

TEXAS BOARD OF NURSING

Regular Meeting

Thursday, April 22, 2010

8:33 a.m. - 6:23 p.m.

William Hobby Building

333 Guadalupe, Tower II, Room 225

Austin, Texas 78704

Present:

Linda Rounds

Deborah Bell

Kristin K. Benton

Richard Robert Gibbs

Patti Clapp

Beverley Nutall

Blanca Rosa Garcia

Marilyn Davis

Tamara Cowen

Kathy Leader-Horn

Josefina Lujan

Sheri Crosby

Absent:

Mary Jane Salgado

Staff Present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

Mark Majek, Director of Operations

James "Dusty" Johnston, General Counsel

Jena Abel, Assistant General Counsel

John Legris, Assistant General Counsel

Kyle Hensley, Assistant General Counsel

Lance Brenton, Assistant General Counsel

Nikki Hopkins, Assistant General Counsel

Mary Beth Thomas, Director of Nursing

Allison Hassinger, Administrative Assistant

Jan Hooper, Nursing Consultant

Jolene Zych, Nursing Consultant

Denise Benbow, Nursing Consultant

Melinda Hester, Nursing Consultant

Paul Waller, Nursing Consultant

Bonnie Cone, Nursing Consultant

Robin Caldwell, Nursing Consultant

Bruce Holter, Information Specialist

Tawnya Smith, Information Technology Specialist

Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:35 a.m, Thursday, April 22, 2010.	
ROLL CALL	The following member was absent: Mary Jane Salgado. A quorum was established with all other members in attendance.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	The Agenda was approved.
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the January 21-22, 2010 Board Meeting.	The Board approved the minutes from the January 21-22, 2010, Board Meeting.
CONSENT AGENDA ITEMS		<p>The Consent agenda was reviewed and approved with the following amendments:</p> <p>Kristin Benton recused herself from the consideration and vote on Agenda Item 3.2.2.a., pertaining to Austin Community College in Austin, Texas.</p> <p>Linda Rounds recused herself from the consideration and vote on Agenda Item 3.2.2.a., pertaining to University of Texas Medical Branch at Galveston in Galveston, Texas.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Agenda Item 3.2.2.b., pertaining to Del Mar College in Corpus Christi, Texas.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Agenda Item 3.2.2.b., pertaining to South Texas College in McAllen, Texas.</p> <p>Deborah Bell recused herself from the consideration and vote on Agenda Item 8.1., Agreed Orders of: Debra Lee Magro, RN #625005 Diana Lynn Moczygamba, RN #670500</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>Richard Gibbs recused himself from the consideration and vote on Item 8.2. Reinstatement Agreed Order of: Toni Leigh Tuggle, RN #714102</p>
<p><i>2.1. Financial Statement - 2ND Quarter, Fiscal Year 2010</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>2.2. Continuing Education Pre-Renewal Audit Report/ 2ND Quarter, Fiscal Year 2010</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.1.1. Workshop Report</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs and Status Report on Changed Approval Status of Existing Programs</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.2. Confirmation of Continued Program Approval Status Based on 2009 NCLEX-RN[®] Examination Pass Rates and Review of 2009 Nursing Educational Program Information Survey (NEPIS), 2009 Compliance Audit</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>of Nursing Educational Program (CANEP), and Accreditation Status</i></p> <p><i>3.2.2.a.</i> Associate Degree Nursing Educational Programs <i>Alvin Community College in Alvin, Texas</i> <i>Angelina College in Lufkin, Texas</i> <i>Austin Community College in Austin, Texas</i> <i>Blinn College in Bryan, Texas</i> <i>Brookhaven College in Farmers Branch, Texas</i> <i>Central Texas College in Killeen, Texas</i> <i>College of the Mainland in Texas City, Texas</i> <i>Collin County Community College in McKinney, Texas</i> <i>El Centro College in Dallas, Texas</i> <i>Grayson County College in Denison, Texas</i> <i>Hill College in Hillsboro, Texas</i> <i>Houston Baptist University in Houston, Texas</i> <i>Houston Community College in Houston, Texas</i> <i>Howard College in Big Spring, Texas</i> <i>Kilgore College in Kilgore, Texas</i> <i>Lamar State</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>College in Orange, Texas</i> <i>Lamar State College in Port Arthur, Texas</i> <i>Lamar University in Beaumont, Texas</i> <i>Laredo Community College in Laredo, Texas</i> <i>Lee College in Baytown, Texas</i> <i>Lone Star College - Cyfair in Cypress, Texas</i> <i>Lone Star College - Kingwood in Kingwood, Texas</i> <i>Lone Star College - Montgomery in Conroe, Texas</i> <i>Lone Star College - North Harris in Houston, Texas</i> <i>Lone Star College - Tomball in Tomball, Texas</i> <i>Navarro College in Corsicana, Texas</i> <i>North Central Texas College in