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**BOARD OF NURSE EXAMINERS**

## Regular Meeting

Thursday, April 22, 2004  
8:36 a.m. - 4:50 p.m.  
333 Guadalupe, Tower II, Room 225  
Austin, Texas

Present:

Linda Rounds, President  
Deborah Bell  
Virginia Campbell  
Phyllis Caves Rawley  
Blanca Rosa Garcia  
Richard Robert Gibbs  
Rachel Gomez  
Brenda Jackson  
Beverley Nutall  
Anita Palmer  
Frank D. Sandoval

Absent:

Tom Barton  
Joyce Adams

Staff present at various times:

Katherine A. Thomas, Executive Director  
Mark Majek, Director of Operations  
Anthony Diggs, Director of Enforcement  
James "Dusty" Johnston, General Counsel  
Joy Sparks, Assistant General Counsel  
Liz Higginbotham, Assistant General Counsel  
Mary Beth Thomas, Director of Nursing  
Jolene Zych, Nursing Consultant  
Cara Mueller, Nursing Consultant  
Virginia Holmes, Nursing Consultant  
Betty Sims, Nursing Consultant  
Robbin Wilson, Nursing Consultant  
Carol Marshall, Nursing Consultant  
Janice Hooper, Nursing Consultant  
Patricia Vianes-Cabrera, Executive Assistant  
Bruce Holter, Information Specialist

AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Linda Rounds called the meeting to order at 8:36 a.m., Thursday, April 22, 2004.	
<b>ROLL CALL</b>	All members were present with the exception of Joyce Adams and Tom Barton and a quorum was established.	
<b>INTRODUCTIONS</b>	Board members and staff introduced themselves to the audience.	
<b>ACCEPTANCE OF AGENDA</b>	The board reviewed the agenda.	The board approved the agenda.
<b>ACCEPTANCE OF MINUTES</b>	The board reviewed the minutes from the January 22-23, 2004 meeting.	The Board approved the minutes from the January 22-23, 2004 meeting.
<b>CONSENT AGENDA ITEMS</b>		<p>The Consent agenda was approved with the following changes:</p> <p>Item 2.1 Financial Statements was removed from the consent agenda for discussion;</p> <p>Item 8.1 Proposals for Decisions: the PFD's of Connie Turner, RN #221170 and Kent Stephens Waller, RN #564643 were removed from the consent agenda for discussion;</p> <p>Item 8.2 Agreed Orders:</p> <p>The following orders of Stephen Warren Mason, RN #228950;</p> <p>Kathleen Ann Robb-Bodor, RN #624393;</p> <p>Beverly Ann Cotton, LVN #112148; Doreen Anne Johnson, LVN #183267;</p> <p>Edna Kay Kiser, LVN #184069; and Dixie Kathryn Walden, LVN #137162 were removed from the consent agenda for discussion.</p> <p>Linda Rounds recused herself from the consideration and vote on Item 3.2.1.c pertaining to the University of Texas Medical Branch at Galveston; Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.2.a pertaining to Del Mar College; Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.1 Agreed Order of Mary Beth Hatfield, RN #562847.</p>

AGENDA ITEM	DISCUSSION	ACTION
2.3 CE Compliance Report		<i>Approved on Consent.</i>
3.1.1. Workshop Report		<i>Approved on Consent</i>
3.2.1. Confirmation of Accreditation Status Based on NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Reports		
3.2.1.a. Full Accreditation with Commendations <b>Associate Degree Nursing Programs</b> San Antonio College	The board reviewed request to consider 2003 NCLEX-RN® examination pass rates and review of 2003 Annual Reports for each of the listed schools.	<i>The board voted to continue full accreditation for the professional nursing education programs listed with commendations.</i>
3.2.1.b Full Accreditation with No Recommendations and No Requirements <b>Associate Degree Nursing Programs -</b> Blinn College El Paso Community College Lamar University at Beaumont Lee College Navarro College North Central Texas College St. Philip's College Tarrant County College Temple College University of Texas at Brownsville and Texas Southmost College Victoria College <b>Baccalaureate Degree Nursing Programs-</b> Prairie View A&M University Texas A&M International University Texas Christian	The board reviewed request to consider 2003 NCLEX-RN® examination pass rates and review of 2003 Annual Reports for each of the listed schools.	<i>The board voted to continue full accreditation for the professional nursing education programs listed, with no recommendations and no requirements to be met.</i>

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<p>University University of Texas at Arlington University of Texas at El Paso</p> <p>3.2.1.c. Full Accreditation with Requirements <b>Associate Degree Nursing Programs</b> Odessa College San Jacinto College South South Plains College South Texas Community College <b>Baccalaureate Degree Nursing Program</b> Midwestern State University Tarleton State University University of Texas Medical Branch at Galveston</p>	<p>The board reviewed request to consider 2003 NCLEX-RN® examination pass rates and review of 2003 Annual Reports for each of the listed schools.</p>	<p>Board member Linda Rounds recused herself from consideration and voting on agenda item 3.2.1.c pertaining to the University of Texas Medical Branch at Galveston.</p> <p>The board voted to continue full accreditation for the professional nursing education programs listed, with requirements to be met.</p>
<p>3.2.2. Confirmation of Approval Status Based on NCLEX- PN® Examination Pass Rates and Review of 2003 Annual Reports</p> <p>3.2.2.a Full Approval with Commendations <b>Vocational Nursing Programs</b> Alvin Community College Amarillo College - Amarillo Angelina College at Crockett Angelina College at Lufkin Angelina College at Lufkin-Traditional Program Angelina College at Jasper Austin Community College at Austin</p>	<p>The board reviewed request to consider 2003 NCLEX-PN® examination pass rates and review of 2003 Annual Reports for each of the listed schools.</p>	<p>Board member Blanca Rosa Garcia recused herself from consideration and voting on agenda item 3.2.2.a pertaining to Del Mar College.</p> <p>The board voted to continue full approval for the vocational nursing education programs listed with commendations.</p>

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<p> <i>Austin Community            College at            Fredericksburg            Blinn College at            Brenham            Blinn College at            Bryan            Brazosport            Community College            at Lake Jackson            Childress Regional            Medical Center            Cisco Junior College            at Abilene            Central Texas            College at Brady            Coastal Bend            College at Beeville            Coastal Bend            College at Kingsville            Del Mar College            El Paso Community            College-MEEP            El Paso Community            College at Mission            del Paso            Franks Phillips            College            Grayson County            College            Health Institute of            San Antonio            Hill College at            Cleburne            Houston            Community College            Howard College at            Big Spring            Howard College at            San Angelo            Joe G. Davis            Hospital            Kilgore College at            Longview            Lamar University at            Port Arthur            Laredo Community            College            McLennan            Community College            at Waco-MEEP            Midland College-            A.M. Program            Midland College at            Ft. Stockton            Navarro College at</i> </p>		

