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**BOARD OF NURSE EXAMINERS**

Regular Meeting

Thursday, January 22, 2004

8:30 a.m. - 5:30 p.m.

Friday, January 23, 2004

8:30 - 1:00 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds, President

Deborah Bell

Virginia Campbell

Phyllis Rawley

Tom Barton

Brenda Jackson

Rosie Garcia

Absent:

Marcelo Laijas, Vice President

Larry Canfield

Staff present at various times:

Kathy Thomas, Executive Director

Mark Majek, Director of Operations

Anthony Diggs, Director of Enforcement

James "Dusty" Johnston, General Counsel

Joy Sparks, Assistant General Counsel

Jolene Zych, Nursing Consultant

Cara Mueller, Nursing Consultant

Virginia Holmes, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Janice Hooper, Nursing Consultant

Georgia Parsons, Executive Assistant

Bruce Holter, Information Specialist

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AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Linda Rounds called the meeting to order at 8:40 am, Thursday, January 22, 2004.	
<b>ROLL CALL</b>	All members were present except Marcelo Laijas and Larry Canfield 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>CONSENT AGENDA ITEMS</b>		Consent agenda approved with these changes: 3.4.2. North Harris Montgomery Community College District was pulled for clarification; 8.2 Agreed Orders Sandy Susan Vana TX#627191 and Pamela Renee Dancer TX#561988 were pulled for later discussion. Brenda Jackson recused herself from vote on University of Texas HSC San Antonio under Item #3.4.2.b., and Rosie Garcia recused herself from vote on Del Mar College under Item #3.4.2.b.
<i>1.1. Minutes of October , 2003 Meeting</i>		<i>Approved on Consent with correction as follows: page 78 3.4.2. action, date should be January 2004.</i>
<i>3.2.1. CE Compliance Report</i>		<i>Approved on Consent</i>
<i>3.4.1. Workshop Report</i>		<i>Approved on Consent</i>
<i>3.4.2. Confirmation of Accreditation Status Based on 2003 NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Reports</i>		
<i>3.4.2.a. Full</i>		<i>Approved on Consent</i>

