

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE
August 11, 2016**

- TIME AND PLACE:** The meeting of the Special Conference Committee of the Board of Nursing was convened at 9:05 A.M., on August 11, 2016 in Training Room 1, Suite 201, Department of Health Professions, 9960 Mayland Drive, Henrico, Virginia.
- MEMBERS PRESENT:** Marie Gerardo, MS, RN, ANP-BC, Citizen Member, Chairperson
Regina Gilliam, LPN
- STAFF PRESENT:** Jodi Power, RN, JD
- OTHERS PRESENT:** David Kazzie, Adjudication Specialist
Ashley Rivera, Board of Nursing Summer Intern
Linda Kleiner joined meeting at 10:00 A.M.
Ann Tiller joined meeting at 11:30 A.M.
- CONFERENCES
SCHEDULED:** **Toni Hall, LPN 0002-087763**
Ms. Hall did not appear.
Katie Doyle, Human Resources of Virginia League for Planned Parenthood attended and observed.
- CLOSED MEETING:** Ms. Gilliam 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 9:15 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hall. Additionally, Ms. Gilliam 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 9:45 A.M.
- Ms Gilliam 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. Gilliam moved to offer Toni Hall a Consent Order for Revocation of her practical nursing 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. Hall and the Board.

Linda Kleiner joined the meeting for presentation of cases at probable cause.

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Ms. Gilliam 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 10:00 A.M. for the purpose of deliberation regarding case disposition. Additionally, Ms. Gilliam moved that Ms. Kleiner and Ms. Power 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 11:15 A.M.

Ms. Gilliam 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.

Investigative reports concerning seven (7) registered nurses and five (5) licensed practical nurses were reviewed.

ACTION: Ms. Gerardo moved to close five (5) of the above cases undetermined at this time.

Ms. Gerardo moved to offer four (4) of the above individuals a prehearing consent order, in lieu of further administrative proceedings.

Ms. Gerardo moved that three (3) of the above individuals should be scheduled for an informal conference.

The motion was seconded and carried unanimously.

Linda Kleiner left the meeting. Ann Tiller joined the meeting for presentation of cases at probable cause.

PRESENTED FOR CLOSURE/ADVICE:

CLOSED MEETING: Ms. Gilliam 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 regarding case disposition. Additionally, Ms. Gilliam moved that Ms. Tiller and Ms. Power 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. Gilliam 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.

Investigative reports concerning three (3) registered nurses and two (2) licensed practical nurses were reviewed.

ACTION:

Ms. Gerardo moved to close two (2) of the above cases undetermined at this time.

Ms. Gerardo moved to offer one (1) of the above individuals a prehearing consent order, in lieu of further administrative proceedings.

Ms. Gerardo moved that two (2) of the above individuals should be scheduled for an informal conference.

The motion was seconded and carried unanimously.

**CONFERENCES
SCHEDULED:**

Jeffrey Kyle, RN 0001-254745
Mr. Kyle appeared.

CLOSED MEETING:

Ms. Gilliam 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 1:50 P.M. for the purpose of deliberation to reach a decision in the matter of Mr. Kyle. Additionally, Ms. Gilliam 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 1:58 P.M.

Ms. Gilliam 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. Gilliam moved to issue an Order to close the case and impose no sanction due to insufficient evidence to warrant disciplinary action.

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 Mr. Kyle unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Kyle 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:

Stephanie Cerny, RN 0001-256743
Ms. Cerny appeared.

CLOSED MEETING:

Ms. Gilliam 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 2:52 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Cerny. Additionally, Ms. Gilliam 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 3:15 P.M.

Ms. Gilliam 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. Gilliam moved to issue an Order to Take No Action at this time, contingent upon verification of Stephanie Cerny's entry into HPMP within 60 days of entry of order and remaining in compliance with HPMP thereafter.

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. Cerny unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Cerny 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:

Angel Hatfield, LPN 0002-087346

Ms. Hatfield appeared accompanied by her father, Ray Hatfield.

CLOSED MEETING:

Ms. Gilliam 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 4:10 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Hatfield. Additionally, Ms. Gilliam 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 4:35 P.M.

Ms. Gilliam 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. Gilliam moved to issue an Order to Take No Action at this time, contingent upon verification of Angel Hatfield's entry into HPMP within 60 days of entry of order and remaining in compliance with HPMP thereafter.
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. Hatfield unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Hatfield 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:**

Taylor Sullivan, RN 0001-218586

Ms. Sullivan appeared accompanied by her attorney, Nathan Mortier and her mother, Paula Key.

CLOSED MEETING:

Ms. Gilliam 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 5:43 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Sullivan. Additionally, Ms. Gilliam 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 6:05 P.M.

Ms. Gilliam 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. Gilliam moved to issue an Order of Reprimand to Taylor Sullivan and require she provide proof of completion of the following course within 60 days of entry of the Order: "*Disciplinary Actions: What Every Nurse Should Know*".
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. Sullivan unless a written request to the Board for a formal hearing on the allegations made against her is

received from Ms. Sullivan 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:

Brandi Eichelberger, RN 0001-250099

Ms. Eichelberger did not appear.

CLOSED MEETING:

Ms. Gilliam 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 6:15 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Eichelberger. Additionally, Ms. Gilliam 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 6:43 P.M.

Ms. Gilliam 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. Gilliam moved to issue an Order of Reprimand to Brandi Eichelberger and require she pay a monetary penalty of \$1000.00 to be paid within 90 days of entry of Order, and further require she provide proof of completion of the following courses within 90 days of entry of the Order: "*Professional Accountability and Legal Liability for Nurses*", "*Righting a Wrong: Ethics and Professionalism in Nursing*" and "*Disciplinary Actions: What Every Nurse Should Know*".

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. Eichelberger unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Eichelberger 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 6:45 P.M.



Jodi Power, RN, JD

Deputy Executive Director