

---FINAL APPROVED---

**VIRGINIA BOARD OF MEDICINE
SPECIAL CONFERENCE COMMITTEE MINUTES OCTOBER 28, 2020
Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 201
Henrico, VA**

Wednesday, October 28, 2020

Department of Health Professions

Henrico, VA

CALL TO ORDER: A special conference committee meeting of the Board was called to order at 10:00 a.m.

MEMBERS PRESENT: Kenneth Walker, M.D., Chair
Ronnie Hayes, R.P.S.G.T.
Blanton Marchese

STAFF PRESENT: William Harp, Executive Director
Michael Sobowale, LL.M., Deputy Executive Director, Licensure
Tracy Robinson, Adjudication Specialist, APD

MATTER: Nicholle Richard Pitera, R.P.S.G.T.
Case No.: 196766

Dr. Harp provided the emergency egress instructions prior to proceeding with the informal conference.

DISCUSSION: Ms. Pitera appeared before the committee in person in accordance with a Notice of the Board dated October 1, 2020 to respond to the Board's inquiry regarding the possible refusal to issue a license to practice as a polysomnographic technologist pursuant to Virginia Code Sections 54.1-2915(A)(16) and (18); 54.1-2957.15 (A), and 54.1-111 (A) (1), (2), and (4). Ms. Pitera appeared without counsel.

The committee fully discussed the allegations in the Notice with Ms. Pitera.

CLOSED SESSION: Upon conclusion of the open session with Ms. Pitera, Mr. Marchese moved to convene a closed session pursuant to section §2.2-3711.A (15) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Pitera. Additionally, he moved that Dr. Harp and Mr. Sobowale attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations. The motion was duly seconded by Ronnie Hayes. Motion carried.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of Virginia Code Section §2.2-3712, the Committee re-convened in open session and announced its decision.

DECISION: Upon a motion by Mr. Hayes, and duly seconded by Blanton Marchese, the committee made certain findings of fact and conclusions of law and voted unanimously to approve Ms. Pitera's application for a full and unrestricted license to practice polysomnographic technology.

ADJOURNMENT: The Committee adjourned at 11:17 a.m.

As provided by law this decision shall become a Final Order thirty (30) days after service of such Order on Ms. Pitera, unless a written request to the Board for a formal hearing on the allegations made against him is received from Ms. Pitera, within such a time. If service of the Order is made by mail three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of the Special Conference Committee shall be vacated.

William L. Harp, M.D.
Executive Director