

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
September 15, 2008**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:10 A.M., in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson
John Horn, L.P.N.

STAFF PRESENT: Brenda Krohn, R.N., M.S., Deputy Executive Director, Medication Aide Registry Manager
Jane Elliott, R.N., Ph.D., Discipline Staff

OTHERS PRESENT: LaRhonda Carter, Adjudication Specialist
Mary Beth Shelton, Adjudication Specialist
Amanda Mitchell, Adjudication Specialist
Joyce A. Hahn, Ph.D.; APRN; NEA-BC (observed)

CONFERENCES
SCHEDULED: **Sandra E. Heflin Thomas, R.N. Reinstatement Applicant 0001-138069**
Ms. Thomas appeared, accompanied by Leigh Kammerer, Case Manager, Health Practitioners Intervention Program.

CLOSED MEETING: Mr. Horn 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 9:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Thomas. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Ms. Shelton 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 9:40 A.M.

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

ACTION: Mr. Horn moved to issue an Order to reinstate the license of Sandra Thomas to practice as registered nurse and issue an unrestricted license contingent upon Ms. Thomas remaining in compliance with the terms of the monitoring contract with the Health Practitioners Intervention Program.
The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Thomas unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Thomas 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 decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Francena Croaker, C.N.A. Reinstatement Applicant 1401-025670

Ms. Croaker did not appear.

CLOSED MEETING:

Mr. Horn 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 9:45 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Croaker. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Mr. Carter attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 9:55 A.M.

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

The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved to issue an Order to reinstate the certificate of Francena Croaker to practice as a nurse aide contingent upon successful completion of the NNAAP exam.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Croaker unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Croaker 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 decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Matthew J. McFarland, L.P.N. Applicant

Mr. McFarland did not appear.

CLOSED MEETING:

Mr. Horn 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 10:05 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. McFarland. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Ms. Shelton attend the closed meeting because their presence in the

closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:20 A.M.

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

The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved to recommend the Board issue an order to deny Matthew McFarland's application for licensure by endorsement.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Mr. McFarland unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. McFarland 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 decision of this conference committee shall be vacated.

CONFERENCES

SCHEDULED:

Alicia Powell, C.N.A. Reinstatement Applicant 1401-089879

Ms. Powell appeared.

CLOSED MEETING:

Mr. Horn 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 10:55 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Powell. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Ms. Shelton 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 11:26 A.M.

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

The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved to issue an Order to reinstate the license of Alicia Powell to practice as a nurse aide and to issue an Order of reprimand with a finding of misappropriation of patient property.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Powell unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Powell 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 decision of this conference committee shall be vacated.

CONFERENCES
SCHEDULED:

LaShionne L. Reed-Murphy, C.N.A. Applicant
Ms. Reed-Murphy appeared.

CLOSED MEETING:

Mr. Horn 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 12:08 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Reed-Murphy. Additionally, Mr. Horn moved that Ms. Krohn, Dr. Elliott and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 12:15 P.M.

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

The motion was seconded and carried unanimously.

ACTION: Mr. Horn moved to recommend the Board issue an Order to approve LaShionne Reed-Murphy's application for certification as a nurse aide in Virginia and issue an unrestricted certificate upon successful completion of the NNAAP exam.

The motion was seconded and carried unanimously.

As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Reed-Murphy unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Reed-Murphy 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 decision of this conference committee shall be vacated.

ADJOURNMENT:

The Board adjourned at 12:30 P.M.

Brenda Krohn, R.N., M.S.
Deputy Executive Director, Medication Aide Registry Manager

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 15, 2008**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 2:48 P.M. on September 15, 2008 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

BOARD MEMBERS
PRESENT:

Florence Jones-Clarke, R.N., M.S., Chairperson
Joyce A. Hahn, Ph.D.; APRN; NEA-BC (observing)
John M. Horn, L.P.N.
Patricia C. Lane, R.N., B.S.N.
Judith E. Piersall, R.N., B.S.N.
Patricia M. Selig, R.N., F.N.P., Ph.D.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Donna Lee, Senior Discipline Specialist

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF
A QUORUM:

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

FORMAL HEARINGS:

Kimberly Mills, L.P.N. 0002-063654
Ms. Mills appeared.

Clay Garrett, Assistant Attorney General and LaRhonda Carter, Adjudication Specialist, represented the Commonwealth. Howard M. Casway, Senior Assistant Attorney General was legal counsel for the Board. Melissa Custis, court reporter, recorded the proceedings.

Lisa Elgin, R.N., Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Piersall moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:33 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Mills. Additionally, Ms. Piersall moved that Ms. Douglas, Ms. Mitchell, Ms. Lee and Mr. Casway 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 and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:07 P.M.

Ms. Piersall 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 and carried unanimously.

Mr. Horn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Garrett and amended by the Board.

The motion was seconded and carried unanimously.

Dr. Selig moved that the Board of Nursing continue the license of Kimberly Mills on indefinite suspension and stay said suspension contingent upon Ms. Mills entry into the Health Practitioners Intervention Program and remaining in compliance with a recovery monitoring contract with the Health Practitioners Intervention Program.

The motion was seconded and carried. Mr. Horn, Ms. Lane, Ms. Piersall and Dr. Selig were in favor of the motion. Ms. Jones-Clarke opposed the motion, Dr. Hahn abstained.

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

ADJOURNMENT:

The Board adjourned at 4:10 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline