

# *APPROVED*

## VIRGINIA BOARD OF MEDICINE SPECIAL CONFERENCE COMMITTEE MINUTES

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Wednesday, March 28, 2012

Department of Health Professions  
Perimeter Center

Henrico, Virginia

9960 Mayland Drive, Suite #300

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**CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 9:20 a.m.

**MEMBERS PRESENT:** Natalie Napolitano, RRT, Chair  
Stuart Mackler, M.D.  
Sandra A. Bell, M.D.

**STAFF PRESENT:** Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Renée S. Dixon, Discipline Case Manager  
Julia Bennett, Adjudication Specialist

**MATTER:** Rebecca L. Chidester, R.C.P. License No.: 0117-002377  
Case No.: 136320

**PRELIMINARY MATTER:** The Chair noted Ms. Chidester was not presented and that the time was 9:21 a.m. Further, according to the Notice, Ms. Chidester was noticed to appear before the Committee at 9:00 a.m.

Ms. Bennett advised that the Notice has been sent to Ms. Chidester's address of record with the Board by certified and 1<sup>st</sup> class mail, neither of which was returned. Further, in her letter to the Board, Ms. Chidester acknowledged receipt of the Board's Notice and informal conference materials.

**RULING:** Based on the representations by Ms. Bennett, the Chair ruled that Ms. Chidester had been properly noticed, therefore, the informal conference would proceed in her absence.

**DISCUSSION:** Ms. Chidester did not appear before the Committee in person in accordance with a Notice of the Board dated February 10, 2012, nor was she represented by counsel at the conference.

The Committee fully considered the evidence before it and the additional information submitted by Ms. Chidester in

response to the allegations. The Committee also received information regarding the evidence in the matter from Ms. Bennett.

**CLOSED SESSION:**

Upon a motion by Dr. Mackler, and duly seconded by Dr. Bell, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Chidester. Additionally, he moved that Ms. Deschenes and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

**RECONVENE:**

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Mackler, and duly seconded by Dr. Bell, the Committee voted to refer this matter to a formal hearing since the suspension or revocation of Ms. Chidester's license may be justified which is not within the authority of the Committee pursuant to §54.1-2400(10) of the Code of Virginia.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 9:40 a.m.

*A formal hearing will be scheduled for a future date for a final determination.*

  
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Natalie Napolitano, R.R.T.  
Chair  
4/13/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
William L. Harp, M.D.  
Executive Director  
4/13/12  
\_\_\_\_\_  
Date

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Wednesday, March 28, 2012

Department of Health Professions  
Perimeter Center  
9960 Mayland Drive, Suite #300

Henrico, Virginia

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- CALL TO ORDER:** A Special Conference Committee of the Board was called to order at 11:10 a.m.
- MEMBERS PRESENT:** Rachel Carlson, P.A., Chair  
Stuart Mackler, M.D.  
Sandra A. Bell, M.D.
- STAFF PRESENT:** Jennifer Deschenes, Deputy Executive Director, Discipline  
Renee S. Dixon, Discipline Case Manager  
Olivia Exterovich, Adjudication Specialist
- MATTER:** Elsie Nicely Griffin, P.A. License No.: 0110-001079  
Case No.: 138009
- DISCUSSION:** Ms. Griffin appeared before the Committee in person in accordance with a Notice of the Board dated February 10, 2012. Ms. Griffin was not represented by counsel.
- The Committee fully discussed the allegations in the Notice with Ms. Griffin.
- CLOSED SESSION:** Upon a motion by Dr. Bell, and duly seconded by Dr. Mackler, the Committee voted to convene a closed meeting pursuant to §2.2-3711.A(15) of the Code of Virginia, for the purpose of consideration and discussion of medical and mental health records of Ms. Griffin. Additionally, she moved that Ms. Deschenes and Ms. Dixon attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its discussion.
- RECONVENE:** Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Committee re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Mackler, and duly seconded by Dr. Bell the Committee voted to exonerate Ms. Griffin.

**VOTE:**

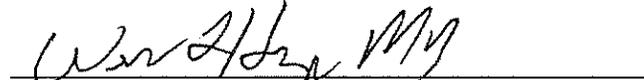
The vote was unanimous.

**ADJOURNMENT:**

The Committee adjourned at 1:05 p.m.

  
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Rachel Carlson, P.A., Chair

3/30/2012  
Date

  
\_\_\_\_\_  
William L. Harp, M.D., Executive Director

4/13/12  
Date