

**VIRGINIA BOARD OF NURSING
MINUTES**

January 29, 2020

Panel - B

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:07 A.M. on January 29, 2020 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Jennifer Phelps, BS, LPN, QMHP-A, CSAC Vice President
Yvette L. Dorsey, DNP, RN
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Mark D. Monson, Citizen Member
Felisa Smith, RN, MSA, MSN/Ed, CNE
Cynthia Swineford, RN, MSN, CNE

STAFF PRESENT:

Robin Hills, RN, DNP, WHNP, Deputy Executive Director
Terri Clinger, DNP, RN, CPNP-PC., Deputy Executive Director for Advance Practice
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

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 9:13 A.M., for the purpose of consideration of the agency subordinate recommendations. Additionally, Mr. Monson moved that Dr. Hills, Dr. Clinger, Ms. Graham, and Ms. Barrett, 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 and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:42 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 and carried unanimously.

Ms. Webb did not appear.

Mr. Monson moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer to a formal hearing. The motion was seconded and carried unanimously.

#4 – Oliva Mae Parker, RMA **0031-001893**
Ms. Parker did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right of Oliva Mae Parker to renew her registration to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#6 – April Nicole Hostetter Higgins, CNA **1401-150965**
Ms. Higgins did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the certificate of April Nicole Hostetter Higgins to practice as a nurse aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#8 – Susan Mayberry Crews, LPN **0002-048164**
Ms. Crews did not appear.

Dr. McQueen-Gibson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the license of Susan Mayberry Crews to practice practical nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Crews' entry into a Contract with the Virginia Health Practitioners' Monitoring Program (HPMP) and compliance with all terms and conditions of the HPMP for the period specified by the HPMP. The motion was seconded and carried with five votes in favor of the motion. Mr. Monson opposed the motion.

#10 – Jasmine Rae Peddrew, RMA **0031-010871**
Mr. Peddrew did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jasmine Rae Peddrew. The motion was seconded and carried unanimously.

#12 – Diacell Winston, RMA **0031-008400**

Ms. Winston did not appear but submitted a written response.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the registration of Diacell Winston to practice as a medication aide in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#14 – Michelle Lopez, RN **0001-190866**
Mr. Lopez did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the right of Michelle Lopez to renew her license to practice professional nursing in the Commonwealth of Virginia with suspension stayed upon proof of Ms. Lopez’s entry into a Contract with the Virginia Health Practitioners’ Monitoring Program (HPMP) and compliance with all terms and conditions of the HPMP for the period specified by the HPMP . The motion was seconded and carried unanimously.

#16 – Mary Katherine Franchok Haulton, RN **0001-137917**
Ms. Haulton did not appear.

Ms. Phelps moved that the Board of Nursing reject the recommended decision of the agency subordinate and to refer to a formal hearing. The motion was seconded and carried unanimously.

#18 – Linda Carol Rich Joyce, RN **0001-220798**
Ms. Joyce 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 Linda Carol Rich Joyce to practice professional nursing in the Commonwealth of Virginia. The motion was seconded and carried unanimously.

#20 – Jashae Bradley, CNA **1401-180668**
Ms. Bradley did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Jashae Bradley to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Neglect against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

#22 – Amanda Mae Sheffer, CNA **1401-123971**

Ms. Sheffer did not appear.

Mr. Monson moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the certificate of Amanda Mae Sheffer to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Misappropriation of Patient Property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

ADJOURNMENT: The Board adjourned at 9:46 A.M.

Robin Hills, RN, DNP, WHNP
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 29, 2020
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 11:02 A.M. on January 29, 2020 in Board Room 3, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Jennifer Phelps, BS, LPN, QMHP-A, CSAC Vice President
Yvette L. Dorsey, DNP, RN
Ethlyn McQueen-Gibson, DNP, MSN, RN, BC
Mark D. Monson, Citizen Member
Felisa Smith, RN, MSA, MSN/Ed, CNE
Cynthia Swineford, RN, MSN, CNE

STAFF PRESENT:

Robin Hills, RN, DNP, WHNP, Deputy Executive Director
Terri Clinger, DNP, RN, CPNP-PC, Deputy Executive Director for Advance Practice
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT:

Erin Barrett, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A PANEL:

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

FORMAL HEARINGS:

Wesley Bryan Killen, RN **0001-160525**
Mr. Killen did not appear

Anne Joseph, Deputy Director, Administrative Proceedings Division for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Cynthia Ferrell, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceeding.

Amy Tanner, Senior Investigator, Department of Health Professions, testified via telephone.

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 11:21 A.M., for the purpose of deliberation to reach a decision in the matter of Wesley Bryan Killen. Additionally, Ms. Swineford moved that Dr. Hills, Dr. Clinger, Ms. Graham, and Ms. Barrett, 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 and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:25 A.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 and carried unanimously.

ACTION:

Ms. Smith moved that the Board of Nursing indefinitely suspend the license of Wesley Bryan Killen to practice professional nursing in the Commonwealth of Virginia for a period of not less than two years. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Killen at his address of record. The motion was seconded and carried unanimously.

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

RECESS:

The Board recessed at 11:27 A.M.

RECONVENTION:

The Board reconvened in open session at 1:00 P.M.

FORMAL HEARINGS:

Peggy Sue Jeffers, RN

0001-251445

Ms. Jeffers appeared and was accompanied by Margaret Hardy, her lawyer, and Sabrina Nesbitt, Director at Sola, Inc.

Holly Walker, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Cindy Ferrell, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceeding.

Tonya James, Board of Nursing Compliance Case Manager, Department of Health Professions, and Sabrina Nesbitt, Director at Sola Inc., were present and testified.

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 2:11 P.M., for the purpose of deliberation to reach a decision in the matter of Peggy Sue Jeffers. Additionally, Ms. Swineford moved that Dr. Hills, Ms. Graham, and Ms. Barrett, 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 and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:45 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 and carried unanimously.

ACTION:

Dr. Dorsey moved that the Board of Nursing place Peggy Sue Jeffers on probation for a period of not less than two years with terms and conditions. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Jeffers at her address of record. The motion was seconded and carried unanimously.

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

FORMAL HEARINGS:

Penny Summers Carter, LPN

0002-046300

Ms. Carter did not appear.

Holly Walker, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Barrett was legal counsel for the Board. Cindy Ferrell, court reporter with Farnsworth & Taylor Reporting LLC, recorded the proceeding.

Maria Josen, Senior Investigator, Department of Health Professions, and Alyssa Smith, Client A's Mother, were present and testified.

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 3:18 P.M., for the purpose of deliberation to reach a decision in the matter of Penny Summers Carter. Additionally, Ms. Swineford moved that Dr. Hills, Dr. Clinger, Ms. Graham, and Ms. Barrett, 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 and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:28 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 and carried unanimously.

ACTION:

Mr. Monson moved that the Board of Nursing revoke the license of Penny Summers Carter to practice practical nursing in the Commonwealth of Virginia. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Carter at her address of record. The motion was seconded and carried unanimously.

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 3:30 P.M.

Robin Hills, RN, DNP, WHNP
Deputy Executive Director