AGENDA ITEM	DISCUSSION	ACTION
<p> <i>Corsicana                      Navarro College at                      Waxahachie                      North Central Texas                      College at                      Gainesville                      Northeast Texas                      Community College-                      Mt. Pleasant                      North Harris County                      Community College                      District at                      Montgomery                      College                      North Harris County                      Community College                      District at North                      Harris College                      Odessa College at                      Andrews                      Panola College at                      Carthage                      Panola College at                      Center                      Paris Junior College                      Ranger Junior                      College at Graham                      Schreiner College                      San Jacinto College                      South at Houston                      South Plains College                      at Levelland                      South Plains College                      at Lubbock                      South Plains College                      at Plainview                      South Texas                      Community College                      at Weslaco                      Southwest Texas                      Junior College at                      Del Rio                      St. Philip's College                      at Seguin                      Sul Ross University                      Temple College at                      Temple                      Texarkana College                      Texas State                      Technical College at                      Breckenridge                      Trinity Valley College                      at Kaufman                      Trinity Valley College                      at Palestine                      Tyler County</i> </p>		

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<p>Hospital Tyler Junior College at Jacksonville-A.M. Program Tyler Junior College at Jacksonville-P.M. Program Tyler Junior College at Tyler-P.M. Program University of Texas at Brownsville and Texas Southmost College US Army Reserves 10<sup>TH</sup> Battalion PN Detachment Valley Baptist Medical Center Vernon College at Vernon Vernon College at Wichita Falls-P.M. Program Victoria College at Cuero Victoria College at Victoria-A.M. Program Victoria College at Victoria-P.M. Program Weatherford College Wharton Junior College at Richmond Wharton Junior College at Wharton</p> <p>3.2.2.b Full Approval with No Recommendations and No Requirements <b>Vocational Nursing Programs</b> Central Texas College at Killeen Coastal Bend College at Alice Concord Career Institute El Centro College Fort Sam Houston - US Army Practical Nurse Program</p>	<p>The board reviewed request to consider 2003 NCLEX-PN® examination pass rates and review of 2003 Annual Reports for each of the listed schools.</p>	<p>The board voted to continue full approval for the vocational nursing education programs listed, with no recommendations and no commendations.</p>

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<p>Galveston College  Hill College at  Clifton-A.M.  Program  Hill College at  Hillsboro  Hermann Memorial  City Hospital  Institute for Health  Careers  Kingwood College at  Kingwood  Lamar State College  at Orange-A.M.  Program  Lamar State College  at Orange-P.M.  Program  McLennan  Community College  at Waco-Traditional  Program  Navarro College at  Mexia  Odessa College at  Monahans  Ranger Junior  College at Early  San Jacinto College  North at Houston  School of Health  Professions  South Texas  Community College  at McAllen-A.M.  Program  Southwest Texas  Junior College at  Uvalde  St. Philip's College at  San Antonio  Texas State  Technical College at  Sweetwater-A.M.  Program  Texas State  Technical College at  Sweetwater-P.M.  Program  Texas Careers  Vernon College at  Wichita Falls-A.M.  Program  Victoria College at  Gonzales  Victoria College at</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>Hallettsville Western Texas College at Snyder</p>		
<p>3.2.3 Continuation of Approval Status Pending Evidence of NCLEX - PN® Examination Pass Rates <b>Vocational Nursing Programs</b> Clarendon College Cy-Fair College Hill College at Clifton-P.M. Program Hill College at Glen Rose Grand Prairie ISD Institute for Health Careers Development Midland College- P.M. Program South Texas Community College- P.M. Program South Texas Community College at Rio Grande City Temple College at Taylor North Harris Montgomery Community College District at Tomball College</p>	<p>The board reviewed request to consider 2003 NCLEX-PN® examination pass rates and review of 2003 Annual Reports for each of the listed schools.</p>	<p>The board voted to continue full approval for the vocational nursing education programs listed.</p>
<p>5.1.1. Eligibility and Disciplinary Committee Report</p>		<p>Approved on Consent.</p>
<p>5.1.2. Strategic Planning/2<sup>ND</sup> Quarter Report</p>		<p>Approved on Consent.</p>
<p>7.3.1 TPAPN Quarterly Report</p>		<p>Approved on Consent.</p>
<p>7.4 Implementation</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>of Senate Bill 144</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>8.1 ALJ Proposals for Decision</i></p>	<p><b><i>Kalechi Ugonna Olukaikpe, RN #681955</i></b></p>	<p><i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were reviewed by the Board. It was the Board's decision to adopt the ALJ's recommendation. Respondent's License is Suspended until the successful completion of the following: Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in ethics; a board approved course in documentation; and a board approved course in CPR. Upon successful completion of the above courses Respondent's license shall be placed on probation for a period of one year with the following stipulations: Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and shall have indirect supervision with employment restrictions.</i></p>
	<p><b><i>Veronica M. Parades, RN #597969</i></b></p>	<p><i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were reviewed by the Board. It was the Board's decision to adopt the ALJ's recommendation. Respondent shall receive a Reprimand with Stipulations. Respondent shall within 90 days of entry of this order, pay a fine in the amount of \$1500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify</i></p>



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	<p><b>Traci Lane Drum, RN #502362</b></p>	<p><i>alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall participate in medical therapy with her current physician or with another physician possessing credentials approved by the Board and shall cause the physician to submit quarterly written reports regarding Respondent's progress in therapy until released from therapy.</i></p>

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	<p><b>Kimberly Michelle French, RN #582415</b></p>	<p><b>Enforced Suspension.</b> Respondent's license is hereby suspended with said suspension enforced until Respondent has obtained 12 consecutive months of sobriety. Any relapse prior to the completion of the 12 consecutive months of sobriety will result in an extension of the enforced suspension until such 12 consecutive months of sobriety and additional treatment have been attained. Upon verification of successful completion of twelve consecutive months of sobriety as set out in this order, the Suspension will be stayed and Respondent will be placed on probation for three years with the following agreed terms of probation: Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit</p>



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		<p><i>with the following agreed terms of probation: Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance. It is further agreed and ordered that if during the period of probation an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.</i></p>



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	<p><b>Paula L. Robbins, RN #618529</b></p>	<p><i>course in nursing documentation; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in medication administration. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions; and Respondent shall not practice in any critical care area.</i></p>
	<p><b>Mary Alice Siebenthal, RN #538132</b></p>	<p><b>Warning with Stipulations.</b> <i>Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within 45 days of entry of this order Respondent shall provide the Board with a certified birth certificate. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions.</i></p>