AGENDA ITEM	DISCUSSION	ACTION
<p>Accreditation with Commendations - <b>Diploma Nursing Programs</b> Baptist Health System Covenant School of Nursing <b>Associate Degree Nursing Program -</b> Alvin Community College Angelina College Angelo State University Austin Community College College of the Mainland Collin County Community College El Centro College Galveston College Grayson County College Houston Baptist University Houston Community College System Howard College Kilgore College Lamar State College-Port Arthur Midland College North Harris Montgomery Community College District Panola College Texarkana College Tyler Junior College <b>Baccalaureate Degree Nursing Programs-</b> Abilene Intercollegiate School of Nursing Baylor University Houston Baptist University Lamar University at Beaumont Stephen F. Austin State University Texas A&amp;M</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>University at Corpus Christi Texas Tech University Health Science Center Texas Woman's University University of Mary Hardin-Baylor University of Texas Austin University of Texas Pan American University of Texas Health Science Center Houston West Texas A&amp;M University <b>Master's Degree Nursing Program</b> University of Texas Austin (Alternate Entry MSN Program)</p>		
<p>3.4.2.b. Full Accreditation with Commendations and Requirements <b>Associate Degree Nursing Programs</b> Amarillo College Del Mar College Northeast Texas Community College Paris Junior College San Jacinto College Central Southwestern Adventist University Trinity Valley Community College Wharton County Junior College <b>Baccalaureate Degree Nursing Program</b> East Texas Baptist University University of Texas Health Science Center San Antonio University of the Incarnate Work</p>		<p>Approved on Consent</p>
<p>3.4.2.c. Full</p>		<p>Approved on Consent</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Accreditation with Requirements <b>Associate Degree Nursing Program - Vernon College</b></p>		
<p>3.4.3. Confirmation of Accreditation Status Based on Review of 2003 Annual Reports</p>		
<p>3.4.3.a. Full Accreditation with No Recommendations and No Requirements <b>Post Licensure Baccalaureate Degree Nursing Programs</b> Angelo State University Southwestern Adventist University <b>Advanced Practice Nursing Programs</b> Angelo State University Medical/Surgical Clinical Nurse Specialist Houston Baptist Family Nurse Practitioner University of Texas Pan American Adult Health Clinical Nurse Specialist University of Texas Southwestern Medical Center at Dallas Women's Health Care Nurse Practitioner Program</p>		<p>Approved on Consent</p>
<p>3.4.3.b. Full Accreditation with Requirements <b>Post Licensure Baccalaureate Degree Nursing Programs</b> University of Texas at Brownsville &amp;</p>		<p>Approved on Consent</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Texas Southmost College  <b>Advanced Practice Nursing Programs</b>  Abilene Intercollegiate School of Nursing  Family Nurse Practitioner  Prairie View A&amp;M University Family Nurse Practitioner</p>		
<p>4.1.1. Eligibility and Disciplinary Committee Report</p>		<p>Approved on Consent</p>
<p>8.2. AGREED ORDERS  Proposed Agreed Orders were considered by the members of the board for the following:</p>		<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p>
<p>Lynnora Bennett,  TX#638519</p>		<p><b>Warning with Stipulations.</b> The stipulations require successful completion of courses in nursing jurisprudence, medication administration and nursing documentation within one year of order; notify each present employer and submit Notification of Employment form; indirect supervision with periodic reports every 3 months for one year.</p>
<p>Wesley Brown  TX#629921</p>		<p><b>Warning with Stipulations.</b> The stipulations require successful completion of courses in nursing jurisprudence and nursing ethics; notify each present employer and submit Notification of Employment form; indirect supervision with periodic reports every 3 months for 1 year employment.</p>
<p>Elizabeth M. Burcham,  TX#524897</p>		<p><b>Reprimand with Stipulations.</b> The stipulations require successful completion of courses in nursing jurisprudence and nursing ethics within one year of order; payment of \$2200 monetary fine within 90 days</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Charlotte Carter, TX#595000</p>		<p><i>of entry of order; shall notify each present employer and submit Notification of Employment form; indirect supervision with periodic reports every 3 months for 2 years.</i></p> <p><b>Suspended.</b> <i>Suspension is enforced until Respondent completes an inpatient treatment program approved by the Board and has obtained 12 consecutive months of sobriety. Upon completion of the above, suspension will be stayed and placed on probation for 3 years; shall successfully complete courses in nursing jurisprudence and nursing ethics within 1 year of stay of suspension; shall notify all future employers and submit Notification of Employment form; direct supervision for 1 year and indirect supervision for duration of the probation period; shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates for 1 year; shall submit periodic reports every 3 months for 3 years; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for first 3 months, 1 per month for second 3 months and every 3 months for remainder of probation period; shall participate in therapy with a professional counselor with reports every month for 3 months. If therapy is recommended for longer, reports every 3 months for duration of probation; shall attend at least 2 support group meetings each, one of which shall be for substance abuse with evidence of attendance at end of every 3 months; shall cause probation officer to submit written reports every 3 months on forms provided by the board indicating compliance with court ordered probation.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
Deborah Kay French, TX#434889		<b>Reprimand with Stipulations.</b> The stipulations require payment of \$350 fine within 45 days of order; compliance for Order issued November 14, 2000.
Kerry Leann Fuller, TX#650396		<b>Reprimand with Stipulations.</b> The stipulations require successful completion of courses in nursing jurisprudence, medication administration, nursing documentation and nursing ethics within one year of order; shall notify each present employer; submit Notification of Employment form; indirect supervision with periodic reports every 3 months for 1 year of employment; shall participate in therapy with a professional counselor with written reports as follows: 1 per month for 3 months, then every 3 months if further therapy is recommended.
Belinda J. Hobbs, TX#504967		<b>Warning with Stipulations.</b> The stipulations require successful completion of courses in nursing jurisprudence, and nursing ethics within one year of order; payment of \$250 fine within 45 days of order; shall notify present employer of order and submit Notification of Employment form; indirect supervision for 1 year with periodic reports every 3 months for 1 year; shall undergo a pain management evaluation within 60 days of order with report to include clinical indications and medication regimen and statement of fitness to safely practice professional nursing while taking prescribed medications and recommendation for pain management therapy and/or other follow-ups. If evaluation states lack of fitness to practice professional nursing, shall cease to provide direct patient care until such time that the same evaluator deems Respondent safe to return to direct patient care; shall comply with the recommendations for pain management and/or other follow-ups. If pain management therapy is recommended, shall participate in pain management therapy with

