at 10 am in Board Room 3.
- The NCSBN BOD is scheduled for December 6-7, 2022 in Chicago, IL. Ms. Douglas will attend as the President of NCSBN BOD.

REVIEW OF THE AGENDA:

- Additions, Modifications
- Adoption of a Consent Agenda
- **CONSENT AGENDA**

B1 May 16, 2022	Formal Hearings*
B2 May 17, 2022	Business Meeting*
B3 May 17, 2022	Consideration of Modification of Board Order*
B4 May 17, 2022	Discipline Committee Meeting*
B5 May 18, 2022	Panel A – Formal Hearings*
B6 May 18, 2022	Panel B – Formal Hearings*
B7 May 19, 2022	Formal Hearings*
B8 May 25, 2022	Telephone Conference Call*
B9 June 2, 2022	Telephone Conference Call*
B10 June 7, 2022	Telephone Conference Call*
B11 July 19, 2022	Business Meeting*
B12 July 19, 2022	Panel A – Formal Hearings*
B13 July 19, 2022	Panel B – Formal Hearings*
B14 July 20, 2022	Disciplinary Committee Meeting*
B15 July 20, 2022	Panel A - Agency Subordinate Recommendations and Consent Orders*
B16 July 20, 2022	Panel A – Formal Hearings*
B17 July 20, 2022	Panel B – Agency Subordinate Recommendations*
B18 July 20, 2022	Panel B – Formal Hearings*
B19 July 21, 2022	Business Meeting*
B20 July 21, 2022	Telephone Conference Call*
B21 July 21, 2022	Formal Hearings*
B22 August 10, 2022	Telephone Conference Call*
B23 August 22, 2022	Telephone Conference Call*

- C1 Board of Nursing Monthly Tracking Log as of August 31, 2022
- C2 Agency Subordination Recommendation Tracking Log*
- C3 - Executive Director Report – **Ms. Douglas**

- C5 Dates for 2023 Board Meetings and Formal Hearings*
- C6 Dates for 2023 Education Informal Conference Committee*

C7 NCLEX Item Review Subcommittee (NIRSC) July 2022 Meeting Report** - **Mr. Jones**

- NCSBN Annual Meeting on August 17-19, 2022 Reports
 - **C8a** - Dr. Smith's report***
 - **C8b** - Ms. Willinger's report**
 - **C8c** - Dr. Mangrum's report**

DIALOGUE WITH DHP DIRECTOR OFFICE– Dr. Brown

B. DISPOSITION OF MINUTES – None

C. REPORTS

- The VNA Fall Conference and VNF Gala on September 9-10, 2022 (**verbal report**)

D. OTHER MATTERS:

- Board Counsel Update (**verbal report**)
- **D1** - HPMP Quarterly Report and Update* – **Ms. Douglas**
- Special Conference Committee (SCC) Composition – **Mr. Jones**
 - **D2a** - January – June 2023 SCC Composition**

Scheduling of Informal Conferences for First Half of 2023 – **Ms. Morris**

- **D2b** - Memo for SCC February, April and June 2023 Dates**
- **D2c** - Planning sheet for SCC February, April and June 2023**
- Student Attendance at Board Hearings – **Ms. Wilmoth (verbal report)**
- Appointment of Regulatory Review Committee – **Mr. Jones (verbal report)**
- Status of Revised Sanctioning Reference Points (SRP) Manual – **Dr. Hills (verbal report)**

E. EDUCATION:

- Education Update – **Ms. Wilmoth (verbal report)**
 - Nursing Education Program Updates
 - Nurse Aide Program Updates
 - Medication Aide Program Updates

F. REGULATIONS/LEGISLATION– Ms. Barrett

- F1 – Chart of Regulatory Actions**
- F2 - Consideration of Periodic Reviews of Chapters 19 & 21 and Recommendation to refer Amendments to a Committee*
- F3 - Consideration of Fast-Track Regulatory Action related to Clinical Nurse Specialists (18VAC90-30-125)*

F4 - GD 90-62 – Medication Administration Training Curriculum*

F5 - GD Library Review and Recommendation to Refer Review to a Committee*

10:00 A.M. – PUBLIC COMMENT

**10:30 A.M. – Overview of Federal Legislation Impacting the Regulation of Nursing
Kaitlynn Ward, NCSBN Director of Federal Affairs**

12:00 P.M. – LUNCH in Board Room 4

2:30 P.M. – E1 September 1, 2022 Education Informal Conference Committee DRAFT minutes

September 1, 2022 Education Informal Conference Committee Recommendation regarding:

- Career Nursing Academy, Locust Grove, Nurse Aide, 1414100813

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS

1	Nathellia Elizabeth Gordon, LPN*	2	Ashley Hansford, LPN*
3	Sarah Elizabeth Radford, RN*	4	Keisha Nakesha Manning, RN*
5	Rachel Marie-Louise Bratsveen, LPN*	6	Susan Carolyn Simon, CNA*
7	Octavia S. Carter, CNA*	8	Carolyn D. Mills, CNA*
9	Kyzah M. Harris, CNA*	10	Anthony Dwight Little, CNA*
11	Celestia Louise Blagmon, RMA*	12	Cheryl Getties, CNA*
13	Crystal Dawn Stocks Kasper, CNA*	14	Jane Griffin, CNA*
15	Tammie Lasharn Puryear, CNA*	16	Jennifer Perry, CNA*
17	Christy Rice Southall, RN*	18	Kimberly Ann Anderson, RN*
19	Wendy Harrison Waugh, LPN*	20	Brooke Juliette Reamer, RN*
21	Ashley Marie Cool, RN*	22	Betty Elizabeth Fisher, CNA*
23	Heather Seva Jungbluth Lewis, RMA*	24	Jennifer Ann Apple, LPN*
25	Carla Murphy Showalter, LPN*	26	Jason L Howard, LPN*
27	Sherrine Kay Swan, RN*	28	Anna Christine Gemerek, RN*
29	Letitia A. Bradbury, RN*	30	Kathy Sue Luttrell, RN**
31	Danielle France Cote, RN**	32	Sheri Robyn Doggett, RN**

CONSIDERATION OF CONSENT ORDERS

G1 – Qun Shen, LMT*

G2 – Basil Robert Asay, RN*

G3 – Emily F. Marshman, RN***

ADJOURNMENT OF BUSINESS AGENDA

MEETING DEBRIEF

- ❖ What went well
- ❖ What need improvement

DISCIPLINARY COMMITTEE MEETING – Wednesday, 9/14/2022, after the formal hearing of Lisa Carter Reagan, RN in **Board Room 3**

Committee Members:

James Hermansen-Parker, MSN, RN, PCCN-K - **Chair**
Jennifer Phelps, BS, LPN, QMHP-A, CSAC
Cynthia Swineford, RN, MSN, CNE

Staff Members:

Claire Morris, RN, LNHA; Deputy Executive Director
Robin Hills, RN, DNP, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director

- ❖ Review of Guidance Document 90-12: *Delegation of Authority to Board of Nursing Staff****
- ❖ Probation Orders***

NOMINATING COMMITTEE MEETING – Wednesday, 9/14/2022, after the formal hearing of Jason Robert Harris, RN in **Board Room 4**

Committee Members:

Margaret Friedenberg, Citizen Member – **Chair**
Laurie Buchwald, MSN, WHNP, FNP
Felisa Smith, PhD, MSA, RN, CNE

Staff Member:

Jay Douglas, RN, MSM, CSAC; Executive Director

- ❖ Nomination Form Discussion
- ❖ Discussion of Officer Requirements
- ❖ Establish Plan for Nominations

Document provided → By-Laws of the Board of Nursing, aka Guidance Document 90-57**
Nomination Form**

(* mailed 8/24) (** mailed 9/1) (***)mailed 9/7)

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 16, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:01 A.M., on March 21, 2022 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Brandon A. Jones, MSN, RN, CEN, NEA-BC; President
Terri Crawford Brown, RNC, MSN
Margaret J. Friedenberg, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
A Tucker Gleason PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K

STAFF PRESENT: Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel
Krista Samuels, Assistant Attorney General

ESTABLISHMENT OF A PANEL: With six members of the Board present, a panel was established.

FORMAL HEARING: **Lori Corliss Herring, RN** **0001-127428**

Ms. Herring appeared and was accompanied by Tabitha Herring and Mark Obenshain.

James Schliessmann, Assistant Attorney General, and Tammie Jones, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Reporting, recorded the proceedings.

Scott Dillon, Senior Investigator, Enforcement Division, Stacy Windle, APSW, Deputy Travis James (T.J.) Justice, were present and testified.

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 11:18 A.M., for the purpose of deliberation to reach a decision in the matter of **Lori**

Corliss Herring. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Bargdill, Ms. Goode, Ms. Samuels and Ms. Mitchell 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 12:34 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. Friedenbergl and carried unanimously.

ACTION: Ms. Crawford Brown moved that the Board of Nursing indefinitely suspend the license of **Lori Corliss Herring** to practice professional nursing in the Commonwealth of Virginia for a period of not less than one year. The motion was seconded by Ms. Friedenbergl and carried with four votes in favor of the motion. Ms. Gerardo and Mr. Hermansen-Parker opposed the motion.

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 12:50 P.M.

RECONVENTION: The Board reconvened at 1:18 P.M.

FORMAL HEARING: **Lavonna Shirrie Lucas, CNA** **1401-172483**

Ms. Lucas did not appear.

Tammie Jones, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the board. Kim Taylor, court reporter, Farnsworth and Taylor Reporting, recorded the proceedings.

Gayle Miller, Senior Investigator, Enforcement Division, was present and testified.

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 1:31 P.M., for the

purpose of deliberation to reach a decision in the matter **Lavonna Shirrie Lucas**. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Bargdill, Ms. Samuels, Ms. Goode and Ms. Mitchell attend the closed meeting in its deliberations. The motion was seconded by Mr. Hermansen Parker and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:38 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 Mr. Hermansen-Parker and carried unanimously.

ACTION:

Mr. Gerardo moved that the Board of Nursing deny the application of **Lavonna Shirrie Lucas** for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker 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:

Cassandra Lynette Jones, CNA

1401-095830

Ms. Jones appeared.

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Reporting, recorded the proceedings.

Gayle Miller and Jennifer Challis, Senior Investigators, Enforcement Division, and Scott Williamson, N.H.A. were present and testified.

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 3:07 P.M., for the purpose of deliberation to reach a decision in the matter of **Cassandra Lynette Jones**. Additionally, Dr. Gleason moved that that Dr. Hills, Ms. Bargdill, Ms. Goode, Ms. Samuels and Ms. Mitchell 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 3:22 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. Gerardo and carried unanimously.

ACTION: Mr. Hermansen-Parker moved that the Board of Nursing deny the application of **Cassandra Lynette Jones** for reinstatement of her certificate to practice as a nurse aide in the Commonwealth of Virginia, and to enter a Finding of Misappropriation of property against her in the Virginia Registry of Nurse Aide. The motion was seconded by Ms. Gerardo 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 3:23 P.M.

Christina Bargdill, BSN, MHS, RN;
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
BUSINESS MEETING MINUTES
May 17, 2022**

- TIME AND PLACE:** The business meeting of the Board of Nursing was called to order at 9:30 A.M. on May 17, 2022, 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
Teri Crawford Brown, RNC, MSN
Laurie Buchwald, MSN, WHNP, FNP
Yvette L. Dorsey, DNP, RN
Margaret J. Friedenberg, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
James L. Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC
- MEMBERS ABSENT:** Ann Tucker Gleason, PhD, Citizen Member
Meenakshi Shah, BA, RN
- STAFF PRESENT:** Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Jacquelyn Wilmoth; Deputy Executive Director for
Stephanie Willinger; Deputy Executive Director for Licensing
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
Francesca Iyengar, MSN, RN, Discipline Case Manager
Huong Vu, Operations Manager
Ann Hardy, MSN, RN, Compliance and Case Adjudication Manager
Sierra Cummings, CNA Discipline Specialist – **joined at 2:55 P.M.**
- OTHERS PRESENT:** Charis Mitchell, Assistant Attorney General, Board Counsel
David Brown, DO, DHP Director – **joined at 10:06 A.M.**
Erin Barrett, JD, DHP Policy Analyst
- IN THE AUDIENCE:** Andrew Lamar, Virginia Nurses Association (VNA)
Teresa Walsh, PhD, MSN, MEE, RN, NE-C, Executive Director for DC Board of Nursing

ESTABLISHMENT OF A QUORUM:

Mr. Jones asked Board Members and Staff to introduce themselves. With 12 members present, a quorum was established.

Ms. Douglas stated that Dr. Walsh, Executive Director for the DC Board of Nursing, is here to observe the meeting.

ANNOUNCEMENTS:

Mr. Jones acknowledged the following:

Staff Update - Board of Nursing Employee State Award Recipients

- Monica DeJesus – 15 years
- Latedra Fulton – 20 years
- Melissa Gregory – 35 years

Ms. Douglas congratulated Mr. Jones on receiving a new credential of CPXP (Certified Patient Experience Professional).

UPCOMING MEETINGS: The upcoming meetings listed on the agenda:

- The Committee of the Joint Boards of Nursing and Medicine meeting is scheduled for Wednesday, June 15, 2022 at 9:00 A.M. in Board Room 4.
- The Tri-Council for Nursing meeting is scheduled on June 16, 2022 in Washington, DC. Ms. Douglas will attend as the President of NCSBN Board of Directors (BOD).
- The Education Informal Conference Committee is scheduled for Tuesday, July 6, 2022 at 9:00 am in Board Room 3.
- The NCSBN BOD meeting is scheduled for July 12-13, 2022 in Chicago, IL. Ms. Douglas will attend as the President.
- **PLEASE NOTE** - The July Board Week is scheduled on Tuesday, July 19, 2022 with two panels for formal hearings, Wednesday, July 20, 2022 with two panels for formal hearings, and Thursday, July 21, 2022 with one panel for formal hearings. There will be no business meeting.
- NCSBN Annual Meeting is scheduled for August 17-19, 2022 in Chicago, IL. Ms. Douglas will attend as the President. Board Members who are interest in attending in person please inform Ms. Douglas or Mr. Jones. There is also an option to attend virtually.

Dr. Hills noted that the June 15, 2022 Committee of the Joint Boards of Nursing and Medicine meeting and hearings have been cancelled.

Mr. Jones reminded Board Members of the change in the July Board Week with no business meeting.

Ms. Douglas noted that if Board Members are interested in attending the NCSBN Annual meeting, please let her or Mr. Jones know.

ORDERING OF AGENDA: Mr. Jones asked staff if there are additional updates to the Agenda.

Ms. Douglas noted the following:

- ❖ Dr. Brown will join the meeting later
- ❖ Under Other Matters:
 - Volunteers needed for the Nominating Committee has been added
- ❖ May 3, 2022 Education Informal Conference Committee Recommendations regarding education programs will be considered at the Board's next meeting
- ❖ Two additional Consent Orders have been added
 - Lavon Cash, LPN
 - Yingyu Xuan, LMT
- ❖ Ashley Vest, CNA will address the Board regarding her Agency Subordinate Recommendation #22

CONSENT AGENDA: Ms. Douglas removed C4 Executive Director Report from the consent agenda.

Mr. Monson 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 21, 2022	Formal Hearings
B2 March 22, 2022	Business Meeting (REVISED VERSION)
B3 March 23, 2022	BON Officer Meeting
B4 March 23, 2022	Panel A – Formal Hearings
B5 March 23, 2022	Panel B – Formal Hearings
B6 March 24, 2022	Formal Hearings
B7 April 14, 2022	Telephone Conference Call
B8 April 20, 2022	Telephone Conference Call

C1 Board of Nursing Monthly Tracking Log as of April 30, 2022

C2 Agency Subordinate Recommendation Tracking Log

C3 HPMP Quarterly Report as of March 31, 2022

C5 NCSBN April 12, 2022 APRN Roundtable Report – Dr. Hills

C8 Committee of the Joint Boards of Nursing and Medicine DRAFT April 20, 2022 Formal Hearing – Ms. Gerardo

Discussion of item pulled from Consent Agenda

C4 – Executive Director Report

Ms. Douglas added the following information to her report:

- Board staff continue to meet weekly with Credentia® regarding the CNA application process transition. Ms. Douglas thanked staff for their effort in the transition.

Mr. Monson asked if there has been a negative significant impact regarding application during the transition. Ms. Douglas replied that staff continues to work through implementation issues with Credentia.

Ms. Douglas noted that the Public Health Emergency CMS waiver 1135, allowing temporary Nurse Aides (TNAs) practicing in long term care facilities to be deemed eligible by the Virginia Board of Nursing to take the National Nurse aide Assessment Program (NNAAP) examination, will expire on June 6, 2022.

Ms. Douglas added that Board staff has sought advice regarding the Board's authority to respond to the expiration of the waiver.

Ms. Wilmoth noted that TNA2CNA pass rate is very low (< 30%) which may indicate that TNAs are not prepared adequately to be CNAs.

Mr. Monson moved to accept the C4 Executive Director Report as presented and amended. The motion was seconded by Ms. Swineford and carried unanimously.

DISPOSITION OF
MINUTES:

None

REPORTS:

International Think Tank, May 4, 2022

Mr. Jones stated that he attended the virtual conference called *International Telehealth Regulatory Thinking Tank* by NCSBN. He added that regulators and healthcare leaders around the world were at the conference discussing the important issues around telehealth and developing regulatory guidelines for safe telehealth practice.

Ms. Gerardo stated that she also attended the conference and noted that the logistics to implement the virtual meeting and the process were interesting and informative.

NCSBN May 5-6, 2022 IT/Operations Conference Report

Ms. Willinger reported the following:

- Collaboration between IT and Board staff – what other boards went

- through during the pandemic
- Fraud detection – developing safe practice policies and review red flags in the application process. Fraud tool kit is available at NCSBN website.
 - Teleworking – boards’ experiences such as tools used, challenges experiences, current position and future plans. Boards had to come up with plans to deal with the pandemic and many plans remain long-term solutions.
 - Compact issue – process for alternative disciplinary program

Ms. Douglas added that the Board also sent Angela Thompson, Licensing by Exam Supervisor, and the presentation by Ms. Willinger regarding NURSUS was well received by other boards’ attendees.

PUBLIC COMMENT:

There was no public comment.

REPORTS (cont.):

Report on the Federation of State Massage Therapy Boards (FSMTB) Massage Board Executive (MBE) Summit, May 5-6, 2022

Ms. Bargdill reported the following:

- Human trafficking – how to best approach regulating massage therapists
- Different ways to combat non-licensure
- Development of Massage Therapy Compact – the proposed draft will be available soon

Mr. Monson asked if there are any indications from Virginia Legislators of the intention to license massage parlors. Ms. Douglas replied that she is not aware.

C9 March 29, 2022 Board of Health Professions (BHP) Meeting DRAFT Minutes

Mr. Jones invited Board Members to read the minutes provided by Dr. Gleason as information only.

C10 April 27, 2022 RMA Curriculum Committee Meeting Minutes
Attachments: 68 Hour Registered Medication Aide Curriculum
Medication Aide Performance Record

Dr. Smith thanked Ms. Wilmoth, Ms. Christine Smith, Ms. Yeatts, Ms. Friedenberg, Ms. McElfresh and other stakeholders involved for their efforts in amending the curriculum tailoring it to meet student needs.

Dr. Brown joined the meeting at 10:06 A.M.

Ms. Gerardo asked about insulin administration by medication aides. Ms. Wilmoth replied that it is prohibited by the Federal Code.

Ms. Wilmoth noted that it took about one year consisting of five meetings and an abundance of work outside of meetings to develop the amended curriculum.

Mr. Monson moved to accept the April 27, 2022 minutes and recommendations from the Medication Aide Curriculum Committee as presented. The motion was seconded by Dr. Dorsey and carried unanimously.

Ms. Wilmoth added that the next step is to work with the testing agency to make sure test contents are aligned with the curriculum contents.

DIALOGUE WITH DHP
DIRECTOR OFFICE:

Dr. Brown reported the following:

- He reported that he had a meeting with John Little, Secretary of Health and Human Resources earlier today regarding healthcare workforce issues.
- Dr. Brown attended an opioid crisis summit convened by Nelson Smith, Commissioner of Behavioral Health and Development Services, in Wytheville are in place.
- Virtual meetings bill – there was a last-minute amendment which removed licensing boards; there is the possibility that at the next General Assembly session licensing boards may be included.
- Telework policy – the new rules are designed to facilitate creativity and collaboration. State employees have options to request teleworking for one day, two days or three days.
- Screening visitors – anticipation by next year visitors to DHP will be screened by security.
- Conference Center update – supply chain issues have slowed down obtaining audio equipment. DHP is hopeful that by the end of summer 2022 the tech upgrade will be in place.

Mr. Monson asked if WiFi will be available at DHP. Dr. Brown said yes.

Dr. Dorsey asked if there is a taskforce in place to tackle workforce issues. Dr. Brown said that it was not part of the conversation with Secretary Little. However, Dr. Brown added that an Advisory Workforce has been created and Bill Hazel is involved.

Ms. Swineford noted that she is involved with a workfoce task force and there are many obstacles and needs. Ms. Swineford added that there will be upcoming meetings and she will share information with the Board.

Ms. Crawford Brown commented that a combination of virtual and in-person meetings for Board Members are best options.

Mr. Jones thanked Dr. Brown for the report.

OTHER MATTERS:

Board Counsel Update:

Ms. Mitchell stated that she has nothing to report.

Disciplinary Case Management Digital Process

Ms. Douglas reported the following:

- Enforcement Division has created a new digital process as of May 1, 2022 regarding moving cases from Enforcement to boards
- BON will receive cases both digitally and paper copies initially
- All the Boards within DHP are looking at process changes
- DHP has acquired laptops for board members to use at meetings and will pilot with the smaller meetings first.

D1 - Informal Conferences (IFC) Schedule for the second half of 2022

Ms. Morris noted that the revised version of the IFC schedule does not include Special Conference Committee-G dates and they will be added once staff receive dates from Ms. Shah.

Ms. Morris added that volunteers are needed to serve on the Special Conference Committee – F with Dr. Dorsey. The dates are August 26, October 14 and December 5, 2022.

D2 – Dates for 2023 Board Meetings and Formal Hearings

Ms. Douglas stated that the dates are provided for information only.

Mr. Jones reminded Board Members to keep D1 and D2 for future reference.

Volunteers are needed for the Nominating Committee. Mr. Jones asked that Board Members who wish to serve on the Committee please let him or Ms. Douglas know. Ms. Douglas added that the Committee will need to meet prior to the September business meeting and the Board will vote on the Slate of Candidates at its November business meeting.

RECESS:

The Board recessed at 10:45 A.M.

RECONVENTION:

The Board reconvened at 10:58 A.M.

LEGISLATION/
REGULATION:

Ms. Barrett reported the following:

F1 Chart of Regulatory Actions

Ms. Barrett provided an overview of the regulatory actions found in the chart.

Ms. Barrett added that regarding HB444 (virtual meetings), DHP and DPOR were participating in the Workgroup meeting.

F2 Licensed Certified Midwife DRAFT Regulations

- **F2a** – The March 31, 2022 CM Workgroup Meeting APPROVED Minutes
- **F2b** – The Committee of the Joint Boards of Nursing and Medicine DRAFT April 20, 2022 Business Meeting Minutes

Ms. Barrett commented that there are many categories of midwives and noted that licensed certified midwives are not registered nurses.

Ms. Barrett noted that the proposed draft regulations basically mirror the nurse practitioner regulations. A significant variation is that the section on Buprenorphine prescribing was omitted because LCMs are not included in the list of providers who may obtain a SAMHSA waiver at the federal level.

Ms. Barrett reviewed each section of the proposed draft regulations and added that the draft regulations will be considered by Board of Medicine on June 16, 2022.

Dr. Brown asked why item # 11 in 18VAC90-70-240 (page 17) is included in the regulations since it is in the Code already. Ms. Barrett replied that it is in the regulations to reiterate what it is in the Code and the Board has the option to remove it if the Board wishes to do so.

Dr. Dorsey moved to adopt as presented the proposed regulations and further amended to delete item #11 in 18VAC90-70-240 as presented. The motion was seconded by Ms. Buchwald and carried with nine (9) votes in favor of the motion. Ms. Crawford Brown, Mr. Hermansen-Parker and Mr. Monson opposed the motion.

Mr. Monson moved to accept the March 31, 2022 CM Workgroup Meeting APPROVED Minutes and the Committee of the Joint Boards of Nursing and Medicine DRAFT April 20, 2022 Business Meeting Minutes as presented. The motion was seconded by Ms. Buchwald and carried unanimously.

F3 Initiation of Periodic Review, Chapter 19 and 21

Ms. Barrett clarified what the periodic review is and asked for Board action.

Ms. Gerardo moved to initiate periodic review for 18VAC90-19 (Regulations

Governing the Practice of Nursing) and for 18VAC90-21 (Medication Administration Training and Immunization Protocol). The motion was seconded by Dr. Smith and carried unanimously.

F4 Consideration of Guidance Document (GD)

- **GD 90-10** Guidance for Processing Applications for Licensure: Examination, Endorsement and Reinstatement

Ms. Barrett noted that staff and Board Counsel have reviewed GD 90-10 and present for reaffirming by the Board.

Mr. Monson moved to reaffirm GD 90-10 as presented. The motion was seconded by Dr. Smith and carried unanimously.

