

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
August 8, 2017**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on August 8, 2017 in Board Room 3, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Rebecca Poston, Ph.D., R.N., C.P.N.P., Chairperson
Mark Monson, Citizen Member

STAFF PRESENT: Jodi Power, R.N., J.D., Deputy Executive Director

OTHERS PRESENT: Tammie Jones, Adjudication Specialist

**CONFERENCES
SCHEDULED:**

Karla Sears-Tristani, L.P.N. 0002-087328

Ms. Sears-Tristani appeared, accompanied by the Director of PSA Healthcare, Jody Glass, R.N.

Others Present: Shawnda Gainey

CLOSED MEETING: Mr. Monson 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 10:02 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Sears-Tristani. Additionally, Ms. Monson moved that Ms. Power and Ms. Jones 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 11:00 A.M.

Mr. Monson 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: Mr. Monson moved to issue an Order of reprimand to Karla Sears-Tristani and require her to provide proof of completion of the following NCSBN courses within 60 days of entry of the Order: *“Professional Accountability & Legal Liability for Nurses”*, *“Professional Boundaries in Nursing”* and *“Sharpening Critical Skills”*. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Sears-Tristani unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Sears-Tristani 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:

Summer Holloway, L.P.N. 0002-072796

Ms. Holloway appeared.

CLOSED MEETING:

Mr. Monson 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 11:40 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Holloway. Additionally, Mr. Monson moved that Ms. Power and Ms. Jones 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 11:55 A.M.

Mr. Monson 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:

Mr. Monson moved to issue an Order of reprimand to Summer Holloway, assess a monetary penalty of \$300.00 to be paid within 90 days of entry of the Order and require Ms. Holloway to provide proof of completion of the following NCSBN courses within 90 days of entry of the Order: "*Professional Accountability & Legal Liability for Nurses*", "*Righting a Wrong: Ethics and Professionalism in Nursing*", "*Professional Boundaries in Nursing*" and "*Sharpening Critical Skills*". The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Holloway unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Holloway 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 Committee recessed at 12:00 P.M.

The Committee reconvened at 12:30 P.M.

CONFERENCES

SCHEDULED:

Marla Depriest-Hubbard, L.P.N. 0002-074752

Ms. Depriest Hubbard appeared, accompanied by her attorney, Nathan Mortier and her husband, Brian Fizer.

As a preliminary matter, Mr. Mortier requested Mr. Monson to be recused from participation in the proceeding as stated in written motion sent to the Board of Nursing on August 1, 2017. Mr. Monson indicated that he did not recognize Ms. Depriest-Hubbard and stated he can render a fair and impartial decision in the

matter. Dr. Poston ruled the Informal Conference would proceed with Mr. Monson's participation.

CLOSED MEETING: Mr. Monson 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 2:05 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Depriest-Hubbard. Additionally, Mr. Monson moved that Ms. Power and Ms. Jones 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 2:48 P.M.

Mr. Monson 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: Mr. Monson moved to issue an Order to place Marla Depriest-Hubbard on probation with terms for 2 years employment as a licensed practical nurse. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Depriest-Hubbard unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Depriest-Hubbard 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:**

Lisa Hamilton, L.P.N. 0002-083779

Ms. Hamilton appeared, accompanied by a former certified nurse aide coworker, Jessica Basilio.

CLOSED MEETING: Mr. Monson 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 3:30 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hamilton. Additionally, Mr. Monson moved that Ms. Power and Ms. Jones 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 3:53 P.M.

Mr. Monson 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:

Mr. Monson moved to issue an Order to require Lisa Hamilton to provide proof of completion of the following NCSBN courses within 90 days of entry of the Order: *“Professional Accountability & Legal Liability for Nurses”*, *“Medication Errors: Causes & Preventions”* and *“Sharpening Critical Thinking Skills”*. The motion was seconded and carried unanimously.

An Order will be entered. As provided by law, this decision shall become a Final Order thirty days after service of such order on Ms. Hamilton unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Hamilton 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:

Tamara Cunningham, R.N. 0001-189185 (expired) & MD License # R167606 with multistate privilege

Ms. Cunningham did not appear.

CLOSED MEETING:

Mr. Monson 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 4:00 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cunningham. Additionally, Mr. Monson moved that Ms. Power and Ms. Jones 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 4:15 P.M.

Mr. Monson 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:

Mr. Monson moved to offer Ms. Cunningham a Consent Order for indefinite suspension of her multistate privilege to practice professional nursing in the Commonwealth of Virginia and the right to renew her Virginia R.N. license for a period not less than 2 years, in lieu of a Formal Hearing and until such time as she appears before the Board. The motion was seconded and carried unanimously.

This Consent Order shall be effective upon endorsement of its findings, conclusions, and terms of consent by both Ms. Cunningham and the Board.

ADJOURNMENT:

The Board adjourned at 4:15 P.M.

A handwritten signature in black ink, appearing to read "Jodi Power".

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