

# APPROVED

## VIRGINIA BOARD OF MEDICINE FORMAL HEARING MINUTES

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Friday, May 15, 2015      Department of Health Professions      Henrico, Virginia  
Perimeter Center  
9960 Mayland Drive, Suite #300

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**CALL TO ORDER:**                      A panel of the Board was called to order at 10:34 a.m.

**MEMBERS PRESENT:**                Kenneth Walker, M.D., Chair  
Kamlesh Dave, M.D.  
Maxine Lee, M.D.  
Syed S. Ali, M.D.  
Ray Tuck, D.C.  
Dan Rowley, R.R.T.

**BOARD COUNSEL:**                    Erin Barrett, AAG

**STAFF PRESENT:**                    Jennifer L. Deschenes, Deputy Executive Director, Discipline  
Jennie Wood, Discipline Case Manager

**COURT REPORTER:**                Juan Ortega, Crane Snead & Associates, Inc.

**PARTIES ON BEHALF OF  
COMMONWEALTH:**                Corie Wolf, AAG  
Melanie Pagano, Adjudication Specialist

**COMMONWEALTH  
WITNESSES:**                        Diana Moncure, R.N.  
Lisa Oliphant, Sr. Investigator, DHP  
Amy Akers, R.N.

**MATTER SCHEDULED:**              Nicole Staton, R.C.P.              License No.: 0117-006011  
Case Nos.: 156142, 159172, 160017

**DISCUSSION:**                        The Chair noted that Ms. Staton was not present and the time was currently 10:36 a.m. Ms. Staton had been noticed to appear before the Board at 10 a.m. Ms. Wolf presented an affidavit attesting that the Notice had been sent to Ms. Staton's address of record with the Board by overnight and first class mail. The Chair opined proper notice of the proceeding had been provided to Ms. Staton and the formal hearing proceeded in Ms. Staton's absence. The Board received sworn testimony from witnesses called by the Commonwealth.

**CLOSED SESSION:**

Upon a motion by Dr. Ali, and duly seconded by Dr. Lee, the Board 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. Staton. Additionally, he moved that Ms. Barrett, Ms. Deschenes and Ms. Wood attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board 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 Board re-convened in open session and announced its decision.

**DECISION:**

Upon a motion by Dr. Ali, and duly seconded by Dr. Lee, the Board made certain findings of fact and conclusions of law and voted to revoke Ms. Staton's license.

**VOTE:**

The vote was unanimous.

**ADJOURNMENT:**

The Board adjourned at 12:12 p.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*



Kenneth Walker, M.D., Chair

6-18-15

Date



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

6/18/15

Date