

**VIRGINIA BOARD OF NURSING  
SPECIAL CONFERENCE COMMITTEE  
INFORMAL CONFERENCES  
October 7, 2013**

**TIME AND PLACE:** The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:00 A.M., on October 7, 2013 in Board Room 2, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

**MEMBERS PRESENT:** Allison Gregory, R.N., F.N.P.-B.C., Chairperson  
Louise Hershkowitz, C.R.N.A., M.S.H.A.

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

**OTHERS PRESENT:** David Kazzie; Administrative Proceedings Division  
Nursing Students from Germanna Community College

**CONFERENCES  
SCHEDULED:**

**Agnes Long, R.N. 0001-224466**  
Ms. Long appeared, accompanied by her grandfather, William Scott, Jr.

**CLOSED MEETING:** Ms. Hershkowitz 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 9:38 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Long. Additionally, Ms. Hershkowitz moved that Ms. Power and Mr. Kazzie 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 10:10 A.M.

Ms. Hershkowitz 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. Hershkowitz moved to issue an Order to take no action at this time, contingent upon verification of Ms. Long's entry into the Health Practitioners' Monitoring Program within 30 days of the Order becoming final, and remaining in compliance 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. Long, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Long 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:

**Cheryl Bates, L.P.N. 0002-061145**  
Ms. Bates did not appear.

CLOSED MEETING:

Ms. Hershkowitz 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 10:25 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bates. Additionally, Ms. Hershkowitz moved that Ms. Power and Mr. Kazzie 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 10:55 A.M.

Ms. Hershkowitz 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. Hershkowitz moved to offer Ms. Bates a Consent Order for indefinite suspension of her license to practice practical nursing in Virginia, in lieu of a formal hearing. 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. Bates and the Board.

CONFERENCES  
SCHEDULED:

**Jennifer Morrison, R.N. 0001-199174**  
Ms. Morrison appeared accompanied by her attorney, Margaret Hardy, and her husband, Matthew Morrison.

CLOSED MEETING:

Ms. Hershkowitz 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 11:30 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Morrison. Additionally, Ms. Hershkowitz moved that Ms. Power and Mr. Kazzie 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.

Ms. Hershkowitz 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. Hershkowitz moved to issue an Order to take no action contingent upon providing proof of completion of the NCSBN online course "*Patient Privacy*", and an attestation of having reviewed Virginia Board of Nursing Guidance Document 90-48 entitled "*Guidance on the Use of Social Media*", within 30 days of the Order becoming final. 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. Morrison, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Morrison 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:**

**Yevonne Powers, R.N. 0001-181252**

Ms. Powers appeared accompanied by her attorneys, Christopher Stevens and Elizabeth Perrow.

**ALSO PRESENT  
TO OBSERVE:**

Laurence Hammack, reporter with the Roanoke Times; attorney representing MedExpress; and attorney representing Patient A's family.

**CLOSED MEETING:**

Ms. Hershkowitz 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 1:05 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Powers. Additionally, Ms. Hershkowitz moved that Ms. Power and Mr. Kazzie 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 2:20 P.M.

Ms. Hershkowitz 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. Hershkowitz moved to issue an Order of reprimand to Ms. Powers, and require she provide proof of completion of the NCSBN online course “*Professional Accountability & Legal Liability for Nurses*”, within 30 days of the Order becoming final. 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. Powers, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Powers 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:

**Debra Bouscher, RN 0001-124073**

Ms. Bouscher appeared, accompanied by her husband, Gene Bouscher.

CLOSED MEETING:

Ms. Hershkowitz 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 4:13 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bouscher. Additionally, Ms. Hershkowitz moved that Ms. Power and Mr. Kazzie 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 4:45 P.M.

Ms. Hershkowitz 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. Hershkowitz moved to issue an Order to take no action contingent upon receiving proof of completion of the following three NCSBN courses within 60 days of the Order becoming final: “*Documentation: A Critical Aspect of Client Care*”, “*Medication Errors: Detection & Prevention*”, and “*Professional Accountability & Legal Liability for Nurses*”. 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. Bouscher, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bouscher 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:

**LaToya Johnson, R.N. 0001-233499**  
Ms. Johnson appeared.

CLOSED MEETING:

Ms. Hershkowitz 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 5:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Johnson. Additionally, Ms. Hershkowitz moved that Ms. Power and Mr. Kazzie 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 6:22 P.M.

Ms. Hershkowitz 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.

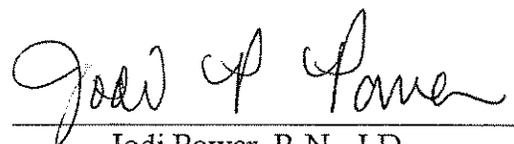
ACTION:

Ms. Hershkowitz moved to issue an Order to take no action contingent upon receiving proof of completion of the following two NCSBN online courses within 30 days of the Order becoming final: "*Medication Errors: Detection & Prevention*" and "*Professional Accountability & Legal Liability for Nurses*". 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. Johnson, unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Johnson 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 6:25 P.M.



---

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