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Barbara Ann Hollar, TX#533598		<p><i>board approved medical doctor or doctor of osteopathy with written reports every month for 3 months which include clinical indications and rationale for chronic use of controlled substances, progress and compliance and prognosis.</i></p> <p><b>Warning with Stipulations.</b> The stipulations require payment of \$350 fine within 45 days of order.</p>
Terrie Sue Kersch, TX#548004		<p><b>Suspended.</b> License is suspended with said suspension stayed and Respondent is placed on probation for 3 years with the following agreed terms of probation: successful completion of courses in nursing jurisprudence and nursing ethics within 1 year of order; shall notify each present employer and submit Notification of Employment form; indirect supervision with periodic reports every 3 months for 3 years; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates, and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for 3 months, then 1 per month for 3 months then every 3 months for remainder of probation period; shall attend at least 2 support group meetings each week, one of which shall be for substance abuse and provide evidence of attendance every 3 months; shall cause probation officer to submit written reports every 3 month for duration of probation.</p>
Norma Isela Lagunas, TX#589305		<p><b>Reprimand with Stipulations.</b> The stipulations require payment of \$600 fine within 45 days of order; full compliance with the terms of order dated February 11, 2003 which is still in effect in its entirety.</p>
Jeffrey Lee Minshew, TX#603069		<p><b>Warning with Stipulations.</b> The stipulations require success completion of courses in nursing jurisprudence, medication administrations, nursing documentation and nursing ethics</p>

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<p>Laura Jean Mosley, TX#589027</p>		<p><i>within 1 year of order; payment of \$250 fine within 45 days of order; notify each present employer and submit Notification of Employment form, indirect supervision with periodic reports every 3 months for 1 year.</i></p> <p><b>Suspended.</b> License is hereby suspended and suspension is enforced until completion of inpatient treatment program approved by the board, provides documentation of successful completion, and has obtained 12 consecutive months of sobriety at which time suspension will be stayed and placed on probation for 3 years with the following agreed terms of probation: successful completion of courses in nursing jurisprudence and nursing ethics within 1 year of stay of suspension; notify all future employers and submit Notification of Employment form; direct supervision for 1 year of employment and indirect supervision for duration of probation period; shall not practice as a professional nurse on the night shift, rotate shifts, work overtime, accept on-call assignments or be used for coverage on any unit other than the identified, predetermined units for 1 year; shall not practice as a professional nurse in any critical care area for 1 year; shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates for 1 year, shall submit periodic reports from supervising RN every 3 months for 3 years; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates, and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for 3 months, then 1 per month for 3 months and then every 3 months for remainder of probation period; shall participate in therapy with a professional counselor approved by the board and submit</p>

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<p>Amanda Gay Poyner, TX#666296</p>		<p>written reports each month for 3 months and then every 3 months for the duration of the probation period if recommended by therapist; shall attend at least two support group meetings each week, one of which shall be for substance abuse with evidence of attendance every 3 months.</p> <p><b>Warning with Stipulations.</b> The stipulations require successful completion of course in nursing documentation within 1 year of order; shall notify each present employer and submit Notification of Employment forms; indirect supervision with periodic reports every 3 months for 1 year; shall not practice as professional nurse in any critical care area for 1 year; shall submit periodic reports every 3 months for 1 year; shall participate in therapy with a professional counselor with periodic reports every month for 3 months and then every 3 months for duration of stipulation period is recommended.</p>
<p>Jaime E. Ramirez, TX#534466</p>		<p><b>Suspended.</b> License is hereby suspended for 3 years with said suspension stayed and placed on probation for 3 years with the following agreed terms of probation: successful completion of courses in nursing jurisprudence and nursing ethics within 1 year of order; shall notify each present employer and submit Notification of Employment form; direct supervision for first year and shall work only on regularly assigned identified and predetermined units; indirect supervision for remainder of probationary period and shall not practice on the night shift, rotate shifts, work overtime, accept on-call assignments or be used for coverage on any unit other than the identified, predetermined units for 1 year, shall not practice in any critical care area for 1 year; shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates for 1 year; shall submit periodic reports</p>

