

**VIRGINIA BOARD OF NURSING**  
**FORMAL HEARINGS**  
**November 18, 2020**  
**Panel - A**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on November 18, 2020 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**BOARD MEMBERS  
PRESENT:**

Marie Gerardo, MS, RN, ANP-BC, First Vice-President  
Mark D. Monson, Citizen Member, Second Vice-President  
Margaret Friedenber, Citizen Member  
James L. Hermansen-Parker, MDN, RN, PCCN-K  
Felisa A. Smith, RN, MSA, MSN/Ed, CNE

**STAFF PRESENT:**

Lelia Claire Morris, RN, LNHA, Deputy Executive Director  
Darlene Graham, Senior Discipline Specialist

**OTHERS PRESENT:**

Charis Mitchell, Assistant Attorney General, Board Counsel

**ESTABLISHMENT OF A PANEL:**

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

**FORMAL HEARINGS:**

**Heather M. Poe, RN**  
Ms. Poe appeared.

**0001-216599**

Anne Joseph, Adjudication Consultant for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Marie Whisenand, court reporter, Farnsworth & Taylor Reporting, recorded the proceeding.

Christopher Bowers, Health Practitioners' Monitoring Program (HPMP) Intake Coordinator, testified by phone.

**CLOSED MEETING:**

Ms. Smith moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:40 A.M., for the purpose of deliberation to reach a decision in the matter of Heather M. Poe. Additionally, Ms. Smith moved that Ms. Morris, Ms. Graham, and Ms. Mitchell, 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 9:48 A.M.

Ms. Smith 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 continue the license of Heather M. Poe to practice professional nursing in the Commonwealth of Virginia on indefinite suspension with suspension stayed contingent upon Ms. Poe's re-entry into the Health Practitioners' Monitoring Program (HPMP) and continued compliance with HPMP. The basis for this decision will be set forth in a final Board Order which will be sent to Ms. Poe 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.

**CONSIDERATION OF CONSENT ORDERS:**

**William Brandt, CNA**

**1401-187541**

Mr. Hermansen-Parker moved to accept the consent order of voluntary surrender for revocation of William Brandt's certificate to practice as a nurse aide in the Commonwealth of Virginia and enter a Finding of Abuse against him in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

**Jo Eve P. Miller, LPN**

**0001-033512**

Mr. Hermansen-Parker moved to accept the consent order to indefinitely suspend the license of Jo Eve P. Miller to practice practical nursing in the Commonwealth of Virginia for a period of not less than two years from the date of entry of the Order. The motion was seconded and carried unanimously.

**RECESS:**

The Board recessed at 10:00 A.M.

**RECONVENTION:**

The Board reconvened in open session at 1:06 P.M.

**FORMAL HEARINGS:**

**Rahshel Monique McFrazier, RMA Applicant Case # 199316**

Ms. McFrazier did not appear.

Wayne T. Halbleib, Senior Assistant Attorney General/Section Chief, and Lori Pound, Adjudication Specialist for the Department of Health Professions, represented the Commonwealth. Ms. Mitchell was legal

counsel for the Board. Marie Whisenand, court reporter, Farnsworth & Taylor Reporting, recorded the proceeding.

**CLOSED MEETING:** Ms. Smith moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:26 P.M., for the purpose of deliberation to reach a decision in the matter of Rahshel Monique McFrazier. Additionally, Ms. Smith moved that Ms. Morris, Ms. Graham, and Ms. Mitchell, 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 1:34 P.M.

Ms. Smith 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. Hermansen-Parker moved that the Board of Nursing deny the application of Rahshel Monique McFrazier for registration to practice as a medication 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. McFrazier 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 1:36 P.M.

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Lelia Claire Morris, RN, LNHA  
Deputy Executive Director