

**VIRGINIA BOARD OF NURSING**  
**FORMAL HEARINGS**  
**November 17, 2020**  
**Panel - A**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:07 A.M. on November 17, 2020 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS PRESENT:**

Mark Monson, Citizen Member, Second Vice-President  
Marie Gerardo, MS, RN, ANP-BC, First Vice-President  
Margaret J. Friedenberg, Citizen Member  
Louise Hershkowitz, CRNA, MSHA  
Brandon A. Jones, MSN, RN, CEN, NEA-BC

**STAFF PRESENT:** Charlette Ridout, RN, MS, CNE, Deputy Executive Director  
Darlene Graham, Senior Discipline Specialist

**OTHERS PRESENT:** James Rutkowski, Assistant Attorney General, Board Counsel

**ESTABLISHMENT OF A PANEL:** With five members of the Board present, a panel was established.

**FORMAL HEARINGS:** **Allison Leigh Rulli, RN Reinstatement Applicant 0001-229783**  
Ms. Rulli appeared, accompanied by Christine Rose, NA Sponsor.

Cynthia Gaines, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Wanda Blanks, court reporter, Farnsworth & Taylor Reporting, recorded the proceeding.

Patricia Dewey, former Senior Investigator, Katie Land, Senior Investigator, Department of Health Professions, and Christine Rose, NA Sponsor, were present and testified.

**CLOSED MEETING:** Ms. Hershkowitz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:17 A.M., for the purpose of deliberation to reach a decision in the matter of Allison Leigh Rulli. Additionally, Ms. Hershkowitz moved that Ms. Ridout, Ms. Graham, and Mr. Rutkowski, 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 10:42 A.M.

Mr. Jones 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. Hershkowitz moved that the Board of Nursing approve the application of Allison Leigh Rulli for reinstatement of her license to practice professional nursing in the Commonwealth of Virginia, suspend her license with suspension stayed contingent upon her continued compliance with the Virginia Health Practitioners' Monitoring Program (HPMP). The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Rulli 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.

**FORMAL HEARINGS:**

**Melissa D. Lawson, CNA**  
Ms. Lawson did not appear.

**1401-153747**

Rebecca Ribley, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Wanda Blanks, court reporter, Farnsworth & Taylor Reporting, recorded the proceeding.

Sherry Foster, Regional Manager of Enforcement Division, Department of Health Professions, and Edwina Wilson, MD, Wayland Nursing & Rehab Center, testified by phone.

**CLOSED MEETING:**

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:31 A.M., for the purpose of deliberation to reach a decision in the matter of Melissa D. Lawson. Additionally, Ms. Gerardo moved that Ms. Ridout, Ms. Graham, and Mr. Rutkowski, 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 11:52 A.M.

Mr. Jones 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. Gerardo moved that the Board of Nursing revoke the certificate of Melissa D. Lawson to practice as a nurse aide 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. Lawson 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.

**FORMAL HEARINGS:**

**Diacell Winston, RMA**

**0031-008400**

Ms. Winston appeared, represented by Robert L. Flax, Esquire, and accompanied by Dalphine Woodson, Certified Peer Specialist and Sponsor.

Erin Weaver, Assistant Attorney General, represented the Commonwealth. Mr. Rutkowski was legal counsel for the Board. Wanda Blanks, court reporter, Farnsworth & Taylor Reporting, recorded the proceeding.

Kimberly Lynch, Senior Investigator, Department of Health Professions, was present and testified.

**CLOSED MEETING:**

Ms. Gerardo moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:42 P.M., for the purpose of deliberation to reach a decision in the matter of Diancell Winston. Additionally, Ms. Gerardo moved that Ms. Ridout, Ms. Graham, and Mr. Rutkowski, 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 2:20 P.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 and carried unanimously.

**ACTION:**

Ms. Hershkowitz moved that the Board of Nursing indefinitely suspend the registration of Diacell Winston to practice as a medication aide in the

Commonwealth of Virginia for the period of not less than two (2) years until such time that she can appear before the Board and prove that she is safe and competent to practice. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Winston 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 2:22 P.M.

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Charlette Ridout, RN, MS, CNE  
Deputy Executive Director