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<p>Patricia L. Sloan, TX#525683</p>		<p>every 3 months for 3 years; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances and submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for first 3 months, then 1 per month for second 3 months, then every 3 months for remainder of probation period; shall attend at least two support group meeting per week, one of which shall be for substance abuse with evidence of attendance reports every 3 months; shall cause probation officer to submit written reports every 3 months until released from probation.</p> <p><b>Suspended.</b> License is hereby suspended and suspension is enforced until Respondent has obtained 12 consecutive months of sobriety. Upon verification of successful completion of the approved inpatient treatment and 12 consecutive months sobriety, suspension will be stayed and Respondent will be placed on probation for 3 years with the following agreed terms of probation: successful completion of courses in nursing jurisprudence, nursing documentation and nursing ethics within 1 year of stay of suspension; shall notify all future employers and submit Notification of Employment form; direct supervision for first year and work only on regularly assigned, identified and predetermined units; indirect supervision for duration of probation period and shall not work on the night shift, rotate shifts, work overtime, accept on-call assignments or be used for coverage on any unit other than the identified, predetermined units or work in critical care unit for 1 year; shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for 1 year; submit periodic reports every 3 months for 3 years; shall abstain from the</p>



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<p>Tony Collins Lee, TX#607399</p>		<p><i>periodic reports every 3 months for 2 years; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for 3 months, then 1 per month for 3 months then every 3 months for remainder of stipulation period; participate in therapy with a professional counselor with monthly reports for 3 months, then every 3 months if recommended; attend at least 2 support group meetings each week, one of which shall be for substance abuse with evidence of attendance every 3 months.</i></p> <p><b>Petition for Reinstatement is granted subject to the following conditions:</b></p> <p><i>successful completion of courses in nursing jurisprudence and nursing ethics within 1 year of order; notify all future employers and submit Notification of Employment form; direct supervision for 1 year and work only on regularly assigned, identified and predetermined units; indirect supervision for remainder of stipulation period and shall not work on night shift, rotate shifts, work overtime, accept on-call assignments or be used for coverage on any unit other than the identified, predetermined units or work in any critical care area for 1 year; shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for 1 year; shall submit periodic reports every 3 months for 3 years; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for 3 months, then 1 per month for 3 months then every 3</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matthew Miller Bailey, Application for Conditional Eligibility</p>		<p>months for remainder of stipulation period, shall participate in therapy with a professional counselor and submit written reports every month for 3 months, then every 3 months for duration of stipulation period is recommended; shall attend at least 2 support group meetings each week, one of which shall be for substance abuse and provide acceptable evidence of attendance every 3 months.</p> <p><b>Application for Conditional Eligibility is hereby granted subject to the following conditions:</b> attain a passing grade on the NCLEX-RN®; shall notify each present employer and submit Notification of Employment form; shall submit periodic reports every 3 months for 1 year; shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for 3 months, then 1 per month for 3 months, then every 3 months for duration of stipulation period; shall attend at least 2 support group meetings per week, one of which for substance abuse and provide acceptable evidence of attendance every 3 months.</p>
<p>Tina Michelle Desanto, Application for Conditional Eligibility</p>		<p><b>Application for Conditional Eligibility is hereby granted subject to the following conditions:</b> attain a passing grade on the NCLEX-RN®; successful completion of courses in nursing jurisprudence and nursing ethics within 1 year of order; payment of \$250 fine within 45 days of order; shall notify each present employer and submit Notification of Employment form; indirect supervision with periodic reports every 3 months for 1 year.</p>
<p>Uche Ejimole Fountain, Application for</p>		<p><b>Application for Conditional Eligibility is hereby granted subject to the following conditions:</b> attain a</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Conditional Eligibility</i></p> <p><i>Susan Lynn Razo, Application for Eligibility for Licensure</i></p> <p><i>Barbara Annette Simpson, Application for Eligibility for Licensure</i></p>		<p><i>passing grade on the NCLEX-RN®; successful completion of courses in nursing jurisprudence and nursing ethics within 1 year of order; notify each present employer and submit Notification of Employment form, indirect supervision and work only regularly assigned, identified and predetermined units; submit periodic reports every 3 months for 1 year.</i></p> <p><b>Application for Eligibility is hereby granted subject to the following conditions:</b> <i>successful completion of course in nursing jurisprudence within 1 year of order; notify each present employer and submit Notification of Employment form; indirect supervision and shall work only regularly assigned, identified and predetermined units with periodic reports every 3 months for 1 year.</i></p> <p><b>Application for Conditional Eligibility is hereby granted subject to the following conditions:</b> <i>attain passing grade on the NCLEX-RN®; notify each present employer, submit Notification of Employment form with periodic reports every 3 months for 1 year; shall participate i therapy with a professional counselor and submit written reports every month for 3 months and then every 3 months if further therapy recommended.</i></p>
<p><b>3. REPORTS OF THE STAFF</b></p>		
<p>3.1. Executive Director's Report</p>	<p>Kathy Thomas reviewed her written report to the board including patient safety initiative, the merger of the two boards, and online renewals.</p>	<p>No action.</p>
<p>3.4. Professional Nursing</p>		
<p>3.4.2.a. Confirmation of Accreditation Status Based on NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Reports - North Harris Montgomery Community College</p>	<p>The board reviewed request to consider 2003 NCLEX-RN® examination pass rates and review of 2003 Annual Reports for North Harris Montgomery Community College District based on 95.5% pass rate.</p>	<p>The board voted to continue full accreditation for the basic nursing program at North Harris Montgomery Community College District including commendations.</p>