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	<b>Rominca Arnee Acklin, LVN #165425</b>	<b>Reprimand.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Legal Aspects of Nursing.
	<b>Alicia Ann Anthony, LVN #182732</b>	<b>Reprimand.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Abuse/Neglect.
	<b>Lori Larain Arnn, LVN #168000</b>	<b>Reprimand.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Pharmacology.
	<b>Dorothy Marie Arras, LVN #134180</b>	<b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.
	<b>Guy Wesley Barnett, LVN #165729</b>	<b>Severe Reprimand.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Pharmacology; and a board approved course in Legal Aspects of Nursing.
	<b>Alva M. Brown, LVN #139850</b>	<b>Reprimand without Stipulations.</b>
	<b>Shanell Nakisha Chatman, LVN #177077</b>	<b>Suspend Probate.</b> For one year from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15 <sup>th</sup> of each month.
	<b>Randy Dale Chumbley, LVN #147399</b>	<b>Enforced Suspension.</b> Respondent's license is hereby suspended until such time as Respondent provides the Board with a satisfactory report from

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	<p><b>Terrie Clark, LVN #087494</b></p>	<p><i>his psychiatrist, stating that Respondent is deemed psychologically fit to carry out the duties and responsibilities for a LVN. Upon receipt of said satisfactory psychiatrist's statement the suspension of said license shall be automatically lifted and the license reinstated without stipulations.</i></p> <p><b>Reinstated and Suspended.</b> Respondent license is reinstated and suspended until Respondent successfully completes a nursing refresher course. Upon successful completion of the nurse refresher course Respondent shall be issued a coded license with the following stipulations: For two years from the effective date of this order Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p>
	<p><b>Kathy Ann Coats, LVN #138009</b></p>	<p><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</p>
	<p><b>Candace Lynne Conn, LVN #131354</b></p>	<p><b>Suspend Probate.</b> For one year from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of</p>

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	<p><b>Vera May Cowart, LVN #141430</b></p> <p><b>Brenda Esquivel, LVN #175452</b></p> <p><b>Tammy Lee Evans, LVN #161677</b></p>	<p>any periods of unemployment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month; and Respondent shall cause her probation officer to submit a written report upon her successful completion of probation.</p> <p><b>Suspend Probate.</b> For six months from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall successfully complete a board approved course in Pharmacology; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p> <p><b>Suspend Probate.</b> For six months from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall successfully complete a board approved course in Legal Aspects of Nursing; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p> <p><b>Suspend Probate.</b> For one year from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment;</p>

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	<p><b>Barbara Lynn Filidei, LVN #157348</b></p>	<p><i>Respondent shall successfully complete a board approved course in Pharmacology; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</i></p> <p><b>Suspend Probate.</b> For two years from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p>
	<p><b>Antonio Farias Gonzales, Jr., LVN #174962</b></p>	<p><b>Suspend Probate.</b> For three years from the effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month; and Respondent shall cause his probation officer to submit a written report upon his successful completion of probation.</p>
	<p><b>John Jerimiah Hendry, LVN #184291</b></p>	<p><b>Suspend Probate.</b> Respondent's license is hereby suspended until such time as Respondent provides the Board with a satisfactory report from his physician and psychiatrist, stating that Respondent is deemed medically and psychologically fit to carry out the duties and responsibilities of a LVN; Further, said medical and psychological report must state that Respondent is medically and psychologically fit to meet all</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p><i>stipulations of probation as outlined in this order. Upon receipt of said satisfactory physician's and psychiatrist's statement the suspension of said license shall be automatically lifted and the license reinstated with the following stipulations for a period of one year: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall have employment restrictions; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</i></p>
	<p><b>Odessa Alto Hodge, LVN #128667</b></p>	<p><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</p>
	<p><b>Phyllis Ann Howard, LVN #071214</b></p>	<p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension enforced until Respondent successfully completes a board approved course in Stress Management, Abuse/Neglect. Upon verification of successful completion of the courses Respondent's license shall be reinstated and probated for a period of one year with the following stipulations: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall have in-direct supervision; Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p>
	<p><b>Sheila Gayle Jaco, LVN #148675</b></p>	<p><b>Reprimand.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Legal Aspects of Nursing.</p>
	<p><b>Aretha Lynn Jeffrey, LVN #174106</b></p>	<p><b>Reprimand.</b> Within six months of entry of this order Respondent shall successfully complete a board</p>



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	<i>Jan Nerene Mitchell, LVN #108659</i>	<i>Reprimand. Within six months of entry of this order Respondent shall successfully complete a board approved course in Legal Aspects of Nursing; and a board approved course in Wound Care.</i>
	<i>Crystal Nicole Morgan, LVN #180400</i>	<i>Revoked. The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</i>
	<i>Linda Sue Murray, LVN #089281</i>	<i>Severe Reprimand. Within six months of entry of this order Respondent shall successfully complete a board approved course in Nursing Ethics.</i>
	<i>Danny Mark Polk, LVN #147134</i>	<i>Severe Reprimand. Within six months of entry of this order Respondent shall successfully complete a board approved course in Pharmacology; and a board approved course in Legal Aspects of Nursing.</i>
	<i>Melinda Jan Richards, LVN #044332</i>	<i>Revoked. The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</i>
	<i>Cynthia S. Richardson, LVN #048361</i>	<i>Revoked. The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</i>
	<i>Donald Wayne Robbins, LVN #144124</i>	<i>Revoked. The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</i>
	<i>Maggie Jean Runnels, LVN #136341</i>	<i>Severe Reprimand. Within six months of entry of this order Respondent shall successfully complete a board approved course in Nursing Skills; and a board approved course in Legal Aspects of Nursing.</i>
	<i>Charlotte Marie Scoggins, LVN #134238</i>	<i>Severe Reprimand. Within six months of entry of this order Respondent shall successfully complete a board approved course in Abuse Neglect.</i>
	<i>Carolyn Ann Smith, LVN #083876</i>	<i>Suspend Probate. For three years from the effective date of this order</i>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Karen Harris Sparks, LVN #066319</b></p> <p><b>Stephanie Ann Steel, LVN #174744</b></p> <p><b>Janice Earlene Stout, LVN #150475</b></p>	<p><i>Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall have employment restrictions; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</i></p> <p><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</p> <p><b>Suspend Probate.</b> Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$100. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. For one year from the effective date of this order Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions.</p> <p><b>Suspend Probate.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Legal Aspects of Nursing; and a board approved course in Nursing ethics. For six months from the effective date of this order Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Christina Belle Tucker, LVN #149192</b></p> <p><b>Ventura Uballe, LVN #064306</b></p> <p><b>Mary Helen Waldrop, LVN #144282</b></p> <p><b>Nancy Gail Way, LVN #074685</b></p>	<p><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended until such time as Respondent provides the Board with a satisfactory report from her physician and psychiatrist, stating that Respondent is deemed medically and psychologically fit to carry out the duties and responsibilities of a LVN. Upon receipt of said satisfactory psychiatrist's statement the suspension of said license shall be automatically lifted and the following stipulations enforced: Within six months of entry of this order Respondent shall successfully complete a board approved course in Stress Management. For one year after the suspension is lifted, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p> <p><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended until such time as Respondent provides the Board with proof of two years of sobriety from any mood altering substance. It is further ordered that upon receipt of said documented evidence of sobriety, the suspension of said license shall be automatically stayed and the license placed on probation for a period of one year. The probation of said license is subject to the following stipulations: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Dawn June Welch aka Dawn Marie Koepfer, LVN #100591</i></p> <p><i>Susan Marie Welch, LVN #076868</i></p>	<p><i>provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</i></p> <p><i><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</i></p> <p><i><b>Enforced Suspension.</b> Respondent's license is hereby suspended until such time as Respondent provides the Board with a satisfactory report from her physician and a licensed chemical dependency physician, stating that Respondent is deemed medically and psychologically fit to carry out the duties and responsibilities of a LVN. Upon receipt of said satisfactory physician's and LCD physician's statement the suspension of said license shall be automatically stayed and the license placed on probation for a period of three years with the following stipulations: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month; Respondent shall notify the board of any periods of unemployment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall have employment restrictions; and Respondent shall Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable</i></p>