EDUCATION:

Education Update:

Ms. Wilmoth reported the following:

Nursing Education Program Updates

- ❖ Aggregate data from the 2020 NCSBN Annual Survey is anticipated to be distributed in June
- ❖ 2021 NSCBN Annual Survey data for Virginia has not been received from NCSBN at this time.
- ❖ 2021 NCLEX visits are almost complete.
- ❖ Mary Marshall application period is open May 1 – June 30
- ❖ Active Applications: There are three BSN and three PN applications that are active.
- ❖ New programs in 2022: There has been 1 new ADN and 1 PN program approved this year. (Galen & JTCC)
- ❖ Total Number of programs (145) - 57 PN Programs, 88 RN Programs (43 BSN, 43 ADN and 2 Masters)
- ❖ Faculty Exceptions continue to be requested; mostly for clinical faculty positions.
- ❖ Education Seminars: the next regulatory update session is scheduled for June 6 at DHP. The next education seminar that is required for those who wish to begin a new program is scheduled for October 20th.
- ❖ Next Generation NCLEX (NGN) will launch for RN and PN April 2023. She and Mr. Hermansen-Parker previewed the NGN and provided feedback on May 11th.
- ❖ NCSBN Virtual NCLEX conference will be on September 22nd.
- ❖ 1st quarter NCLEX update:
 - PN: There were 36 program codes that had first time test takers – 11 with first time pass rates below 80%. 5 of the 11 are associated

- with closed programs. (16.6% open programs that tested compared to 43.3% last year)
- RN: There were 52 program codes with first time test takers = 21 with first time pass rates below 80%. (40.38% open programs that tested compared to 35.4% last year)

Nurse Aide Education Programs Update

- ❖ Mary Marshall Scholarship - the funds for the NA scholarship come from general funds, not licensing funds. There were 65 confirmed applications and there are 10 awardees as of mid-April who met all of the requirements. The main challenge with this applicant population is that they do not respond to requests for follow-up information, many are computer illiterate, some are not willing to work full-time, and some are wanting to further their education so they are hesitant to complete the process. VDH is trying different approaches to connect with them.
- ❖ Board staff continue to participate in weekly meetings with Credentia to discuss issues/concerns that have been identified.
- ❖ Active Applications: 11
- ❖ New programs in 2022: 6
- ❖ Total Number of programs: 260 with 13 of those inactive
- ❖ Instructional Personnel Exceptions this year: 2
- ❖ Education Seminar to review nurse aide regulatory requirements scheduled for June 28th at DHP.

Medication Aide Program Updates

- ❖ Curriculum revisions are *complete* and Board approved it today.
- ❖ Program contact attempt:
 - All programs have been contacted by letter, email and phone to determine current status.
 - There have been 16 programs that have been brought to IFC with ~19 more for PC review and ~18 for which notices are under development.
- ❖ Active Applications: 6
- ❖ New programs in 2022: 5
- ❖ Total Number of programs: continues to fluctuate as we make contact and receive information from programs. ~280

Ms. Wilmoth noted that ECPI University, Northern Virginia – Practical Nursing Program will be noticed for formal hearing. Ms. Wilmoth added that polling of Board Members' availability is passing around and please indicate your availability today.

Ms. Wilmoth stated that July 6th Education Informal Conference still needs a committee member with Mr. Jones and to let her know if interested.

E1 May 3, 2022 Education Informal Conference Committee DRAFT minutes

Mr. Hermansen-Parker moved to accept the May 3, 2022 Education Informal Conference Committee DRAFT minutes as presented. The motion was seconded by Mr. Monson and carried unanimously.

Ms. Crawford Brown, Ms. Willinger, Dr. Walsh, Ms. Dewey and Ms. Iyengar left the meeting at 12:07 P.M.

RECESS: The Board recessed at 12:07 P.M.

RECONVENTION: The Board reconvened at 1:48 P.M.

Mr. Jones noted that the formal hearing of Tela Seda Franklin, RN on Panel B for tomorrow, 5/18, has been granted a continuance.

Mr. Jones reviewed the Virginia Board of Nursing Expectations of Board Member document which was included as an attachment.

Ms. Dewey rejoined the meeting at 2:01 P.M.

Ms. Iyengar rejoined the meeting at 2:15 P.M.

Ms. Mitchell provided a brief explanation regarding the appeal process after formal hearings and reminded Board Members regarding conduct at formal hearings.

Ms. McElfresh left the meeting at 2:22 P.M.

RECESS: The Board recessed at 2:44 P.M.

RECONVENTION: The Board reconvened at 2:50 P.M.

Ms. McElfresh rejoined the meeting at 2:53 P.M.

Ms. Cummings joined the meeting at 2:55 P.M.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

#22 – Cassidy Marie Robertson Mounce, RN **0001-252244**
Ms. Mounce appeared and addressed the Board.

Ms. Iyengar left the meeting at 2:42 P.M.

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:57 P.M. for the purpose of considering the agency subordinate recommendation regarding **Cassidy Marie Robertson Mounce**. Additionally, Mr. Monson moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Willinger, Ms. Wilmoth, Ms. Dewey, Ms. Christine Smith, Ms. Cummings, Ms. Vu, and Ms. Mitchell 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. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:57 P.M.
Mr. Monson 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 properly seconded by Ms. Crawford Brown and carried unanimously.

Ms. Iyengar rejoined the meeting at 2:57 P.M.

Ms. Phelps moved that the Board of Nursing accept the recommendation of the agency subordinate to reprimand **Cassidy Marie Robertson Mounce** and to place Ms. Mounce on probation with terms and conditions. The motion was seconded by Ms. Gerardo and carried unanimously.

#2 – Sabrina Deaton, CNA **1401-189457**
Ms. Deaton did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Sabrina Deaton** to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Buchwald and carried unanimously.

#3 – Stacey Lynn Roux, LPN **0002-054672**
Ms. Roux did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the license of **Stacey Lynn Roux** to practice practical 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. Buchwald and carried unanimously.

#4 – Jessie Deel, CNA **1401-159847**
Ms. Deel did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Jessie Deel** 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 Ms. Buchwald and carried unanimously.

#5 – Megan E. Nash, RN **0001-263243**
Ms. Nash did not appear.

Mr. Jones disclosed that he knows Megan E. Nash but did not know about the case. Mr. Jones 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 **Megan E. Nash** to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Nash's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of entry of the Order and remain compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#7 – Rebecca Anne Tolbert, LPN **0002-053554**
Ms. Tolbert did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Rebecca Anne Tolbert** and to place Ms. Tolbert on indefinite probation for not less than two years with terms and conditions. The motion was seconded by Ms. Buchwald and carried unanimously.

#8 – Melissa G. Johnson, RN **0001-209423**
Ms. Johnson 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 **Melissa G**

Johnson to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Buchwald and carried unanimously.

#9 – Allen Crosby III, RMA **0031-008406**

Mr. Crosby 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 suspend the right of **Allen Crosby III** to renew his registration to practice as a medication aide in the Commonwealth of Virginia for a period of one year from the date of entry of the Board Order. The motion was seconded by Ms. Buchwald and carried unanimously.

#10 – Allen Crosby III, CNA **1401-170568**

Mr. Crosby 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 revoke the certificate of **Allen Crosby III** to practice as a nurse aide in the Commonwealth of Virginia and to enter a Finding of Abuse against him in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Buchwald and carried unanimously.

#12 – Steva Hairston, LPN **0002-068599**

Ms. Hairston did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the license of **Steva Hairston** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Buchwald and carried unanimously.

#13 – Priscilla McLeod, LPN **Maryland License # LP47695
with Multistate Privileges**

Ms. McLeod did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the privilege of **Priscilla McLeod** to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Buchwald and carried unanimously.

#14 – Jessica Erin St. Mary, RN **0001-235105**

Ms. St. Mary 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 **Jessica Erin**

St. Mary to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. St. Mary's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of entry of the Order and remain compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#16 – Amber Edenfield Breeden, LPN **0002-070526**
Ms. Breeden did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Amber Edenfield Breeden** and indefinitely suspend her right to renew her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Buchwald and carried unanimously.

#18 – Petra Taft, LPN **North Carolina License # 080329**
with Multistate Privileges

Ms. Taft did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Petra Taft**. The motion was seconded by Ms. Buchwald and carried unanimously.

#19 – Stephanie Lee Shumaker, RN **0001-276954**
Ms. Shumaker did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Stephanie Lee Shumaker** and to indefinitely suspend the her right to renew her license to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Shumaker's entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) and remain compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#20 – Katelyn Holcomb, RN **0001-286524**
Ms. Holcomb did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right to renew the license of **Katelyn Holcomb** 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. Buchwald and carried unanimously.

#21 – Cynthia Lvonne Hurst Justus, LPN **0002-061732**

Ms. Justus did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Cynthia Lvonne Hurst Justus** and to take no further action at this time contingent upon Ms. Justus' entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of the Order and remain compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#23 – Brandy Nicole Morgan, LPN **0002-086579**

Ms. Morgan 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 **Brandy Nicole Morgan** to practice professional nursing in the Commonwealth with suspension stayed contingent upon Ms. Justus' entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of the Order and remain compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#26 – Angel Pruitt, CNA **1401-199448**

Ms. Pruitt did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Angel Pruitt** and to indefinitely suspend her certificate 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. Buchwald and carried unanimously.

#26 – Angelia Lee Lantz Lugwig, CNA **1401-058539**

Ms. Lugwig did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Angelia Lee Lantz Lugwig** and to indefinitely suspend her certificate 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. Buchwald and carried unanimously.

#28 – Lakenya L. Brown, CNA **1401-155780**

Ms. Brown did not appear.

Dr. Smith moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Lakenya L. Brown to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. The motion was seconded by Ms. Buchwald and carried unanimously.

#29 – Colleen M. Leary, RN

0001-186747

Ms. Leary 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 Colleen M. Leary to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years from date of entry of the Order. The motion was seconded by Ms. Buchwald and carried unanimously.

CLOSED MEETING:

Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:13 P.M. for the purpose of considering agency subordinate recommendations number 1, 6, 11, 15, 17, 24 and 25. Additionally, Mr. Monson moved that Ms. Douglas, Ms. Morris, Dr. Hills Ms. Willinger, Ms. Wilmoth, Ms. Christine Smith, Ms. Dewey, Ms. Vu, Ms. Cummings and Ms. Mitchell, 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 Dr. Smith and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:41 P.M.

Mr. Monson 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 properly seconded by Ms. Swineford and carried unanimously.

#1 – Mehrin Redjaeian, RN

0001-281474

Ms. Redjaeian did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Mehrin Redjaeian** and within 60 days from the date of entry of the Order, Ms. Redjaeian provide written proof satisfactory to the Board of successful completion of at least three (3) hours of continuing education in the subjects of Ethics and professionalism in nursing, medication errors/proper handling and

documentation of medication. The motion was seconded by Dr. Smith and carried unanimously.

#6 – Shannon Autumn Gunter, LPN **0002-093068**

Ms. Gunter did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of **Shannon Autumn Gunter** to renew her license to practice practical nursing 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 Dr. Smith and carried unanimously.

#11 – Megan White, LPN **0002-098489**

Ms. White did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Megan White** and within 60 days from the date of entry of the Order, Ms. White provide written proof satisfactory to the Board of successful completion of at least three (3) hours of continuing education in the subjects of Ethics and professionalism in nursing, administration of anticoagulants and the care of patients prescribed anticoagulants, and critical thinking skills. The motion was seconded by Dr. Smith and carried unanimously.

#15 – Lisa Kay Goddin Dover, LPN **0002-023786**

Ms. Dover did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Lisa Kay Goddin Dover** to practice practical nursing in the Commonwealth of Virginia with suspension stayed contingent upon Ms. Dover's entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) and remain compliance 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.

#17 – Candie Leeann Blankenship, LPN **0002-094195**

Ms. Blankenship did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Candie Leeann Blankenship** and place her on probation with terms and conditions. The motion was seconded by Dr. Smith and carried unanimously.

#24 – Chaleasa Leigh Jones, RMA

0031-010198

Ms. Jones did not appear.

Mr. Hermansen-Parker moved that the Board of Nursing modify the recommended decision of the agency subordinate to delete 18VAC90-60-120(2)(c) in the Findings of Fact and Conclusion of Law # 2 and to reprimand **Chaleasa Leigh Jones**. The motion was seconded by Dr. Smith and carried unanimously.

#25 – Leon Liverman, CNA

1401-176325

Mr. Liverman did not appear.

Ms. Gerardo moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Leon Liverman** and continue him on probation for an additional six months of active nurse aide practice, subject to terms and conditions. The motion was seconded by Dr. Smith and carried unanimously.

CONSIDERATION OF CONSENT ORDERS:

G1 Kelly Presley Vargas, RN

0001-159451

Ms. Phelps moved that the Board of Nursing accept the consent order to suspend the license of **Kelly Presley Vargas** to practice professional nursing in the Commonwealth of Virginia with suspension stayed contingent upon Ms. Vargas' continued compliance with all terms and conditions of her contract with the Health Practitioners' Monitoring Program (HPMP) for the period specified by the HPMP. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G2 Melinda Ennis, RMA

0031-011594

Ms. Phelps moved that the Board of Nursing accept the consent order to revoke the certificate of **Melinda Ennis** to practice as a nurse aide in the Commonwealth of Virginia in lieu of disciplinary action. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G3 Lavon Cash, LPN

0002-087116

Ms. Phelps moved that the Board of Nursing accept the consent order to suspend the license of **Lavon Cash** to practice practical nursing in the Commonwealth of Virginia, and at the expiration of six months from the date of entry of the Order, her license will be reinstated and she will be placed on probation for 12 months subject to terms and conditions. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G4 Yingyu Xuan, LMT

0019-015305

Ms. Phelps moved that the Board of Nursing accept the consent order to indefinitely suspend the right of **Yingyu Xuan** to renew her license to practice massage therapy in the Commonwealth of Virginia for not less than two years. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

Mr. Jones acknowledged that Ms. Douglas has been the Executive Director of the Virginia Board of Nursing for 20 years as of 2022.

MEETING DEBRIEF:

Board Members listed the following positive aspects of the meeting:

- Appreciated the questions asked by Board Members
- Board Counsel's training was helpful
- Thanked Board Staff for organizing the surprise honor of Ms. Douglas
- Reports by staff are well done and easy to read
- Appreciated the reminder of how to address each other during meetings/hearings

Board Members made the following suggestions for improvement:

- None was noted

ADJOURNMENT:

The Board adjourned at 3:49 P.M.

RECONVENTION:

The Board reconvened in open session at 3:57 P.M.

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
Laurie Buchwald, MSN, WHNP, FNP
Yvette L. Dorsey, DNP, RN
Margaret J. Friedenberg, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
James L. Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

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

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATION:

– **Megan E. Nash, RN** **0001-263243**

Ms. Nash informed the Board that she arrived at 2:20 P.M. and has been waiting in the lobby.

Dr. Smith moved that the Board of Nursing withdraw the previous motion made regarding the recommended decision of the agency subordinate of **Megan E. Nash**. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

Ms. Nash addressed the Board regarding her recommendation.

Ms. Hardy left the meeting at 4:00 P.M.

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 4:00 P.M. for the purpose of considering the agency subordinate recommendation regarding **Megan E. Nash**. Additionally, Mr. Monson moved that Ms. Douglas, Ms. Morris, Dr. Hills, Ms. Willinger, Ms. Wilmoth, Ms. Christine Smith, Ms. Vu, and Ms. Mitchell, 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 Dr. Smith and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:06 P.M.

Mr. Monson 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 properly seconded by Dr. Smith and carried unanimously.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Megan E. Nash** to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Nash's entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of entry of the Order and remain compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Mr. Monson and carried unanimously.

ADJOURNMENT:

The Board adjourned at 4:07 P.M.

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

VIRGINIA BOARD OF NURSING
CONSIDERATION OF MODIFICATION OF BOARD ORDER
May 17, 2022

TIME AND PLACE: In accordance with Virginia Code §54.1-2400(13), the meeting of the Board of Nursing was called to order at 8:31 A.M. on May 17, 2022, 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
 Teri Crawford Brown, RNC, MSN
 Laurie Buchwald, MSN, WHNP, FNP
 Margaret J. Friedenberg, Citizen Member
 Marie Gerardo, MS, RN, ANP-BC
 James L. Hermansen-Parker, MSN, RN, PCCN-K
 Dixie L. McElfresh, LPN
 Mark D. Monson, Citizen Member
 Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
 Lelia Claire Morris, RN, LNHA; Deputy Executive Director
 Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
 Advanced Practice
 Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
 Huong Vu, Operations Manager
 Randall Mangrum, DNP, RN; Nursing Education Program
 Manager
 Francesca Iyengar, MSN, RN, Discipline Case Manager

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

CONSIDERATION OF MODIFICATION OF BOARD ORDER

Eileen M. Talamante, legal counsel for Melissa Miller, RN, addressed the Board regarding motion to modify Ms. Miller's Board Order entered July 20, 2021 (Case No. 20956)

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 8:37 A.M. for the purpose of considering the motion to modify Board Order entered July 20, 2021 regarding **Melissa Miller, RN**. Additionally, Mr. Monson moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Bargdill, Ms. Vu, and Ms. Mitchell 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. Crawford Brown and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:16 A.M.

Ms. Gerardo 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 properly seconded by Mr. Monson and carried unanimously.

ACTION: Mr. Monson moved that the Board of Nursing modify the Board Order entered July 20, 2021 to place Melissa Miller, RN on probation for period of not less than three (3) years of active practice with terms. The motion was seconded by Ms. Buchwald and carried with ten (10) votes in favor of the motion. Ms. Crawford Brown opposed the motion.

RECESS: The Board recessed at 9:17 A.M.

Virginia Board of Nursing
DISCIPLINE COMMITTEE MEETING

May 17, 2022 Minutes

Time and Place: The Board of Nursing Discipline Committee meeting was convened at 4:10 P.M. on May 17, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

Board Members Present: James L. Hermansen-Parker, MSN, RN, PCCN-K, Chairperson
Cynthia Swineford, RN, MSN, SNE; First Vice-President
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

Staff Members Present: Jay P. Douglas, RN, MSM, CSAC, FRE
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
Advanced Practice

1. Topics for future agendas:

- Revise select Guidance Documents related to Discipline as needed.
- Update Compliance documents, including the Compliance Report.
- Update the non-routine application process, including reconsideration of adding a Reprimand when offering PHCOs for misdemeanor convictions
- In light of the discontinued NCSBN courses in 2021, develop a list of course topics to use as a reference when sanctioning with continuing education courses

The next meeting will be scheduled during July Board week – July 19-21, 2022. Date/time TBD.

The meeting was adjourned at 4:35 P.M.

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
PANEL A
May 18, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M., on May 18,, 2022 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Cynthia M. Swineford, MSN, RN, CNE; First Vice-President
Yvette L. Dorsey, DNP, RN
Margaret J. Friedenberg, Citizen Member
James L. Hermansen-Parker, MSN, RN, PCCN-K
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT: Jay Douglas, MSM, RN, CSAC, FRE, Executive Director - **joined at 11:15 A.M.**
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

ESTABLISHMENT OF A PANEL: With six members of the Board present, a panel was established.

FORMAL HEARING: **Jessica Renee Burlison, RMA Applicant (Case #20815)**
Ms. Burlison did not appear.
Grace Steward, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 9:06 A.M., for the purpose of deliberation to reach a decision in the matter of **Jessica Renee Burlison**. Additionally, Mr. Monson moved that Dr. Hills, Ms. Goode 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:11 A.M.

Mr. Monson 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.

ACTION:

Ms. Phelps moved that the Board of Nursing deny the application of **Jessica Renee Burlison** for reinstatement of her registration to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Dr. Dorsey 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:

Arielle N. Winston, LPN

0002-080601

Ms. Winston appeared, was represented by Ashley Passero, her legal counsel, and was accompanied by April Mallory, her sister.

Grace Stewart and Melissa Armstrong, Adjudication Specialists, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.

Shawn Ledger, Senior Investigator, DHP Enforcement Division; Ann Hardy, former Senior Investigator; Angela McClaine, RN; and Katia Tyler, LPN were present and testified.

RECESS:

The Board recessed at 11:12 A.M.

Ms. Douglas joined the meeting at 11:15 A.M.

RECONVENTION:

The Board reconvened at 11:22 A.M.

RECESS:

The Board recessed at 12:06 P.M.

RECONVENTION:

The Board reconvened at 12:15 P.M.

CLOSED MEETING: Mr. Hermansen Parker moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 1:42 P.M., for the purpose of deliberation to reach a decision in the matter of **Arielle N. Winston**. Additionally, Mr. Hermansen-Parker 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 Mr. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:22 P.M.

Mr. Hermansen-Parker 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. Monson and carried unanimously.

ACTION: Dr. Dorsey moved that the Board of Nursing reprimand **Arielle N. Winston** and to place her license to practice professional nursing in the Commonwealth of Virginia on probation for a period of not less than two years with terms and conditions. The motion was seconded by Mr. Monson 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 2:24 P.M.

RECONVENTION: The Board reconvened at 3:12 P.M.

FORMAL HEARING: **Marquita Byrd, CNA** **1401-209175**

Ms. Byrd did not appear.

Grace Stewart and Christine Andreoli, Adjudication Specialists, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.

Stephen Shirley, Senior investigator, DHP Enforcement Division; Melissa Hagerstrom, CNA; Rakeria Smith, LPN, were present and testified.

CLOSED MEETING: Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:41 P.M., for the purpose of deliberation to reach a decision in the matter of **Marquita Byrd**. Additionally, Dr. Dorsey 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:48 P.M.

Dr. Dorsey 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. Monson and carried unanimously.

ACTION: Mr. Hermansen-Parker moved that the Board of Nursing continue on indefinitely suspension the certificate of **Marquita Byrd** to practice as a nurse aide in the Commonwealth of Virginia and stay the suspension contingent upon her entry into a contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remain in compliance with all terms of the HPMP for the times specified by the HPMP. The motion was seconded by Ms. Friedenbergl 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 3:49 P.M.

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

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
Panel B
May 18, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:30 A.M., on May 18, 2022 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Brandon Jones, MSN, RN, CEN, NEA-BC; President
Laurie Buchwald, MSN, WHNP-FNP
Marie Gerardo, MS, RN, ANP-BC
A Tucker Gleason, PhD, Citizen Member
Dixie McElfresh, LPN
Felisa Smith, PhD, MSA, RN, CNE

STAFF PRESENT: Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Breana Renick, Administrative Support Specialist
Huong Vu, Operations Manager- joined at **4:03 P.M.**

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General

ESTABLISHMENT OF A PANEL: With six members of the Board present, a panel was established.

FORMAL HEARINGS: **Jamie Denise Loy Pound, CNA** **1401-082611**

Ms. Pound appeared.

Rebecca Ribley, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Andrea Pegram, court reporter, recorded the proceedings.

Katie Land, Senior Investigator, Enforcement Division, and Patient “C” were present and testified.

RECESS: The Board recessed at 11:00 A.M.

RECONVENTION: The Board reconvened at 11:05 A.M.

CLOSED MEETING: Dr. Smith moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 12:01 P.M., for the purpose of deliberation to reach a decision in the matter of **Jamie Denise Loy Pound**. Additionally, Dr. Smith moved that Ms. Morris, Ms.

Bargdill, Ms. Renick and Ms. Mitchell 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. Gerardo and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:25 P.M.

Dr. Smith 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. Gerardo and carried unanimously.

ACTION: Ms. McElfresh moved that the Board of Nursing revoke the certificate of **Jamie Denise Loy Pound** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse against her in the Virginia Nurse Aide Registry. 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.

RECESS: The Board recessed at 12:27 P.M.

RECONVENTION: The Board reconvened at 1:00 P.M.

FORMAL HEARINGS: **Lisa Michelle Hill, CNA** **1401-1000634**

Ms. Hill did not appear.

Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Mitchell was legal counsel for the Board. Andrea Pegram, court reporter, recorded the proceedings.

Mark Cranfill, Senior Investigator, Enforcement Division, was present and testified. Nancy Bakatsias testified via telephone.

CLOSED MEETING: Dr. Smith moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 1:31 P.M., for the purpose of deliberation to reach a decision in the matter of **Lisa Michelle Hill**. Additionally, Dr. Smith moved that Ms. Morris, Ms. Bargdill, Ms. Renick and Ms. Mitchell 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. Gerardo and carried unanimously.

RECONVENTION: The Board reconvened in open session at 1:38 P.M.

Dr. Smith 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. Gerardo and carried unanimously.

ACTION: Ms. Buchwald moved that the Board of Nursing revoke the certificate of **Lisa Michelle Hill** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Misappropriation of patient property. 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.

RECESS: The Board recessed at 2:42 P.M.

RECONVENTION: The Board reconvened at 2:45 P.M.

RECESS: The Board recessed at 3:25 P.M.

RECONVENTION: The Board reconvened at 3:30 P.M.

FORMAL HEARINGS: **Barbara Annette Powell, RN Reinstatement** **0001-102515**

Mr. Powell appeared and was represented by Elizabeth Coleman, her legal counsel.

Mandy Wilson, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Andrea Pegram, court reporter, recorded the proceedings.

Stephen Shirley, Senior Investigator, Enforcement Division, Gayle Miller, Senior Investigator, Enforcement Division, and Amy Ressler,

Case Manager at Health Practitioners' Monitoring Program, were present and testified.

Ms. Renick left the meeting at 4:03 P.M.
Ms. Vu joined the meeting at 4:03 P.M.

CLOSED MEETING:

Dr. Smith moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:58 P.M., for the purpose of deliberation to reach a decision in the matter of **Barbara Annette Powell**. Additionally, Dr. Smith moved that Ms. Morris, Ms. Bargdill, Ms. Vu and Ms. Mitchell 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. Gerardo and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 5:28 P.M.

Dr. Smith 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. Gerardo and carried unanimously.

ACTION:

Ms. Gerardo moved that the Board of Nursing approve the application of **Barbara Annette Powell** for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia, suspend her license with suspension stayed contingent upon entry and continue compliance with Health Practitioners' Monitoring Program (HPMP). The motion was seconded by Dr. Smith and carried with five votes in favor of the motion. Dr. Gleason opposed the motion.

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 5:30 P.M.

Christina Bargdill, BSN, MHS, RN
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
May 19, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:02 A.M., on May 19, 2022 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Cynthia M. Swineford, MSN, RN, CNE; First Vice-President
Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President
Laurie Buchwald, MSN, WHNP, FNP
Yvette L. Dorsey, DNP, RN
Dixie L. McElfresh, LPN
Mark D. Monson, Citizen Member

STAFF PRESENT: Jay. P Douglas, MSM, RN, CSAC, FRE; Executive Director
Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Patricia Dewey, RN, BSN, Discipline Case Manager
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL: With six members of the Board present, a panel was established.

FORMAL HEARINGS: **Brandon Anthony Jackson, CNA** **1401-148365**
Mr. Jackson did not appear.
David Robinson, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.
Joyce Johnson, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING: Mr. Monson moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:16 A.M., for the purpose of deliberation to reach a decision in the matter of **Brandon Anthony Jackson**. Additionally, Mr. Monson moved that Ms. Douglas, Ms. Morris, Ms. Goode and Ms. Mitchell, 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. Buchwald and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:38 A.M.

Mr. Monson 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.

ACTION: Dr. Dorsey moved that the Board of Nursing deny the application of **Brandon Anthony Jackson** for reinstatement of his certificate to practice as nurse aide in the Commonwealth of Virginia and continue his certificate on indefinite suspension. The motion was seconded by Mr. Monson 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 11:30 A.M.

RECONVENTION: The board reconvened at 2:00 P.M.

FORMAL HEARINGS: **Mark Stephen Mullins, RN** **0001-214577**

Mr. Mullins did not appear.