AGENDA ITEM	DISCUSSION	ACTION
District		
3.4.4.b. Proposed Change of Accreditation Status for Laredo Community College Associate Degree Nursing Program Based on 2003 NCLEX-RN® Pass Rate and 2003 Annual Report	The board reviewed the request to consider the accreditation status of Laredo Community College Associate Degree Nursing Program based upon review of the 2003 Annual Report and 2003 NCLEX-RN® pass rate. Diana Miller, Jose Martinez, Jose Santos and Carolyn Olin were present to answer questions.	The board voted to change the accreditation status of Laredo Community College Associate degree Nursing Program from full to warning and to direct staff to conduct a survey visit by April 2004. Further, require a Progress Report which provides a more comprehensive evaluation of the effectiveness of identified corrective measures.
3.4.4.d. Proposed Change of Accreditation Status Based on 2003 NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Report for Weatherford College Associate Degree Nursing Program	The board reviewed staff's recommendations regarding accreditation/ approval status of Weatherford College Associate Degree Nursing Program based on the required Progress Report, 2003 Annual Report and 2003 NCLEX-RN® pass rate. Joellen Welborn, Geneva Scott and Katherine Boswell were present to answer questions.	The board voted to change the accreditation status of Weatherford College Associate Degree Nursing Program from initial to full and issue requirements to be met.
3.4.5.a. Proposed Change of Accreditation Status Based on Review of 2003 Annual Report - Texas A&M University at Texarkana	The board reviewed the request to consider a change in the accreditation status of Texas A&M University at Texarkana RN to BSN Program based on the review of the 2003 Annual Report. Josephine Kahler was present to answer questions.	The board voted to change the accreditation status of the Texas A&M University at Texarkana RN to BSN Program from initial to full based on review of the 2003 Annual Report and issue requirements to be met.
3.4.4.c. Proposed Change of Accreditation Status Based on 2003 NCLEX-RN® Pass Rates and Review of 2003 Annual Report - University of Texas at Tyler	The board reviewed the request to consider a change in the accreditation status of the University of Texas at Tyler Baccalaureate Degree Nursing Program based on the 2003 NCLEX-RN® Pass Rates and Review of 2003 Annual Report. Pamela Martin and Linda Klotz were present to answer questions.	The board voted to change the accreditation status of University of Texas at Tyler Baccalaureate Degree Nursing Program from warning to full based on the 2003 NCLEX-RN® Pass Rates and Review of 2003 Annual Report.
3.4.4.a. Proposed Change of Accreditation Status Based on 2003 NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Report - Cisco Junior College	The board reviewed the request to consider a change in the accreditation status of Cisco Junior College Associate Degree Nursing Program based on the 2003 NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Report. Jackolyn Morgan was present to answer questions.	The board voted to change the accreditation status of the Cisco Junior College Associate Degree Nursing Program from warning to full based on the 2003 NCLEX-RN® Examination Pass Rates and Review of 2003 Annual Report.
3.4.5.b. Proposed Change of Accreditation Status Based on Review of 2003 Annual Report - Texas Christian University Harris School of Nursing Adult Medical-Surgical	The board reviewed the request to consider a change in the accreditation status of Texas Christian University Harris School of Nursing Adult Medical-Surgical Clinical Nurse Specialist/ Advanced Practice Nursing Program based on the review of the 2003 Annual Report.	The board voted to change the accreditation status of Texas Christian University Harris School of Nursing Adult Medical-Surgical Clinical Nurse Specialist/ Advanced Practice Nursing Program from initial to full based on the review of the 2003 Annual Report with requirements to be met.