AGENDA ITEM	DISCUSSION	ACTION
<p><b>8.4 ELIGIBILITY AGREED ORDERS</b></p>	<p><b>Roshunda Alexandra Johnson, Applicant for Initial Licensure as a Licensed Vocational Nurse</b></p>	<p><i>\$500. Should Petitioner choose to practice as a RN in the State of Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; shall cause employer(s) to submit periodic reports; for the first year of employment under this order Petitioner shall have direct supervision with employment restrictions; and Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p><i>Applicant for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Applicant is hereby Conditionally Eligible to sit for the NCLEX examination with conditions. Applicant shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Applicant upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation and Applicant license shall be subject to the following conditions. Suspend Probate. The probation of said license is subject to the following stipulations for a period of one year: Applicant shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; shall cause employer(s) to submit periodic reports; Applicant shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month; and Applicant shall cause her probation officer to submit a written report upon her successful completion of probation.</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Thomas Michael Powell, II, Petitioner for Initial Licensure as a Registered Nurse</b></p>	<p><i>practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation and Petitioner shall be subject to the following conditions. Within one year of initial licensure: Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall cause his probation officer to submit written quarterly</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>1. ADMINISTRATION</b> 1.1. Executive Director's Report</p>	<p>Katherine Thomas reviewed her written report to the board including providing information regarding her appearance at the Senate Finance committee Meeting. Katherine Thomas also did a slide presentation regarding the merger of the Board of Nurse Examiners and the Board of Vocational Nurse Examiners.</p>	<p><i>reports regarding Petitioner's compliance with his court ordered probation.</i></p> <p>No action.</p>
<p><b>3. NURSING</b> <b>3.2. EDUCATION</b> 3.2.4. Consideration of Accreditation Status based on NCLEX-RN® Examination Pass Rates, Review of 2003 Annual Report and Review of Self Study</p>	<p>3.2.4.a. Central Texas College The Board reviewed the request to consider the accreditation status and requirements to be met based on review of the NCLEX-RN® Examination pass rates, the 2003 Annual Report and the self-study report. Don Mikles and Shirley Robertson were present to answer questions.</p>	<p>The board voted to continue the full accreditation status of the Central Texas College Associate Degree Nursing Program, accept the self study report, and issue a requirement to be met.</p>
<p>3.2.4.b. McLennan Community College</p>	<p>The Board reviewed the request to consider the accreditation status and requirements to be met based on review of the NCLEX-RN® Examination pass rates, the 2003 Annual Report and the self-study report. Cherry Beckworth was present to answer questions.</p>	<p>The board voted to continue the full accreditation status for the McLennan Community College Associate Degree Nursing Program, accept the self study report and issue requirements to be met.</p>
<p>3.2.5. Continuation of Approval Status Based on NCLEX-PN® Examination Pass Rates, Review of 2003 Annual</p>		

AGENDA ITEM	DISCUSSION	ACTION
Report and Review of Self Study		
3.2.5.a. Coastal Bend College at Pleasanton Vocational Nursing Program	The board reviewed the request to consider the approval status and requirements to be met for Coastal Bend College-Pleasanton Nursing Program based on review of the 2003 NCLEX-PN® pass rates, the 2003 annual report and the program's self study. Judy Barrera and Laurie Self were present to answer questions.	The board voted to continue the initial approval status of the coastal Bend College at Pleasanton pending results of the 2004 NCLEX-PN® results.
3.2.5.b. Tyler Junior College at Tyler - A.M. Program	The board reviewed the approval status and requirements to be met for Tyler Junior College at Tyler - A.M. Program based on review of the NCLEX-PN® Examination pass rates, the 2003 Annual report and the program's self study.	The board voted to continue the full approval status of the Tyler Junior College at Tyler - A.M. Nursing Program pending results of the 2004 NCLEX-PN® examination.
3.2.5.c. Southwest Texas Community College at Eagle Pass	The board reviewed the request to consider the approval status based on NCLEX-PN® Examination pass rates, review of the 2003 Annual report and review of self study.	The board voted to continue the Conditional approval status of The Southwest Texas Community College at Eagle Pass Nursing Program pending implementation of corrective measures and results of the 2004 NCLEX-PN® examination.
3.2.6. Continuation of Approval Status Based on NCLEX-PN® Examination Pass Rates, Review of 2003 Annual Report and Pending Review of Self Study Lee College at Baytown	The board reviewed the request to consider the approval status for Lee College based on review of the 2003 Annual Report, 2003 NCLEX-PN® pass rate, and pending review of the program's self study. Peggy Bohannon was present to answer questions.	The board voted to continue the full approval status of the Lee College Vocational Nursing Program pending review of the program's self study.
3.2.7. Consideration of Approval Status based on NCLEX-PN® Examination Pass Rates, Valley Grande Institute for Academic Studies Vocational Nursing Program	The board reviewed the request to consider the approval status and requirements to be met for Valley Grande Institute Vocational Nursing Program based on review of the NCLEX-PN® Examination pass rates, the 2003 Annual Report and the program's response to stipulations. Irene Elizadre and Andrew Leonie were present to answer questions.	The board voted to continue the conditional approval status of the Valley Grande Institute for Academic Studies, pending satisfactory site survey, graduation of current class and calculation of the 2004 Annual Pass rate and suspend enrollment pending review of the Annual Report and evidence of a pass rate of 75% or greater.
3.2.8. Consideration of Approval Status Based on NCLEX-PN® examination Pass rates: North Texas Professional Career Institute Vocational	The board reviewed the request to consider the approval status for North Texas Professional Career Institute Vocational Nursing Program based on review of the NCLEX-PN® examination pass rates, the 2003 annual report, site survey and program's response to recommendations. Alana Knight was present to answer questions.	The board voted to grant full approval status.

