

**VIRGINIA BOARD OF NURSING  
SPECIAL CONFERENCE COMMITTEE  
December 5, 2012**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:05 A.M., on December 5, 2012 in Board Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: Evelyn Lindsey, LPN; Chairperson  
Allison Gregory, RN, FNP  
Joan Cordle, RN, CMT

STAFF PRESENT: Jodi P. Power, RN, J.D.; Deputy Executive Director

OTHERS PRESENT: Anne Joseph, Deputy Director, Adjudication Proceedings Division

CONFERENCES  
SCHEDULED:

**Lisa Whitlock, RN 0001-103097**

Ms. Whitlock appeared, accompanied by her attorney, Richard Hawkins, III.  
Ms. Cordle did not participate in this informal conference.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 9:40 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Whitlock. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 9:55 A.M.

Ms. Gregory 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. Gregory moved to issue an Order of reprimand to Ms. Whitlock, and require she submit evidence of successful completion of the following two NCSBN online courses, "Professional Accountability and Legal Liability" and "Delegating Effectively," within 45 days of entry of the Order. 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. Whitlock, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Whitlock 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:

**Stephen Poch, CMT 0019-008580**  
Mr. Poch appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 10:40 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Poch. Additionally, Ms. Gregory moved that Ms. Power, Ms. Joseph, and Ms. Cordle 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 10:45 A.M.

Ms. Gregory 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. Cordle moved to close the case in the matter of Stephen Poch, CMT, and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing Regulations. The motion was seconded and carried unanimously.

Ms. Cordle left the meeting.

CONFERENCES  
SCHEDULED:

**Khayriyyah Azeez, LPN 0002-038406**  
Ms. Azeez appeared.

CLOSED MEETING:

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 11:40 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Azeez. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 11:50 A.M.

Ms. Gregory 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. Gregory moved to issue an Order of reprimand to Ms. Azeez and require her to submit evidence of successful completion of NCSBN online course "Documentation: A Critical Aspect of Client Care" within 45 days of entry of the Order. 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. Azeez, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Azeez 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:**

**Michelle Simmons, LPN 0002-084146**  
Ms. Simmons appeared.

**CLOSED MEETING:**

Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 12:45 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Simmons. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 1:13 P.M.

Ms. Gregory 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. Gregory moved to issue an Order to place Ms. Simmons on probation for two years employment as a practical nurse with terms and conditions. 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. Simmons unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Simmons 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 from 1:15 P.M. to 1:55 P.M.

**CONFERENCES**

SCHEDULED: **Wanda Lackey, LPN 0002-054159 Reinstatement Applicant**  
Ms. Lackey appeared, accompanied by her attorney, Paula Potoczak.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 2:25 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Lackey. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 2:35 P.M.

Ms. Gregory 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. Gregory moved to issue an Order of reprimand to Ms. Lackey and to reinstate the license of Ms. Lackey to practice as a practical nurse with an unrestricted license. 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. Lackey unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Lackey 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:

**Sandra Elkins, RN 0001-191345**

Ms. Elkins appeared, accompanied by a witness, Melissa McGuire, former Compliance Officer for American Home Care.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 3:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Elkins. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 4:00 P.M.

Ms. Gregory 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. Gregory moved to close the case in the matter of Sandra Elkins, RN and impose no sanction due to insufficient evidence. The motion was seconded and carried unanimously.

CONFERENCES  
SCHEDULED:

**Barbara Forbes, LPN 0002-080352 Reinstatement Applicant**  
Ms. Forbes appeared.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 4:25 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Forbes. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 4:40 P.M.

Ms. Gregory 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. Gregory moved to issue an Order to deny Ms. Forbes' application for reinstatement of her license to practice as a practical nurse in Virginia. The motion was seconded and carried unanimously.

CONFERENCES  
SCHEDULED:

**Brenda Kearney, CNA 1401-041587**  
Ms. Kearney did not appear.

CLOSED MEETING: Ms. Gregory moved that the Special Conference Committee of the Board of Nursing convene a closed meeting pursuant to Section 2.2-3711(A)(28) of the *Code of Virginia* at 4:45 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Kearney. Additionally, Ms. Gregory moved that Ms. Power and Ms. Joseph 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 4:59 P.M.

Ms. Gregory 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. Gregory moved to close the case in the matter of Brenda Kearney, CNA and impose no sanction due to insufficient evidence of a violation of the Nurse Practice Act or Board of Nursing Regulations. The motion was seconded and carried unanimously.

**ADJOURNMENT:**

The Board adjourned at 5:00 P.M.



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