Gainesville, Texas</i> <i>Northeast Texas Community College in Mt. Pleasant, Texas</i> <i>Paris Junior College in Paris, Texas</i> <i>San Jacinto College South in Houston, Texas</i> <i>South Plains College in Levelland, Texas</i> <i>Tarrant County College in Fort Worth, Texas</i> <i>Temple College in Temple, Texas</i> <i>Texarkana College</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>in Texarkana, Texas</i> <i>Trinity Valley Community College in Kaufman, Texas</i> <i>University of Texas at Brownsville & Texas Southmost College in Brownsville, Texas</i> <i>Vernon College in Vernon, Texas</i> <i>Victoria College in Victoria, Texas</i> <i>Weatherford College in Weatherford, Texas</i> <i>Wharton County Junior College in Wharton, Texas</i> Baccalaureate Degree Nursing Educational Programs <i>Baylor University in Dallas, Texas</i> <i>East Texas Baptist University in Marshall, Texas</i> <i>Houston Baptist University in Houston, Texas</i> <i>Lamar University in Beaumont, Texas</i> <i>Patty Hanks Shelton School of Nursing in Abilene, Texas</i> <i>Prairie View A&M University in Houston, Texas</i> <i>Southwestern Adventist University in Keene, Texas</i> <i>Stephen F. Austin State University in Nacogdoches,</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Texas</i> <i>Texas A&M</i> <i>International</i> <i>University in</i> <i>Laredo, Texas</i> <i>Texas A&M</i> <i>University in</i> <i>Corpus Christi,</i> <i>Texas</i> <i>Texas Christian</i> <i>University in Fort</i> <i>Worth, Texas</i> <i>Texas Woman’s</i> <i>University in</i> <i>Denton, Texas</i> <i>University of Mary</i> <i>Hardin - Baylor in</i> <i>Belton, Texas</i> <i>University of</i> <i>Texas at Arlington</i> <i>in Arlington, Texas</i> <i>University of</i> <i>Texas at Austin in</i> <i>Austin, Texas</i> <i>University of</i> <i>Texas at El Paso in</i> <i>El Paso, Texas</i> <i>University of</i> <i>Texas Health</i> <i>Science Center at</i> <i>Houston in</i> <i>Houston, Texas</i> <i>University of</i> <i>Texas Pan</i> <i>American in</i> <i>Edinburg, Texas</i> <i>University of</i> <i>Texas at Tyler in</i> <i>Tyler, Texas</i> <i>University of</i> <i>Texas Medical</i> <i>Branch at</i> <i>Galveston in</i> <i>Galveston, Texas</i> <i>Wayland Baptist</i> <i>University in San</i> <i>Antonio, Texas</i> Master’s Degree Nursing Education Program <i>University of</i> <i>Texas at Austin in</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Austin, Texas Partial MSN (Alternate Entry MSN Program)</i></p> <p><i>3.2.2.b. Full Approval with No Recommendations and No Requirements</i></p> <p><i>Diploma Nursing Educational Programs</i></p> <p><i>Covenant School of Nursing in Lubbock, Texas</i></p> <p><i>Associate Degree Nursing Educational Programs</i></p> <p><i>Amarillo College in Amarillo, Texas</i></p> <p><i>Angelo State University in San Angelo, Texas</i></p> <p><i>Del Mar College in Corpus Christi, Texas</i></p> <p><i>El Paso Community College in El Paso, Texas</i></p> <p><i>Galveston College in Galveston, Texas</i></p> <p><i>McLennan Community College in Waco, Texas</i></p> <p><i>Midland College in Midland, Texas</i></p> <p><i>Odessa College in Odessa, Texas</i></p> <p><i>Panola College in Carthage, Texas</i></p> <p><i>San Antonio College in San Antonio, Texas</i></p> <p><i>San Jacinto College Central in Pasadena, Texas</i></p> <p><i>South Texas</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>College in McAllen, Texas Tyler Junior College in Tyler, Texas Baccalaureate Degree Nursing Educational Programs Midwestern State University in Wichita Falls, Texas Tarleton State University in Stephenville, Texas Texas Tech University Health Science Center in Lubbock, Texas University of Texas Health Science Center at San Antonio in San Antonio, Texas University of the Incarnate Word in San Antonio, Texas</p> <p>3.2.2.c. Continuing Initial Approval Associate Degree Nursing Educational Programs Brazosport College in Lake Jackson, Texas Coastal Bend College in Beeville, Texas Dallas Nursing Institute in Dallas, Texas Galen College of Nursing in San Antonio, Texas Southwest Texas</p>		<p>Approved on Consent.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Junior College in Uvalde, Texas</i> <i>Texas State Technical College West Texas in Brownwood, Texas</i> Baccalaureate Degree Nursing Educational Program <i>Texas State University in Round Rock, Texas</i> <i>University of Houston-Victoria in Sugar Land, Texas</i> <i>Western Governors University in Houston, Texas</i></p>		
<p><i>3.2.2.d. Continuing Conditional Approval</i> Associate Degree in Nursing Educational Program <i>St. Philip's College in San Antonio, Texas</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.3. Proposed Change of Program Approval Status Based on 2009 NCLEX-RN® Examination Pass Rate - Baptist Health System in San Antonio, Texas - Associate Degree Nursing Educational Program</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p><i>Approved on Consent.</i></p>