AGENDA ITEM	DISCUSSION	ACTION
3.2.10 Review of progress report and report of survey visit: Laredo Community College Associate Degree Nursing Program	The board reviewed the request to consider the approval status for Laredo Community College Associate Degree Nursing Program based on review of the NCLEX-PN® pass rates and the 2003 annual report. Dianna Miller was present to answer questions.	The board voted to accept the progress report from Laredo Community College Associate Degree Nursing Program and the survey visit report and issue the commendations, recommendations and requirements and add an additional requirement for faculty to review the data provided in the 2002-03 NCLEX Summary profile report and the data provided on the HESI comprehensive exam and submit data that clearly compares the performance of graduates who passed the NCLEX-RN to the performance of those graduates who failed. This data is to be submitted by June 15, 2004.
3.2.11 Report of Survey Visit		
3.2.11.a. Abilene Intercollegiate Family Nurse Practitioner Program	The board reviewed the report of the March 16-17, 2004 survey visit concerning commendations, recommendations and requirements to be met based on the outcome of the survey visit.	The board voted to accept the report of the March 16-17, 2004 survey visit and issued commendations, recommendations and requirements to be met.
3.2.11.b. Angelina College Associate Degree Nursing Program	The board reviewed the commendations, recommendations, and requirements to be met based on the outcome of the April 7-8, 2004 survey visit.	The board voted to accept the survey visit report and issued commendations, recommendations, and requirements to be met.
3.2.11.c. South Texas Community College Vocational Nursing Program	The board reviewed the request to consider continuation of initial approval of the South Texas Community College-Rio Grande City based on satisfactory site survey.	The board voted to continue initial approval of the South Texas Community College-Rio Grande City 16 month, four semester vocational nursing program.
3.2.12. Summary and Analysis of 2003 Annual Report Data submitted by BNE - Accredited Professional Nursing Education Programs	The board reviewed the summary and analysis of 2003 annual report data.	No action.
3.2.13. Summary of 2003 Annual Report data submitted by BNE - Approved Vocational Nursing Education Programs	The board reviewed the summary of the 2003 annual report data.	No action.
3.2.14. Summary of Educational Standards for Pre-Licensure Vocational and Professional Nursing Education Programs	The board reviewed the summary of educational standards for pre-licensure vocational and professional nursing education programs.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<b>4. ENFORCEMENT</b> 4.1. Criminal Background Check Update	The board reviewed the statistics provided regarding the criminal background checks. The board also considered Policy 9.0 Temporary License Extension due to FBI Name Search.	<p>No action.</p> <p>The board voted to implement a new board policy: Policy 9.0, Temporary License Extension, where a one time 30 day extension to a twelve week temporary license by endorsement may be granted if a registered nurse has one week or less left to their twelve week temporary license, their FBI fingerprint cards have been rejected by the Texas Department of Public Safety two or more times and a FBI name search has been initiated.</p>
<b>5. COMMITTEE REPORTS</b>		
<b>5.1. Board Committees:</b>		
5.1.3. Development and Evaluation	The Board discussed possible development training. Board Member Phyllis Caves Rawley suggested that the Board receive "Human Factors" training at the next board meeting.	<p>The board voted to participate in the Human Factors training at a later meeting.</p>
<b>5.2. Advisory Committees/Task Forces</b>		
5.2.1. Advanced Practice Nurses Advisory Committee	Linda Rounds reported that the APN Advisory Committee met in February to continue working on their current charges. They continued to discuss the advanced practice titles currently recognized by the Board and a future recommendation regarding whether each title should continue to be recognized. New APN titles that may be developed in the future are part of that discussion. They are also discussing scope of practice related to each of the advanced practice titles. In addition the committee is beginning to review the national certification examinations currently recognized by the board. They will continue this discussion at their meeting in May.	<p>No action.</p>
<b>5.3. Outside Agency Committees</b>		
5.3.1. Texas Peer Assistance Program for	Mary Beth Thomas gave a verbal report regarding TPAPN's request for the LVN	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Nurses Advisory Committee	participation fee and regarding the appropriation request for the 2006-07 biennium.	
5.3.3. Texas Higher Education Coordinating Board Professional Nursing Advisory Committee	No report.	No action.
<b>OPEN FORUM:</b>	Dr. Rounds announced the format and invited participation from the audience.	No action.
	Russell Baird, President, HealthStar International, Inc. spoke on the issue of the IELTS English Proficiency Test in relation to board rule 217.4(a)(1)	
	Lucius Lomax, RN, spoke on the issues of the Declaratory Order process and in regards to the dual track graduates in the Nurse Practitioner program at the University of Texas Health Science Center at Houston.	
	Jim Willman, Texas Nurses Association acknowledged the historical significance of the creation of a single board of nursing and expressed that TNA looks forward to continuing to work with the Board of Nurse Examiners.	
	Thelma Davis, LVN, President, LVN Association of Texas (LVNAT). Ms. Davis welcomed the newly merged boards.	
	No one else came forward and the open forum was closed.	
<b>7. NEW BUSINESS</b>		
7.3.2. Consideration of Texas Peer Assistance Program for Nurses LVN Participation Fee	The board considered TPAPN's request to approve a \$11 participation fee for LVNs effective May 1, 2004.	The board voted to approve a \$11 participation fee for LVNs effective May 1, 2004.
7.3.3. TPAPN Appropriation request for 2006-07 biennium	The board considered TPAPN's request for funding increases for TPAPN via the legislative appropriations process.	The board voted to appropriate the full \$5.00 fee per licensee to TPAPN. The board voted to delay its decision on the extension of the participant contract with the TPAPN program from two to three years pending TPAPN's submission of the requested data to be brought forward at the July board meeting to support the request.

