

VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
INFORMAL CONFERENCES
February 17, 2016

- TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:15 A.M., on February 17, 2016 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.
- MEMBERS PRESENT: Kelly McDonough, D.N.P., R.N. (Chairperson)
Guia Caliwagan, R.N., M.S.N.
- STAFF PRESENT: Jodi Power, R.N., J.D., Deputy Executive Director
- OTHERS PRESENT: Amy Weiss, Adjudication Specialist
Nursing Students from James Madison University and Rappahannock Community College
- CONFERENCES SCHEDULED: **Patricia McCabe, R.N. 0001-138294**
Ms. McCabe did not appear.
- CLOSED MEETING: Ms. Caliwagan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:22 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. McCabe. Additionally, Ms. Caliwagan moved that Ms. Power and Ms. Weiss attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.
- RECONVENTION: The Committee reconvened in open session at 9:42 A.M.
- Ms. Caliwagan moved that the Special Conference Committee of 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. Caliwagan moved to issue an Order of reprimand to Ms. McCabe and require she provide proof of completion of the following NCSBN online courses within 90 days of entry of Order: "*Professional Accountability & Legal Liability for Nurses*", "*Medication Errors: Causes & Prevention*", and "*Righting a Wrong: Ethics and Professionalism in Nursing*". The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. McCabe, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. McCabe within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Carolyn Harris, L.P.N. 0002-070427
Ms. Harris did not appear.

CLOSED MEETING:

Ms. Caliwagan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 9:50 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Harris. Additionally, Ms. Caliwagan moved that Ms. Power and Ms. Weiss attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 10:15 A.M.

Ms. Caliwagan moved that the Special Conference Committee of 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. Caliwagan moved to issue an Order of reprimand to Ms. Harris. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Harris, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Harris within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

CONFERENCES
SCHEDULED:

Tonica Brown-Dano, R.N. 0001-242146
Ms. Brown-Dano appeared, accompanied by Reid H. Ervin, her attorney.

CLOSED MEETING:

Ms. Caliwagan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 11:35 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Brown-Dano. Additionally, Ms. Caliwagan moved that Ms. Power and Ms. Weiss attend the closed meeting because their presence in the

closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 11:57 A.M.

Ms. Caliwagan moved that the Special Conference Committee of 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. Caliwagan moved to close the case and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

CONFERENCES

SCHEDULED:

Michael Wade, L.P.N. 0002-036132

Mr. Wade appeared.

CLOSED MEETING:

Ms. Caliwagan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 2:20 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Wade. Additionally, Ms. Caliwagan moved that Ms. Power and Ms. Weiss attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 2:45 P.M.

Ms. Caliwagan moved that the Special Conference Committee of 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. Caliwagan moved to issue an Order of reprimand to Mr. Wade and require he provide proof of completion of the following NCSBN online courses within 90 days of entry of Order: *“Professional Accountability & Legal Liability for Nurses”*, *“Righting a Wrong: Ethics and Professionalism in Nursing”*, and *“Disciplinary Actions: What Every Nurse Should Know”*. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Mr. Wade, unless a written request

to the Board for a formal hearing on the allegations made against him is received from Mr. Wade within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

The nursing students left the meeting.

CONFERENCES
SCHEDULED:

Michelle Stearnes, R.N. 0001-196872
Ms. Stearnes appeared.

CLOSED MEETING:

Ms. Caliwagan moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:55 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Stearnes. Additionally, Ms. Caliwagan moved that Ms. Power and Ms. Weiss attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 4:22 P.M.

Ms. Caliwagan moved that the Special Conference Committee of 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.

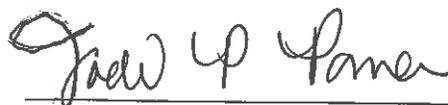
ACTION:

Ms. Caliwagan moved to issue an Order to take no action at this time, contingent upon verification of Ms. Stearnes entry into the Health Practitioners' Monitoring Program (HPMP) within 60 days of entry of Order, and remaining in compliance with the terms of the Health Practitioners' Monitoring Program thereafter. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order 30 days after service of such Order on Ms. Stearnes, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Stearnes within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the Order shall be vacated.

ADJOURNMENT:

The Board adjourned at 4:25 P.M.



Jodi Power, R.N., J.D.
Deputy Executive Director