

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
October 6, 2014**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:45 A.M., on October 6, 2014 in Board Room 4, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.

MEMBERS PRESENT: William Traynham, LPN, Chairperson
Louise Hershkowitz, CRNA, MSHA

STAFF PRESENT: Gloria D. Mitchell, RN, MSN, MBA

OTHERS PRESENT: David Kazzie, Adjudication Specialist
Fortis College ADN & PN Students
Lucy Smith, Instructor

CONFERENCES
SCHEDULED:

Kelly Bauman, RN 0001-247187
Ms. Bauman appeared, accompanied by Attorney Bryan Block.

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)(28) of the *Code of Virginia* at 10:25 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Bauman. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 10:56 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 of reprimand and completion of three NCSBN courses: "Sharpening Critical Thinking Skills", "Professional Accountability & Legal Liability for Nurses" & "Disciplinary Actions: What Every Nurse Should Know" within sixty (60) days of Order entry. 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. Bauman unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Bauman 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:

Bradley Bennett, RN 0001-240362

Mr. Bennett appeared, accompanied by Matt Bennett, a friend.

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)(28) of the *Code of Virginia* at 11:42 A.M. for the purpose of deliberation to reach a decision in the matter of Mr. Bennett. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 11:56 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 close the case in the matter of Bradley Bennett, RN, and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Nancy Njoroge, RN 0001-240465

Ms. Njoroge appeared, accompanied by her husband and Ms. Brenda Payne, her supervisor.

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)(28) of the *Code of Virginia* at 12:36 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Njoroge. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 12:42 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 close the case in the matter of Nancy Njoroge, RN, and impose no sanction due to insufficient evidence to warrant disciplinary action by the Board of Nursing. The motion was seconded and carried unanimously.

CONFERENCES SCHEDULED: **Diana Watson-Hall, LPN 0002-066151**
Ms. Watson-Hall 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)(28) of the *Code of Virginia* at 12:48 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Watson-Hall. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 1:03 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 offer Ms. Watson-Hall a Consent Order for indefinite suspension of her license 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. Watson-Hall and the Board.

CONFERENCES SCHEDULED: **Kelley Wenzel, RN 0001-209463**
Ms. Wenzel 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)(28) of the *Code of Virginia* at 1:09 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Wenzel. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 1:15 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 offer Ms. Wenzel a Consent Order for indefinite suspension of her license and with said suspension stayed contingent upon verification of Ms. Wenzel's entry into HPMP and remaining in compliance with the terms of the recovery monitoring with HPMP. 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. Wenzel and the Board.

**CONFERENCES
SCHEDULED:**

Kay Moran, RN 0001-143772
Ms. Moran 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)(28) of the *Code of Virginia* at 2:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Moran. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 close the case in the matter of Kay Moran, RN, 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.

**CONFERENCES
SCHEDULED:**

Jessica Martin, RN 0001-244888
Ms. Martin appeared, accompanied by Jerry Venable - HCA.

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)(28) of the *Code of Virginia* at 2:47 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Martin. Additionally, Ms. Hershkowitz moved that Ms.

Mitchell 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 3:06 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 at this time, contingent upon receipt of quarterly self-reports and progress reports from Dr. Young for the duration of Ms. Martin's treatment. 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. Moran unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Martin 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:

Erica Brown, LPN 0002-057894

Ms. Martin appeared, accompanied by Attorney Maxa and Father George Brown.

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)(28) of the *Code of Virginia* at 3:46 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Brown. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 3:52 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 refer the case of Erica Brown, LPN, to the Board of Nursing or a panel thereof for a Formal Hearing. The motion was seconded and carried unanimously.

CONFERENCES
SCHEDULED:

Daniel Wyatt, RN 0001-165718
Mr. Wyatt 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)(28) of the *Code of Virginia* at 4:38 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Wyatt. Additionally, Ms. Hershkowitz moved that Ms. Mitchell 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 4:46 P.M.

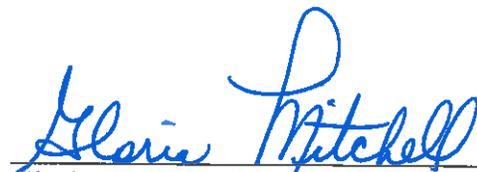
Ms. Hershkowitz moved that the Special Conference Committee of the Board of Nursing certify that it heard, discussed, or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION:

Ms. Hershkowitz moved to refer the case of Daniel Wyatt, RN, to the Board of Nursing or a panel thereof for a Formal Hearing. The motion was seconded and carried unanimously.

ADJOURNMENT:

The Board adjourned at 5:01 P.M.



Gloria D. Mitchell, RN, MSN, MBA
Deputy Executive Director