AGENDA ITEM	DISCUSSION	ACTION
Clinical Nurse Specialist/ Advanced Practice Nursing Program		
3.4.6. Notification of Intent to Withdraw from BNE Accreditation - University of Texas Pan American Adult Health Clinical Nurse Specialist Program	The board reviewed the request of the University of Texas - Pan American Adult Health Clinical Nurse Specialist Advanced Practice Nursing Program to withdraw from Board of Nurse Examiners for the State of Texas accreditation/approval.	The board voted to approve the request from University of Texas - Pan American Adult Health Clinical Nurse Specialist Advanced Practice Nursing Program to withdraw from BNE accreditation/approval effective September 30, 2004.
<b>7. NEW BUSINESS</b> (Out of Order)		
7.1.1. Texas Peer Assistance Program for Nurses Quarterly Report	Mike Van Doren reviewed the FY 2004 1 <sup>st</sup> Quarter Report to the board.	No Action.
7.1.2. Consideration of Texas Peer Assistance Program for Nurses Contract	James "Dusty" Johnston reported that the Texas Peer Assistance Program for Nurses' contract of FY 2002-2003 has expired and the board was required to re-bid for its peer assistance program for FY 2003-2004 and beyond. The board reviewed the proposed Texas Peer Assistance Program for Nurses' contract.	The board voted to approve the proposed Texas Peer Assistance Program for Nurses' contract and authorize the executive director to sign on the board's behalf.
7.1.3. Consideration of new Texas Peer Assistance Program for Nurses Policies Pertaining to Fees and Use of Reserve Funds	The board reviewed Texas Peer Assistance Program for Nurses' request for fee increases and use of the wind down fund.	First, the board voted to approve the increase in Texas Peer Assistance Program for Nurses' (TPAPN) participation fees as follows: 1) \$11 increases per urine screen; 2) \$200 participation fee when Rn not required to submit to urine screens; 3) \$500 one time, non-refundable fee for board ordered TPAPN participants.  Second, the board voted to approve TPAPN's request to use the Wind Down Fund in periods of budget shortfalls.
<b>3. REPORTS OF THE STAFF</b> (Continued)		
3.3. Enforcement		No Action.
3.3.1. Criminal Background Check Update	Tony Diggs reviewed his written report to the board on experience with the first five months of implementation of criminal background checks for initial licensure.	



AGENDA ITEM	DISCUSSION	ACTION
<b>5. OPEN FORUM</b> (Out of Order)	Dr. Rounds announced the format and invited participation from the audience. Patricia Stark, DSN, RN spoke on the issue concerning dual track graduates in the Nurse Practitioner program at the University of Texas Health Science Center at Houston. No one else came forward and the open forum was closed.	<i>of alcohol, Nubain, Stadol, Dalgan, Ultram or other synthetic opiates, and/or the use of controlled substances; shall submit to random periodic screens for controlled substances, tramadol hydrochloride and alcohol as follows: 1 per week for 3 months, then 1 per month for 3 months, then every 3 months for remainder of stipulation period; attend at least 2 support group meetings each week, one of which shall be for substance abuse with evidence of attendance every 3 months.</i>  No action.
<b>2. OPERATIONS</b> (out of order)		
2.1. Financial Statements	Mark Majek reviewed the monthly revenue and expenditure budget reports for September, October and November 2003, which indicated the board's financial standing through November 30, 2003.	No action.
2.2. Annual Statement	Mark Majek reviewed the Annual Financial Report for the fiscal year ending August 31, 2003.	No action
2.3. Operating Budget FY 2004	Mark Majek reviewed the Operating Budget for fiscal year 2004.	No action.
2.4. Report of the Internal Auditor	No report.	
<b>6. OLD BUSINESS</b> (out of order)		
6.2. NURSIS Data System	Mark Majek gave an oral report reporting daily updates to the data system will be available soon.	No action.
<b>3. REPORTS OF THE STAFF</b>		