Tammy Jones, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.

Jessica Wilkerson, Senior Investigator, Enforcement Division, was present and testified. Melissa Whisman, RN, testified via telephone.

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 2:27 P.M., for the purpose of deliberation to reach a decision in the matter of **Mark Stephen Mullins**. Additionally, Ms. Buchwald moved that Ms. Douglas, Ms. Morris, Ms. Goode and Ms. Mitchell, 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 Mr. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:04 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 Ms. McElfresh and carried unanimously.

ACTION: Dr. Smith moved that the Board of Nursing suspend the right of **Mark Stephen Mullins** to renew his license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Dorsey 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 3:05 P.M.

Claire Morris, RN, LNHA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
May 25, 2022

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held May 25, 2022 at 4:00 P.M.

The Board of Nursing members participating in the call were:

Brandon Jones, MSN, RN, CEN, NEA-BC; **Chair**
Terri Crawford Brown, RNC, MSN
Yvette L. Dorsey, DNP, RN
Margaret Friedenberg, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Mark Monson, Citizen Member
Meenakshi Shah, BA, RN

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
Julia Bennett, Deputy Director, Administrative Proceedings Division
Sean Murphy, Assistant Attorney General
Jay Douglas, RN, MSM, CSAC, FRE; Executive Director
Claire Morris, RN, LNHA, Deputy Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Lakisha Goode, Discipline Team Coordinator
Breana Renick, Administrative Support Specialist

The meeting was called to order by Mr. Jones. With nine members of the Board of Nursing participating, a quorum was established.

Sean Murphy, Assistant Attorney General, presented evidence that the continue practice of Nursing by **Samuel Kermit Justus, RN (0001-136880)** may present a substantial danger to the health and safety of the public.

Mr. Hermansen-Parker moved to summarily suspend the license of **Samuel Kermit Justus** pending a formal administrative hearing and to offer a consent order for indefinite suspension of his license in lieu of a formal hearing. The motion was seconded by Ms. Crawford Brown and carried unanimously.

The meeting was adjourned at 4:18 P.M.

Claire Morris, RN, LHNA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
June 2, 2022

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held June 2, 2022 at 4:00 P.M.

The Board of Nursing members participating in the call were:

Brandon Jones, MSN, RN, CEN, NEA-BC; **Chair**
Lauri Buchwald, RNC, MSN, WHNP, FNP
Terri Crawford Brown, RNC, MSN
Yvette L. Dorsey, DNP, RN
Margaret Friedenberg, Citizen Member
A Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Mark Monson, Citizen Member
Cynthia Swineford, RN, MSN, CNE

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
Erin Weaver, Assistant Attorney General
Amanda Wilson, Adjudication Specialist; Administrative Proceedings Division
Jay Douglas, RN, MSM, CSAC, FRE; Executive Director
Claire Morris, RN, LNHA, Deputy Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Huong Vu, Operations Manager
Lakisha Goode, Discipline Team Coordinator
Breana Renick, Administrative Support Specialist

The meeting was called to order by Mr. Jones. With nine members of the Board of Nursing participating, a quorum was established.

Erin Weaver, Assistant Attorney General, presented evidence that the continue practice of Nursing by **Tanya Ann McInturff, RN (0001-196402)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Swineford moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:17 P.M., for the purpose of deliberation to reach a decision in the matter of **Tanya Ann McInturff**. Additionally, Ms. Swineford moved that Ms. Douglas, Ms. Morris, Ms. Bargdill, Ms. Vu, Ms. Goode, Ms. Renick and Ms. Mitchell 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. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:32 P.M.

Virginia Board of Nursing
Possible Summary Suspension Telephone Conference Call
June 2, 2022

Ms. Swineford 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. Dorsey and carried unanimously.

Dr. Gleason moved to summarily suspend the license of **Tanya Ann McInturff** to practice professional nursing in the Commonwealth of Virginia pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license in lieu of a formal hearing for a period of not less than two years. The motion was seconded by Ms. Buchwald and carried unanimously.

The meeting was adjourned at 4:37 P.M.

Claire Morris, RN, LHNA
Deputy Executive Director

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
June 7, 2022

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held June 7, 2022 at 4:02 P.M.

The Board of Nursing members participating in the call were:

Brandon Jones, MSN, RN, CEN, NEA-BC; **Chair**
Margaret Friedenberg, Citizen Member
Tucker Gleason, PhD, Citizen Member
Dixie L. McElfresh, LPN
Mark Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC
Felisa A. Smith, PhD, MSA, RN, CNE
Cynthia Swineford, RN, MSN, CNE

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
James Schliessmann, Assistant Attorney General
David Kazzie, Adjudication Specialist; Administrative Proceedings Division
Jay Douglas, MSM, RN, CSAC, FRE; Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill BSN, MHS; Deputy Executive Director
Claire Morris, RN, LNHA; Deputy Executive Director
Huong Vu, Operations Manager
Breana Renick, Administrative Support Specialist
Lakisha Goode, Discipline Team Coordinator

The meeting was called to order by Mr. Jones. With 8 members of the Board of Nursing participating, a quorum was established.

James Schliessmann, Assistant Attorney General, presented evidence that the continue practice as a registered medication aide by **DeAnne Marie Wilmouth (0031-005875)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Dr. Smith moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:11 P.M., for the purpose of deliberation to reach a decision in the matter of **DeAnne Marie Wilmouth**. Additionally, Dr. Smith moved that Ms. Douglas, Dr. Hills, Ms. Morris, Ms. Bargdill, Ms. Vu and Ms. Mitchell 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. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:21 P.M.

Virginia Board of Nursing
Possible Summary Suspension Telephone Conference Call
June 7, 2022

Dr. Smith 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. Gleason and carried unanimously.

Mr. Monson moved to summarily suspend the right to renew the medication aide registration of **DeAnne Marie Wilmouth** pending a formal administrative hearing and to offer a consent order for indefinite suspension of her right to renew her registration in lieu of a formal hearing for a period of not less than two years. The motion was seconded by Dr. Gleason and carried unanimously.

The meeting was adjourned at 4:23 P.M.

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

**VIRGINIA BOARD OF NURSING
BUSINESS MEETING MINUTES
July 19, 2022**

- TIME AND PLACE:** The business meeting of the Board of Nursing was called to order at 9:00 A.M. on July 19, 2022, 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
Yvette L. Dorsey, DNP, RN
Margaret J. Friedenberg, Citizen Member
Ann Tucker Gleason, PhD, Citizen Member
James L. Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC
- MEMBERS ABSENT:** Teri Crawford Brown, RNC, MSN
Laurie Buchwald, MSN, WHNP, FNP
Marie Gerardo, MS, RN, ANP-BC
Meenakshi Shah, BA, RN
- STAFF PRESENT:** Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Jacquelyn Wilmoth; Deputy Executive Director for Education
Randall Mangrum, DNP, RN; Nursing Education Program Manager
Patricia Dewey, RN, BSN, Discipline Case Manager
Francesca Iyengar, MSN, RN, Discipline Case Manager
Huong Vu, Operations Manager
- OTHERS PRESENT:** Charis Mitchell, Assistant Attorney General, Board Counsel
- IN THE AUDIENCE:** Ann Hardy, MSN, RN, Compliance and Case Adjudication Manager
Anniston Armour, Summer Intern
- ESTABLISHMENT OF A QUORUM:** Mr. Jones asked Board Members and Staff to introduce themselves. With 10 members present, a quorum was established.

**ADOPTION OF THE SANCTION REFERENCE POINTS (SRP) MANUAL
(GUIDANCE DOCUMENT 90-7):**

Dr. Hills worked with VisualResearch, Inc. to develop a working draft which was presented to the BON leadership team for input. She provided background information noting that some of the descriptions of duties may not apply exactly to each profession so that they remain consistent with the SRPs throughout DHP..

The Board discussed and made the following additional changes:

Page 5, 4th bullet

Replaced “*the license of a physician must be suspended*” with “**the license must be suspended**”

Page 8, 18 & 24, under Completing the Coversheet, 2nd paragraph

Replaced “*the Board should depart*” with “**the Board may depart**”

Page 30, under Completing the Coversheet, 2nd paragraph

Replaced “*the Board is encouraged to depart*” with “**the Board may depart**”

Mr. Monson moved to approve the SRP Manual, also known as Guidance Document 90-7, as further amended. The motion was seconded by Dr. Smith and carried unanimously.

Ms. Douglas noted that the SRP Manual will be posted to TownHall for public comment. If comments are received, those comments will be considered by the Board.

Dr. Dorsey and Ms. Swineford left the meeting at 9:19 A.M.

CONSIDERATION OF THE MAY 3, 2022 EDUCATION INFORMAL CONFERENCE COMMITTEE RECOMMENDATIONS

Mr. Hermansen-Parker moved that the Board of Nursing accept the recommendations of the Education Informal Conference Committee for the following education programs

Dabney S. Lancaster (DSL) Community College Practical Nursing (PN) Education Program (US28107600)

The approval of DSL-PN to operate a practical nursing education program is withdrawn, the withdrawal is stayed, and DSL-PN shall remain on conditional approval with terms and conditions.

Elite Healthcare, Inc., Medication Aide Training Program (0030000149)

The approval of Elite Healthcare Inc., Medication Aide Training Program to operate a medication aide training program is withdrawn.

Extensive Pharmaceutical Services, Inc., Medication Aide Training Program (0030000178)

The approval of Extensive Pharmaceutical Services Inc., Medication Aide Training Program to operate a medication aide training program is withdrawn.

Health Start Medication Aide Training Program (0030000214)

The approval of Health Start Medication Aide Training Program to operate a medication aide training program is withdrawn.

Healthcare Services 101 D.B.A. Medical-Training, Learning, & Concepts, LLC Medication Aide Training Program (0030000133)

The approval of Healthcare Services 101 Medication Aide Training Program to operate a medication aide training program is withdrawn.

Karlise Care Essentials Training Academy, LLC Medication Aide Training Program (0030000155)

The approval of Karlise Care Essentials Training Academy Medication Aide Training Program to operate a medication aide training program is withdrawn.

Patrick & Henry Community College (PHCC) Practical Nursing (PN) Education Program (US28200000)

PHCC-PN is continued on conditional approval with terms and conditions.

Patrick & Henry Community College (PHCC) Associate Degree Nursing (ADN) Program (US28406900)

PHCC-ADN is continued on conditional approval with terms and conditions.

Ransone's LTC Pharmacy Medication Aide Training Program (0030000023)

The approval of Ransone's LTC Pharmacy Medication Aide Training Program to operate a medication aide training program is withdrawn.

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

ADJOURNMENT: The Board adjourned at 9:30 A.M.

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

DRAFT

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
July 19, 2022- Panel A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:02 A.M., on July 19, 2022 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Brandon Jones, MSN, RN, CEN, NEA-BC; President
Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President
Yvette L. Dorsey, DNP, RN
Margaret J. Friedenberg, Citizen Member
Dixie L. McElfresh, LPN

STAFF PRESENT: Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director
Francesca Iyengar, MSN, RN, Discipline Case Manager
Lakisha Goode, Discipline Team Coordinator
Ann Hardy, MSN, RN, Compliance and Case Adjudication Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL: With five members of the Board present, a panel was established.

FORMAL HEARINGS: **Sheronda Drumgole, CNA** **1401-212595**
Ms. Drumgole did not appear.
Amanda Wilson, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.

CLOSED MEETING: Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:12 A.M., for the purpose of deliberation to reach a decision in the matter of **Sheronda Drumgole**. Additionally, Dr. Dorsey moved that Dr. Hills, Ms. Goode, Ms. Hardy and Ms. Mitchell, 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 10:27 A.M.

Dr. Dorsey 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 indefinitely suspend the certificate of **Sheronda Drumgole** to practice as nurse aide in the Commonwealth of Virginia and for not less than one year. 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.

RECESS:

The board recessed at 10:30 A.M.

RECONVENTION:

The board reconvened at 11:00 A.M.

FORMAL HEARINGS:

Tela Seda Franklin, RN Reinstatement

0001-256517

Ms. Franklin did not appear.

Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth and Taylor Recording, recorded the proceedings.

Jermial Gray, Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING:

Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:08 A.M., for the purpose of deliberation to reach a decision in the matter of **Tela Seda Franklin**. Additionally, Dr. Dorsey moved that Ms. Morris, Dr. Hills, Ms. Goode, Ms. Hardy and Ms. Mitchell, 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 11:18 A.M.

Dr. Dorsey 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 deny the application of **Tela Seda Franklin** for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Dorsey 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 11:19 A.M.

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

**VIRGINIA BOARD OF NURSING
PANEL B - FORMAL HEARINGS
July 19, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:00 A.M., on July 19, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Cynthia M. Swineford, MSN, RN, CEN; First Vice-President
Ann T. Gleason, PhD, Citizen Member
James L. Hermansen-Parker, MSN, RN, PCCN-K
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC
Erin Osiol, LMT – **joined at 1:37 P.M.**

STAFF PRESENT: Jay Douglas, RN, MSM, CSAC, FRE; Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Breana Renick, Administrative Support Specialist

OTHERS PRESENT: James Rutkowski, Assistant Attorney General

ESTABLISHMENT OF A PANEL: With five members of the Board present, a panel was established.

FORMAL HEARING: **Vanessa Wright, RN Reinstatement** **0001-275660**
Ms. Wright appeared.
Rebecca Ribley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Andrea Pegram, court reporter, recorded the proceedings.

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 10:45 A.M., for the purpose of deliberation to reach a decision in the matter of **Vanessa Wright**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Bargdill, Ms. Renick 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:00 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.

ACTION: Mr. Monson moved that the Board of Nursing reprimand **Vanessa Wright** and approve her application for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia with a single state license only. The motion was seconded by Mr. Hermansen-Parker 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 11:02 P.M.

RECONVENTION: The Board reconvened at 1:37 P.M.

Ms. Osiol jointed the meeting at 1:37 P.M.

FORMAL HEARING: **Yumei Nan, LMT** **0019-014013**

Ms. Nan appeared.

Naomi Wu, Interpreter from Syncroz Language Solutions, translated the Chinese language, Mandarin, for Ms. Nan.

Erin Weaver, Adjudication Specialist, Administrative Proceedings Division and Christine Corey, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the board. Andrea Pegram, court reporter, recorded the proceedings.

Marcella Luna, Senior Investigator, Enforcement Division, was present and testified.

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 2:42 P.M., for the purpose of deliberation to reach a decision in the matter of **Yumei Nan**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Bargdill, Ms.

Renick 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:55 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 Mr. Hermansen-Parker and carried unanimously.

ACTION: Ms. Osiol moved that the Board of Nursing revoke the license of **Yumei Nan** to practice as a massage therapist in the Commonwealth of Virginia. The motion was seconded by Mr. Monson and carried unanimously.

Ms. Osiol left the meeting at 2:57 P.M.

Michele Lee Fancher, RN Reinstatement

0001-158843

Mr. Fancher appeared.

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Andrea Pegram, court reporter, recorded the proceedings.

Tosha Fischetti, Senior Investigator, Enforcement Division, was present and testified.

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 3:49 P.M., for the purpose of deliberation to reach a decision in the matter of **Michele Lee Fancher**. Additionally, Dr. Gleason moved that Ms. Douglas, Ms. Bargdill, Ms. Renick 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:05 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 Mr. Hermansen-Parker and carried unanimously.

ACTION:

Mr. Monson moved that the Board of Nursing approve the application of **Michele Lee Fancher** for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia with a single state license only. The motion was seconded by Mr. Hermansen-Parker 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 4:07 P.M.

Christina Bargdill, BSN, MHS, RN
Deputy Executive Director

Virginia Board of Nursing
DISCIPLINE COMMITTEE MEETING

July 20, 2022 Minutes

Time and Place: The Board of Nursing Discipline Committee meeting was convened at 8:30 A.M. on July 20, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

Board Members Present: James L. Hermansen-Parker, MSN, RN, PCCN-K, **Chairperson**
Cynthia Swineford, RN, MSN, SNE; First Vice-President
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

Staff Members Present: Jay P. Douglas, RN, MSM, CSAC, FRE
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Jacquelyn Wilmoth; Deputy Executive Director for Education

Guidance Document 90-12 draft revisions recommended by Board staff were provided for discussion. Recommendations were made regarding delegation to staff:

- Updating Section I regarding education programs
- adding the ability for staff to offer PHCOs to Education programs
- removal of examples throughout the document
- removal of “professional education” and “professional discipline” when referring to staff – change to “Staff” throughout
- in the initial and reinstatement applicants section, remove “Reprimand and approve” for failure to reveal criminal convictions or one misdemeanor conviction as already in GD #90-10
- remove section on “Intentional Conduct Determined Abuse/Neglect”
- Updated Compliance section
- Remove offering a CCA for pre-employment positive drug screen

Ms. Douglas raised the question of whether the delegation of authority to staff should remain as a guidance document.

The next meeting will be scheduled during September Board week – September 12-15, 2022. Date/time will be determined.

The meeting was adjourned at 4:35 P.M.

**VIRGINIA BOARD OF NURSING
CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS
AND CONSENT ORDERS MINUTES**

Panel – A

July 20, 2022

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:25 A.M. on July 20, 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
Laurie Buchwald, MSN, WHNP, FNP
Ann T. Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN

STAFF PRESENT:

Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for
Advance Practice
Patricia Dewey, RN, BSN; Discipline Case Manager
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

#7 – Markell Thompson, CNA

1401-196435

Mr. Thompson did not appear. Mr. Thompson's attorney, Benjamin Sharp, appeared.

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 9:28 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Mr. Thompson. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Goode and Ms. Mitchell, 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:35 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 Ms. McElfresh and carried unanimously.

Mr. Hermansen-Parker moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certification of **Markell Thompson** to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Neglect against him in the Virginia Nurse Aide Registry. The motion was seconded by Ms. McElfresh and carried unanimously.

#3 – Sarah Nicole Coffey, LPN

0002-078738

Ms. Coffey did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of **Sarah Nicole Coffey** to renew her license to practice practical nursing in the Commonwealth of Virginia for a period not less than two years. The motion was seconded by Ms. Buchwald and carried unanimously.

#5 – Jean Palmer-Large, LPN

0029-000131

Tennessee License Number: 63097 with Multistate Privileges

Ms. Palmer-Large did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Jean Palmer-Large**. The motion was seconded by Ms. Buchwald and carried unanimously.

#11– Audrey Veronica Jones, LPN

0002-032365

Ms. Jones did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Audrey Veronica Jones** and suspend her right to renew her license to practice practical nursing in the Commonwealth of Virginia for a period not less than two years. The motion was seconded by Ms. Buchwald and carried unanimously.

#13 – Cassandra Michelle Wilson, RMA

0031-001488

Ms. Wilson did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registration of **Cassandra Michelle Wilson** to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Ms. Buchwald and carried unanimously.

#14 – Cassandra Michelle Wilson, CNA

1401-096752

Ms. Wilson did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of **Cassandra Michelle Wilson**, to practice as a nurse aide in the Commonwealth of Virginia, The motion was seconded by Ms. Buchwald and carried unanimously.

#15 – Leshia Michelle Cromer, LPN

0002-061863

Ms. Cromer did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the right of **Leshia Michelle Cromer** to renew her license to practice practical nursing in the Commonwealth of Virginia, with suspension stayed upon proof of her entry into the Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#17 – Christopher Sheldon Gregory, RN

0001-214615

Mr. Gregory did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency to reprimand **Christopher Sheldon Gregory**. The motion was seconded by Ms. Buchwald and carried unanimously.

#21 – Heather Jo Harvey Muth, RN

0001-193474

Ms. **Muth** did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency to reprimand **Heather Jo Harvey Muth** and indefinitely suspend her right to renew her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Ms. Buchwald and carried unanimously.

#23 – Amber Pinkard, CNA

1401-173684

Ms. Pinkard did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of **Amber Pinkard** to practice as a nurse aide with suspension stayed upon proof of Ms. Pinkard's entry into the Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#29 – Jeffrey Patrick Robertson, RN

0001-260363

Mr. Robertson did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Jeffrey Patrick Robertson** to practice professional nursing in the Commonwealth of Virginia, with suspension stayed upon proof of Mr. Robertson's entry into the Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Ms. Buchwald and carried unanimously.

#31 – Audra Jean Vandyke, LPN

0002-067366

Ms. Vandyke did not appear.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate for **Audra Jean Vandyke** to have an evaluation by a chemical dependency specialist satisfactory to the Board and shall have a written report of the evaluation, including a diagnosis, a recommended course of therapy, and a prognosis sent to the Board within 90 days from the date this Order is entered. The motion was seconded by Ms. Buchwald and carried unanimously.

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 9:41 A.M., for the purpose of consideration of the agency subordinate recommendations number 19, 25 and 27. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Goode and Ms. Mitchell, 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:54 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.

#19 – Jill Denise Rives, RN **0001-207093**
Ms. Rives did not appear.

Mr. Hermansen-Parker moved that the Board of Nursing accept the recommended decision of the agency subordinate with modifications to reprimand **Jill Denise Rives** and assess a monetary penalty of \$500.00 to be paid within 60 days of entry of the Order. The motion was seconded by Ms. McElfresh and carried unanimously.

#25 – Tiffany Faye Mullins Ausborne, CNA **1401-113516**
Ms. Ausborne did not appear.

Dr. Gleason moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the right of **Tiffany Faye Mullins Ausborne** to renew her certificate to practice as a nurse aide in the Commonwealth of Virginia for a period of not less than two years from date of entry of this Order. The motion was seconded by Ms. McElfresh and carried unanimously.

#27 – Kamara Drea Kabba, RMA **1401-125026**
Ms. Kabba did not appear.

Dr. Gleason moved that the Board of Nursing rejects the recommended decision of the agency subordinate regarding **Kamara Drea Kabba** and

refer the matter to a formal hearing. The motion was seconded by Ms. McElfresh and carried unanimously.

#1 – Lauren Wells King, RN

0001-223536

Ms. King appeared and addressed the Board regarding her recommendation.

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 10:00 A.M., for the purpose of consideration of the agency subordinate recommendation regarding Ms. King. Additionally, Dr. Gleason moved that Dr. Hills, Ms. Goode and Ms. Mitchell, 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. Buchwald and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:08 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.

Ms. McElfresh moved that the Board of Nursing accept the recommended decision of the agency subordinate with modifications to indefinitely suspend the license of **Lauren Wells King** to practice practical nursing in the Commonwealth of Virginia, with suspension stayed upon proof of her entry into the Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

CONSIDERATION OF CONSENT ORDERS

G1 – Hilda Ann Lease, LPN

0002-022064

Ms. McElfresh moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the right of **Hilda Ann Lease** to renew her license to practice practical nursing in the

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

G2 – Amanda Marie Martin, RN **0001-253143**

Ms. McElfresh moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the right of **Amanda Marie Martin** to renew her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G3 – Bobbie Liner Stamper, RN **0001-178973**

Ms. McElfresh moved that the Board of Nursing accept the consent order for voluntary surrender for indefinite suspension of the right of **Bobbie Liner Stamper** to renew her license to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

G4 – Brittany Jean Nelson, RN **0001-218282**

Ms. McElfresh moved that the Board of Nursing accept the consent order to reinstate the license of **Brittany Jean Nelson** to practice as a professional nurse in the Commonwealth of Virginia, with suspension stayed upon proof of her entry into the Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and remaining in compliance thereafter with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded by Mr. Hermansen-Parker and carried unanimously.

ADJOURNMENT: The Board adjourned at 10:46 A.M.

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

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
PANEL A
July 20, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:39 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
Laurie Buchwald, MSN, WHNP, FN
Ann T. Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
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
Patricia Dewey, RN, BSN, Discipline Case Manager
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General

ESTABLISHMENT OF A PANEL: With five members of the Board present, a panel was established.

FORMAL HEARING: **Paula Apicella, RN Reinstatement Applicant**
Delaware License #L1-0035481 with Multi-state Privilege

Ms. Apicella appeared.

Rebecca Ribley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Gayle Miller and Debra Hay-Pearce, Senior Investigators, Enforcement Division, were present and testified.

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

RECONVENTION: The Board reconvened at 11:54 A.M.

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 12:10 P.M., for the purpose of deliberation to reach a decision in the matter of **Paula Apicella**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Goode and Ms. Mitchell, 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:40 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 Mr. Hermansen-Parker and carried unanimously.

ACTION: Ms. McElfresh moved that the Board of Nursing approve the application of **Paula Apicella** for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia, indefinitely suspend her license with the suspension stayed contingent upon entry into and compliance with Virginia Health Practitioners' Monitoring Program (HPMP). The motion was seconded by Ms. Buchwald 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 12:41 P.M.

RECONVENTION: The Board reconvened at 1:16 P.M.

FORMAL HEARING: **DeAnna M. Mondragon, LPN** **0002-093240**

Ms. Mondragon appeared and was accompanied by Mackenzie McClellan.

David Kazzie, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter with Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Kevin Wolfe, Senior Investigator, Enforcement Division, was present and testified. Crystal Larson, LNHA, Administrator at Lynn Care Center, testified by telephone.

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 2:33 P.M., for the purpose of deliberation to reach a decision in the matter of **DeAnna M. Mondragon**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Goode and Ms. Mitchell, 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 Mr. Hermansen-Parker and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:57 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 Mr. Hermansen-Parker and carried unanimously.

ACTION: Ms. Buchwald moved that the Board of Nursing dismiss the case regarding **DeAnna M. Mondragon**. The motion was seconded by Mr. Hermansen-Parker 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 2:58 P.M.

RECONVENTION: The Board reconvened at 3:13 P.M.

FORMAL HEARING: **Keith Allen Jenkins, RN Reinstatement Applicant** **0001-210686**

Mr. Jenkins appeared.

Anne Joseph, Adjudication Consultant, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Kim Taylor, court reporter with Farnsworth and Taylor Reporting, LLC, recorded the proceedings.

Joyce Johnson, Senior Investigator, Enforcement Division, was present and testified.

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 3:52 P.M., for the purpose of deliberation to reach a decision in the matter of **Keith Allen Jenkins**. Additionally, Dr. Gleason moved that Ms. Douglas, Dr. Hills, Ms. Goode and Ms. Mitchell, 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. Buchwald and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:19 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.

ACTION: Ms. McElfresh moved that the Board of Nursing approve the application of **Keith Allen Jenkins** for reinstatement of his license to practice professional nursing in the Commonwealth of Virginia and issue a single state license valid in Virginia only. The motion was seconded by Mr. Hermansen-Parker 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 4:21 P.M.

