

**OFFICE OF PROFESSIONAL REGULATION  
89 MAIN STREET, 3<sup>RD</sup> FLOOR, MONTPELIER, VT  
BOARD OF NURSING  
APPROVED MINUTES  
February 9, 2015**

**1. Call to Order:**

The meeting was called to order at 9:05 a.m. by Jeanine Carr – Chair at 89 Main St., Montpelier; Board members present: Jeanine Carr, Ellen Watson, Deborah Swartz, Luana Tredwell, Kelly Sinclair, Jennifer Laurent, Douglas Sutton, and William White, Jr. Staff members present: Linda Davidson - Executive Director, Jennifer Silverwood - Administrative Assistant, Ellen Leff - Nursing Case Manager, Eileen Paus – Education Program Manager, Larry Novins– Board Attorney; Lauren Hibbert & Annika Green - Prosecuting Attorneys; John Lewis and Dennis Menard – OPR Investigators; Others present: Colin Benjamin, Dru Nye, Sue Fortin, Tonya Combs, Kelly Wilder, and Pamela Byam

**2. Changes and Additions to the Agenda:**

Change on agenda:

- 2014-175 – Lindsey Kent was continued

**3. Approval of Minutes:**

E. Watson moved to approve the minutes of January 12<sup>th</sup>, 2014 with changes. **Pass**

**4. Disciplinary Proceedings:**

Combs, Tonya – Appeal of Preliminary Decision to Rescind LNA License. Tonya Combs was present. The Board went into deliberative session at 10:28 AM. The meeting resumed at 10:33 AM. The Board decided to **REVERSE** the decision to rescind the license of Licensed Nursing Assistant **Tonya Combs**. **Pass**

Allen, Fern – Appeal of Preliminary Decision to Rescind LNA License. Fern Allen was not present. J. Carr moved to **AFFIRM** the preliminary decision to rescind the license of Licensed Nursing Assistant **Fern Allen**. **Pass**

2013-524 Margaret Downing was not present. J. Carr moved to **WARN** the license of Registered Nurse **Margaret Downing**. **Pass**

2014-174 Stephen Davis was not present. Dru Nye and Sue Fortin were present. The Board went into deliberative session at 10:00 AM. The meeting resumed at 10:15 AM. The Board will issue a written decision **Pass**

2014-453 Gina Vitagliano was not present. E. Watson moved to accept the Stipulation and consent order and **IMPOSE AN ADMINISTRATIVE PENALTY** on the license of Registered Nurse **Gina Vitagliano**. **Pass**

2014-368 Lauri Spring was not present. D. Swartz moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Lauri Spring**. **Pass**

- 2014-429 Paul Heisner was not present. E. Watson moved to find Paul Heisner in **DEFAULT**. D. Swartz moved to **REVOKE** the license of Licensed Nursing Assistant **Paul Heisner**. **Pass**
- 2014-610 Jennifer Merfeld was not present. D. Swartz moved to find Jennifer Mefeld in **DEFAULT**. J. Carr moved to **INDEFINITELY SUSPEND** the license of Registered Nurse **Jennifer Merfeld**. **Pass**
- 2014-723 Angela Burnor was not present. D. Sutton moved to **SUMMARILY SUSPEND** the license of Licensed Nursing Assistant **Angela Burnor**. **Pass**
- 2014-655 James Duguay was not present. Kelly Wilder, Pamela Byam, and Dennis Menard were present. J. Carr moved to **SUMMARILY SUSPEND** the license of Licensed Practical Nurse **James Duguay**. **Pass**
- 2013-497 Shelby Miller was not present. D. Swartz moved to accept the stipulation and consent order and **CONDITION** the license of Licensed Nursing Assistant **Shelby Miller**. **Pass**
- 2013-355 Paul Thornhill was not present. D. Sutton moved to accept the stipulation and consent order and **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Paul Thornhill**. D. Swartz opposed, L. Tredwell recused. **Pass**

#### **CLOSING REPORTS:**

E. Watson moved to recommend that the following complaints be concluded without charges.

- 2014-529
- 2014-592
- 2014-516 J. Laurent recused
- 2014-656
- 2014-428
- 2014-262 D. Swartz recused

**Pass**

#### **OTHER DISCIPLINARY ITEMS:**

- M2011-80 (2010-441) Mary Keating was not present. D. Swartz moved to accept the **ORDER REMOVING CONDITIONS** on the license of Licensed Practical Nurse **Mary Keating**. **Pass**
- M2014-90 Amy Goodell was not present. E. Watson moved to accept the reinstatement stipulation and consent order and **REINSTATE WITH CONDITIONS** the license of Registered Nurse **Amy Goodell**. **Pass**
- Current Discipline Cases – January 30, 2015 – The Board received and reviewed the current discipline cases with E. Leff.

#### **HEARING OFFICER RECOMMENDATIONS:**

- Michelle Pabito was not present. E. Watson moved to **ACCEPT** the hearing officer's recommendation and **DENY** the appeal of Michelle Pabito.
- Doris Tan was not present. D. Sutton moved to **ACCEPT** the hearing officer's recommendation and **DENY** the appeal of Doris Tan.

- Yemeema Elsa Scaria was not present. D. Swartz moved to **ACCEPT** the hearing officer's recommendation and **DENY** the appeal of Yemeema Elsa Scaria.

## 5. Administration, Education, Practice, Licensure:

**Executive Director's Report:** The Board received the written Executive Director's Report and related documents provided in the Board meeting packet.

- L. Davidson announced that John Welch Jr., Public Member, has been appointed to the Board of Nursing.

**Discipline Process:** J. Carr made a motion "to utilize Title 3§129 (f) for cases involving misconduct as delineated by the investigation team summary sheet following review by the case manager."  
**Pass**

**Electronic Board Packets:** The Board reviewed the electronic packets and Alfresco with Steve Mattera. The Board decided to receive the packets the Wednesday before the Board meeting with any changes uploaded on the Friday before the Board meeting. J. Carr, E. Watson, and K. Sinclair will still have a paper packet mailed to them.

## 6. Public Comments: There were no public comments

## 7. Education:

### Education Committee

- The Education Committee met on January 22, 2015.
- Dr. Mary Botter has joined the Education Committee
- Review CEU Survey – The Education Committee decided there was not enough evidence to support the requirement of CEUs for licensure at this time.
- BSN as entry level – The Education Committee will be looking for stakeholders to initiate work on the BSN as entry level to RN licensure.

### LNA Programs

- Southwest Vermont Healthcare – Biennial Approval  
E. Watson moved to approve the biennial approval of Southwest Vermont Healthcare.  
**Pass**

## 8. Practice:

**Practice Committee:** The Practice Committee met on February 4, 2015.

### Position Statements

- Role of the Nurse When Working with Medical Assistants - E. Watson moved to approve the position statement with changes .  
**Pass**

**Alternative Program Committee:** The Alternative Program Committee met on January 27, 2015.

- The Alternative Program Committee welcomed Heather Janos as a new member.
- The Alternative Program Committee has been working on strategic goals.

## 9. Adjournment: E. Watson moved to adjourn the meeting at 2:35 P.M.

Minutes recorded by: Jennifer Silverwood, Administrative Assistant

Draft minutes reviewed by: Linda Davidson, Executive Director

Draft minutes approved by Vermont Board of Nursing: 3/9/15