

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

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 10:00 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
Margaret Friedenberg, Citizen Member
Marie Gerardo, MS, RN, ANP-BC
Dixie L. McElfresh, LPN
Mark D. Monson, Citizen Member
Jennifer Phelps, BS, LPN, QMHP-A, CSAC

STAFF PRESENT:

Lelia Claire Morris, RN, LNHA; Deputy Executive Director
Robin L. Hills, DNP, RN, WHNP; Deputy Executive Director for Advanced Practice
Jay Douglas, RN, MSM, CSAC, FRE; Executive Director- **joined at 12:47 P.M.**
Lakisha Goode, Discipline Team Coordinator

OTHERS PRESENT:

Charis Mitchell, Assistant Attorney General, Board Counsel
Julia Bennett, Deputy Director, Administrative Proceedings Division
Jay Schmitz, Board of Nursing Discipline Staff

ESTABLISHMENT OF
A PANEL:

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

FORMAL HEARING:

Cristy Lynn Throneberry, RN **0001-248835**

Ms. Throneberry appeared and was accompanied by Karen Pierce.

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

CLOSED MEETING:

Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:42 A.M., for the purpose of deliberation to reach a decision in the matter of **Cristy Lynn Throneberry, RN**. Additionally, Ms. McElfresh moved that Dr. Hills, Ms. Morris, Ms. Goode 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 11:10 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 seconded by Mr. Monson and carried unanimously.

ACTION: Ms. McElfresh moved that the Board of Nursing approve the application of **Cristy Lynn Throneberry** for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia and indefinitely suspend her license with the suspension stayed contingent upon entry into and compliance with the Virginia Health Practitioners' Monitoring Program (HPMP) and within six months of active practice provide proof of completion of Board approved refresher course. 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.

FORMAL HEARING: **Alex S. Caulker, CNA** **1401-031980**

Mr. Caulker did not appear.

Lori Pound, Adjudication Specialist, Administrative Proceedings Division, represented the Commonwealth. Ms. Mitchell was legal counsel for the board. Andrea Pegram, court reporter, recorded the proceedings.

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

CLOSED MEETING: Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:33 A.M., for the purpose of deliberation to reach a decision in the matter **Alex S. Caulker, CNA**. Additionally, Ms. McElfresh moved that Dr. Hills, Ms. Morris, Ms. Goode 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 11:40 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 seconded by Mr. Monson and carried unanimously.

ACTION: Ms. Gerardo moved that the Board of Nursing deny the application of **Alex S. Caulker** for reinstatement of his nurse aide certificate to practice in the Commonwealth of Virginia. The motion was seconded by Ms. Friedenbergs and carried unanimously.

RECESS: The Board recessed at 11:41 A.M.

Ms. Morris left the meeting at 11:41 A.M.

RECONVENTION: The Board reconvened at 12:47 P.M.

Ms. Douglas joined the meeting at 12:47 P.M.

Alex S. Caulker, CNA **1401-031980**

Mr. Caulker arrived at 12:47 P.M.

Mr. Monson moved to rescind the prior decision made at 11:40 A.M. The motion was seconded and carried unanimously.

Mr. Caulker testified on his own behalf.

CLOSED MEETING: Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 1:22 P.M., for the purpose of deliberation to reach a decision in the matter **Alex S. Caulker, CNA**. Additionally, Ms. McElfresh moved that Dr. Hills, Ms. Goode 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 1:35 P.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 seconded by Ms. Gerardo and carried unanimously.

ACTION:

Mr. Monson moved that the Board of Nursing deny the application of **Alex S. Caulker** for reinstatement of his nurse aide certificate to practice in the Commonwealth of Virginia. 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.

FORMAL HEARING:

Kurtistine Bechelle Hathaway, LPN

0002-080762

Ms. Hathaway appeared.

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

Ra Minor, former Senior Investigator, Enforcement Division, was present and testified.

CLOSED MEETING:

Ms. McElfresh moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 3:23 P.M., for the purpose of deliberation to reach a decision in the matter of **Kurtistine Bechelle Hathaway**. Additionally, Ms. McElfresh moved that Ms. Douglas, Dr. Hills, Ms. Goode 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 4:05 P.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 seconded by Ms. Gerardo and carried unanimously.

ACTION: Mr. Monson moved that the Board of Nursing approve the application of **Kurtistine Bechelle Hathaway** for reinstatement of her license to practice practical 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, and (HPMP) provide evidence of completion of Board-approved refresher course prior to practice. 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.

FORMAL HEARING: **Danielle Marguerite Williams, LPN** **Georgia License # 92726**
With Multistate Privilege

Ms. Williams did not appear.

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

Maria Josen, Senior Investigator, Enforcement Division, and Katrina Williams, RN, Supervisor, Chesapeake Heath & Rehab, were present and testified. Latoya Downing, CNA, Chesapeake Health & Rehab, testified by telephone.

CLOSED MEETING: Ms. Phelps moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:49 P.M., for the purpose of deliberation to reach a decision in the matter **Danielle Marguerite Williams**. Additionally, Ms. Phelps moved that Ms. Douglas, Dr. Hills, Ms. Goode 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 5:17 P.M.

Ms. Phelps 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. Monson moved that the Board of Nursing indefinitely suspend the privilege of **Danielle Marguerite Williams** to practice practical nursing in the Commonwealth of Virginia. 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 5:18 P.M.

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