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

VIRGINIA BOARD OF NURSING
CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS
Panel B
July 20, 2022

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:36 A.M., on July 20, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS

PRESENT: Cynthia M. Swineford, MSN, RN, CNE; First Vice-President
Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President
Yvette L. Dorsey, DNP, RN
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT: Jay. P Douglas, MSM, RN, CSAC, FRE; Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Breana Renick, Administrative Support Specialist

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL: With five members of the Board present, a panel was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

#26- Candace Michelle McNeil, LPN 0002-069483

Ms. McNeil appeared and addressed the Board.

CLOSED MEETING: Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:41 A.M. for the purpose of considering the agency subordinate recommendation regarding **Candace Michelle McNeil, LPN**. Additionally, Dr. Dorsey moved that Ms. Douglas, Ms. Bargdill, Ms. Renick 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 properly seconded by Mr. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:47 A.M.

Dr. Dorsey 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 properly seconded by Mr. Monson and carried unanimously.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Candace Michelle McNeil and to indefinitely suspend the her license to practice practical nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

#4 – Jennifer Nottingham Metz, LPN

0002-053032

Ms. Metz did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Jennifer Nottingham Metz** to practice professional nursing in the Commonwealth with suspension stayed contingent upon Ms. Metz' entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of the Order and remain compliance 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.

#8 – Buffy Brizendine, RMA

0031-007339

Ms. Brizendine did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Buffy Brizendine** and to indefinitely suspend her right to renew her registration to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

#10—Pamela Kay Rathbun, LPN

0002-066932

Ms. Rathbun did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Pamela Kay Rathbun** and to indefinitely suspend her right to renew her license to practice practical

nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

#12—Maurissa Dawn Keenan, RN

0001-260679

Ms. Keenan did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Maurissa Dawn Keenan** to practice professional nursing in the Commonwealth with suspension stayed contingent upon Ms. Keenan's entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) and remain compliance 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.

#16 – Jah-Liyi Rashaad Pollard, LPN

0002-088107

Mr. Pollard did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Jah-Liyi Rashaad Pollard** to practice practical nursing in the Commonwealth with suspension stayed contingent upon Mr. Pollard's entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) and remain compliance 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.

#18 – Mary Richardson White, LPN

0002-036167

Ms. White did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Mary Richardson White** and place her on probation with terms and conditions. The motion was seconded by Dr. Smith and carried unanimously.

#20 – Haley Dantos, RN

**NC license #RN308572
with multistate privileges**

Ms. Dantos did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to **Haley Dantos** and to indefinitely suspend her license to practice as a professional nurse 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 Dr. Smith and carried unanimously.

#22 – Stephanie Ann Smith, LPN

0002-081812

Ms. Smith did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Stephanie Ann Smith** to practice practical nursing in the Commonwealth with suspension stayed contingent upon Ms. Smith's entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) and remain compliance 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

#24 – Jennifer Lee Clark, RMA

0031-008554

Ms. Clark did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to suspend the privilege of **Jennifer Lee Clark** to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

#28 – Levon Delois Pinkney, LPN

0002-062783

Ms. Pinkey did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Levon Delois Pinkney** and to indefinitely suspend her license to practice as a practical nurse 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 Dr. Smith and carried unanimously.

#30 – Elizabeth Jane Drescher, RN

0001-292806

Ms. Drescher did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of **Elizabeth Jane Drescher** to practice professional nursing in the Commonwealth with suspension stayed contingent upon Ms. Drescher's entry into a contract the Virginia Health Practitioners' Monitoring Program (HPMP) within 60 days of the date of the Order and remain compliance 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.

CLOSED MEETING:

Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:55 A.M. for the purpose of considering agency subordinate recommendations number 2, 6 and 9. Additionally, Dr. Dorsey moved that Ms. Douglas, Ms. Bardgill, Ms. Renick 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 properly seconded by Ms. Phelps and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:07 A.M.

Dr. Dorsey 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 properly seconded by Mr. Monson and carried unanimously.

#2 – Christopher C. Carter, LPN

0002-086490

Mr. Carter did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand **Christopher C. Carter** and require him to provide written proof satisfactory to the Board of successful completion of a nursing refresher course prior to returning to nursing practice. The motion was properly seconded by Dr. Smith and carried unanimously.

#6 – Tabitha White, RN

**NC license# 288145 with
multistate privileges**

Ms. White did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the license of **Tabitha White** to practice professional nursing in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

#9 – Buffy Brizendine, CNA

1401-142512

Ms. Brizendine did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of **Buffy Brizendine** to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded by Dr. Smith and carried unanimously.

ADJOURNMENT:

The Board adjourned at 10:07 A.M.

Christina Bargdill, BSN, MHS, RN
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
PANEL B - FORMAL HEARINGS
July 20, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:36 A.M., on July 20, 2022 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Cynthia M. Swineford, MSN, RN, CNE; First Vice-President
Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President
Yvette L. Dorsey, DNP, RN
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT: Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Christina Bargdill, BSN, MHS, RN; Deputy Executive Director
Breana Renick, Administrative Support Specialist

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL: With five members of the Board present, a panel was established.

FORMAL HEARINGS: **Shene Jamilla Banguera, RN** **0001-266905**
Ms. Banguera appeared.
Grace Stewart, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Marie Whisenand, court reporter, Farnsworth & Taylor Reporting, recorded the proceedings.
Dwanda Wilson and LaKenya Baugh were present and testified. Lequita Roach testified via phone.

CLOSED MEETING: Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 12:12 P.M., for the purpose of deliberation to reach a decision in the matter of **Shene Jamilla Banguera**. Additionally, Dr. Dorsey moved that Ms. Morris, Ms. Bargdill, Ms. Renick 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 Mr. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:20 P.M.

Dr. Dorsey 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. Phelps moved that the Board of Nursing indefinitely suspend the license of **Shene Jamilla Banguera** to practice professional nursing in the Commonwealth of Virginia for a period of not less than one year. The motion was seconded by Mr. Monson 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 12:21 P.M.

RECONVENTION: The Board reconvened at 2:06 P.M.

FORMAL HEARINGS: **DeAnne Marie Wilmouth, RMA** **0031-005875**

Ms. Wilmouth did not appear.

Grace Stewart, and Christine Andreoli, Adjudication Specialists, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Marie Whisenand, court reporter, Farnsworth & Taylor Reporting, recorded the proceedings.

David Cowras, Senior Investigator, Enforcement Division, Rebecca Hubble, Senior Investigator, Enforcement Division, Deborah Wright and HayLee King were present and testified. Dominique Lynch testified via phone.

CLOSED MEETING: Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:56 P.M., for the purpose of deliberation to reach a decision in the matter of **DeAnne Marie Wilmouth**. Additionally, Dr. Dorsey moved that Ms. Morris, Ms. Bargdill, Ms. Renick 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 Mr. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 3:02 P.M.

Dr. Dorsey 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. Monson and carried unanimously.

ACTION: Ms. Phelps moved that the Board of Nursing revoke the registration of **DeAnne Marie Wilmouth** to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded by Mr. Monson and carried unanimously.

ADJOURNMENT: The Board adjourned at 3:03 P.M.

Christina Bargdill, BSN, MHS, RN
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
BUSINESS MEETING
July 21, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:02 A.M., on July 20, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS
PRESENT:**

Felisa A. Smith, PhD, MSA, RN, CNE; Second Vice-President, Chair
Cynthia M. Swineford, MSN, RN, CNE; First Vice-President
Yvette L. Dorsey, DNP, RN
A Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie McElfresh, LPN

STAFF PRESENT:

Jay. P Douglas, MSM, RN, CSAC, FRE; Executive Director
Jacquelyn Wilmoth, RN, MSN; Deputy Executive Director for Education
Robin Hills, RN, DNP, WHNP; Deputy Executive Director for Advanced Practice
Randall Mangrum, DNP, RN; Nursing Education Program Manager
Huong Vu, Operations Manager

OTHERS PRESENT:

James Rutkowski, Assistant Attorney General, Board Counsel
Erin Barrett, JD, DHP Senior Policy Analyst

**ESTABLISHMENT OF
A PANEL:**

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

Dr. Smith asked Ms. Douglas to address the matter of the Agenda. Ms. Douglas noted that after the consideration of Exempt Action, the Panel will consider the recommendation regarding Stratford University- RN program and at 9:30 am there is a possible summary suspension consideration via telephone conference call.

Ms. Douglas added that after the conference call, the panel will consider the rest of the items on the Agenda.

**ADOPTION OF EXEMPT ACTION REGARDING CLINICAL NURSE SPECIALISTS
(18VAC90-30-125):**

Dr. Smith asked if Board Members have any questions for Ms. Barrett regarding the exempt action. None were raised.

Mr. Hermansen-Parker moved to accept the Exempt Action regarding the Clinical Nurse Specialists (18VAC-90-125) as presented. The motion was seconded by Dr. Dorsey and passed unanimously.

Mr. Hermansen-Parker and Ms. Barrett left the meeting at 9:10 am

Consideration of July 6, 2022 Education Informal Conference Committee Recommendation regarding - Stratford University, RN, Woodbridge (US28502000)

Dianne Lee-Fiedler, PhD, BSN, RN, Program Director, Marie M. Lexima, Dean, Richard Shurtz, President and Peter Leyton, legal counsel, were present and addressed the Board regarding their recommendations.

Ms. Wilmoth, and Ms. Douglas left the meeting at 9:15 A.M.

CLOSED MEETING:

Dr. Dorsey moved that the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:15 A.M. for the purpose of considering recommendations regarding Stratford University, RN, Woodbridge. Additionally, Dr. Dorsey moved that Dr. Hills, Dr. Mangrum, Ms. Vu and Ms. Mitchell, 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 Dr. Gleason and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:28 A.M.

Ms. McElfresh 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 properly seconded by Dr. Gleason and carried unanimously.

Mr. Hermansen-Parker, Ms. Douglas and Ms. Wilmoth rejoined the meeting at 9:28 A.M.

Dr. Dorsey moved that the Board of Nursing accepted the recommended decision of the July 6, 2022 Education Informal Conference Committee to continue **Stratford University, Woodbridge Campus Baccalaureate Degree Nursing Education Program** to operate a baccalaureate degree nursing program on conditional approval contingent upon the 2022 passage

rate meeting or exceeding 80% with terms and conditions. The motion was seconded by Ms. Swineford and carried unanimously.

Consideration of June 29, 2022 Education Informal Conference Committee Minutes

Mr. Hermansen-Parker moved to accepted the June 29, 2022 Education Informal Conference Committee minutes as presented. The motion was seconded by Ms. McElfresh and carried unanimously.

Consideration of July 6, 2022 Education Informal Conference Committee Minutes

Ms. McElfresh moved to accepted the July 6, 2022 Education Informal Conference Committee minutes as presented. The motion was seconded by Dr. Dorsey and carried unanimously.

Mr. Hermansen-Parker abstained from voting.

Consideration of June 29, 2022 Education Informal Conference Committee Recommendation regarding – Koinonia Medical Institute, Portsmouth (0030000237)

Mr. Hermansen-Parker moved to accept the recommended decision of the June 29, 2022 Education Informal Conference Committee to withdraw the approval of **Koinonia Medical Institute Medication Aide Training Program** to operate a medication aide training program. The motion was seconded by Ms. McElfresh and carried unanimously.

Consideration of July 6, 2022 Education Informal Conference Committee Recommendation regarding – Bryant & Stratton College, RN, Virginia Beach (US28409700)

Dr. Smith stated that she has started as an adjunct faculty at Bryant & Stratton College RN program at Virginia Beach. Dr. Smith noted that she can be objective in her decision. There was no objection noted.

Ms. McElfresh moved to accepted the recommended decision of the July 6, 2022 Education Informal Conference Committee to continue **Bryant & Stratton College, Virginia Beach Associate Degree Nursing Education Program** to operate a associate degree nursing program on conditional approval contingent upon the 2022 passage rate meeting or exceeding 80% with terms and conditions. The motion was seconded by Dr. Dorsey and carried unanimously.

Mr. Hermansen-Parker abstained from voting.

ADJOURNMENT: The Board adjourned at 10:01 A.M.

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

DRAFT

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
July 21, 2022

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held July 21, 2022 at 9:32 A.M.

The Board of Nursing members participating in the call were:

Brandon Jones, MSN, RN, CEN, NEA-BC; **Chair**
Yvette Dorsey, DNP, RN
Marie Gerardo, MS, RN, ANP-BC
Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN
Mark Monson, Citizen Member
Felisa A. Smith, PhD, MSA, RN, CNE
Cynthia Swineford, RN, MSN, CNE

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
Wayne Halbleib, Senior Assistant Attorney General/Section Chief
Claire Foley, Adjudication Specialist, Administrative Proceedings Division
Jay Douglas, MSM, RN, CSAS, FRE; Executive Director
Robin Hills, RN, DNP, WHNP; Deputy Executive Director for Advanced Practice
Claire Morris, RN, LNHA, Deputy Executive Director
Christinia Bargdill, BSN, MHS, RN; Deputy Executive Director
Jacquelyn Wilmoth, RN, MSN, Deputy Executive Director for Education
Randall Mangrum, DNP, RN, Nursing Education Program Manager
Francesca Iyengar, MSN, RN, Discipline Case Manager
Huong Vu, Operations Manager
Breana Renick, Administrative Support Specialist
Lakisha Goode, Discipline Team Coordinator

The meeting was called to order by Mr. Jones. With 9 members of the Board of Nursing participating, a quorum was established.

Wayne Halbeilb, Senior Assistant Attorney General/Section Chief, presented evidence that the continue practice as a registered nurse by **Basil Robert Asay, RN (0001-225368)** may present a substantial danger to the health and safety of the public.

Mr. Hermansen-Parker moved to summarily suspend the license of **Basil Robert Asay** to practice professional nursing in the Commonwealth of Virginia pending a formal administrative hearing and to offer a consent order for indefinite suspension of his license with the suspension stayed contingent upon entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of the HPMP for the time specified by the HPMP in lieu of a formal hearing. The motion was seconded by Mr. Monson and carried unanimously.

Virginia Board of Nursing
Possible Summary Suspension Telephone Conference Call
July 21, 2022

The meeting was adjourned at 9:53 A.M.

Jay Douglas, MSM, RN, CSAS, FRE
Executive Director

DRAFT

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
July 21, 2022**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 1:07 P.M., on July 21, 2022 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT: Cynthia M. Swineford, MSN, RN, CNE; First Vice-President
Yvette L. Dorsey, DNP, RN
A Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie McElfresh, LPN

STAFF PRESENT: Jay P. Douglas, MSN, RN, CSAC, FRE; Executive Director
Randall Mangrum, DNP, RN; Nursing Education Program Manager
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT: James Rutkowski, Assistant Attorney General, Board Counsel
Jacquelyn Wilmoth, RN, MSN; Deputy Executive Director
Beth Yates, Education Program Specialist

ESTABLISHMENT OF A PANEL: With five members of the Board present, a panel was established.

FORMAL HEARINGS: **ECPI University, Northern Virginia Practical Education Nursing Program (US28103200)**

Susan Lacy, RN, DNP, Program Director appeared, represented by Nathan Kottkamp, and accompanied by Sherri Washington, RN, Instructor, Barbara Larar, Andrea Lipsmeyers, and Stephanie Filedo

James Schliessman, Assistant Attorney General, and Claire Foley, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Kim Taylor, court reporter, Farnsworth & Taylor Reporting, recorded the proceedings.

Dr. Dorsey disclosed that in her full-time role, she visits education programs around Virginia and has met with ECPI University, Northern Virginia Practical Education Nursing Program and can remain objective in her decision. There was no object from the Commonwealth, the Respondent and the Board.

Anna Badgley, former Senior Investigator, Sherri Washington, RN, and Barbara Harrison, RN were present and testified. Courtney King, RN, testified via phone.

RECESS: The Board recessed at 2:24 P.M.

RECONVENTION: The Board reconvened at 2:38 P.M.

RECESS: The Board recessed at 3:30 P.M.

RECONVENTION: The Board reconvened at 3:41 P.M.

RECESS: The Board recessed at 5:26 P.M.

RECONVENTION: The Board reconvened at 5:36 P.M.

Mr. Kottkamp motioned the Board to dismiss the case.

Mr. Schliessman objected to the motion by Mr. Kottkamp.

CLOSED MEETING: Mr. Hermansen-Parker moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 5:49 P.M., for the purpose of consideration the motion made by **ECPI University, Northern Virginia Practical Education Nursing Program**. Additionally, Mr. Hermansen-Parker moved that Ms. Douglas, Dr. Mangrum, Ms. Goode, and Ms. Mitchell, 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. Gleason and carried unanimously.

RECONVENTION: The Board reconvened in open session at 6:20 P.M.

Mr. Hermansen-Parker 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. McElfresh and carried unanimously.

ACTION: Dr. Dorsey moved that the Board of Nursing deny the motion made by **ECPI University, Northern Virginia Practical Education Nursing Program** but to amend the Statement of Allegation # 2 to read as follow:

ECPI violated 18VAC90-27(B)(1) and 90-27-100(A) and (C) of the Regulations for Nursing Education Programs (“Regulations”) in that for the cohorts graduating between or about September 2018 and December 2018, students participated in an observational-only Obstetrics experience that was later altered in student records to reflect hands-on client care. ECPI’s faculty also documented students’ client care clinical hours in the area of Medical/Surgical regarding a cardiac clinical experience; in fact, students only had classroom instruction on that topic.

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

The Board recessed the formal hearing and ECPI University, Northern Virginia Practical Education Nursing Program will be noticed when the formal hearing will be continued. The motion was carried unanimously.

ADJOURNMENT:

The Board adjourned at 6:31 P.M.

Jay Douglas, RN, MSM, CSAC
Executive Director

**VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
August 10, 2022**

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held August 10, 2022 at 4:30 P.M.

The Board of Nursing members participating in the call were:

Brandon Jones, MSN, RN, CEN, NEA-BC; **Chair**
Yvette Dorsey, DNP, RN
Margaret Joan Friedenber, Citizen Member
A Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN
Mark Monson, Citizen Member
Meenakshi Shah, BA, RN
Cynthia Swineford, RN, MSN, CNE

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
Wayne Halbleib, Senior Assistant Attorney General/Section Chief
Grace Stewart, Adjudication Specialist, Administrative Proceedings Division
Jay Douglas, MSM, RN, CSAS, FRE; Executive Director
Christinia Bargdill, BSN, MHS, RN; Deputy Executive Director
Anne Hardy, MSN, RN, Compliance and Case Adjudication Manager
Huong Vu, Operations Manager
Lakisha Goode, Discipline Team Coordinator

The meeting was called to order by Mr. Jones. With 9 members of the Board of Nursing participating, a quorum was established.

Wayne Halbeilb, Senior Assistant Attorney General/Section Chief, presented evidence that the continue practice as a registered nurse by **Sheena E. Norman, LPN (0002-098718)** may present a substantial danger to the health and safety of the public.

Mr. Monson moved to summarily suspend the license of **Sheena E. Norman** to practice practical nursing in the Commonwealth of Virginia 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 in lieu of a formal hearing. The motion was seconded by Ms. Shah and carried unanimously.

The meeting was adjourned at 4:56 P.M.

Jay Douglas, MSM, RN, CSAS, FRE
Executive Director

VIRGINIA BOARD OF NURSING
POSSIBLE SUMMARY SUSPENSION TELEPHONE CONFERENCE CALL
August 22, 2022

A possible summary suspension telephone conference call of the Virginia Board of Nursing was held August 22, 2022 at 4:30 P.M.

The Board of Nursing members participating in the call were:

Brandon Jones, MSN, RN, CEN, NEA-BC; **Chair**
Yvette Dorsey, DNP, RN
Margaret Friedenber, Citizen Member
Tucker Gleason, PhD, Citizen Member
James Hermansen-Parker, MSN, RN, PCCN-K
Dixie L. McElfresh, LPN
Mark Monson, Citizen Member
Meenakshi Shah, BA, RN
Felisa A. Smith, PhD, MSA, RN, CNE
Cynthia Swineford, RN, MSN, CEN, NEA-BC

Others participating in the meeting were:

Charis Mitchell, Assistant Attorney General, Board Counsel
Erin Weaver, Assistant Attorney General
Rebecca Ribley, Adjudication Specialist, Administrative Proceedings Division
Jay Douglas, MSM, RN, CSAC, FRE; Executive Director
Robin Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Christina Bargdill BSN, MHS; Deputy Executive Director
Claire Morris, RN, LNHA; Deputy Executive Director
Francesca Iyengar, MSN, RN, Discipline Case Manager
Huong Vu, Operations Manager
Breana Renick, Administrative Support Specialist
Lakisha Goode, Discipline Team Coordinator
Tamika Claiborne, Senior Licensing/Discipline Specialist
Eileen Talamante, RN, JD, Goodman/Allen/Donnelly, Attorney for the Respondent

The meeting was called to order by Mr. Jones. With 10 members of the Board of Nursing participating, a quorum was established.

Erin Weaver, Assistant Attorney General, presented evidence that the continue practice of professional nursing by **Judith Smart (0001-252988)** may present a substantial danger to the health and safety of the public.

CLOSED MEETING: Ms. Swineford moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:43 P.M., for the purpose of deliberation to reach a decision in the matter of **Judith Smart, RN** . Additionally, Ms. Swineford moved that Ms. Douglas, Dr. Hills, Ms. Bargdill, Ms. Morris, Ms. Iyengar, Ms. Vu, Ms. Renick, Ms. Goode, Ms. Claiborne and Ms.

Virginia Board of Nursing
Possible Summary Suspension Telephone Conference Call
August 22, 2022

Mitchell 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. Monson and carried unanimously.

RECONVENTION: The Board reconvened in open session at 4:52 P.M.

Ms. Talamante and Ms. Weaver re-joined the meeting at 4:52 P.M.

Ms. Swineford 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.

Mr. Monson moved to summarily suspend the license of **Judith Smart, RN** to practice professional nursing pending a formal administrative hearing and to offer a consent order for indefinite suspension of her license in lieu of a formal hearing. The motion was seconded by Dr. Dorsey and carried unanimously.

The meeting was adjourned at 4:55 P.M.

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

<i>License Count</i>	22-Jan	22-Feb	22-Mar	22-Apr	22-May	22-Jun	22-Jul	22-Aug	22-Sep	22-Oct	22-Nov	22-Dec
Nursing												
Practical Nurse	27,854	27,836	27,828	27,785	27,773	27,690	27,679	27,635				
Registered Nurse	115,278	115,835	116,082	116,225	116,263	116,800	117,812	118,027				
Massage Therapy	8,264	8,227	8,265	8,181	8,207	8,221	8,212	8,217				
Medication Aide	6,679	6,672	6,713	6,715	6,719	6,758	6,754	6,715				
Nurse Practitioner Total	15,921	16,129	16,304	16,423	16,529	16,668	16,790	16,961				
Autonomous Practice - NP	1,931	2,039	2,179	2,283	2,388	2,476	2,593	2,648				
Clinical Nurse Specialist - NP	395	397	399	402	402	399	399	401				
Certified Nurse Midwife - NP	421	428	431	436	435	439	440	439				
Certified Registered Nurse Anesthetist - NP	2,259	2,267	2,274	2,278	2,283	2,290	2,293	2,289				
Other Nurse Practitioners	10915	10998	11021	11024	11021	11064	11065	11184				
Total for Nursing	173996	174699	175192	175329	175491	176137	177247	177555	0	0	0	0

Nurse Aide	49,042	48,937	49,244	49,116	49,046	48,893	49,259	49,040				
Advanced Nurse Aide	29	26	29	28	30	30	34	36				
Total for Nurse Aide	49071	48963	49273	49144	49076	48923	49293	49076	0	0	0	0
License Count Grand Total	223067	223662	224465	224473	224567	225060	226540	226631	0	0	0	0
Open Cases Count	22-Jan	22-Feb	22-Mar	22-Apr	22-May	22-Jun	22-Jul	22-Aug	22-Sep	22-Oct	22-Nov	22-Dec
Nursing	1337	1260	1187	1211	1236	1257	1299	1297				
Nurse Aide	473	435	401	415	421	408	407	393				
Open Cases Total	1810	1695	1588	1626	1657	1665	1706	1690	0	0	0	0

Case Count by Occupation												Total	
Rec'd RN	62	64	44	73	77	58	81	64					523
Rec'd PN	25	40	36	27	45	48	48	34					303
Rec'd NP, AP, CNS	17	23	30	24	24	22	36	29					205
Rec'd LMT	2	5	3	3	8	6	5	0					32
Rec'd RMA	9	9	3	8	8	6	3	7					53
Rec'd Edu Program	5	0	0	3	2	3	2	6					21
Total Received Nursing	120	141	116	138	164	143	175	140	0	0	0	0	1,137
Closed RN	62	123	79	70	52	58	52	77					573
Closed PN	25	85	35	40	34	39	20	50					328
Closed NP, AP, CNS	21	52	44	22	11	12	18	25					205
Closed LMT	1	14	14	8	3	1	3	11					55
Closed RMA	6	18	25	8	11	3	12	17					100
Closed Edu Program	1	0	5	0	1	0	2	2					11
Total Closed Nursing	116	292	202	148	112	113	107	182	0	0	0	0	1,272

Case Count - Nurse Aides												Total	
Received	34	50	69	43	45	42	27	33					343
Rec'd Edu Program	0	2	0	0	0	0	3	0					5
Total Received CNA	34	52	69	43	45	42	30	33	0	0	0	0	348
Closed	9	116	96	37	34	40	39	63					434
Closed Edu Program	0	0	0	0	0	0	0	1					1
Total Closed CNA	9	116	96	37	34	40	39	64	0	0	0	0	435

All Cases <u>Closed</u>	125	408	298	185	146	153	146	246	0	0	0	0	1,707
All Cases <u>Received</u>	154	193	185	181	209	185	205	173	0	0	0	0	1,485

Agency Subordinate Recommendation Tracking Trend Log - 2010 to Present – Board of Nursing

C2

Considered		Accepted		Modified*					Rejected					Final Outcome:** Difference from Recommendation				
Date	Total	Total	Total %	Total	Total %	# present	# ↑	# ↓	Total	Total %	# present	# Ref to FH	# Dis-missed	↑	↓	Same	Pend-ing	N/A
Total to Date:	800	731	91.4%	57	7.1%	10	40	14	13	1.6%	2	11	2	13	18	15	0	
CY2022 to Date:	99	93	93.9%	2	2.0%	1	0	2	3	3.0%	0	3	0	0	0	0	0	0
Jul-22	31	30	96.8%	0	0.0%	0	0	0	1	3.2%	0	1	0	0	0	0	0	0
May-22	29	28	96.6%	0	0.0%	0	0	0	0	0.0%	0	0	0	0	0	0	0	0
Mar-22	22	20	90.9%	1	4.5%	1	0	1	1	4.5%	0	1	0	0	0	0	0	0
Jan-22	17	15	88.2%	1	5.9%	0	0	1	1	5.9%	0	1	0	0	0	0	0	0
Annual Totals:																		
Total 2021	51	48	94.1%	5	9.8%	0	2	0	0	0.0%	0	0	0	3	4	1	0	
Total 2020	77	69	89.6%	6	7.8%	5	6	0	2	2.6%	0	2	0	4	0	0	N/A	
Total 2019	143	129	90.2%	12	8.4%	0	10	-2	2	1.4%	-2	0	2	0	0	1	N/A	
Total 2018	200	172	86.0%	24	12.0%	4	17	7	4	2.0%	0	4	0	4	10	7	N/A	
Total 2017	230	220	95.7%	8	3.5%	0	5	3	2	0.9%	0	2	0	2	4	6	N/A	

* Modified = Sanction changed in some way (does not include editorial changes to Findings of Fact or Conclusions of Law). ↑ = additional terms or more severe sanction. ↓ = lesser sanction or impose no sanction.