AGENDA ITEM	DISCUSSION	ACTION
<p>7.9. Consideration of Proposal by M.D. Anderson Medical Center for Patient Safety Pilot Program on Nursing Reporting Systems</p>	<p>The board reviewed the proposal presented by M.D. Anderson Medical Center for Patient Safety Pilot Program "Adapting the Aviation Safety Action program to Healthcare: The Healthcare Alliance Safety Partnership".</p>	<p>The board voted to take the following action:            1) Approve M.D. Anderson's patient safety pilot program;            2) Give Staff authority to participate in the review and implementation of the pilot program; and            3) Moved to have M.D. Anderson cover expenses of the Staff incurred as a result of over seeing this pilot program, with the exception of salary.            Board member Beverley Nutall, LVN abstained from voting on M.D. Anderson's Pilot Program proposal.</p>
<p><b>ADJOURNMENT</b></p>	<p>Having completed this day's business the meeting adjourned at 4:50 p.m.</p>	
<p><b>RECONVENE</b></p>	<p>The board reconvened at 9:05 am on Friday, April 23, 2004.</p>	
<p><b>1. ADMINISTRATION</b></p>		
<p>1.2. Legal</p>	<p>Dusty Johnston introduced new staff of the legal department.</p>	<p>No action.</p>
<p>1.3. Strategic Plan</p>	<p>Katherine Thomas gave a verbal explanation of the strategic plan and the process of developing the strategic plan.</p>	<p>No action.</p>
<p><b>2. OPERATIONS</b></p>		
<p>2.1. Financial Statements</p>	<p>Mark Majek reviewed the monthly revenue and expenditure budget reports for December, 2003, January and February, 2004, which indicated the board's financial standing through February 29, 2004. Mark also did a presentation regarding the transfer process of funds due to the merger of the BVNE and the BNE.</p>	<p>No action.</p>
<p>2.2. Report of the</p>	<p>No report.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Internal Auditor		
<b>3. NURSING</b> <b>3.1. PRACTICE</b> 3.1.2. Scope of Practice of LVNs and RNs		
3.1.2.a. Scope of Practice of LVNs	Betty Sims gave a verbal presentation describing the mechanism for applying the Nursing Practice Act and Rules to guide the licensed vocational nurse in determining his/her individual "scope of practice".	No action.
3.1.2.b. Scope of Practice of RNs	Carol Marshall gave a verbal presentation appriizing the board members of how the Nursing Practice Act and Rules are applied to guide the RN or RN with board authorization in an APN role and specialty in determining his/her individual "scope of practice".	No action.
<b>3.2. EDUCATION</b> 3.2.9. Consideration of Accreditation Status Based on NCLEX-RN® Examination Pass Rates, Review of 2003 Annual Report, and Report of Survey Visit at Lamar State College Orange	The board reviewed the accreditation status of Lamar State College at Orange Associate Degree Program based on NCLEX-RN® examination pass rates, review of the 2003 Annual report and report of the survey visit. Leah Anne McGee and Gina Seymore were present to answer any questions.	The board voted to grant full accreditation status of Lamar State College at Orange Associate Degree Nursing Program from conditional to full at such time that the May 2004 graduating class has obtained a pass rate of 80% or above on the 2004 NCLEX-RN® examination, based on the NCLEX-RN® examination pass rate for 2003, review of the 2003 annual report and review of the report of the March 30-31, 2004, survey visit and issue the commendations, recommendations, and requirements to be met.
<b>5. COMMITTEE REPORTS</b> <b>5.2. Advisory Committees/Task Forces</b>		
5.2.2. Nursing Practice Advisory Committee	Carol Marshall gave a verbal explanation of the status of the current NPAC composition and recommended amendments to the composition of the committee to include LVN representatives.	The board voted to change the composition of member representatives of the NPAC and to issue a charge to the new NPAC committee to convene and review current RN and LVN rules relating to standards of practice and unprofessional conduct and to forward proposed combined rule language to the July BNE board meeting for discussion and board action. The board voted to have a chair and co-chair for the NPAC. The board members elected were: Beverley Nutall, LVN and Virginia Cambell, RN, BSN.

AGENDA ITEM	DISCUSSION	ACTION
5.2.3. Advisory Committee on Education	Robbin Wilson and Virginia Holmes gave a verbal explanation of the current ACE composition and recommended amendments to the composition of the committee to include LVN representatives. In addition Ms. Wilson and Ms. Holmes requested that the committee be issued a formal charge to review current vocational nursing education and professional nursing education rules (Rules 233 and 215). These current rules serve as the foundation and operational basis for nursing education programs.	The board voted to change the composition of the member representatives of the ACE, to add LVN representatives, and to issue a formal charge to the new advisory committee on education to convene and review current vocational nursing education and professional nursing education rules (Rules 233 and 215).
<b>5.3. Outside Agency Committees</b>		
5.3.2. Texas Nurses Association Task Forces on Nursing Practice and Redesign	Katherine Thomas gave a verbal report on the Nursing Practice Redesign Task Force and on the Nursing Education Redesign Task Force.	No action.
5.3.4. SHCC Nursing Workforce Data Advisory Committee	Katherine Thomas gave a verbal report on the SHCC Nursing Workforce Data Center.	No action.
<b>6. OLD BUSINESS</b>		
6.1. Nurse Licensure Compact Update	Katherine Thomas gave a verbal report on the compact which now includes twenty states.	No action.
6.2. Transition to the Single Board of Nursing	Katherine Thomas presented a slide show explaining the transition of the agency functions and staff under Agenda Item 1.1., Executive Director's Report.	No action.
<b>7. NEW BUSINESS</b>		
<b>7.1. Proposed Rules</b>		
7.1.1. Proposed amendments to 22 Texas Administrative Code Ch. 211 §§ 211.1 through	The board reviewed the proposed amendments to 22 Texas Administrative Code Ch. 211 §§ 211.1 through	The board voted to adopt amendments to sections 211.1 through 211.6 as proposed in

