

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE C
August 31, 2023**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board Nursing was convened at 9:05 A.M., August 31, 2023, Training Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Ann Tucker Gleason, Ph.D., Citizen Member, Chairperson
Laurie Buchwald, M.S.N., W.H.N.P., F.N.P.
Erin C. Osiol, M.S.W., L.M.T., Massage Therapy Advisory Board (L.M.T. cases only)

STAFF PRESENT: Christina Bargdill, B.S.N., M.H.S., R.N.

**ADMINISTRATIVE
PROCEEDINGS
STAFF PRESENT:**

Anne Joseph, Adjudication Consultant
Avi Efreom, Adjudication Specialist
Lori Pound, Adjudication Consultant
Tammie Jones, Adjudication Consultant

**CONFERENCE
SCHEDULED:**

Jeffrey Scott Baker, L.M.T. Applicant by Exam
Mr. Baker did not appear.

Based on the information Ms. Joseph provided, Ms. Gleason ruled that adequate notice was given to Mr. Baker.

CLOSED MEETING:

Ms. Osiol moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 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 Mr. Baker. Additionally, Ms. Osiol moved that Ms. Bargdill and Ms. Joseph attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 9:13 A.M.

Ms. Osiol moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed, or considered only public business matter lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Ms. Osiol moved to Issue an Order to Deny Jeffrey Scott Baker's Application for Licensed Massage Therapist. The basis of this decision will be set forth in an Order which will be mailed to Mr. Baker's address of record. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become Final Order thirty days after service of such order on Mr. Baker unless a written request

to the Board for a formal hearing on the allegations made against him is received from Mr. Baker within such time. If service of the order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCE
SCHEDULED:

Lindsay Gaby, L.M.T. Applicant by Endorsement
Ms. Gaby appeared.

CLOSED MEETING:

Ms. Osiol moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:02 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Gaby. Additionally, Ms. Osiol moved that Ms. Bargdill and Mr. Efreom attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENATION:

The Committee reconvened in open session at 10:28 A.M.

Ms. Osiol moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed, or considered only public business matter lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Ms. Osiol moved to Issue an Order to Approve Lindsay Gaby's Application for an unrestricted license as a Licensed Massage Therapist. The basis of this decision will be set forth in an Order which will be mailed to Ms. Gaby's address of record. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Gaby unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Gaby within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCE
SCHEDULED:

Kara Marie Turk, L.M.T. 0019-007891
Ms. Turk did not appear.

Based upon the information provided by Ms. Pound, Ms. Gleason ruled that adequate notice was given to Ms. Turk.

CLOSED MEETING: Ms. Osiol moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 10:43 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Turk. Additionally, Ms. Osiol moved that Ms. Bargdill and Ms. Pound attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 11:13 A.M.

Ms. Osiol moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed, or considered only public business matter 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: An Order will be entered to Take No Action.

RECESS: The Committee recessed at 11:14 A.M.

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

CONFERENCE
SCHEDULED:

Luxy Zhao, L.M.T. 0019-016718

Mr. Zhao appeared and was accompanied by his attorney, Shaoming Jerry Cheng, Esquire.

CLOSED MEETING: Ms. Osiol moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 1:47 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Zhao. Additionally, Ms. Osiol moved that Ms. Bargdill and Ms. Jones attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENATION: The Committee reconvened in open session at 2:13 P.M.

Ms. Osiol moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed, or considered only public business matter lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. Osiol moved to offer Luxy Zhao a Consent Order for the Revocation of his Massage Therapy License in lieu of a Formal Hearing. The basis of this decision will be set forth in an Order which will be mailed to Mr. Zhao at his address of record with the Board. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. Zhao unless a written request to the Board for a formal hearing on the allegations made against her is received from Mr. Zhao within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

**CONFERENCE
SCHEDULED:**

Amber Dawn Washington, L.P.N. 0002-079053
Ms. Washington appeared.

CLOSED MEETING:

Ms. Buchwald moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:40 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Zhao. Additionally, Ms. Buchwald moved that Ms. Bargdill and Mr. Efreom attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENATION:

The Committee reconvened in open session at 4:14 P.M.

Ms. Buchwald moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed, or considered only public business matter 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. Buchwald moved to issue an Order of Reprimand to Amber Dawn Washington. Additionally, Ms. Buchwald moved that the Order require Ms. Washington to provide proof of completion of the following Board-approved course within 90 days of entry of the Order in the subject areas of *Professional Accountability and Legal Liability for Nurses*, *Ethics of Nursing Practice*, and *Sharpening Critical Thinking Skills*. The basis of this decisions will be set forth in an Order which will be mailed to Ms. Washington at her address of record with the Board. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Washington unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Washington within such time. If service of the Order is made

by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT: The Board adjourned at 4:15 P.M.

A handwritten signature in cursive script that reads "Christina Bargdill". The signature is written in dark ink on a light-colored, slightly textured paper background.

Christina Bargdill, B.S.N., M.H.S., R.N.
Deputy Executive Director