** Final Outcome Difference = Final Board action/ sanction after FH compared to original Agency Subordinate Recommendation that was modified (then appealed by respondent to FH) or was Rejected by Board (↺ referred to FH).

Virginia Board of Nursing
Executive Director Report
September 13, 2022

1 Presentations

- On June 6, 2022, Randall Mangrum, Nursing Education Program Manager, presented the educational seminar *Preparation and Regulation Review for Program Directors and Faculty of PN and RN Pre-Licensure Nursing Programs*.
- On June 28, 2022, Randall Mangrum, Education session completed with Riverside Health System Nurse Residency Program. Presentation focused on general Board of Nursing information, continuing competency requirements, and the discipline process.
- On June 29, 2022, Christine Smith, Nurse Aide/Medication Aide Education Program Manager, hosted an in-person Nurse Aide Education Regulatory Seminar with 12 program participants and 4 board staff members.
- On July 18, 2022, Randall Mangrum, Nursing Education Program Manager, presented Regulation Review and Survey Visit Prep for Program Directors and Faculty to Virginia Health & Medical Sciences Educators Association.
- On July 18, 2022, Christine Smith, Nurse Aide and Medication Aide Education Program Manager, presented Regulation Review and Survey Visit Prep/Process for Program Coordinators and faculty of nurse aide education programs to Virginia Health & Medical Sciences Educators Association.
- August 1, 2022- August 3, 2022, Jacquelyn Wilmoth, Deputy Executive Director attended and presented at the VASSA (VA State Simulation Alliance) conference. Presentation included an update on the regulatory changes that became effective February 2, 2022 for Nursing Education Programs.
- On August 26, 2022, Claire Morris, Deputy Executive Director, provided the commencement address for Southside College of Health Sciences.

2 Meetings attended

- On May 18, 2022, Jacquelyn Wilmoth, Deputy Executive Director for Education, and Randall Mangrum, Nursing Education Program Manager, attended a virtual NCSBN examinations webinar regarding the NCSBN NCLEX examination review process.
- May 26, 2022: **NCSBN Substance Abuse Monitoring Program research study.** Jay Douglas, Executive Director BON, and Christina Buisset, DHP HPMP Program Manager, attended a virtual presentation regarding an upcoming NCSBN prospective research study that will involve collecting and analyzing aggregate data from Boards substance abuse alternatives to discipline programs for nurses with the goal of assessing best practices and successful outcomes.

We will await additional information regarding study participation requirements before a determination can be made about the feasibility of Virginia participating.

- May 31, 2022: The Department of Labor Strengthening Community Colleges grant, titled “Virginia Commonwealth Healthcare Pathway” was submitted by the Virginia Community College System (VCCS). The Board of Nursing is working collaboratively with VCCS and has provided technical input for the grant application. They have requested \$4,198,016 over 4 years and have an initial consortium of 3 community college partners who will be engaged in developing and implementing the curriculum.
- On June 7, 2022, Randall Mangrum, Nursing Education Program Manager, attended the Galen College of Nursing Open House.
- On June 10, 2022, Jacquelyn Wilmoth, Deputy Executive Director for Education, attended and participated in a panel discussion at the Virginia Organization of Nurse Executives and Leaders (VONEL) conference where experts shared creative strategies to battle current and future healthcare challenges.
- On June 21-23, 2022, Jay P. Douglas, Executive Director, attended the NCSBN Executive Officer Summit as the President of NCSBN BOD. This NCSBN meeting held solely for the Board of Nursing Executive Officers covered a wide array of topics relevant to nursing regulation and the responsibilities of Executive Officers. Jay Douglas participated in a panel discussion sharing her experience as a seasoned regulator. Nationally there has been a lot of turnover (30 new Executive Directors) in the last two years for these key positions. Topics of note covered in the three day meeting included:
 - ❖ examples of workforce expansion and the role of the regulator
 - ❖ leading effective regulation, addressing unexpected challenges
 - ❖ Governance
 - ❖ Executive Leadership strategies in managing a diverse multi-generational workforce post pandemic.
 - ❖ Opioid Use Disorder and Medication Assisted Treatment
 - ❖ Medical Errors and Criminal Prosecution of Licensees
- On June 24, 2022, Jay Douglas, Executive Director, and Jacquelyn Wilmoth, Deputy Executive Director for Education, attended a clinical innovation meeting. Discussed occurred regarding the VHHA funding for Earn While you Learn and expanding the academic practice dyad partnerships across the state. A review of outcome measures for the Earn While You Learn Program also occurred.
- On July 7-8, 2022 and July 19, 2022, Christine Smith, Nurse Aide/Medication Aide Education Program Manager, participated in a committee meeting lead by PSI, the medication testing company, to review state testing items for medication aide to ensure alignment with the recently board approved curriculum revisions. Including Christine, the committee included one PSI representative and two participants from board approved RMA programs.

- On July 12-14, 2022, Jay Douglas, Executive Director, attended the NCSBN Board of Directors (BOD) as the President of the NCSBN BOD. Key agenda items discussed other than NCSBN routine business items included: Discussions around Licensure reform and NCSBN assisting with reducing the administrative burden related to authorization to test for exam candidates, State Boards across the country experiencing staff shortages and difficulty with recruitment, external pressures to reduce licensing time frames without adequate resources, advances in granting Full Practice Authority for nurse practitioners, and complexities of regulation of nurse aides and need for modernization of federal requirements.
- On July 29, 2022, Robin Hills, Deputy Executive Director for Advanced Practice, attended the HB2559 Workgroup meeting conducted to evaluate the implementation of the electronic prescription requirement for controlled substances.
- On July 29, 2022, Jacquelyn Wilmoth, Deputy Executive Director for Education, attended an external stakeholder clinical innovation meeting. Discussion occurred regarding the receipt of a VHHA grant for Earn While you Learn (\$100,000), selection of the steering committee and how to further expand the collaborative.
- On August 3, 2022, Robin Hills, Deputy Executive Director for Advanced Practice, and Jay Douglas, Executive Director, met virtually with Senator Dunnivant and representatives of Cigna Healthcare, United Health Care and the Virginia Council of Nurse Practitioners regarding reimbursement issues for psychiatric NP's. The group (absent BOD) had met twice prior and this week's meeting revealed that the barriers the NP's have been experiencing are mostly resolved. There were not any BOD related issues raised.
- On August 4, 2022, Jay Douglas, Executive Director, at the request of a member of the American Organization of Nurse Executive Leaders met virtually with Kate Hoffman who is the Group Chief Nurse for NMC Healthcare which operates 65 facilities in the United Arab Emirates (UAE). Ms. Hoffman whose charge it is to develop nursing services in those facilities was interested in talking to a nurse regulator in the US who could articulate the role of regulation and options for effective collaboration with practice. She is seeking to advance changes in the UAE regarding the impact of regulation on nursing practice however did not have a grounding in the role of nurse regulators.
- On August 10, 2022, Jay Douglas, Executive Director, Jacquelyn Wilmoth, Deputy Executive Director for Education, and Christina Bargdill, Deputy Executive Director, attended a virtual call hosted by Association of Health Facility Survey Agencies (AHFSA) with CMS where information regarding the waiver for PHE 1135 was discussed. CMS is aware that nurse aide testing capacity is problematic in some parts of the country and was asking for input from entities involved in training and testing. No decisions were made.
- On August 16, Jay Douglas, Executive Director, attended the Nurse Licensure Compact (NLC) Annual Meeting as Commissioner of the NLC. This was a meeting of all 39 Commissioners regarding the administration of the NLC was held in Chicago. Governance training was also held.

- On August 18 and 19, Jay Douglas, Executive Director, attended the NCSBN Annual Meeting in Chicago as the President of the NCSBN Board of Directors (BOD). Ms. Douglas presided over the Delegate Assembly. At this meeting NCSBN presented service awards and Ms. Douglas received a 20 year service award as Executive Officer for Virginia. Dr. Smith, Board Second Vice-President, Ms. Willinger, Board Deputy, and Dr. Mangrum, Board Nursing Education Program Manager, attended also to represent Virginia Board of Nursing as Delegates and alternate Delegates in voting national matters that impact nursing regulation. In addition, many Board staff attended the meeting virtually. Topics of discussion were:
 - Consideration of new Exam User Members of NCSBN – College of Registered Nurses of Saskatchewan (CRNS) and college of Registered Nurses of Alberta (CRNA)
 - Consideration of 2023 NCLEX-RN and PN Test Plans and Timeline for Implementation
 - The future of nursing regulation – concerns and insights regarding licensure reform and support workers
- On August 26, 2022 Jacquelyn Wilmoth, Deputy Executive Director for Education, participated in the regularly held Innovative Clinical Workgroup meeting. Representatives of Education, Practice and Regulation participated. Discussion occurred regarding the need to begin writing for publication of Earn While you Learn (EWL) program as well as the need to develop a “wish list” of needs with evidentiary support to expand EWL.

New Issues/Developments/Projects/Updates:

On June 21, 2022 Governor Youngkin signed House Bills 29 and 30, otherwise known as the Budget Bill, into law. The Budget Bill, effective July 1, 2022, includes an amendment clarifying that "temporary nurse aides practicing in long term care facilities under the federal Public Health Emergency 1135 waiver may be deemed eligible by the Board of Nursing while this waiver is in effect, and in the four-month period from the end of this waiver, to take the National Nurse Aide Assessment Program examination upon submission of a completed application, the employer's written verification of competency and employment as a temporary nurse aide, and provided no other grounds exist under Virginia law to deny the application."

On July 1, 2022 the Board resumed accepting TNA2CNA applications online via Credentia CNA365 through the E5 application route.

The Board continues to meet weekly with Credentia on noted programmatic concerns. The Board continues to receive complaints regarding delays in testing due to lack of available dates/evaluators, and inconvenience of testing site availability. Credentia continues to report they are onboarding and orienting evaluators. Credentia will be providing the Board with an analysis of onboarding and event coverage. Credentia shared they plan to begin offering paper/pencil exams beginning September 1, 2022 for all high school programs in the state as well as one paper/pencil test at all Regional Testing Facilities each month.

An email was sent to all NPs (except CRNAs, CNMs, and CNSs) on June 27, 2022 advising that, effective July 1, 2022, the clinical experience requirement to practice without a written or electronic practice

agreement will revert back to five (5) years due a sunset clause included in HB1737 passed in the 2021 Special Session I.

On July 26, 2022, Christina Bargdill and Claire Morris, Deputy Executive Directors, attended BOX training provided by Michelle Schmitz related to digital case management. Board of Nursing has established test team and have set up weekly meetings between the team leads, Ms. Bargdill and Ms. Morris. The plan is for Ms. Bargdill and Ms. Morris to become proficient in BOX basics prior to initial test team training. The Goal date for team lead proficiency in BOX basics is September 16, 2022. The goal date for test team proficiency in full deployment of digital case management in BOX is November 1, 2022. The target date for full BOX implementation for Board Staff is January 1, 2023.

Medication Aide Testing Program RFP pre-conference meeting with testing companies interested in responding to the RFP was held on August 22, 2022. Three testing companies attended the meeting virtually. Many board staff attended the meeting.



C5

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
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Virginia Board of Nursing
Jay P. Douglas, MSM, RN, CSAC, FRE
Executive Director

Board of Nursing (804) 367-4515
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Memo

To: Board Members
From: Jay P. Douglas, MSM, RN, CSAC, FRE
Date: August 10, 2022
Re: Dates for 2023 Board Meetings and Formal Hearings

The following dates are for the 2023 Board Meetings and Formal Hearings:

January 23 – 26, 2023

March 20 – 23, 2023

May 22 – 25, 2023

July 17 – 20, 2023

September 11 – 14, 2023

November 13 – 16, 2023

Revised Version

C6



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Members of the Board of Nursing

From: Jacquelyn Wilmoth, RN, MSN
Deputy Executive Director

Date: September 7, 2022

Subject: 2023 Dates for Education Informal Conference Meetings

Scheduled dates of the Education Informal Conference Committee meetings for the calendar year 2023:

Wednesday, February 22, 2023

Tuesday, April 18, 2023

Tuesday, June 20, 2023

Tuesday, August 22, 2023

Wednesday, October 18, 2023

Monday, December 4, 2023

All meetings are currently scheduled to begin at 9:00 am.

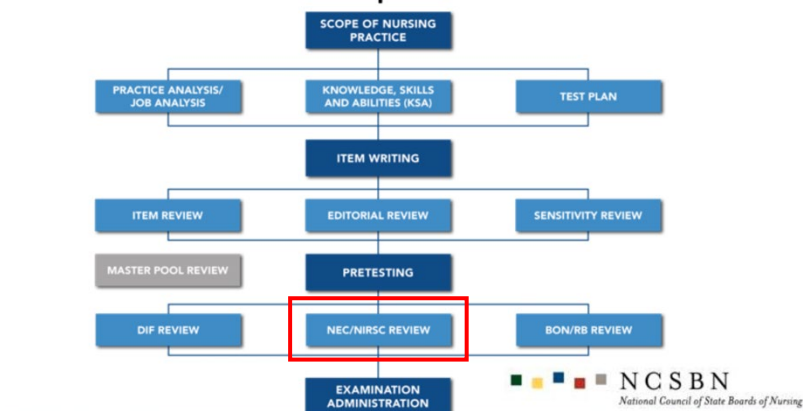
Report from NCLEX Item Review Subcommittee (NIRSC)
 Hybrid Meeting
 July 27-29, 2022
 Submitted to Virginia Board of Nursing by Brandon Jones

It was a privilege to serve as part of the NCLEX Item Review Subcommittee (NIRSC) for the July meeting. As I have previously reported, while much of the work of the NIRSC is confidential, I am reporting those aspects of the meeting I can.

Background

As a reminder, the NIRSC is a subcommittee of the NCLEX Examination Committee (NEC). The charge of the NIRSC is to assist the NEC with item review examining items to ensure they are accurate, current, and comply with nurse practice acts. This rigorous review is part of NCSBN's assurance of a psychometrically sound and legally defensible exam. Below is a graphic displaying how the work of the NIRSC fits into the NCLEX Item Development Process:

NCLEX® Item Development Process



July NIRSC Meeting Summary

The July NIRSC meeting was held in a hybrid format with the option of being in person or virtual. I participated virtually. In total, ten Board of Nursing representatives from different regions throughout the country

comprised the July NIRSC team, with three members of the NEC acting as chair and assisting with observing. We also had two fantastic NCSBN staff members supporting us.

The July NIRSC group represented diverse clinical experiences and backgrounds that enhanced the review process and boosted the group review and discussion. Hundreds of both “traditional” and Next Generation NCLEX (NGN) items were reviewed.

I am thankful for the opportunity to serve again on the NIRSC. As noted in previous reports, in addition to accomplishing our primary objective of reviewing NGN items, this meeting was an opportunity to network, build relationships, and interact with other nurse regulators across the USA and Canada as well as contribute to the continued excellence in the nursing profession.

Respectfully submitted,
Brandon Jones, MSN, RN, CEN, NEA-BC
President, Virginia Board of Nursing

NCSBN Annual Meeting

17-19 August 2022

2 SEPTEMBER 2022

Virginia Board of Nursing

Authored by: Felisa Smith, RN Board Member





NCSBN Annual Meeting 2022

POST-EVENT SUMMARY REPORT

Name of event: NCSBN Annual Meeting

Date of event: 17-19 August 2022

Location of event: Chicago, Illinois

The fundamental conclusion of this assessment is that there is great benefit in support of the Board of Nursing members and staff attending the NCSBN annual and mid-year meetings. The National Council of State Boards of Nursing (NCSBN) empowers and supports nursing regulators in their mandate to protect the public. The NCSBN strategic initiatives for Fiscal Year 2020–2022 (FY20–22) include (a) to promote agile regulatory systems for relevance and responsiveness to change; (b) to champion regulatory solutions to address borderless health care delivery; (c) to expand the active engagement and leadership potential of all members; and (d) to pioneer competency assessments to support the future of health care and the advancement of regulatory excellence. Each of the initiatives was addressed throughout the meeting activities and events.

The theme of the meeting was “Leading Public Protection: Strategic Action toward Quantum Change.” The event was well-organized with all activity locations easy to find. All events were either conducted in or within walking distance of the hotel. Shuttle services was provided to the off-site NCSBN welcome reception as an option in lieu of walking. The NCSBN offered a variety of event options each day. Most of the events were arranged in consecutive order so that attendees could attend without feeling that they were missing any strategic ones.

The reception afforded attendees the opportunity to interact, communicate, and network with others from different states, regions, and countries. We were able to identify similarities and differences in our Board processes for which we shared insights to support one another. There were opportunities to support one’s health through participation the wellness room or a daily walk/run tour.

I participated as voting delegate to represent the state of Virginia. Having been provided the annual meeting business book well prior to the event, I was prepared for doing so, if needed. I attended the delegate orientation to become familiar with the process. The orientation was informative and advantageous. Not only did I gain a greater understanding of the process and what to expect, I elevated in my understanding of Robert’s Rules of Order. Armed with this depth of understanding, I was prepared to execute the delegate responsibilities wisely.

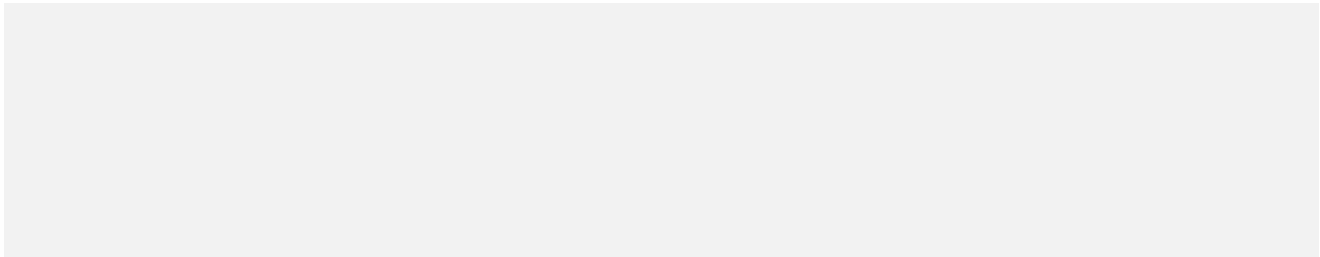
After the delegate orientation, we attended the delegate assembly opening ceremony. It was during this session that some of the business for the NCSBN took place with committee representatives reporting, voting on adoption of the agenda, and formal introduction of the 2022 slate of Executive

Board candidates. The delegates were also addressed by the President and the CEO of NCSBN at this time.

The keynote speaker for the day was Mr. Daniel Burrus. He spoke to the delegates about becoming and anticipatory organization that experiences quantum change and creates transformation versus stagnation. It was during this session that we were reminded that perspective is essential. Although there are many other things that I learned from this experience, I will identify three that were arose as result of hearing him speak. The three things are as follows:

1. Asking the correct question is essential. I knew this but was reminded of it as he spoke. I learned this from my father who told me a story of how someone called him to obtain a reference for a former employee. He answered all the questions asked to him honestly, which appeared to be extremely favorable to the employee, until he was asked “so if you could hire this person again you would?” My dad answered, “no.” As a result of the right question finally being asked, the interviewer gained the complete truth about the situation.
2. Mr. Burrus indicated that what we think is the problem usually is not, for it was the problem would have already been solved. He provided the example of his niece. She told him that she had a problem in that she was unable to save money. In contrast, her sister is a great saver. Mr. Burrus informed her that she was looking at the wrong “problem.” He told her that saving was not her problem, it was the need to address how she spent her money that was the problem. We frequently do this in organizations and in our individual lives. Hearing this helped to shift my perspective to one at which I stop to discern the true problem and ensure that it is the actual problem. I have not mastered it, but I am working to improve.
3. Another thing that I learned is that we can anticipate future problems and provide solutions prior to the problem surfacing. We can sit and allow it to occur and do *damage control* or create the solution before it is needed. Mr. Burrus offered us a greater understanding in how to do this by identifying *hard trends* which are carry low risk for us because they are based on future facts that will happen for sure. For example, the large number of Baby Boomers (demographics) who are aging and what can be anticipated by that event. He also discussed *soft trends* that are of higher risk for predicting an answer because they are based on assumptions about the future that might happen. Armed with this information, individual members of an organization can help to move it progress into being prepared with cutting edge solutions instead of reactionary and constantly putting out fires that we knew would eventually occur.
4. The opportunity to interact with board staff who were in attendance was invaluable. Our Board staff and Board members work well together, but I believe that we were able to connect in a way that will facilitate greater effectiveness and understanding in our collaborations.
5. I gained a new perspective on the work of the NCSBN and opportunities available for Board staff and Board members to expand the significance of their impact on supporting the safety of the public relative to healthcare. I am certain that the wealth of knowledge existing in the Virginia Board of Nursing, being shared through continued Board staff and Board member involvement in NCSBN leadership, would enhance the great work that is already being done!

Thank you for the opportunity to engage in this transformational experience. I am grateful beyond measure for your support in expanding the knowledge and sphere of influence for some of Virginia's regulatory leaders.



**COMMONWEALTH of VIRGINIA**

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Executive Director

Board of Nursing (804) 367-4515
www.dhp.virginia.gov/Boards/Nursing

TO: Board Members

FROM: Stephanie H. Willinger 
Deputy Executive Director

DATE: September 13, 2022

RE: Report: NCSBN Annual Meeting (August 16-19, 2022)

I attended the annual meeting in Chicago in person and the theme this year was *Strategic Action Toward Quantum Change*. There were a variety of serious issues discussed like trends impacting nursing now and into the future but successful outcomes were achieved, like approving NCSBN's strategic initiatives for 2023-2025 and elections of new nursing leaders.

While it was good to have national and global 'reality' checks about trends affecting nursing and health care practitioners in general (e.g. staff shortages, work complexity, legislative changes, etc), we also had several outstanding motivational speakers that served to remind me of the following basics:

- The work all nurses do is important.
- The work all nurses do is necessary.
- The work all nurses do is influential.

Additionally, we as regulators are part of the equation for nurses even if for only brief moments in time, no matter how small or large it may seem in the grand scheme of things. The work we do does not always follow an obvious pathway but the pathway taken matters to nurses and to the people who are patients at various points throughout their lives. Regulators must keep moving the torch forward as we continue to face changes within our landscapes, always seeking to improve the lives of others through education, innovation, technology or other means, with the common goal of protecting the public at the forefront. Lastly, these speakers also helped to reinforce my belief and promotion of a statement made to me long ago in the workplace that I like to pass on: 'small victories, we'll take them.'

August 23, 2022

TO: Virginia Board of Nursing

FROM: Randall S. Mangrum, DNP, RN
Nursing Education Program Manager

RE: NCSBN Annual Meeting

Thank you for the opportunity to attend the NCSBN Annual Meeting on August 16-19, 2022 in Chicago, Illinois. This meeting provided an opportunity for learning, networking, and role exploration that will allow me to support the nursing education programs in our state.

The post-pandemic environment is a “new normal” and change is constant. Organizations must be willing to shift with the changing environmental dynamics in order to remain fit for the future and provide value to our customers. To do this, at the departmental level, measureable objectives should be developed and program outputs should be monitored. Flexibility is key and investing in the workforce is essential.

The keynote address by Daniel Burrus was impactful. A key take-a-way from this presentation was to build relationships to influence outcomes. Communication, collaboration, innovation, and transformation are needed to create organizational significance. Nursing education programs are experiencing unique challenges and there is an opportunity to provide a level of consultation that can assist new and existing programs to achieve regulatory compliance before an intervention is required.

The *Workforce Issues* session confirmed many of the challenges that health care organization and nursing education programs are experiencing. The nursing shortage is viewed as a crisis and the profession is losing ground. Currently, the number of nurses under the age of 50 that are dropping out of the workforce is more than those who are retiring from the profession. Currently there is an equal number of nurses entering the profession as retiring – retirements have escalated in hospital and health systems – not only among RNs but other healthcare team members. Two of the biggest challenges being faced by nursing education program are faculty recruitment and clinical site availability.

Strategies to address workforce issues include:

- Create a unified vision of what is nursing – specifically address the role of the professional nurse and address scope of practice
- There is a need to address workplace issues surrounding violence, mental health, and fatigue. There is an opportunity to address workplace/lateral violence and self-care in the nursing curriculum
- Creating a more diverse workplace. There is an opportunity for nursing education programs to recruit underrepresented candidates – there is a need for a holistic admissions process

- The creation of joint appointments in academia and practice
- Sharing resources across programs (faculty consortium)
- The use of dedicated education units
- Expanded role of the LPN/LVN – ensuring that they are able to work to full scope by addressing limitation placed on practice by organizations
- Care model redesign – not only looking at team roles but maximizing use of technology for efficiency
- Creating a continuum of education model that supports progression – support worker > LPN > RN > APRN
- Safe staffing models

John Foley, the final keynote speaker reminded us of the power of gratitude in creating a culture of excellence and a culture of caring. The hashtag #Gladtobehere is an opportunity to train your brain to be happy and to be in service to others.