AGENDA ITEM	DISCUSSION	ACTION
(Continued)		
3.5 Legal	James "Dusty" Johnston reported that as of February 1, 2004, all LVN disciplinary cases and complaints will be transferred to the BNE and that all LVN eligibility petitions will be incorporated into our eligibility and disciplinary process including informal conferences, Eligibility & Disciplinary committee meetings; and SOAH hearings.	No action.
<b>7. NEW BUSINESS</b> (Out of Order)		
7.6. University of Texas Health Science Center Houston School of Nursing Advanced Practice Clinical Hours and Request that Board Reconsider Applications of Rule 221.3(e) and its May 2003 Graduates	The board reviewed the request of University of Texas Health Science Center Houston School of Nursing to grant advanced practice approval in dual specialties for graduates of UTHSC Houston's 2003 graduates.	The board voted to approve the application of Rule 221.4(3), Rule 221.3(a) and Rule 221.3(e) to mean that the educational requirement for clinical hours necessary for recognition in an advanced practice role and specialty requires 500 hours of clinical within that role and each specialty within the education program.
7.5.b. APN Petition - Audrey Scholoff	The board reviewed the request of Audrey Scholoff that the board review staff's interpretation of Rule 221.3(e) and reconsider her eligibility for authorization to practice as an Adult Nurse Practitioner.	The board voted to deny Audrey Scholoff's request for authorization to practice as an adult nurse practitioner.
7.5.a. APN Petition - Nancy Turpin	The board reviewed the request of Nancy Turpin to grant authorization to practice as an advanced practice nurse in the advanced role and specialty of gerontological nurse practitioner. The board reviewed the request of Nancy Turpin to be granted authorization to practice as an adult nurse practitioner without having to obtain national certification as an ANP.	The board voted to deny Nancy Turpin's request for authorization to practice as a gerontological nurse practitioner. The board voted to deny Nancy Turpin's request for authorization to practice as an adult nurse practitioner. Should Ms. Turpin wish to obtain authorization to practice as an adult nurse practitioner, she must obtain national certification in this role and specialty and reapply for authorization to practice.
<b>4. COMMITTEE REPORTS</b> (out of order)		
4.1.2. Strategic Planning/4th Quarter Report	Mark Majek reviewed the Fiscal Year 2004 1 <sup>st</sup> Quarter Status Report with the board.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<b>3. REPORTS OF THE STAFF</b> (Continued)		
3.6 Outside Agency Committees		
3.6.3. Texas Higher Education Coordinating Board Professional Nursing Advisory Committee	No report.	
<b>4. COMMITTEE REPORTS</b> (out of order)		
4.1.3. Development and Evaluation	Kathy Thomas reported that the new board members joining the board after February 1, 2004 will require general orientation to board processes which will be addressed through board development sessions for the remainder of the year.	No action
<b>3. REPORTS OF THE STAFF</b> (Continued)		
3.6.1. Texas Peer Assistance Program for Nurses Advisory Committee	No report.	
3.6.2. Texas Nurses Association Task Forces on Nursing Practice and Nursing Education Redesign	Kathy Thomas reported on two new task forces of the Texas Nurses Association responding to the nursing shortage and various reform proposals.	
3.6.4. SHCC Nursing Workforce Data Advisory Committee	Kathy Thomas reported that she had been appointed to this committee as a representative of the board.	
<b>4. COMMITTEE REPORTS</b>		
4.2. Advisory Committees/Task Forces		
4.2.1. Advanced Practice Nurses Advisory Committee	Linda Rounds reported that the APN advisory committee met in December to continue working on their current charges. They discussed the advanced practice titles currently recognized by the Board and possible need for changes in the future. They will continue this discussion at their meeting in February. They also developed work groups for reviewing the	No action.

