FINAL

VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
September 19, 2016

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on September 19, 2016 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS PRESENT:

Joyce A. Hahn, PhD, RN, NEA-BC, FNAP; President
Guia Caliwagan, RN, MAN
Trula Minton, MS, RN
Mark Monson, Citizen Member
Jennifer Phelps, LPN, QMHPA
Rebecca Poston, PhD, RN, CPNP-PC
Dawn Hogue, CMT, Advisory Board Member – CMT case only

STAFF PRESENT: Jay P. Douglas, MSM, RN, CSAC, FRE; Executive Director
Brenda Krohn, RN, MS; Deputy Executive Director
Huong Vu, Executive Assistant
Darlene Graham, Senior Discipline Specialist

OTHERS PRESENT: Charis Mitchell, Assistant Attorney General, Board Counsel

ESTABLISHMENT OF A QUORUM:

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

FORMAL HEARINGS: **Soon Ja Kim, CMT 0019-003046**
Ms. Kim appeared.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Ms. Kim stated that she has not received the case via mailing and has not reviewed the case. She requested a continuance to obtain an attorney. The Board approved a continuance till November 2016.

FORMAL HEARINGS: **Jessica Needham, LPN Reinstatement 0002-073482**
Ms. Needham appeared, represented by Richard Kennedy, Esquire.

Tammy Jones, Adjudication Specialist represented the Commonwealth. Ms. Mitchell was legal counsel for the Board. Lori Larsen, court reporter with Crane-Snead & Associates, recorded the proceedings.

Marian McLean, Investigator, Department of Health Professions, and Wanoka Faulkner, RMA at Kingston Center, were present and testified.

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 11:50 A.M., for the purpose of

deliberation to reach a decision in the matter of Ms. Needham. Additionally, Ms. Phelps moved that Ms. Douglas, Ms. Krohn, Ms. Graham, Ms. Mitchell and Ms. Vu 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 12:00 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 and carried unanimously.

Ms. Caliwagan moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Minton moved to approve Ms. Needham's application for reinstatement. 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 12:04 P.M.

Brenda Krohn, RN, MS
Deputy Executive Director