HPMP Quarterly Report (April 1, 2022 - June 30, 2022)

Board	License	Admissions ¹		Stays ²	Comp ³	Vacated Stays ⁴		Dismissals ⁵					
		Req.	Vol.			Vac. Only	Vac. & Dism.	N/C	Incl.	Dism. Resig.	Resig.	Death	
	` LNP		2					1					
	` LPN	5	2		1					1			
	` RN	12	1	3	3			5	1	1			
	` Massage Ther												
	` CNS												
Nursing Total		17	5	3	4			6	1	2			
	` CNA	1											
	` RMA												
CNA Total		1											
	` DC												
	` DO												
	` DPM												
	` Intern/Resident		2										
	` LAT												
	` LBA												
	` Lic Rad Tech												
	` MD	2	1	1	3								
	` OT												
	` PA		1		1								
	` RT	1	1					2					
	` LM												
	` OTA												
	` SA												
Medicine Total		3	5	1	4			2					
	` Pharmacist	1			1			1					
	` Pharm Tech	1											
	` Intern												
Pharmacy Total		2			1			1					
	` LCSW				1								
Social Work Total					1								
	` LCP				1								
	` SOTP												
Psychology Total					1								
	` DVM	1											
	` Vet Tech												
Veterinary Medicine Total		1											
TOTALS		24	10	4	11	0	0	9	1	2	0	0	0

Admissions¹: Req=Required (Board Referred, Board Ordered, Investigation); Vol=Voluntary (No known DHP involvement at time of intake)

Stays²: Stays of Disciplinary Action Granted

Comp³: Successful Completions

Vacated Stays⁴: Vac Only=Vacated Stay Only; Vac & Dism=Vacated Stay & Dismissal

Dismissals⁵: N/C=Dismissed Non-Compliant; Incl=Dismissed Ineligible; Dism Resig=Dismissed due to Resignation; Resig=Resignation

Special Conference Committees' Composition
January 2023 – June 2023

SCC-A

Cynthia Swineford, RN, MSN, CNE **(Chair)**

Helen M. Parke, NP, DNP

SCC-B

Felisa Smith, RN, MSA, MSN/Ed, CNE **(Chair)**

Margaret Friedenberg, Citizen Member

SCC-C

Tucker Gleason, PhD, Citizen Member **(Chair)**

Laurie Buchwald, MSN, WHNP, FNP

SCC-D

Meenakshi Shah, BA, RN **(Chair)**

Dixie McElfresh, LPN

SCC-E

Yvette Dorsey, DNP, RN **(Chair)**

New Citizen Member or new LPN member

SCC-F

James Hermansen-Parker, MSN, RN, PCCN-K **(Chair)**

Carol A. Cartte, RN, BSN

TO: BOARD MEMBERS

FROM: Claire Morris

DATE: September 1, 2023

**RE: IFC - SCC DATE AVAILABILITY
FOR FEBRUARY, APRIL, JUNE 2023**

It is that time again - we need to look at dates for IFCs in the FIRST half of 2023. It may seem early to be planning, but we need adequate time to obtain rooms and ensure APD coverage, staffing etc.

As you know, we ask you serve on a SCC to conduct informal conferences (IFC) once every other month, during the EVEN months of the year.

Please plan to bring your calendars to the Board Meeting and get with your SCC committee partner to come up with dates that will work for you both to schedule your IFC dates. We have attached a worksheet that you can work with to put your first and second choice of dates. It is important that you include a first and a second choice. We have to consider several variables (more than one committee on same day; room availability, etc.), so it is important to have a first and second choice. We always try to honor the first choice for everyone, but we need the option in case.

You or your SCC partner can give your completed sheet containing your mutually agreed to dates to one of the Deputies and we will develop a schedule that works for everyone.

Thanks very much for doing this and for all that you do as a member of the Board of Nursing.

**INFORMAL CONFERENCE SCHEDULE
 PLANNING SHEET for SCCs
 February, April, June
 2023**

D2c

Please include 1st and 2nd choice of dates each month

		SCC-A: *Swineford/Parke	#	SCC-B *Smith /Friedenberg
FEBRUARY	1	_____	1	_____
	2	_____	2	_____
APRIL	1	_____	1	_____
	2	_____	2	_____
JUNE	1	_____	1	_____
	2	_____	2	_____

		SCC-C : *Gleason/Buchwald	#	SCC-D: *Shah/McElfresh
FEBRUARY	1	_____	1	_____
	2	_____	2	_____
APRIL	1	_____	1	_____
	2	_____	2	_____
JUNE	1	_____	1	_____
	2	_____	2	_____

		SCC-E: *Dorsey/	#	SCC-F: *Hermansen-Parker/Cartte
FEBRUARY	1	_____	1	_____
	2	_____	2	_____
APRIL	1	_____	1	_____
	2	_____	2	_____
JUNE	1	_____	1	_____
	2	_____	2	_____

Board of Nursing
Current Regulatory Actions
As of August 30, 2022

VAC	Stage	Subject Matter	Date submitted*	Office; time in office**	Notes
18VAC90-70	Proposed	New regulations for licensed certified midwives	8/18/2022	DPB; 9 days	Boards of Nursing and Medicine will only be able to license this category of practitioner once final regulations are published and become effective.
18VAC90-26	Fast-Track	Amendments to regulations governing nurse aide education programs	3/24/2022	OAG; 159 days	Implements changes that will increase workforce by reducing training barriers.

Agenda Item: Periodic Review Report for Chapters 19, 21

Included in your agenda package is:

- 18VAC90-19
- 18VAC90-21
- Comments received related to periodic review of Chapter 21

Action needed:

- Motion to retain and amend Chapters 19 and 21;
- Motion to send Chapters 19 and 21 to committee for review and recommendation of amendments to the full Board.

Commonwealth of Virginia



REGULATIONS
GOVERNING THE PRACTICE OF NURSING
VIRGINIA BOARD OF NURSING

Title of Regulations: 18 VAC 90-19-10 et seq.

**Statutory Authority: §§ 54.1-2400 and Chapter 30 of Title 54.1
of the *Code of Virginia***

Revised Date: February 2, 2022

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TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
Part I General Provisions.....	4
18VAC90-19-10. Definitions.....	4
18VAC90-19-20. Delegation of authority.	4
18VAC90-19-30. Fees.	4
18VAC90-19-40. Duplicate license.	6
18VAC90-19-50. Identification; accuracy of records.....	6
18VAC90-19-60. Data collection of nursing workforce information.....	6
18VAC90-19-70. Supervision of licensed practical nurses.	7
Part II Multistate Licensure Privilege	7
18VAC90-19-80. Issuance of a license with a multistate licensure privilege.....	7
18VAC90-19-90. (Repealed.)	7
18VAC90-19-100. (Repealed.)	7
Part III Licensure and Renewal; Reinstatement.....	7
18VAC90-19-110. Licensure by examination.	7
18VAC90-19-120. Licensure by endorsement.....	8
18VAC90-19-130. Licensure of applicants from other countries.....	9
18VAC90-19-140. Provisional licensure of applicants for licensure as registered nurses.....	10
18VAC90-19-150. Renewal of licenses.....	12
18VAC90-19-160. Continued competency requirements for renewal of an active license.....	12
18VAC90-19-170. Documenting compliance with continued competency requirements.....	14
18VAC90-19-180. Inactive licensure.....	15
18VAC90-19-190. Reinstatement of lapsed licenses or license suspended or revoked. ..	16
18VAC90-19-200. Restricted volunteer license and registration for voluntary practice by out-of-state licensees.	17
18VAC90-19-210. (Repealed.)	17
18VAC90-19-220. (Repealed.)	17
Part IV Disciplinary Provisions.....	17
18VAC90-19-230. Disciplinary provisions.	17
Part V Delegation of Nursing Tasks and Procedures.....	18
18VAC90-19-240. Definitions for delegation of nursing tasks and procedures.....	18
18VAC90-19-250. Criteria for delegation.	19
18VAC90-19-260. Assessment required prior to delegation.....	20
18VAC90-19-270. Supervision of delegated tasks.....	20

18VAC90-19-280. Nursing tasks that shall not be delegated. 21

**CHAPTER 19
REGULATIONS GOVERNING THE PRACTICE OF NURSING**

**Part I
General Provisions**

18VAC90-19-10. Definitions.

In addition to words and terms defined in §§ 54.1-3000 and 54.1-3030 of the Code of Virginia, the following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Active practice" means activities performed, whether or not for compensation, for which an active license to practice nursing is required.

"Board" means the Board of Nursing.

"CGFNS" means the Commission on Graduates of Foreign Nursing Schools.

"Contact hour" means 50 minutes of continuing education coursework or activity.

"Conversion therapy" means any practice or treatment as defined in § 54.1-2409.5 A of the Code of Virginia.

"National certifying organization" means an organization that has as one of its purposes the certification of a specialty in nursing based on an examination attesting to the knowledge of the nurse for practice in the specialty area.

"NCLEX" means the National Council Licensure Examination.

"NCSBN" means the National Council of State Boards of Nursing.

"Primary state of residence" means the state of a person's declared fixed, permanent, and principal home or domicile for legal purposes.

18VAC90-19-20. Delegation of authority.

The executive director shall be delegated the authority to issue licenses and certificates and execute all notices, orders, and official documents of the board unless the board directs otherwise.

18VAC90-19-30. Fees.

A. Fees required by the board are:

1. Application for licensure by examination - RN	\$190
2. Application for licensure by endorsement - RN	\$190

3. Application for licensure by examination - LPN	\$170
4. Application for licensure by endorsement - LPN	\$170
5. Reapplication for licensure by examination	\$50
6. Biennial licensure renewal - RN	\$140
7. Biennial inactive licensure renewal - RN	\$70
8. Biennial licensure renewal - LPN	\$120
9. Biennial inactive licensure renewal - LPN	\$60
10. Late renewal - RN	\$50
11. Late renewal - RN inactive	\$25
12. Late renewal - LPN	\$40
13. Late renewal - LPN inactive	\$20
14. Reinstatement of lapsed license - RN	\$225
15. Reinstatement of lapsed license - LPN	\$200
16. Reinstatement of suspended or revoked license or registration	\$300
17. Duplicate license	\$15
18. Replacement wall certificate	\$25
19. Verification of license	\$35
20. Transcript of all or part of applicant or licensee records	\$35
21. Handling fee for returned check or dishonored credit card or debit card	\$50
22. Application for CNS registration	\$130
23. Biennial renewal of CNS registration	\$80
24. Reinstatement of lapsed CNS registration	\$125
25. Verification of CNS registration to another jurisdiction	\$35
26. Late renewal of CNS registration	\$35

B. For renewal of licensure or registration from July 1, 2017, through June 30, 2019, the following fees shall be in effect:

1. Biennial licensure renewal - RN	\$105
2. Biennial inactive licensure renewal - RN	\$52
3. Biennial licensure renewal - LPN	\$90
4. Biennial inactive licensure renewal - LPN	\$45
5. Biennial renewal of CNS registration	\$60

18VAC90-19-40. Duplicate license.

A duplicate license for the current renewal period shall be issued by the board upon receipt of the required information and fee.

18VAC90-19-50. Identification; accuracy of records.

A. Any person regulated by this chapter who provides direct client care shall, while on duty, wear identification that is clearly visible and indicates the appropriate title for the license, registration, or student status under which he is practicing in that setting. Name identification on a badge for identification of health care practitioners shall follow the policy of the health care setting in which the nurse is employed. Any person practicing in hospital emergency departments, psychiatric and mental health units and programs, or in health care facilities units offering treatment for clients in custody of state or local law-enforcement agencies may use identification badges with first name and first letter only of last name and appropriate title.

B. A licensee who has changed his name shall submit as legal proof to the board a copy of the marriage certificate, a certificate of naturalization, or court order evidencing the change. A duplicate license shall be issued by the board upon receipt of such evidence and the required fee.

C. Each licensee shall maintain an address of record with the board. Any change in the address of record or in the public address, if different from the address of record, shall be submitted by a licensee electronically or in writing to the board within 30 days of such change. All notices required by law and by this chapter to be mailed by the board to any licensee shall be validly given when mailed to the latest address of record on file with the board.

18VAC90-19-60. Data collection of nursing workforce information.

A. With such funds as are appropriated for the purpose of data collection and consistent with the provisions of § 54.1-2506.1 of the Code of Virginia, the board shall collect workforce information biennially from a representative sample of registered nurses, licensed practical nurses, and certified nurse aides and shall make such information available to the public. Data collected shall be compiled, stored, and released in compliance with § 54.1-3012.1 of the Code of Virginia.

B. The information to be collected on nurses shall include (i) demographic data to include age, sex, and ethnicity; (ii) level of education; (iii) employment status; (iv) employment setting or settings such as in a hospital, physician's office, or nursing home; (v) geographic location of employment; (vi) type of nursing position or area of specialty; and (vii) number of hours worked per week in each setting. In addition, the board may determine other data to be collected as necessary.

18VAC90-19-70. Supervision of licensed practical nurses.

Licensed practical nursing shall be performed under the direction or supervision of a licensed medical practitioner, a registered nurse, or a licensed dentist.

**Part II
Multistate Licensure Privilege**

18VAC90-19-80. Issuance of a license with a multistate licensure privilege.

To be issued a license with a multistate licensure privilege by the board or to change the primary state of residency, a nurse shall comply with the regulations adopted by the Interstate Commission of Nurse Licensure Compact Administrators (<https://www.ncsbn.org/enlcrules.htm>) and provisions of Article 6.1 (§ 54.1-3040.1 et seq.) of Chapter 30 of Title 54.1 of the Code of Virginia in effect at the time of the application.

18VAC90-19-90. (Repealed.)

18VAC90-19-100. (Repealed.)

**Part III
Licensure and Renewal; Reinstatement**

18VAC90-19-110. Licensure by examination.

A. The board shall authorize the administration of the NCLEX for registered nurse licensure and practical nurse licensure.

B. A candidate shall be eligible to take the NCLEX examination (i) upon receipt by the board of the completed application, the fee, and an official transcript or attestation of graduation from the nursing education program and (ii) when a determination has been made that no grounds exist upon which the board may deny licensure pursuant to § 54.1-3007 of the Code of Virginia.

C. To establish eligibility for licensure by examination, an applicant for the licensing examination shall:

1. File the required application, any necessary documentation and fee, including a criminal history background check as required by § 54.1-3005.1 of the Code of Virginia.

2. Arrange for the board to receive an official transcript from the nursing education program that shows either:

- a. That the degree or diploma has been awarded and the date of graduation or conferral; or
 - b. That all requirements for awarding the degree or diploma have been met and that specifies the date of conferral.
3. File a new application and reapplication fee if:
- a. The examination is not taken within 12 months of the date that the board determines the applicant to be eligible; or
 - b. Eligibility is not established within 12 months of the original filing date.
- D. The minimum passing standard on the examination for registered nurse licensure and practical nurse licensure shall be determined by the board.
- E. Any applicant suspected of giving or receiving unauthorized assistance during the examination may be noticed for a hearing pursuant to the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) to determine eligibility for licensure or reexamination.
- F. Practice of nursing pending receipt of examination results.
1. A graduate who has filed a completed application for licensure in Virginia and has received an authorization letter issued by the board may practice nursing in Virginia from the date of the authorization letter. The period of practice shall not exceed 90 days between the date of successful completion of the nursing education program, as documented on the applicant's transcript, and the publication of the results of the candidate's first licensing examination.
 2. Candidates who practice nursing as provided in subdivision 1 of this subsection shall use the designation "R.N. Applicant" or "L.P.N. Applicant" on a nametag or when signing official records.
 3. The designations "R.N. Applicant" and "L.P.N. Applicant" shall not be used by applicants beyond the 90-day period of authorized practice or by applicants who have failed the examination.
- G. Applicants who fail the examination.
1. An applicant who fails the licensing examination shall not be licensed or be authorized to practice nursing in Virginia.
 2. An applicant for licensure by reexamination shall file the required board application and reapplication fee in order to establish eligibility for reexamination.
 3. Applicants who have failed the examination for licensure in another United States jurisdiction but satisfy the qualifications for licensure in this jurisdiction may apply for licensure by examination in Virginia. Such applicants shall submit the required application and fee. Such applicants shall not, however, be permitted to practice nursing in Virginia until the requisite license has been issued.

18VAC90-19-120. Licensure by endorsement.

A. A graduate of an approved nursing education program who has been licensed by examination in another United States jurisdiction and whose license is in good standing, or is eligible for reinstatement if lapsed, shall be eligible for licensure by endorsement in Virginia provided the applicant satisfies the same requirements for registered nurse or practical nurse licensure as those seeking initial licensure in Virginia.

1. Applicants who have graduated from approved nursing education programs that did not require a sufficient number of clinical hours as specified in 18VAC90-27-100 may qualify for licensure if they can provide evidence of at least 960 hours of clinical practice with an active, unencumbered license in another United States jurisdiction.

2. Applicants whose basic nursing education was received in another country shall meet the requirements of 18VAC90-19-130 for a CGFNS credentials review and examination of English proficiency. However, those requirements may be satisfied if the applicant can provide evidence from another United States jurisdiction of:

a. A CGFNS credentials evaluation for educational comparability; and

b. Passage of an English language proficiency examination approved by the CGFNS, unless the applicant met the CGFNS criteria for an exemption from the requirement.

3. A graduate of a nursing school in Canada where English was the primary language shall be eligible for licensure by endorsement provided the applicant has passed the Canadian Registered Nurses Examination and holds an unrestricted license in Canada.

B. An applicant for licensure by endorsement who has submitted a criminal history background check as required by § 54.1-3005.1 of the Code of Virginia and the required application and fee and has submitted the required form to the appropriate credentialing agency for verification of licensure may practice for 30 days upon receipt of an authorization letter from the board. If an applicant has not received a Virginia license within 30 days and wishes to continue practice, he shall seek an extension of authorization to practice by submitting a request and evidence that he has requested verification of licensure.

C. If the application is not completed within one year of the initial filing date, the applicant shall submit a new application and fee.

18VAC90-19-130. Licensure of applicants from other countries.

A. With the exception of applicants from Canada who are eligible to be licensed by endorsement, applicants whose basic nursing education was received in another country shall be scheduled to take the licensing examination provided they meet the statutory qualifications for licensure. Verification of qualification shall be based on documents submitted as required in subsection B or C of this section.

B. Such applicants for registered nurse licensure shall:

1. Submit evidence from the CGFNS that the secondary education and nursing education are comparable to those required for registered nurses in the Commonwealth;

2. Submit evidence of passage of an English language proficiency examination approved by the CGFNS, unless the applicant meets the CGFNS criteria for an exemption from the requirement; and
3. Submit the required application and fee for licensure by examination.

C. Such applicants for practical nurse licensure shall:

1. Submit evidence from the CGFNS that the secondary education and nursing education are comparable to those required for practical nurses in the Commonwealth;
2. Submit evidence of passage of an English language proficiency examination approved by the CGFNS, unless the applicant meets the CGFNS criteria for an exemption from the requirement; and
3. Submit the required application and fee for licensure by examination.

D. An applicant for licensure as a registered nurse who has met the requirements of subsections A and B of this section may practice for a period not to exceed 90 days from the date of approval of an application submitted to the board when he is working as a nonsupervisory staff nurse in a licensed nursing home or certified nursing facility.

1. Applicants who practice nursing as provided in this subsection shall use the designation "RN applicant" on nametags or when signing official records.
2. During the 90-day period, the applicant shall take and pass the licensing examination in order to remain eligible to practice nursing in Virginia.
3. Any person practicing nursing under this exemption who fails to pass the licensure examination within the 90-day period may not thereafter practice nursing until he passes the licensing examination.

E. In addition to CGFNS, the board may accept credentials from other recognized agencies that review credentials of foreign-educated nurses if such agencies have been approved by the board.

18VAC90-19-140. Provisional licensure of applicants for licensure as registered nurses.

A. Pursuant to § 54.1-3017.1 of the Code of Virginia, the board may issue a provisional license to an applicant for the purpose of meeting the 500 hours of supervised, direct, hands-on client care required of an approved registered nurse education program.

B. Such applicants for provisional licensure shall submit:

1. A completed application for licensure by examination and fee, including a criminal history background check as required by § 54.1-3005.1 of the Code of Virginia;
2. Documentation that the applicant has successfully completed a nursing education program; and
3. Documentation of passage of the NCLEX in accordance with 18VAC90-19-110.

C. Requirements for hours of supervised clinical experience in direct client care with a provisional license.

1. To qualify for licensure as a registered nurse, direct, hands-on hours of supervised clinical experience shall include the areas of adult medical/surgical nursing, geriatric nursing, maternal/infant (obstetrics, gynecology, neonatal) nursing, mental health/psychiatric nursing, nursing fundamentals, and pediatric nursing. Supervised clinical hours may be obtained in employment in the role of a registered nurse or without compensation for the purpose of meeting these requirements.

2. Hours of direct, hands-on clinical experience obtained as part of the applicant's nursing education program and noted on the official transcript shall be counted towards the minimum of 500 hours and in the applicable areas of clinical practice.

3. For applicants with a current, active license as an LPN, 150 hours of credit shall be counted towards the 500-hour requirement.

4. 100 hours of credit may be applied towards the 500-hour requirement for applicants who have successfully completed a nursing education program that:

a. Requires students to pass competency-based assessments of nursing knowledge as well as a summative performance assessment of clinical competency that has been evaluated by the American Council on Education or any other board-approved organization; and

b. Has a passage rate for first-time test takers on the NCLEX that is not less than 80%, calculated on the cumulative results of the past four quarters of all graduates in each calendar year regardless of where the graduate is seeking licensure.

5. An applicant for licensure shall submit verification from a supervisor of the number of hours of direct client care and the areas in which clinical experiences in the role of a registered nurse were obtained.

D. Requirements for supervision of a provisional licensee.

1. The supervisor shall be on site and physically present in the unit where the provisional licensee is providing clinical care of clients.

2. In the supervision of provisional licensees in the clinical setting, the ratio shall not exceed two provisional licensees to one supervisor at any given time.

3. Licensed registered nurses providing supervision for a provisional licensee shall:

a. Notify the board of the intent to provide supervision for a provisional licensee on a form provided by the board;

b. Hold an active, unrestricted license or multistate licensure privilege and have at least two years of active clinical practice as a registered nurse prior to acting as a supervisor;

c. Be responsible and accountable for the assignment of clients and tasks based on their assessment and evaluation of the supervisee's clinical knowledge and skills;

d. Be required to monitor clinical performance and intervene if necessary for the safety and protection of the clients; and

e. Document on a form provided by the board the frequency and nature of the supervision of provisional licensees to verify completion of hours of clinical experience.

E. The provisional status of the licensee shall be disclosed to the client prior to treatment and shall be indicated on identification worn by the provisional licensee.

F. All provisional licenses shall expire six months from the date of issuance and may be renewed for an additional six months. Renewal of a provisional license beyond the limit of 12 months may be granted and shall be for good cause shown. A request for extension of a provisional license beyond 12 months shall be made at least 30 days prior to its expiration.

18VAC90-19-150. Renewal of licenses.

A. Licensees born in even-numbered years shall renew their licenses by the last day of the birth month in even-numbered years. Licensees born in odd-numbered years shall renew their licenses by the last day of the birth month in odd-numbered years.

B. A nurse shall be required to meet the requirements for continued competency set forth in 18VAC90-19-160 to renew an active license.

C. A notice for renewal of license shall be sent by the board to the last known address of the licensee. The licensee shall complete the renewal form and submit it with the required fee.

D. Failure to receive the renewal form shall not relieve the licensee of the responsibility for renewing the license by the expiration date.

E. The license shall automatically lapse if the licensee fails to renew by the expiration date.

F. Any person practicing nursing during the time a license has lapsed shall be considered an illegal practitioner and shall be subject to prosecution under the provisions of § 54.1-3008 of the Code of Virginia.

G. Upon renewal, all licensees shall declare their primary state of residence. If the declared state of residence is another compact state, the licensee is not eligible for renewal.

18VAC90-19-160. Continued competency requirements for renewal of an active license.

A. To renew an active nursing license, a licensee shall complete at least one of the following learning activities or courses:

1. Current specialty certification by a national certifying organization, as defined in 18VAC90-19-10;

2. Completion of a minimum of three credit hours of post-licensure academic education relevant to nursing practice, offered by a regionally accredited college or university;
3. A board-approved refresher course in nursing;
4. Completion of nursing-related, evidence-based practice project or research study;
5. Completion of publication as the author or co-author during a renewal cycle;
6. Teaching or developing a nursing-related course resulting in no less than three semester hours of college credit, a 15-week course, or specialty certification;
7. Teaching or developing nursing-related continuing education courses for up to 30 contact hours;
8. Fifteen contact hours of workshops, seminars, conferences, or courses relevant to the practice of nursing and 640 hours of active practice as a nurse; or
9. Thirty contact hours of workshops, seminars, conferences, or courses relevant to the practice of nursing.

B. To meet requirements of subdivision A 8 or A 9 of this section, workshops, seminars, conferences, or courses shall be offered by a provider recognized or approved by one of the following:

1. American Nurses Credentialing Center American Nurses Association;
2. National Council of State Boards of Nursing;
3. Area Health Education Centers (AHEC) in any state in which the AHEC is a member of the National AHEC Organization;
4. Any state nurses association;
5. National League for Nursing;
6. National Association for Practical Nurse Education and Service;
7. National Federation of Licensed Practical Nurses;
8. A licensed health care facility, agency, or hospital;
9. A health care provider association;
10. Regionally or nationally accredited colleges or universities;
11. A state or federal government agency;

12. The American Heart Association, the American Health and Safety Institute, or the American Red Cross for courses in advanced resuscitation; or

13. The Virginia Board of Nursing or any state board of nursing.

C. Dual licensed persons.

1. Those persons dually licensed by this board as a registered nurse and a licensed practical nurse shall only meet one of the continued competency requirements as set forth in subsection A of this section.

2. Registered nurses who also hold an active license as a nurse practitioner shall only meet the requirements of 18VAC90-30-105 and, for those with prescriptive authority, 18VAC90-40-55.

D. A licensee is exempt from the continued competency requirement for the first renewal following initial licensure by examination or endorsement.

E. The board may grant an extension for good cause of up to one year for the completion of continuing competency requirements upon written request from the licensee 60 days prior to the renewal date. Such extension shall not relieve the licensee of the continuing competency requirement.

F. The board may grant an exemption for all or part of the continuing competency requirements due to circumstances beyond the control of the licensee such as temporary disability, mandatory military service, or officially declared disasters.

G. Continued competency activities or courses required by board order in a disciplinary proceeding shall not be counted as meeting the requirements for licensure renewal.

18VAC90-19-170. Documenting compliance with continued competency requirements.

A. All licensees are required to maintain original documentation of completion for a period of two years following renewal and to provide such documentation within 30 days of a request from the board for proof of compliance.