AGENDA ITEM	DISCUSSION	ACTION
<p>211.6 7.1.2. Proposed repeal of 22 Texas Administrative Code Ch. 231 - §§ 231.1; 231.11 through 231.50; 231.61 - 231.69</p>	<p>211.6 and the proposed repeal of 22 Texas Administrative Code Ch. 231 - §§ 231.1; 231.11 through 231.50; 231.61 - 231.69</p>	<p>the March 26<sup>TH</sup> edition of the Texas Register and publish the adopted amendments in the Texas Register if no comments are received in the 30 day comment period. In addition, the board moved to adopt the repeal of §§ 231.1, 231.11 through 231.50; and 231.61 - 231.69 and publish the adopted repeals in the Texas Register if no comments are received in the 30 day comment period.</p>
<p>7.1.3. Proposed amendments to Chapter 223. Fees: §§ 223.1 and 223.2 7.1.4. Proposed repeal of 22 Texas Administrative Code §§ 235.52 and 239.20</p>	<p>The board reviewed the proposed amendments to Chapter 223. Fees: §§ 223.1 and 223.2 and the proposed repeal of 22 Texas Administrative Code §§ 235.52 and 239.20.</p>	<p>The board voted to propose amendments to sections 223.1 and 223.2 and publish the proposed amendments in the Texas Register for the 30 day comment period. If no comments are received in that 30 days, the board adopts the amendments as proposed. Also the board moved to propose the repeal of §§ 235.52 and 239.20 and publish the proposed repeals in the Texas Register for the 30 day comment period. If no comments are received in that 30 days the board moves to adopt the repeals as proposed.</p>
<p>7.1.5. Proposed amendments to 22 Texas Admin. Code Ch. 213 §§ 213.1; 213.10; 213.13;</p>	<p>The board reviewed the proposed amendments to 22 Texas Administrative Code Ch. 213 §§ 213.1; 213.10;</p>	<p>The board voted to adopt amendments to section 213.1; 213.10; 213.13; 213.23; 213.26 - 213.32 as proposed in the March 26<sup>TH</sup> edition of the Texas Register and publish the adopted amendments in the Texas Register if no comments are received in the 30 day comment period. In addition the board voted to adopt the repeals of §§ 235.19; 235.21 - 235.25; and 239.12 through 239.15; 239.17 - 239.19; 239.21 - 239.36; 239.41 - 239.51 and publish the adopted repeals in the Texas Register if no comments are received in the 30 day comment period.</p>
<p>213.23; 213.26 - 213.32 7.1.6. Proposed repeal of 22 Texas Administrative Code Ch. 235 - §§ 235.19; 235.21 - 235.25 7.1.7 Proposed repeal of 22 Texas Administrative Code Ch. 239 - §§ 239.12 through 239.15; 239.17 - 239.19; 239.21-239.36; 239.41-239.51</p>	<p>213.13; 213.23; 213.26 - 213.32 and the proposed repeal of 22 Texas Administrative Code Ch. 235 - §§ 235.19; 235.21 - 235.25 and the proposed repeal of 22 Texas Administrative code Ch. 239 - §§ 239.12 through 239.15; 239.17 - 239.19; 239.21-239.36; 239.41-239.51</p>	<p>The board voted to adopt amendments to section 213.1; 213.10; 213.13; 213.23; 213.26 - 213.32 as proposed in the March 26<sup>TH</sup> edition of the Texas Register and publish the adopted amendments in the Texas Register if no comments are received in the 30 day comment period. In addition the board voted to adopt the repeals of §§ 235.19; 235.21 - 235.25; and 239.12 through 239.15; 239.17 - 239.19; 239.21 - 239.36; 239.41 - 239.51 and publish the adopted repeals in the Texas Register if no comments are received in the 30 day comment period.</p>
<p>7.1.8. Proposed repeal of 22 Texas Administrative Code Ch. 236, Nurse Licensure Compact</p>	<p>The board reviewed the proposed repeal of 22 Texas Administrative Code Ch. 236, Nurse Licensure Compact</p>	<p>The board voted to propose the repeal of chapter 236, Nurse Licensure Compact, and publish the proposed repeal in the Texas Register for the 30 day comment period. If no comments are received in that 30 days, move to adopt the repeal as proposed.</p>
<p>7.1.9. Proposed amendments to 22 Texas Administrative Code Ch. 217 - §§217.1; 217.3; 217.6-217.10; 217.13;</p>	<p>The board reviewed the proposed amendments to 22 Texas Administrative Code Ch. 217 - §§217.1; 217.3; 217.6-217.10; 217.13; 217.15; 217.16; 217.19; 217.20 and the proposed repeal of 22 Texas Administrative Code §§ 235.1; 235.17; 235.31; 235.32; 235.41-235.51;</p>	<p>The board voted to propose amendments to sections 217 - §§217.1; 217.3; 217.6-217.10; 217.13; 217.15; 217.16; 217.19; and 217.20 and publish the proposed amendments in the Texas Register for the 30 day comment period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>217.15; 217.16; 217.19; 217.20                      7.1.10. Proposed repeal of 22 Texas Administrative Code §§ 235.1; 235.17; 235.31; 235.32; 235.41-235.51; 239.1;239.16; 239.61-239.64; and Chapter 240, Peer Review</p>	<p>239.1;239.16; 239.61-239.64; and Chapter 240, Peer Review</p>	<p>If no comments are received in that 30 days, move to adopt the amendments as proposed. Also, move to propose repeals to §§ 235.1; 235.17; 235.31; 235.32; 235.41-235.51; 239.1; 239.16; 239.61-239.64; and chapter 240, Peer Review, and publish the proposed repeals in the Texas Register for the 30 day comment period. If no comments are received in that 30 days, move to adopt the repeals as proposed.</p>
<p><b>7.2. Proposed Revisions to Disciplinary Sanctions and Policies</b></p>		
<p>7.2.1. Disciplinary Policy on Sexual Misconduct</p>	<p>The board reviewed the disciplinary policy on sexual misconduct.</p>	<p>The board voted to adopt the proposed revisions to the disciplinary sanctions and policies addressing sexual misconduct, thereby making them applicable to all nurses. In addition the board moved to publicize the revised policies by posting them on the Board’s web site.</p>
<p>7.2.2. Disciplinary Policy on Fraud, Theft, and Deception</p>	<p>The board reviewed the disciplinary policy on Fraud, Theft, and Deception</p>	<p>The board voted to adopt the proposed revisions to the disciplinary sanctions and policies addressing Fraud, Theft, and Deception, thereby making them applicable to all nurses. In addition the board moved to publicize the revised policies by posting them on the Board’s web site.</p>
<p>7.2.3. Disciplinary Policy on Nurses with Chemical Dependency</p>	<p>The board reviewed the disciplinary policy on Nurses with Chemical Dependency</p>	<p>The board voted to adopt the proposed revisions to the disciplinary sanctions and policies addressing Nurses with Chemical Dependency, thereby making them applicable to all nurses. In addition the board moved to publicize the revised policies by posting them on the Board’s web site.</p>
<p>7.2.4. Disciplinary Policy on Lying and Falsification</p>	<p>The board reviewed the disciplinary policy on Lying and Falsification</p>	<p>The board voted to adopt the proposed revisions to the disciplinary sanctions and policies addressing Lying and Falsification, thereby making them applicable to all nurses. In addition the board moved to publicize the revised policies by posting them on the Board’s web site.</p>
<p>7.5 Review of Board Position Statements</p>		

AGENDA ITEM	DISCUSSION	ACTION
7.5.1. Revision of position statement 15.9: Performance of Laser Therapy by RNs or LVNs	The board reviewed the current and proposed changes to position statement 15.9, Performance of Laser Therapy by RNs or LVNs	The board voted to adopt the amendments to the current position statement 15.9, Performance of Laser Therapy by RNs or LVNs as presented.
7.6 Revision of Six Step Decision Making Model for Determining RN/LVN Scope of Practice	Carol Marshall presented the proposed amendments to the Six Step Model for Determining RN Scope of Practice to change the title and incorporate language that allows this useful tool to be utilized by both RNs and LVNs.	The board voted to adopt the amendments to the Six Step Decision Making Model for Nurses with allowance for non-substantive editing by board counsel for clarity if necessary.
7.7. Revision of Board Mission Statement and Philosophy	The board reviewed the proposed amendments to the Board Mission Statement and Philosophy to incorporate changes in language which encompasses both RNs and LVNs.	The board voted to adopt the amendments to the Board Mission Statement and Philosophy.
7.8. APN Educators' Meeting Report	Katherine Thomas, Linda Rounds and Jolene Zych gave a verbal presentation regarding the APN Educators' Meeting.	No action.
<b>8. Proposed Board Orders</b>	The board discussed Agreed Orders pulled from the consent agenda.	The board voted to ratify the ALJ Proposals for Decision and Agreed Orders with the following results:
8.1 ALJ Proposals for Decision	<p>Connie Turner, RN #551170 Dusty Johnston gave a verbal summary regarding this case and the proposal for decision.</p>	<p>The board voted to accept the proposal for decision and the findings of fact and conclusions of law of the ALJ and to adopt the ALJ's recommendation and issue an order that no action be taken against license number 551179 issued to Connie Turner. Board member Frank D. Sandoval, Jr., voted in opposition of the board's acceptance and ratification of this proposal for decision.</p>
	<p>Kent Stephens Waller, RN #564643 Dusty Johnston gave a verbal summary regarding this case and the proposal for decision.</p>	<p>The board voted to accept the proposal for decision and the findings of fact and conclusions of law of the ALJ and to adopt the ALJ's recommendation and issue an order of Enforced Suspension with Stipulations. Respondent's license is hereby suspended with said suspension enforced until Respondent has obtained 12 consecutive months of sobriety. Any relapse prior to the completion of the 12 consecutive months of sobriety will result in an extension of the enforced suspension until such 12 consecutive months of sobriety and</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>additional treatment have been attained. Upon verification of successful completion of twelve consecutive months of sobriety as set out in this order, the Suspension will be stayed and Respondent will be placed on probation for three years with the following agreed terms of probation: Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in nursing ethics; a board approved course in medication administration; and a board approved course in nursing documentation. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance. It is further agreed and ordered that if during the period of probation an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.</p> <p>Board member Brenda Jackson voted in opposition of the board's acceptance and</p>