<p>5.1.2. Strategic Planning / 2ND Quarter, Fiscal Year 2010</p>		<p><i>Approved on Consent.</i></p>
<p>6.2. Adoption of Proposed Amendments to 22 Tex. Admin. Code §213.33, Pertaining to Factors Considered for Imposition of Penalties / Sanctions</p>		<p><i>Approved on Consent.</i></p>
<p>6.3. Adoption of Proposed Amendments to 22 Tex. Admin. Code Chapter 222, Pertaining to Advanced Practice Nurses with Prescriptive Authority</p>		<p><i>Approved on Consent.</i></p>
<p>7.1. Texas Peer Assistant Program for Nurses 7.1.1. Quarterly Report</p>		<p><i>Approved on Consent.</i></p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1. Agreed Orders</p>		<p><i>The board voted to ratify the Agreed Orders on Consent with the following results:</i></p>
<p>Rachel T. Aguilar, LVN #199807</p>		<p><i>Warning with Stipulations.</i> Within forty-five days of entry of this order Respondent shall</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Elizabeth Savage Andrade, RN #704307</i></p> <p><i>Kenneth Bridges, RN #629915</i></p>	<p><i>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 ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse 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 submit 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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p>Limited License. <i>While under the terms of this order Respondent shall not provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and that includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care. Should Respondent desire to return to a clinical practice setting, which would require her to provide direct patient care, Respondent shall petition the Board for such approval.</i></p> <p>Reprimand with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in pharmacology update/refresher for advance practice nurses; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital,</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Bonnie L. Clayton, LVN #203637</p>	<p><i>home, or other clinical practice setting 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 as a nurse 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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 must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board and shall provide acceptable proof of such attendance.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse 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 submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>John William Lewis, LVN #191680</i></p> <p><i>Mandy Elizabeth Madrid, LVN #165333</i></p>	<p><i>supervision with employment restrictions for the duration of the stipulation period; Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly written reports regarding Respondent's progress until released from therapy.</i></p> <p>Warning with Stipulations. <i>Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse 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 submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse 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 submit 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; and</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 457 797 485">Debra Lee Magro, RN #625005</p> <p data-bbox="407 1314 915 1373">Lillian Carmen Miller, LVN #84476/RN #253081</p> <p data-bbox="407 1787 881 1814">Diana Lynn Moczygemba, RN #670500</p>	<p data-bbox="945 306 1466 394"><i>Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p data-bbox="945 457 1466 1251">Deborah Bell recused herself prior to the consideration and vote on this board order. Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse 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 submit 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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p data-bbox="945 1314 1466 1728">Limited License. <i>While under the terms of this order Respondent shall not provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and that includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care. Should Respondent desire to return to a clinical practice setting, which would require her to provide direct patient care, Respondent shall petition the Board for such approval.