B. Documentation of compliance shall be as follows:

1. Evidence of national certification shall include a copy of a certificate that includes name of licensee, name of certifying body, date of certification, and date of certification expiration. Certification shall be initially attained during the licensure period, have been in effect during the entire licensure period, or have been recertified during the licensure period.

2. Evidence of post-licensure academic education shall include a copy of transcript with the name of the licensee, name of educational institution, date of attendance, name of course with grade, and number of credit hours received.

3. Evidence of completion of a board-approved refresher course shall include written correspondence from the provider with the name of the licensee, name of the provider, and verification of successful completion of the course.

4. Evidence of completion of a nursing research study or project shall include an abstract or summary, the name of the licensee, role of the licensee as principal or coprincipal investigator, date of completion, statement of the problem, research or project objectives, methods used, and summary of findings.

5. Evidence of authoring or co-authoring a published nursing-related article, paper, book, or book chapter shall include a copy of the publication that includes the name of the licensee and publication date.

6. Evidence of teaching a course for college credit shall include documentation of the course offering, indicating instructor, course title, course syllabus, and the number of credit hours. Teaching a particular course may only be used once to satisfy the continued competency requirement unless the course offering and syllabus has changed.

7. Evidence of teaching a course for continuing education credit shall include a written attestation from the director of the program or authorizing entity including the date or dates of the course or courses and the number of contact hours awarded. If the total number of contact hours totals less than 30, the licensee shall obtain additional hours in continuing learning activities or courses.

8. Evidence of contact hours of continuing learning activities or courses shall include the name of the licensee, title of educational activity, name of the provider, number of contact hours, and date of activity.

9. Evidence of 640 hours of active practice in nursing shall include documentation satisfactory to the board of the name of the licensee, number of hours worked in calendar or fiscal year, name and address of employer, and signature of supervisor. If self-employed, hours worked may be validated through other methods such as tax records or other business records. If active practice is of a volunteer or gratuitous nature, hours worked may be validated by the recipient agency.

18VAC90-19-180. Inactive licensure.

A. A registered nurse or licensed practical nurse who holds a current, unrestricted license in Virginia may, upon a request on the renewal application and submission of the required fee, be issued an inactive license. The holder of an inactive license shall not be entitled to practice nursing in Virginia or practice on a multistate licensure privilege but may use the title "registered nurse" or "licensed practical nurse."

B. Reactivation of an inactive license.

1. A nurse whose license is inactive may reactivate within one renewal period by:

a. Payment of the difference between the inactive renewal and the active renewal fee; and

b. Providing attestation of completion of at least one of the learning activities or courses specified in 18VAC90-19-160 during the two years immediately preceding reactivation.

2. A nurse whose license has been inactive for more than one renewal period may reactivate by:

a. Submitting an application;

b. Paying the difference between the inactive renewal and the active renewal fee; and

c. Providing evidence of completion of at least one of the learning activities or courses specified in 18VAC90-19-160 during the two years immediately preceding application for reactivation.

3. The board may waive all or part of the continuing education requirement for a nurse who holds a current, unrestricted license in another state and who has engaged in active practice during the period the Virginia license was inactive.

4. The board may request additional evidence that the nurse is prepared to resume practice in a competent manner.

5. The board may deny a request for reactivation to any licensee who has been determined to have committed an act in violation of § 54.1-3007 of the Code of Virginia or any provision of this chapter.

18VAC90-19-190. Reinstatement of lapsed licenses or license suspended or revoked.

A. A nurse whose license has lapsed may be reinstated within one renewal period by:

1. Payment of the current renewal fee and the late renewal fee; and

2. Providing attestation of completion of at least one of the learning activities or courses specified in 18VAC90-19-160 during the two years immediately preceding reinstatement.

B. A nurse whose license has lapsed for more than one renewal period shall:

1. File a reinstatement application and pay the reinstatement fee;

2. Provide evidence of completing at least one of the learning activities or courses specified in 18VAC90-19-160 during the two years immediately preceding application for reinstatement; and

3. Submit a criminal history background check as required by § 54.1-3005.1 of the Code of Virginia.

C. The board may waive all or part of the continuing education requirement for a nurse who holds a current, unrestricted license in another state and who has engaged in active practice during the period the Virginia license was lapsed.

D. A nurse whose license has been suspended or revoked by the board may apply for reinstatement by filing a reinstatement application, fulfilling requirements for continuing competency as required

in subsection B of this section, and paying the fee for reinstatement after suspension or revocation. A nurse whose license has been revoked may not apply for reinstatement sooner than three years from entry of the order of revocation.

E. The board may request additional evidence that the nurse is prepared to resume practice in a competent manner.

18VAC90-19-200. Restricted volunteer license and registration for voluntary practice by out-of-state licensees.

A. A registered or practical nurse may be issued a restricted volunteer license and may practice in accordance with provisions of § 54.1-3011.01 of the Code of Virginia.

B. Any licensed nurse who does not hold a license to practice in Virginia and who seeks registration to practice on a voluntary basis under the auspices of a publicly supported, all volunteer nonprofit organization that sponsors the provision of health care to populations of underserved people shall:

1. File a complete application for registration on a form provided by the board at least five business days prior to engaging in such practice. An incomplete application will not be considered;
2. Provide evidence of current, unrestricted licensure in a United States jurisdiction;
3. Provide the name of the nonprofit organization and the dates and location of the voluntary provision of services;
4. Pay a registration fee of \$10; and
5. Provide an attestation from a representative of the nonprofit organization attesting to its compliance with provisions of subdivision 11 of § 54.1-3001 of the Code of Virginia.

18VAC90-19-210. (Repealed.)

18VAC90-19-220. (Repealed.)

**Part IV
Disciplinary Provisions**

18VAC90-19-230. Disciplinary provisions.

The board has the authority to deny, revoke, or suspend a license or multistate licensure privilege issued, or to otherwise discipline a licensee or holder of a multistate licensure privilege upon proof that the licensee or holder of a multistate licensure privilege has violated any of the provisions of § 54.1-3007 of the Code of Virginia. For the purpose of establishing allegations to be included in the notice of hearing, the board has adopted the following definitions:

1. Fraud or deceit in procuring or maintaining a license means, but shall not be limited to:
 - a. Filing false credentials;

- b. Falsely representing facts on an application for initial license, reinstatement, or renewal of a license; or
 - c. Giving or receiving assistance in the taking of the licensing examination.
2. Unprofessional conduct means, but shall not be limited to:
- a. Performing acts beyond the limits of the practice of professional or practical nursing as defined in Chapter 30 (§ 54.1-3000 et seq.) of Title 54.1 of the Code of Virginia, or as provided by §§ 54.1-2901 and 54.1-2957 of the Code of Virginia;
 - b. Assuming duties and responsibilities within the practice of nursing without adequate training or when competency has not been maintained;
 - c. Obtaining supplies, equipment, or drugs for personal or other unauthorized use;
 - d. Employing or assigning unqualified persons to perform functions that require a licensed practitioner of nursing;
 - e. Falsifying or otherwise altering patient, employer, student, or educational program records, including falsely representing facts on a job application or other employment-related documents;
 - f. Abusing, neglecting, or abandoning patients or clients;
 - g. Delegating nursing tasks to an unlicensed person in violation of the provisions of this part;
 - h. Giving to or accepting from a patient or client property or money for any reason other than fee for service or a nominal token of appreciation;
 - i. Obtaining money or property of a patient or client by fraud, misrepresentation, or duress;
 - j. Entering into a relationship with a patient or client that constitutes a professional boundary violation in which the nurse uses his professional position to take advantage of the vulnerability of a patient, a client, or his family, to include actions that result in personal gain at the expense of the patient or client, or a nontherapeutic personal involvement or sexual conduct with a patient or client;
 - k. Violating state laws relating to the privacy of patient information, including § 32.1-127.1:03 the Code of Virginia;
 - l. Providing false information to staff or board members in the course of an investigation or proceeding;
 - m. Failing to report evidence of child abuse or neglect as required in § 63.2-1509 of the Code of Virginia or elder abuse or neglect as required in § 63.2-1606 of the Code of Virginia;
 - n. Engaging in conversion therapy with a person younger than 18 years of age; or
 - o. Violating any provision of this chapter.

Part V
Delegation of Nursing Tasks and Procedures

18VAC90-19-240. Definitions for delegation of nursing tasks and procedures.

The following words and terms when used in this part shall have the following meanings unless the content clearly indicates otherwise:

"Delegation" means the authorization by a registered nurse to an unlicensed person to perform selected nursing tasks and procedures in accordance with this part.

"Supervision" means guidance or direction of a delegated nursing task or procedure by a qualified, registered nurse who provides periodic observation and evaluation of the performance of the task and who is accessible to the unlicensed person.

"Unlicensed person" means an appropriately trained individual, regardless of title, who receives compensation, who functions in a complementary or assistive role to the registered nurse in providing direct patient care or carrying out common nursing tasks and procedures, and who is responsible and accountable for the performance of such tasks and procedures. With the exception of certified nurse aides, this shall not include anyone licensed or certified by a health regulatory board who is practicing within his recognized scope of practice.

18VAC90-19-250. Criteria for delegation.

A. Delegation of nursing tasks and procedures shall only occur in accordance with the plan for delegation adopted by the entity responsible for client care. The delegation plan shall comply with provisions of this chapter and shall provide:

1. An assessment of the client population to be served;
2. Analysis and identification of nursing care needs and priorities;
3. Establishment of organizational standards to provide for sufficient supervision that assures safe nursing care to meet the needs of the clients in their specific settings;
4. Communication of the delegation plan to the staff;
5. Identification of the educational and training requirements for unlicensed persons and documentation of their competencies; and
6. Provision of resources for appropriate delegation in accordance with this part.

B. Delegation shall be made only if all of the following criteria are met:

1. In the judgment of the delegating nurse, the task or procedure can be properly and safely performed by the unlicensed person and the delegation does not jeopardize the health, safety, and welfare of the client.
2. The delegating nurse retains responsibility and accountability for nursing care of the client, including nursing assessment, planning, evaluation, documentation, and supervision.
3. Delegated tasks and procedures are within the knowledge, area of responsibility, and skills of the delegating nurse.
4. Delegated tasks and procedures are communicated on a client-specific basis to an unlicensed person with clear, specific instructions for performance of activities, potential complications, and expected results.

5. The person to whom a nursing task has been delegated is clearly identified to the client as an unlicensed person by a name tag worn while giving client care and by personal communication by the delegating nurse when necessary.

C. Delegated tasks and procedures shall not be reassigned by unlicensed personnel.

D. Nursing tasks shall only be delegated after an assessment is performed according to the provisions of 18VAC90-19-260.

18VAC90-19-260. Assessment required prior to delegation.

Prior to delegation of nursing tasks and procedures, the delegating nurse shall make an assessment of the client and unlicensed person as follows:

1. The delegating nurse shall assess the clinical status and stability of the client's condition; determine the type, complexity, and frequency of the nursing care needed; and delegate only those tasks that:

a. Do not require the exercise of independent nursing judgment;

b. Do not require complex observations or critical decisions with respect to the nursing task or procedure;

c. Frequently recur in the routine care of the client or group of clients;

d. Do not require repeated performance of nursing assessments;

e. Utilize a standard procedure in which the tasks or procedures can be performed according to exact, unchanging directions; and

f. Have predictable results and for which the consequences of performing the task or procedures improperly are minimal and not life threatening.

2. The delegating nurse shall also assess the training, skills, and experience of the unlicensed person and shall verify the competency of the unlicensed person to determine which tasks are appropriate for that unlicensed person and the method of supervision required.

18VAC90-19-270. Supervision of delegated tasks.

A. The delegating nurse shall determine the method and frequency of supervision based on factors that include:

1. The stability and condition of the client;

2. The experience and competency of the unlicensed person;

3. The nature of the tasks or procedures being delegated; and

4. The proximity and availability of the registered nurse to the unlicensed person when the nursing tasks will be performed.

B. In the event that the delegating nurse is not available, the delegation shall either be terminated or delegation authority shall be transferred by the delegating nurse to another registered nurse who shall supervise all nursing tasks delegated to the unlicensed person, provided the registered nurse meets the requirements of 18VAC90-19-250 B 3.

C. Supervision shall include:

1. Monitoring the performance of delegated tasks;
2. Evaluating the outcome for the client;
3. Ensuring appropriate documentation; and
4. Being accessible for consultation and intervention.

D. Based on an ongoing assessment as described in 18VAC90-19-260, the delegating nurse may determine that delegation of some or all of the tasks and procedures is no longer appropriate.

18VAC90-19-280. Nursing tasks that shall not be delegated.

A. Nursing tasks that shall not be delegated are those that are inappropriate for a specific, unlicensed person to perform on a specific patient after an assessment is conducted as provided in 18VAC90-19-260.

B. Nursing tasks that shall not be delegated to any unlicensed person are:

1. Activities involving nursing assessment, problem identification, and outcome evaluation that require independent nursing judgment;
2. Counseling or teaching except for activities related to promoting independence in personal care and daily living;
3. Coordination and management of care involving collaboration, consultation, and referral;
4. Emergency and nonemergency triage;
5. Administration of medications except as specifically permitted by the Virginia Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia); and
6. Circulating duties in an operating room.

Commonwealth of Virginia



REGULATIONS

FOR

Training Programs for Medication Administration by Unlicensed Persons and Immunization Protocol

VIRGINIA BOARD OF NURSING

Title of Regulations: 18 VAC 90-21-10 et seq.

**Statutory Authority: §§ 54.1-2400 and Chapter 30 of Title 54.1
of the *Code of Virginia***

Date: February 21, 2019

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TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
Part I. Medication Administration Training Program.	3
18VAC90-21-10. Establishing a medication administration training program.	3
18VAC90-21-20. Qualifications of instructional personnel.	3
18VAC90-21-30. Content.	3
18VAC90-21-40. Post-course examination.	4
Part II. Protocol for Adult Immunization.	4
18VAC90-21-50. Requirements for protocol for administration of adult immunization.....	4

Part I. Medication Administration Training Program.

18VAC90-21-10. Establishing a medication administration training program.

A. A program provider wishing to establish a medication administration training program pursuant to §54.1-3408 of the Code of Virginia shall submit an application to the board at least 90 days in advance of the expected beginning date.

B. The application shall be considered at a meeting of the board. The board shall, after review and consideration, either grant or deny approval.

C. If approval is denied, the program provider may request a hearing before the board, and the provisions of the Administrative Process Act shall apply (§2.2-4000 et seq. of the Code of Virginia).

18VAC90-21-20. Qualifications of instructional personnel.

Instructors shall be licensed health care professionals who, consistent with provisions of the Drug Control Act (§54.1-3400 et seq. of the Code of Virginia), are authorized to administer, prescribe or dispense drugs and who have completed a program designed to prepare the instructor to teach the course as it applies to the clients in the specific setting in which those completing the course will administer medications.

18VAC90-21-30. Content of medication administration training.

A. The curriculum shall include a minimum of 32 hours of classroom instruction and practice in the following:

1. Preparing for safe administration of medications to clients in specific settings by:
 - a. Demonstrating an understanding of the client's rights regarding medications, treatment decisions and confidentiality.
 - b. Recognizing emergencies and other health-threatening conditions and responding accordingly.
 - c. Identifying medication terminology and abbreviations.
2. Maintaining aseptic conditions by:
 - a. Implementing universal precautions.
 - b. Insuring cleanliness and disinfection.
 - c. Disposing of infectious or hazardous waste.
3. Facilitating client self-administration or assisting with medication administration by:
 - a. Reviewing administration records and prescriber's orders.
 - b. Facilitating client's awareness of the purpose and effects of medication.
 - c. Assisting the client to interpret prescription labels.
 - d. Observing the five rights of medication administration and security requirements appropriate to the setting.
 - e. Following proper procedure for preparing medications.
 - f. Measuring and recording vital signs to assist the client in making medication administration decisions.
 - g. Assisting the client to administer oral medications.

h. Assisting the client with administration of prepared instillations and treatments of:

(1) Eye drops and ointments.

(2) Ear drops.

(3) Nasal drops and sprays.

(4) Topical preparations.

(5) Compresses and dressings.

(6) Vaginal and rectal products.

(7) Soaks and sitz baths.

(8) Inhalation therapy.

(9) Oral hygiene products.

i. Reporting and recording the client's refusal to take medication.

j. Documenting medication administration.

k. Documenting and reporting medication errors.

l. Maintaining client records according to facility policy.

m. Sharing information with other staff orally and by using documents.

n. Storing and securing medications.

o. Maintaining an inventory of medications.

p. Disposing of medications.

4. Facilitating client self-administration or assisting with the administration of insulin. Instruction and practice in the administration of insulin shall be included only in those settings where required by client needs and shall include:

a. Cause and treatment of diabetes.

b. The side effects of insulin.

c. Preparation and administration of insulin.

B. Pursuant to subsection L of § 54.1-3408 of the Code of Virginia, the board requires successful completion of the curriculum approved by the Department of Behavioral Health and Developmental Services (DBHDS) for unlicensed persons to administer medication via a gastrostomy tube to a person receiving services from a program licensed by the DBHDS.

18VAC90-21-40. Post-course examination.

The program provider shall require that each student shall pass a written and practical examination at the conclusion of the training which measures minimum competency in medication administration.

Part II. Protocol for Adult Immunization.

18VAC90-21-50. Requirements for protocol for administration of adult immunization.

Pursuant to provisions of §54.1-3408 of the Code of Virginia, a protocol shall be submitted to the board prior to the administration of an adult immunization program that includes the following:

1. Purpose and objectives of immunization program.

2. Target population.

3. Name and address of medical director.
 4. A signed and dated medical directive.
 5. Screening criteria for inclusion and exclusion.
 6. Informed consent form.
 7. Immunization procedures.
 - a. Dosage.
 - b. Single or multiple dose administration.
 - c. Injection site.
 - d. Vaccine storage.
 - e. Biohazardous waste disposal.
 - f. Standard precautions.
 8. Post-immunization instructions.
 9. Emergency guidelines, including a signed medical directive for emergency treatment.
 10. Qualification of immunization providers.
 - a. Virginia licensure as a registered nurse, licensed practical nurse, or pharmacist.
 - b. Supervision of LPN provider.
 - c. Current cardiopulmonary resuscitation training.
 11. Resource personnel and supervision.
 12. Sample of patient record with date, vaccine, dose, site, expiration date, lot number, and administering person's signature.
- .

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Agency

Department of Health Professions

Board

Board of Nursing

Chapter

Regulations for Medication Administration Training and Immunization Protocol [[18 VAC 90 - 21](#)]

2 comments

All good comments for this forum [Show Only Flagged](#)[Back to List of Comments](#)**Commenter:** Kim Hurt

6/18/22 11:10 pm

Challenges with lack of RMA's to pass medications

I would like to see the students to be able to start working on the medication cart after successfully passing the exam. We are waiting long periods of times for provisional license. I would like to see students have the ability to work as long as the information has been submitted to the BON for approval. In addition, we need to extend the period of provisional license to 150 days.

CommentID: **122143****Commenter:** Rebecca Sturtz, Commonwealth Senior Living

6/19/22 6:32 pm

RMA's

As a Senior Living operator in the State of VA, the length of time to receive RMA letters is leaving communities hurting for certified staff. to provide medication to our Residents. I propose allowing RMA's to be able to work o the cart prior to receiving the letter or ensure that letters will be received within 14 days of submission.

CommentID: **122144**

Agenda Item: Adoption of fast-track action regarding clinical nurse specialists

Included in your agenda package are:

- Exempt changes to 18VAC90-30-125 regarding practice agreements used by clinical nurse specialists
- Chapter 197 of the 2022 Acts of Assembly

Action needed:

- Motion to adopt fast-track regulatory changes regarding use of practice agreements by clinical nurse specialists.

Project 7304 - Fast-Track

Board of Nursing

Implementation of clinical nurse specialist practice agreement changes from 2022

General Assembly

18VAC90-30-125. Practice of nurse practitioners licensed as clinical nurse specialists.

A. Nurse practitioners licensed in the category of clinical nurse specialist who prescribe controlled substances or devices shall practice in consultation with a licensed physician in accordance with a practice agreement between the nurse practitioner and the licensed physician.

B. Such practice agreement shall address the availability of the physician for routine and urgent consultation on patient care. Evidence of a practice agreement shall be maintained by a nurse practitioner and provided to the boards upon request.

C. Nurse practitioners licensed in the category of clinical nurse specialist who do not prescribe controlled substances or devices may practice in the category in which the nurse practitioner is certified without a written or electronic practice agreement. Such nurse practitioner shall:

1. Only practice within the scope of the nurse practitioner's clinical and professional training and limits of the nurse practitioner's knowledge and experience and consistent with the applicable standards of care;

2. Consult and collaborate with other health care providers based on the clinical condition of the patient to whom health care is provided; and

3. Establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

C.D. The practice of clinical nurse specialists shall be consistent with the standards of care for the profession and with applicable laws and regulations.

VIRGINIA ACTS OF ASSEMBLY -- 2022 SESSION

CHAPTER 197

An Act to amend and reenact §§ 54.1-2957, as it is currently effective and as it shall become effective, and 54.1-2957.01 of the Code of Virginia, relating to clinical nurse specialist; practice agreement.

[H 285]

Approved April 7, 2022

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2957, as it is currently effective and as it shall become effective, and 54.1-2957.01 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2957. (Effective until July 1, 2022) Licensure and practice of nurse practitioners.

A. As used in this section, "clinical experience" means the postgraduate delivery of health care directly to patients pursuant to a practice agreement with a patient care team physician.

B. The Board of Medicine and the Board of Nursing shall jointly prescribe the regulations governing the licensure of nurse practitioners. It is unlawful for a person to practice as a nurse practitioner in the Commonwealth unless he holds such a joint license.

C. Every nurse practitioner other than a certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist or a nurse practitioner who meets the requirements of subsection I shall maintain appropriate collaboration and consultation, as evidenced in a written or electronic practice agreement, with at least one patient care team physician. A nurse practitioner who meets the requirements of subsection I may practice without a written or electronic practice agreement. A certified nurse midwife shall practice pursuant to subsection H. A nurse practitioner who is licensed by the Boards of Medicine and Nursing as a clinical nurse specialist shall practice pursuant to subsection J. A certified registered nurse anesthetist shall practice under the supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry. A nurse practitioner who is appointed as a medical examiner pursuant to § 32.1-282 shall practice in collaboration with a licensed doctor of medicine or osteopathic medicine who has been appointed to serve as a medical examiner pursuant to § 32.1-282. Collaboration and consultation among nurse practitioners and patient care team physicians may be provided through telemedicine as described in § 38.2-3418.16.

Physicians on patient care teams may require that a nurse practitioner be covered by a professional liability insurance policy with limits equal to the current limitation on damages set forth in § 8.01-581.15.

Service on a patient care team by a patient care team member shall not, by the existence of such service alone, establish or create liability for the actions or inactions of other team members.

D. The Boards of Medicine and Nursing shall jointly promulgate regulations specifying collaboration and consultation among physicians and nurse practitioners working as part of patient care teams that shall include the development of, and periodic review and revision of, a written or electronic practice agreement; guidelines for availability and ongoing communications that define consultation among the collaborating parties and the patient; and periodic joint evaluation of the services delivered. Practice agreements shall include provisions for (i) periodic review of health records, which may include visits to the site where health care is delivered, in the manner and at the frequency determined by the nurse practitioner and the patient care team physician and (ii) input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. Evidence of a practice agreement shall be maintained by a nurse practitioner and provided to the Boards upon request. For nurse practitioners providing care to patients within a hospital or health care system, the practice agreement may be included as part of documents delineating the nurse practitioner's clinical privileges or the electronic or written delineation of duties and responsibilities in collaboration and consultation with a patient care team physician.

E. The Boards of Medicine and Nursing may issue a license by endorsement to an applicant to practice as a nurse practitioner if the applicant has been licensed as a nurse practitioner under the laws of another state and, pursuant to regulations of the Boards, the applicant meets the qualifications for licensure required of nurse practitioners in the Commonwealth. A nurse practitioner to whom a license is issued by endorsement may practice without a practice agreement with a patient care team physician pursuant to subsection I if such application provides an attestation to the Boards that the applicant has completed the equivalent of at least two years of full-time clinical experience, as determined by the Boards, in accordance with the laws of the state in which the nurse practitioner was licensed.

F. Pending the outcome of the next National Specialty Examination, the Boards may jointly grant temporary licensure to nurse practitioners.

G. In the event a physician who is serving as a patient care team physician dies, becomes disabled, retires from active practice, surrenders his license or has it suspended or revoked by the Board, or

relocates his practice such that he is no longer able to serve, and a nurse practitioner is unable to enter into a new practice agreement with another patient care team physician, the nurse practitioner may continue to practice upon notification to the designee or his alternate of the Boards and receipt of such notification. Such nurse practitioner may continue to treat patients without a patient care team physician for an initial period not to exceed 60 days, provided the nurse practitioner continues to prescribe only those drugs previously authorized by the practice agreement with such physician and to have access to appropriate input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. The designee or his alternate of the Boards shall grant permission for the nurse practitioner to continue practice under this subsection for another 60 days, provided the nurse practitioner provides evidence of efforts made to secure another patient care team physician and of access to physician input.

H. Every certified nurse midwife shall practice in accordance with regulations adopted by the Boards and consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives governing such practice. A certified nurse midwife who has practiced fewer than 1,000 hours shall practice in consultation with a certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or a licensed physician, in accordance with a practice agreement. Such practice agreement shall address the availability of the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or the licensed physician for routine and urgent consultation on patient care. Evidence of the practice agreement shall be maintained by the certified nurse midwife and provided to the Boards upon request. A certified nurse midwife who has completed 1,000 hours of practice as a certified nurse midwife may practice without a practice agreement upon receipt by the certified nurse midwife of an attestation from the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or the licensed physician with whom the certified nurse midwife has entered into a practice agreement stating (i) that such certified nurse midwife or licensed physician has provided consultation to the certified nurse midwife pursuant to a practice agreement meeting the requirements of this section and (ii) the period of time for which such certified nurse midwife or licensed physician practiced in collaboration and consultation with the certified nurse midwife pursuant to the practice agreement. A certified nurse midwife authorized to practice without a practice agreement shall consult and collaborate with and refer patients to such other health care providers as may be appropriate for the care of the patient.