AGENDA ITEM	DISCUSSION	ACTION
	currently recognized national certification examinations using the criteria adopted by the board in October 2003.	
4.2.2. Nursing Practice Advisory Committee	No report.	
4.2.3. Advisory Committee on Education	No report	
<b>6. OLD BUSINESS</b>		
6.1. Multistate Regulation	Kathy Thomas reviewed her written report to the board reporting that the Nurse Licensure Compact has now passed in twenty states.	No action.
6.3. Transition to the Single Board of Nursing	Kathy Thomas reviewed her written report to the board reporting that she took over administrative duties of the BVNE upon the leave of absence of Terrie Hairston, Executive Director of the BVNE on January 12, 2004, that Monday, January 26 <sup>th</sup> , would be moving day, and thanked staff for help and cooperation during transition.	No action.
6.4	Linda Rounds noted there is no item number 6.4 on the agenda	No action.
6.5. Status Report on Implementation of Rule 226, Patient Safety Pilot Program on Nursing Reporting Systems	James "Dusty" Johnston reviewed his written report to the board reporting that the Request for Proposals was published on the board's website on January 1, 2004 and in the <i>Texas Register</i> on January 2, 2004 and that proposals are due by February 29, 2004.	No action.
<b>ADJOURNMENT</b>		
<b>RECONVENE</b>		
The board reconvened at 8:35 am on Friday, January 23, 2004.		
<b>7. NEW BUSINESS</b>		
7.2. Consideration of Violation of Board Order Procedure	James "Dusty" Johnston reviewed his written report to the board reporting on current practice of board staff in offering agreed settlement of non-compliance allegations.	No action.
7.3. Review of Board Position Statements	The board reviewed staff's request to approve revision of 5 Position Statements as follows: 15.7 Guidelines for Nurses Administering Medications via the Epidural	The board voted to adopt amendments to position statements 15.7, 15.11, 15.15, 15.16 and 15.21 as presented with allowance for

AGENDA ITEM	DISCUSSION	ACTION
	and Intrathecal Routes for the Purpose of Pain Control; 15.11 Delegated Medical Acts; 15.15 Board's Jurisdiction Over Title and Practice; 15.16 Development of Additional Nursing Education Programs; 15.21 Application of Safe Harbor Peer Review to LVNs.	editorial revision as deemed necessary by board counsel.
7.4. Proposed Position Statement 15.23 on the RN's Use of Complementary Modalities	The board reviewed staff's recommendation with regard to a proposed new position statement "The RN's Use of Complementary Modalities/Therapies"	The board voted to adopt Position Statement 15.23, "The RN's Use of Complementary Modalities/ Therapies", with allowance for minor editorial revisions as deemed necessary by board counsel.
<b>9. MISCELLANEOUS</b>		
9.1. Board items of Interest for Future Board Meetings	Kathy Thomas reported that the board will be focusing on training for new board members due to the merger of the RN and LVN boards. A retreat will also be scheduled for the new board.	Nothing.
9.3. Appointment of Board Task Force to Select Review Panel and Review Pilot Studies Proposals Resulting from Request For Proposals pursuant to Rule 226.	Linda Rounds appointed Brenda Jackson, Rosie Garcia and Tom Barton to serve on a new Pilot Project committee. The committee will work with staff to identify individuals to serve the expert review panel authorized by Rule 226.5 otherwise aid in the evaluation of proposals submitted for board approval	The board voted to approve the creation of a Pilot Project Taskforce and the appointment of Brenda Jackson, Rosie Garcia and Tom Barton to serve this committee to work with staff to identify individuals to serve on the expert review panel authorized by Rule 226.5 and otherwise aid in the evaluation of proposals submitted for board approval.
9.4. National Council of State Boards of Nursing Mid-Year Meeting	Kathy Thomas reported that the National Council of State Boards of Nursing Mid-Year Meeting will be held on March 3-5, 2004 in Chicago, Illinois.	No action.
<b>8. PROPOSED BOARD ORDERS</b> (out of order)		
8.1. ALJ Proposals for Decision. The following cases were heard by the State Office of Administrative Hearings, Administrative Law Judge:		The board voted to accept the ALJ's recommendations without changes to the ALJ's recommendations.

AGENDA ITEM	DISCUSSION	ACTION
Diana Becerra, TX#577032		License #577032 is hereby revoked.
Barbara Sue Burke, TX#514825		License #514825 is hereby revoked.
Achamma K. George, TX#446382		License #446382 is hereby revoked.
9.2 Board Development Session on Board Governance	Dr. Rounds and Kathy Thomas led the board in review and discussion of board Governance Policies.	
ADJOURNMENT	Having completed all business as listed on the agenda, the meeting adjourned at 11:30 am.	
	----- Executive Director	----- President