AGENDA ITEM	DISCUSSION	ACTION
8.2. Agreed Orders	Stephen Warren Mason, RN #228950	<p>ratification of this proposal for decision.</p> <p>The board voted to accept and ratify the following order:  <b>Reprimand with Stipulations.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for four years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Should Respondent choose to practice nursing outside of the nurse anesthetist field Respondent shall provide employer reports; Should Respondent choose to work as a CRNA, Respondent's practice shall be monitored by an Anesthesiologist or a CRNA who has been approved by the board; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Respondent shall participate in therapy with a professional counselor and shall cause written reports regarding Respondent's progress to be submitted to the board until released from therapy; and Respondent shall cause his probation officer to submit written reports regarding Respondent's compliance with his court ordered probation until released from probation. It is further agreed and ordered that should Respondent be convicted of the offenses as outlined in finding of fact number ten said conviction will result in further disciplinary action.</p> <p>The following board members voted in opposition of the board's acceptance and ratification of this order: Blanca Rosa Garcia; Richard Gibbs; Frank Sandoval; and Rachel Gomez.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Kathleen Ann Robb-Bodor, RN #624393</p>	<p>The board voted to accept and ratify the following order.  <b>Reprimand with Stipulations.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in advanced physical assessment; a board approved course in pharmacology; a board approved course in nursing documentation; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; for the first year of employment Respondent shall be employed as a Nurse Midwife directly supervised by an Obstetrician or a Family Practitioner with obstetrical/gynecological privileges who has been approved by the board; Should Respondent choose to work as a RN without utilizing her nurse midwife authorization, in addition to the nurse midwife requirements, Respondent shall be directly supervised by a RN for the first year of employment under this order with employment restrictions; For the second year of employment in advanced practice nursing under this order Respondent shall be employed as a nurse midwife whose practice shall be monitored for one year by an obstetrician or a family practitioner with obstetrical/gynecological privileges who has been approved by the board; For the second year of the stipulation period in which Respondent chooses to work as a RN without utilizing her nurse midwife authorization Respondent shall have in-direct supervision with employment restrictions; Respondent shall have employment restrictions for the duration of the stipulation period; Respondent shall provide employer reports; Respondent shall submit to random periodic visits by board staff; Respondent shall personally appear before the board, a committee of the board, or a panel of board representatives at least one time every six months while under the terms and conditions of this order.</p>

AGENDA ITEM	DISCUSSION	ACTION
	Beverly Ann Cotton, LVN #112148	<p>The board voted to accept and ratify the following order.</p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended until such time as Respondent successfully completes a board approved course in Legal Aspects of Nursing to include charting and patient confidentiality; and a board approved course in Nursing Ethics. Upon receipt of documentation proving Respondent's successful completion of the above the suspension shall be stayed and the license placed on probation for a period of two years. The probation of said license is subject to the following stipulations: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall have employment restrictions for the term of the probation; Respondent shall not work in the position of nurse supervisor throughout the term of the probation; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p>
	Doreen Anne Johnson, LVN #183267	<p>The board voted to accept and ratify the following order.</p> <p><b>Revoked.</b> The Board accepted Respondent's Affidavit of Voluntary Surrender and entered a order Revoking Respondent's LVN license.</p>
	Edna Kay Kiser, LVN #184069	<p>The board voted to accept and ratify the following order.</p> <p><b>Strong Warning.</b> Within six months of entry of this order Respondent shall successfully complete a board approved course in Pharmacology; and a board approved course in Legal Aspects of Nursing.</p>
	Dixie Kathryn Walden, LVN #137162	<p>The board voted to accept and ratify the following order.</p> <p><b>Suspend Probate.</b> For one year from the</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>effective date of this order, Respondent shall: notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall notify the board of any periods of unemployment; Respondent shall, if employed as a private duty, temporary agency or home health nurse, cause her nurse supervisor to conduct and document weekly supervisory reviews and/or supervised visits of all medical records of patients assigned to Respondent; Respondent shall successfully complete a board approved course in Pharmacology within the first six months of probation; and Respondent shall pay a probation monitoring fee in the amount of \$30 quarterly, due on the 15<sup>th</sup> of each month.</p>
<p><b>9. MISCELLANEOUS</b></p>		
<p>9.1 Board Items of Interest for Future Board Meetings</p>	<p>The board will be considering the following items at future board meetings: Executive Director Evaluation; Executive Director Salary; Board Evaluation; Election of Board Vice-President; and Human Factors Development/Training</p>	
<p>9.2 Assignment of Board Liaison for Board and Executive Director Evaluations</p>	<p>Phyllis Caves Rawley was appointed as the Board Liaison for the Executive Director and Board Evaluations.</p>	
<p>9.3 Appointment of Member to Eligibility and Disciplinary Committee</p>	<p>Linda Rounds appointed the following members to serve on the Eligibility and Disciplinary Committee: Phyllis Caves Rawley; Richard Gibbs; and Brenda Jackson. The term of this committee is July, 2004 through December, 2004.</p>	
<p>9.4 Appointment of Board Liaison for Strategic Planning</p>	<p>Linda Rounds appointed Blanca Rosa Garcia to serve as the Board Liaison for Strategic Planning. In addition, Linda Rounds appointed Deborah Bell and Frank Sandoval to serve on the Internal Audit Committee.</p>	
<p>9.5 Schedule Board Retreat</p>	<p>The Board retreat is scheduled for August 11, 2004. The Board requested that all Nursing Consultants and Board Attorneys participate in the board retreat.</p>	

AGENDA ITEM	DISCUSSION	ACTION
<b>ADJOURNMENT:</b>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 3:25 pm.</p> <hr/> <p>Linda Rounds, PhD, RN, FNP, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	