I. A nurse practitioner, other than a nurse practitioner licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist, who has completed the equivalent of at least two years of full-time clinical experience as a licensed nurse practitioner, as determined by the Boards, may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement upon receipt by the nurse practitioner of an attestation from the patient care team physician stating (i) that the patient care team physician has served as a patient care team physician on a patient care team with the nurse practitioner pursuant to a practice agreement meeting the requirements of this section and § 54.1-2957.01; (ii) that while a party to such practice agreement, the patient care team physician routinely practiced with a patient population and in a practice area included within the category for which the nurse practitioner was certified and licensed; and (iii) the period of time for which the patient care team physician practiced with the nurse practitioner under such a practice agreement. A copy of such attestation shall be submitted to the Boards together with a fee established by the Boards. Upon receipt of such attestation and verification that a nurse practitioner satisfies the requirements of this subsection, the Boards shall issue to the nurse practitioner a new license that includes a designation indicating that the nurse practitioner is authorized to practice without a practice agreement. In the event that a nurse practitioner is unable to obtain the attestation required by this subsection, the Boards may accept other evidence demonstrating that the applicant has met the requirements of this subsection in accordance with regulations adopted by the Boards.

A nurse practitioner authorized to practice without a practice agreement pursuant to this subsection shall (a) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (b) consult and collaborate with other health care providers based on the clinical conditions of the patient to whom health care is provided, and (c) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

A nurse practitioner practicing without a practice agreement pursuant to this subsection shall obtain and maintain coverage by or shall be *the* named insured on a professional liability insurance policy with limits equal to the current limitation on damages set forth in § 8.01-581.15.

J. ~~Nurse practitioners~~ *A nurse practitioner* licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist *who does not prescribe controlled substances or devices may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement. Such nurse practitioner shall (i) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (ii) consult and collaborate with other health care providers based on the clinical*

condition of the patient to whom health care is provided, and (iii) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

A nurse practitioner licensed by the Boards in the category of clinical nurse specialist who prescribes controlled substances or devices shall practice in consultation with a licensed physician in accordance with a practice agreement between the nurse practitioner and the licensed physician. Such practice agreement shall address the availability of the physician for routine and urgent consultation on patient care. Evidence of a practice agreement shall be maintained by a nurse practitioner and provided to the Boards upon request. The practice of clinical nurse specialists shall be consistent with the standards of care for the profession and with applicable laws and regulations.

§ 54.1-2957. (Effective July 1, 2022) Licensure and practice of nurse practitioners.

A. As used in this section, "clinical experience" means the postgraduate delivery of health care directly to patients pursuant to a practice agreement with a patient care team physician.

B. The Board of Medicine and the Board of Nursing shall jointly prescribe the regulations governing the licensure of nurse practitioners. It is unlawful for a person to practice as a nurse practitioner in the Commonwealth unless he holds such a joint license.

C. Every nurse practitioner other than a certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist or a nurse practitioner who meets the requirements of subsection I shall maintain appropriate collaboration and consultation, as evidenced in a written or electronic practice agreement, with at least one patient care team physician. A nurse practitioner who meets the requirements of subsection I may practice without a written or electronic practice agreement. A certified nurse midwife shall practice pursuant to subsection H. A nurse practitioner who is licensed by the Boards of Medicine and Nursing as a clinical nurse specialist shall practice pursuant to subsection J. A certified registered nurse anesthetist shall practice under the supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry. A nurse practitioner who is appointed as a medical examiner pursuant to § 32.1-282 shall practice in collaboration with a licensed doctor of medicine or osteopathic medicine who has been appointed to serve as a medical examiner pursuant to § 32.1-282. Collaboration and consultation among nurse practitioners and patient care team physicians may be provided through telemedicine as described in § 38.2-3418.16.

Physicians on patient care teams may require that a nurse practitioner be covered by a professional liability insurance policy with limits equal to the current limitation on damages set forth in § 8.01-581.15.

Service on a patient care team by a patient care team member shall not, by the existence of such service alone, establish or create liability for the actions or inactions of other team members.

D. The Boards of Medicine and Nursing shall jointly promulgate regulations specifying collaboration and consultation among physicians and nurse practitioners working as part of patient care teams that shall include the development of, and periodic review and revision of, a written or electronic practice agreement; guidelines for availability and ongoing communications that define consultation among the collaborating parties and the patient; and periodic joint evaluation of the services delivered. Practice agreements shall include provisions for (i) periodic review of health records, which may include visits to the site where health care is delivered, in the manner and at the frequency determined by the nurse practitioner and the patient care team physician and (ii) input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. Evidence of a practice agreement shall be maintained by a nurse practitioner and provided to the Boards upon request. For nurse practitioners providing care to patients within a hospital or health care system, the practice agreement may be included as part of documents delineating the nurse practitioner's clinical privileges or the electronic or written delineation of duties and responsibilities in collaboration and consultation with a patient care team physician.

E. The Boards of Medicine and Nursing may issue a license by endorsement to an applicant to practice as a nurse practitioner if the applicant has been licensed as a nurse practitioner under the laws of another state and, pursuant to regulations of the Boards, the applicant meets the qualifications for licensure required of nurse practitioners in the Commonwealth. A nurse practitioner to whom a license is issued by endorsement may practice without a practice agreement with a patient care team physician pursuant to subsection I if such application provides an attestation to the Boards that the applicant has completed the equivalent of at least five years of full-time clinical experience, as determined by the Boards, in accordance with the laws of the state in which the nurse practitioner was licensed.

F. Pending the outcome of the next National Specialty Examination, the Boards may jointly grant temporary licensure to nurse practitioners.

G. In the event a physician who is serving as a patient care team physician dies, becomes disabled, retires from active practice, surrenders his license or has it suspended or revoked by the Board, or relocates his practice such that he is no longer able to serve, and a nurse practitioner is unable to enter into a new practice agreement with another patient care team physician, the nurse practitioner may continue to practice upon notification to the designee or his alternate of the Boards and receipt of such notification. Such nurse practitioner may continue to treat patients without a patient care team physician for an initial period not to exceed 60 days, provided the nurse practitioner continues to prescribe only

those drugs previously authorized by the practice agreement with such physician and to have access to appropriate input from appropriate health care providers in complex clinical cases and patient emergencies and for referrals. The designee or his alternate of the Boards shall grant permission for the nurse practitioner to continue practice under this subsection for another 60 days, provided the nurse practitioner provides evidence of efforts made to secure another patient care team physician and of access to physician input.

H. Every certified nurse midwife shall practice in accordance with regulations adopted by the Boards and consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives governing such practice. A certified nurse midwife who has practiced fewer than 1,000 hours shall practice in consultation with a certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or a licensed physician, in accordance with a practice agreement. Such practice agreement shall address the availability of the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or the licensed physician for routine and urgent consultation on patient care. Evidence of the practice agreement shall be maintained by the certified nurse midwife and provided to the Boards upon request. A certified nurse midwife who has completed 1,000 hours of practice as a certified nurse midwife may practice without a practice agreement upon receipt by the certified nurse midwife of an attestation from the certified nurse midwife who has practiced for at least two years prior to entering into the practice agreement or the licensed physician with whom the certified nurse midwife has entered into a practice agreement stating (i) that such certified nurse midwife or licensed physician has provided consultation to the certified nurse midwife pursuant to a practice agreement meeting the requirements of this section and (ii) the period of time for which such certified nurse midwife or licensed physician practiced in collaboration and consultation with the certified nurse midwife pursuant to the practice agreement. A certified nurse midwife authorized to practice without a practice agreement shall consult and collaborate with and refer patients to such other health care providers as may be appropriate for the care of the patient.

I. A nurse practitioner, other than a nurse practitioner licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife, certified registered nurse anesthetist, or clinical nurse specialist, who has completed the equivalent of at least five years of full-time clinical experience as a licensed nurse practitioner, as determined by the Boards, may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement upon receipt by the nurse practitioner of an attestation from the patient care team physician stating (i) that the patient care team physician has served as a patient care team physician on a patient care team with the nurse practitioner pursuant to a practice agreement meeting the requirements of this section and § 54.1-2957.01; (ii) that while a party to such practice agreement, the patient care team physician routinely practiced with a patient population and in a practice area included within the category for which the nurse practitioner was certified and licensed; and (iii) the period of time for which the patient care team physician practiced with the nurse practitioner under such a practice agreement. A copy of such attestation shall be submitted to the Boards together with a fee established by the Boards. Upon receipt of such attestation and verification that a nurse practitioner satisfies the requirements of this subsection, the Boards shall issue to the nurse practitioner a new license that includes a designation indicating that the nurse practitioner is authorized to practice without a practice agreement. In the event that a nurse practitioner is unable to obtain the attestation required by this subsection, the Boards may accept other evidence demonstrating that the applicant has met the requirements of this subsection in accordance with regulations adopted by the Boards.

A nurse practitioner authorized to practice without a practice agreement pursuant to this subsection shall (a) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (b) consult and collaborate with other health care providers based on the clinical conditions of the patient to whom health care is provided, and (c) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.

A nurse practitioner practicing without a practice agreement pursuant to this subsection shall obtain and maintain coverage by or shall be *the* named insured on a professional liability insurance policy with limits equal to the current limitation on damages set forth in § 8.01-581.15.

J. ~~Nurse practitioners~~ *A nurse practitioner licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist who does not prescribe controlled substances or devices may practice in the practice category in which he is certified and licensed without a written or electronic practice agreement. Such nurse practitioner shall (i) only practice within the scope of his clinical and professional training and limits of his knowledge and experience and consistent with the applicable standards of care, (ii) consult and collaborate with other health care providers based on the clinical condition of the patient to whom health care is provided, and (iii) establish a plan for referral of complex medical cases and emergencies to physicians or other appropriate health care providers.*

A nurse practitioner licensed by the Boards in the category of clinical nurse specialist who prescribes controlled substances or devices shall practice in consultation with a licensed physician in accordance with a practice agreement between the nurse practitioner and the licensed physician. Such

practice agreement shall address the availability of the physician for routine and urgent consultation on patient care. Evidence of a practice agreement shall be maintained by a nurse practitioner and provided to the Boards upon request. The practice of clinical nurse specialists shall be consistent with the standards of care for the profession and with applicable laws and regulations.

§ 54.1-2957.01. Prescription of certain controlled substances and devices by licensed nurse practitioners.

A. In accordance with the provisions of this section and pursuant to the requirements of Chapter 33 (§ 54.1-3300 et seq.), a licensed nurse practitioner shall have the authority to prescribe Schedule II through Schedule VI controlled substances and devices as set forth in Chapter 34 (§ 54.1-3400 et seq.).

B. A nurse practitioner who does not meet the requirements for practice without a written or electronic practice agreement set forth in subsection I of § 54.1-2957 shall prescribe controlled substances or devices only if such prescribing is authorized by a written or electronic practice agreement entered into by the nurse practitioner and a patient care team physician *or, if the nurse practitioner is licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist, the nurse practitioner and a licensed physician*. Such nurse practitioner shall provide to the Boards of Medicine and Nursing such evidence as the Boards may jointly require that the nurse practitioner has entered into and is, at the time of writing a prescription, a party to a written or electronic practice agreement with a patient care team physician, *or, if the nurse practitioner is licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist, a licensed physician*, that clearly states the prescriptive practices of the nurse practitioner. Such written or electronic practice agreements shall include the controlled substances the nurse practitioner is or is not authorized to prescribe and may restrict such prescriptive authority as described in the practice agreement. Evidence of a practice agreement shall be maintained by a nurse practitioner pursuant to § 54.1-2957. Practice agreements authorizing a nurse practitioner to prescribe controlled substances or devices pursuant to this section either shall be signed by the patient care team physician, *or, if the nurse practitioner is licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist, a licensed physician*, or shall clearly state the name of the patient care team physician, *or, if the nurse practitioner is licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist, the name of the licensed physician*, who has entered into the practice agreement with the nurse practitioner.

It shall be unlawful for a nurse practitioner to prescribe controlled substances or devices pursuant to this section unless (i) such prescription is authorized by the written or electronic practice agreement or (ii) the nurse practitioner is authorized to practice without a written or electronic practice agreement pursuant to subsection I of § 54.1-2957.

C. The Boards of Medicine and Nursing shall promulgate regulations governing the prescriptive authority of nurse practitioners as are deemed reasonable and necessary to ensure an appropriate standard of care for patients. Such regulations shall include requirements as may be necessary to ensure continued nurse practitioner competency, which may include continuing education, testing, or any other requirement, and shall address the need to promote ethical practice, an appropriate standard of care, patient safety, the use of new pharmaceuticals, and appropriate communication with patients.

D. This section shall not limit the functions and procedures of certified registered nurse anesthetists or of any nurse practitioners which are otherwise authorized by law or regulation.

E. The following restrictions shall apply to any nurse practitioner authorized to prescribe drugs and devices pursuant to this section:

1. The nurse practitioner shall disclose to the patient at the initial encounter that he is a licensed nurse practitioner. Any party to a practice agreement shall disclose, upon request of a patient or his legal representative, the name of the patient care team physician, *or, if the nurse practitioner is licensed by the Boards of Medicine and Nursing in the category of clinical nurse specialist, the name of the licensed physician*, and information regarding how to contact the patient care team physician *or licensed physician*.

2. Physicians shall not serve as a patient care team physician on a patient care team ~~at any one time~~ ~~to~~ *or enter into a practice agreement with more than six nurse practitioners at any one time*.

F. This section shall not prohibit a licensed nurse practitioner from administering controlled substances in compliance with the definition of "administer" in § 54.1-3401 or from receiving and dispensing manufacturers' professional samples of controlled substances in compliance with the provisions of this section.

G. Notwithstanding any provision of law or regulation to the contrary, a nurse practitioner licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife ~~or clinical nurse specialist~~ and holding a license for prescriptive authority may prescribe Schedules II through VI controlled substances. However, if the nurse practitioner licensed by the Boards of Medicine and Nursing in the category of certified nurse midwife ~~or clinical nurse specialist~~ is required, pursuant to subsection H ~~or J~~ of § 54.1-2957, to practice pursuant to a practice agreement, such prescribing shall also be in accordance with any prescriptive authority included in such practice agreement.

H. Notwithstanding any provision of law or regulation to the contrary, a nurse practitioner licensed by the Boards of Medicine and Nursing as a certified registered nurse anesthetist shall have the authority

to prescribe Schedule II through Schedule VI controlled substances and devices in accordance with the requirements for practice set forth in subsection C of § 54.1-2957 to a patient requiring anesthesia, as part of the periprocedural care of such patient. As used in this subsection, "periprocedural" means the period beginning prior to a procedure and ending at the time the patient is discharged.

**Agenda Item: Guidance Document 90-62: Medication Administration Training Curriculum
Approved by the Board of Nursing for Various Settings**

Included in your agenda package is:

Revised Guidance Document 90-62 with inclusion of newly approved program

Action needed:

- Motion to revise Guidance Document 90-62 as presented.

Medication Administration Training Curriculum Approved by the Board of Nursing for Various Settings				
Statutory Authority	Site of Medication Administration	Source of Curriculum	Number of Hours	Approved by the BON
Medication Administration Curriculum for Registered Medication Aides				
§54.1-3408.M and 54.1-3005 (17)	Assisted Living Facilities Licensed by Department of Social Services (DSS)	Board of Nursing 18VAC90-60-10 et seq.	68 hour minimum: 40 hours classroom; 8 hours diabetic module; 20 hours supervised clinical practice in an ALF (20% (4 hours) can be simulation)	1/24/07, revised 3/17/09 Revised 5/21/13
Administration of Glucagon and Insulin Training Course for certain DBHDS facilities and programs				
§54.1-3408.H	Programs licensed by Department of Behavioral Health and Developmental Services (DBHDS)	Virginia Adult Care Education	2 hours module as addendum to the 32 hour curriculum	November 2014
Medication Administration Training Course for certain DSS and DBHDS facilities and programs				
§54.1-3408.L	Adult Day Care Centers & Children's residential facilities licensed by DSS. Programs licensed by Department of Behavioral Health and Developmental Services (DBHDS)	DSS 18VAC90-21-10 through 18VAC90-21-40	32 hours minimum with 8 hour diabetic module. Diabetic module added in 1993, revised 1996 & 2000.	Approved in 1991; Revised in 1996 and 2000
Medication Administration Training Course for certain DSS and DBHDS facilities and programs				
§54.1-3408.L	Adult Day Care Centers & Children's residential facilities licensed by DSS. Programs licensed by Department of Behavioral Health and Developmental Services (DBHDS)	DBHDS	2 hour minimum module for administration of rectal diazepam as addendum to the 32 hour curriculum	January 2014
Medication Administration Curriculum for DBHDS				
§54.1-3408.L	Residential and Community Based programs regulated by DBHDS	Fidura & Associates 18VAC90-21-10 through 18VAC90-21-40	32 hours minimum 2011 & 2013, revision to the Diabetic Management Section	July 2013
§54.1-3408.L	Residential and Community Based programs regulated by DBHDS	Safe Dose Pharmacy	32 hour online training course	March 2021
Medication Administration Training for Youth (MATY)				
§§ 54.1-3408.L and 54.1-3408 O	Private children's residential facilities or schools for students with disabilities. Licensed by DBHDS or DSS and/or Department of Education Private schools accredited pursuant to §22.1-19 as administered by VCPE	Virginia Association of Independent Specialized Education Facilities	16 hours minimum	July 2015
Administration of Medications via a Gastrostomy Tube				
§54.1-3408.L	Programs licensed by DBHDS	DBHDS	4 hours classroom 2 hours clinical Includes an semiannual competency review to be done by an RN	May 2013

§54.1-3408.L	Residential and community-based programs regulated by DBHDS	Safe Dose Pharmacy	6 hours online with a skills competency observation includes a semiannual competency review to be done by an RN	July 2022
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Medication Administration Training for Child Care Providers (MAT)

§§ 54.1-3408 D, 54.1-3408 O and 54.1-3005 (19)	Child day care programs licensed by DSS Private schools accredited pursuant to §22.1-19 as administered by VCPE	DSS Guidance document: 90-9 Guidelines for Prescription Drug Administration Training Program for Child Day Programs	8 hours minimum Modules for certain employees: auto injector device for administration of epinephrine (1 hour) and/or the administration of prescription topical creams and ointments (1 hour)	2006; Revised 2007; Revised 2014
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Medication Administration Training for Youth – Modules (MATY-M)

§§ 54.1-3408 D and 54.1-3408 O	Private schools accredited pursuant to §22.1-19 as administered by VCPE – only for field trips and other activities occurring outside the school day	Virginia Council for Private Education (VCPE)	Time varies based on MATY-M modules	November 2015
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Manual for Training Public School Employees

§§ 54.1-3408 D, 54.1-3408 N, 54.1-3408 O and 54.1-3005 (12)	Public schools under the Department of Education (DOE) Private schools accredited pursuant to §22.1-19 as administered by VCPE	DOE Guidance document: 90-36 Guidelines for Training of Public School Employees in the Administration of Insulin and Glucagon	4 hours minimum Annual refresher on insulin & glucagon Auto-injector of epinephrine for anaphylaxis added in 2012	July 1999; Revised 2003 and November 2012 November 2015
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Training Public School Employees – Guidelines for Seizure Management

§§ 54.1-3408 N and 54.1-3005 (21)	Public schools under the Department of Education (DOE)	DOE	Follow procedures established in Guidelines	Revised July 2010
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Medication Administration Training for Child Care Providers, Epinephrine Auto Injector (MAT-EPI) Course

§§ 54.1-3408 (O) and 54.1-3005 (19)	Child Day Care Programs Licensed by DSS	DSS	Adapted from MAT Training (2006, Revised 2014). Taught in modules based on individual needs. Time varies based on module taught. Includes annual refresher	3/25/16
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Medication Administration Training for Child Care Providers, Epilepsy Curriculum (MAT-EPILEPSY)

§§ 54.1-3408 (O) and 54.1-3005 (19)	Child Day Care Programs Licensed by DSS	DSS	The Medication Administration Training (MAT) in conjunction with the Epilepsy Foundation of Virginia has prepared an epilepsy curriculum (MAT-EPILEPSY) that expands the core MAT training to include knowledge, hands on training and skills demonstration for safe administration of medications for children with epilepsy in child day care programs.	4/7/17
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Officer	Medication Training Course	VDOC		
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§§ 54.1-3408 (L)	Department of Corrections	Virginia DOC	4 hour training for oversight of self administration of medications by	11/114/17
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			correctional officers when nurses are not on duty or available.	
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Agenda Item: Review of all Guidance Documents

Action needed:

- Motion to have committee review all Guidance Documents for Board of Nursing and recommend changes to the full Board.

**VIRGINIA BOARD OF NURSING
EDUCATION SPECIAL CONFERENCE COMMITTEE
Thursday, September 1, 2022**

Department of Health Professions – Perimeter Center
9960 Mayland Drive, Conference Center 201 – **Boardroom 1**
Henrico, Virginia 23233

TIME AND PLACE: The meeting of the Education Special Conference Committee was convened at 9:00 a.m. in Suite 201, Department of Health Professions, 9960 Mayland Drive, Second Floor, Boardroom 3, Henrico, Virginia.

MEMBERS PRESENT: James L. Hermansen-Parker, MSN, RN, PCCN-K, Chair
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT: Jay Douglas, MSM, RN, CSAC, FRE, Executive Director
Jacquelyn Wilmoth, MSN, RN, Deputy Executive Director
Randall Mangrum, DNP, RN, Nursing Education Program Manager
Christine Smith, MSN, RN, Nurse Aide/RMA Education Program Manager
Michelle Duesberry-Woody, Education Program Inspector
Grace Stewart, Adjudication Specialist
Anne Joseph, Adjudication Specialist
Beth Yates, Education Program Specialist

STAFF ABSENT:

PUBLIC COMMENT: There was no public comment.

CONTINUED FACULTY EXCEPTION:

Radford University, Radford, BSN Program, US28509600

There were no representatives present for the program.

ACTION: Ms. Phelps moved to recommend that the continued faculty request presented by Radford University, Registered Nursing Education Program be approved as presented.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022.

INFORMAL CONFERENCES:

**Career Nursing Academy, Locust Grove, Nurse Aide Program,
1414100813**

Zoila Ortega, RN, Program Coordinator and Christine West, CNA, Program Manager were present to represent the program.

Ms. Phelps moved that the Education Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A) (27) of the Code of Virginia at 10:11 a.m. for the purpose of deliberation to reach a decision in the matter of Career Nursing Academy, Nurse Aide Education Program. Additionally, Ms. Phelps moved that, Ms. Douglas, Dr. Mangrum, Ms. Smith, Ms. Duesberry-Woody, Ms. Joseph and Ms. Yates attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously. The Committee reconvened in open session at 10:36 a.m.

Ms. Phelps moved that the Education Informal 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. Phelps moved to recommend that Career Nursing Academy, Nurse Aide Education Program be placed on conditional approval with terms and conditions.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022

Loudoun County Public Schools, Leesburg, Practical Nursing Program, US28104600

No representatives for the program were present and the program was not represented by counsel.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Ms. Hemansen-Parker ruled that adequate notice was provided to Loudoun County Public Schools, Practical Nursing program.

Ms. Phelps moved that the Education Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A) (27) of the Code of Virginia at 11:01 a.m. for the purpose of deliberation to reach a decision in the matter of Loudoun County Public Schools, Practical Nursing Education Program. Additionally, Ms. Phelps moved that, Ms. Douglas, Ms. Duesberry-Woody, Ms. Stewart, Ms. Smith, Dr. Mangrum and Ms. Yates attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously. The Committee reconvened in open session at 11: 23 a.m.

Ms. Phelps moved that the Education Informal 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. Phelps moved to recommend that Loudoun County Public Schools, Practical Nursing Education Program, be continued on conditional approval with terms and conditions.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022

First Career Center, Medication Aide Program, 0030000215

No representatives for the program were present.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Mr. Hermansen-Parker ruled that adequate notice was provided to First Career Center.

ACTION:

Ms. Phelps moved to recommend that approval to operate First Career Center Medication Aide Training Program be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022.

Alete Home Health Services, Medication Aide Program, 0030000146

No representatives for the program were present.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Mr. Hermansen-Parker ruled that adequate notice was provided to Alete Home Health Services.

ACTION:

Ms. Phelps moved to recommend that approval to operate medication aide program at Alete Home Health Services be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022.

Golden Age Retirement Home, Medication Aide Program, 0030000040

No representatives for the program were present.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Mr. Hermansen-Parker ruled that adequate notice was provided to Golden Age Retirement Home.

ACTION:

Ms. Phelps moved to recommend that approval to operate a medication aide program at Golden Age Retirement Home be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on May17, 2022.

Madison Home, Inc., Medication Aide, 0030000083

No representatives for the program were present.

Ms. Stewart to provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Mr. Hermansen-Parker ruled that adequate notice was provided to Madison Home, Inc.

ACTION:

Ms. Phelps moved to recommend that approval to operate a Medication Aide Training Program at Madison Home, Inc. be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022.

MicAnd, LLC, Medication Aide Program, 0030000144

No representatives for the program were present.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Mr. Hermansen-Parker ruled that adequate notice was provided to MicAnd, LLC.

ACTION:

Ms. Phelps moved to recommend that approval to operate a Medication Aide Training Program at MicAnd, LLC be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022.

**Oak Grove Residential Care Center, Medication Aide Program,
0030000114**

No representatives for the program were present.

Ms. Stewart provided information regarding mailing of the Board notice. Based upon information provided by Ms. Stewart, Mr. Hermansen-Parker ruled that adequate notice was provided to Oak Grove Residential Care Center.

ACTION:

Ms. Phelps moved to recommend that approval to operate a Medication Aide Training Program at Oak Grove Residential Care Center be withdrawn.

The motion was seconded and carried unanimously.

This recommendation will be presented to the full Board on September 13, 2022

**Petersburg Public Schools, Petersburg, Practical Nursing Program,
US28109400**

Phyllis Wyche, Program Director, and Pam Bell, Chief Superintendent were present.

The program was represented by counsel.

Ms. Phelps moved that the Education Informal Conference Committee of the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A) (27) of the Code of Virginia at 2:12 p.m. for the purpose of deliberation to reach a decision in the matter of Petersburg Public Schools, Practical Nursing Education Program. Additionally, Ms. Phelps moved that, Ms. Wilmoth, Ms. Smith, Ms. Stewart, Ms. Duesberry-Woody and Ms. Yates attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously. The Committee reconvened in open session at 3:01 p.m.

Ms. Phelps moved that the Education Informal 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. Phelps moved to refer the case for Petersburg Public Schools, Practical Nursing Education Program to a formal hearing.

The motion was seconded and carried unanimously.

Meeting adjourned at 3:12 p.m.

Jacquelyn Wilmoth, MSN, RN
Deputy Executive Director

DRAFT