</i></p> <p data-bbox="945 1787 1466 1980">Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order. Suspend Probate. <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of three</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Carl Ian Montes, RN #655981</p>	<p><i>years with the following agreed terms of probation: Within forty five days of the stay Respondent shall pay a monetary fine in the amount of \$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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 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>Enforced Suspension. Respondent’s license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Okechukwu Matthew Nwanko, LVN #189495</p>	<p><i>three years with the following agreed terms of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Valesha Stephens, RN #642147</p>	<p><i>Respondent choose to practice as a nurse 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; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period with the exception of Respondent's current position with Angelina Home Health Services, Lufkin, Texas; Respondent shall cause each employer to submit any incident, counseling, variance, error reports regarding Respondent to 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 participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly written reports regarding Respondent's progress in therapy until released from therapy.</i></p> <p>Warning with Stipulations. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in nursing documentation. Should Respondent choose to practice as a nurse 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; Respondent shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Mandy Pyle, RN #651777</p>	<p><i>nursing jurisprudence and ethics. Should Petitioner choose to practice as a nurse in 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 provide notification of employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances or synthetic opiates for the first year of employment under this order; 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; Petitioner 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>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted and subject to the following conditions: Within forty-five days of relicensure Petitioner shall pay a monetary fine in the amount of \$500; Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Petitioner choose to practice as a nurse in Texas, Petitioner 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: Petitioner shall notify present/future employers of the</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Toni Leigh Tuggle, RN #714102</p>	<p><i>board order; shall provide notification of employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances or synthetic opiates for the first year of employment under this order; 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; Petitioner 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>Board Member Richard Gibbs recused himself prior to the consideration and vote on this board order.</p> <p>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall apply for a six month clinical permit for the limited purpose of completing a refresher course and shall successfully complete a board approved refresher course; Within forty-five days of relicensure Petitioner shall pay a monetary fine in the amount of \$500; Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Petitioner choose to practice as a nurse in 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 provide notification of</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.3 ELIGIBILITY AGREED ORDERS</p>	<p><i>Francisco Barrera, Petitioner for Initial Licensure (LVN)</i></p>	<p><i>employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances or synthetic opiates for the first year of employment under this order; 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; Petitioner 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><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-PN 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-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Adrian Dwayne Perkins, Petitioner for Initial Licensure (RN)</p>	<p><i>two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; 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; Petitioner 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><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-RN 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. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse 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 cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>1. ADMINISTRATION</p> <p>1.1. Executive Director's Report</p> <p>1.1.1. Follow Up Data and Information Requested at the October 2009 Board Meeting</p> <p>1.2. Legal</p> <p>1.2.2. Update on Pending Litigation - Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation in the Matters of: Amy Bagley Krenek and Victor Lara v. Texas Board of</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>Katherine Thomas presented the follow up data and information that was previously requested at the October, 2009 board meeting.</p> <p>Dusty Johnston presented an update on all the currently pending litigation.</p>	<p><i>board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this board order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; 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; Petitioner 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>No action.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Nursing</i>, Cause No. D-1-GN-08-002763, In the 419th Judicial District, Travis County, TX; Amy Bagley Krenek RN, v. Texas Board of Nursing, Cause No. D-1-GN-09-001195, In the 419th Judicial District, Travis County, TX; Amy Bagley Krenek, RN, Robin Higgins, LVN v. Texas Board of Nursing, Cause No. D-1-GN-09-001195; In the 419th Judicial District, Travis County, TX; Greg Abbott, Attorney General of Texas v. Texas Board of Nursing, Cause No. 03-09-001540CV, In the Third Court of Appeals, Austin, TX (Appealed from the 345th District Court of Travis County, TX, Cause No. D-1-GN-07-002685); Texas Board of Nursing v. Greg Abbott, Attorney General of Texas, Cause No. D-1-GN-09-003960, In the 353rd Judicial District, Travis County, TX; Brian Zalesky v. Texas Board of Nursing, Cause No. D-1-GN-09-004403; In the 250th Judicial District, Travis</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>County, TX; and <i>Bonafacio Espinoza v. Texas Board of Nursing,</i> Cause No. 219-05095-2009, In the 219th Judicial District, Collin County, TX</p> <p>2. OPERATIONS 2.4. Discussion of the Executive Director Succession Policy</p> <p>3. NURSING 3.2. EDUCATION 3.2.4. Report of Collaborative Survey Visit with the National League for Nursing Accrediting Commission (NLNAC) to Texas A&M International University Canseco School of Nursing in Laredo, Texas</p> <p>3.2.5. Report on a Partnership Between Covenant School of Nursing and Lubbock Christian University in Lubbock, Texas, Entitling Graduates of Covenant School of Nursing to Receive a Degree</p>	<p>The Board discussed the Executive Director Succession Policy.</p> <p>The Board considered the report of the March 2-4, 2010 collaborative survey visit to the Canseco School of Nursing (CSON) at Texas A&M International University (TAMIU) in Laredo, Texas, and the staff recommendation concerning the commendations and continuing approval status based on the outcome of the survey visit. Regina Aune, PhD, RN, FAAN, Dean was present to answer questions.</p> <p>The Board discussed the report on Partnership Between Covenant School of Nursing and Lubbock Christian University in Lubbock, Texas, Entitling Graduates of Covenant School of Nursing to Receive a Degree. Alicia Anger, Dean and Cindy Ford, PhD, RN were present to answer questions.</p>	<p>No action.</p> <p>The Board voted to accept the report of the collaborative survey visit conducted with program evaluators from the National League for Nursing Accrediting Commission, continue full approval of the FNP program, and issue commendations.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.6. Proposed Change of Program Approval Status Based on Preliminary 2010 NCLEX-RN® Examination Pass Rate and National Nursing Accreditation - Texas A&M Health Science Center in College Station, Texas - Baccalaureate Degree Nursing Educational Program</p>	<p>The Board considered the proposed change of the approval status from Initial to Full for Texas A&M Health Science Center College of Nursing in College Station, Texas, Baccalaureate Nursing Degree (BSN) Educational Program based on the preliminary 2010 NCLEX-RN® examination pass rate for the first graduating class and accreditation by the Commission on Collegiate Nursing Education (CCNE). Sharon Wilkerson, PhD, RN, Director was present to answer questions.</p>	<p>The Board voted to change the program approval status of Texas A&M Health Science Center College of Nursing Baccalaureate Degree Nursing Educational Program from Initial Approval to Full Approval based on review of the NCLEX-RN® examination pass rate for the first cohort of students and accreditation by CCNE.</p>
<p>3.2.7. Public Hearing on Proposal to Establish a New Nursing Educational Program - Concordia University Texas in Austin, Texas - Baccalaureate Degree Nursing Educational Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Concordia University Texas in Austin, Texas - Baccalaureate Degree Nursing Educational Program Joy Hinson Penticuff, PhD, RN, Professor, Director, Nursing Program and Thomas E. Cedel, PhD, President were present to answer questions.</p>	<p>The Board voted to grant initial approval for Concordia University Texas Baccalaureate Degree Nursing Educational Program in Austin, Texas to establish a new professional nursing educational program based upon the proposal and findings from the survey visit and issue commendations.</p>
<p>3.2.8. Proposed Change of Program Approval Status Based on NCLEX-PN® Examination Pass Rate and Review of Survey Visit</p>	<p>The Board considered the proposed change of the approval status from Initial to Full for Career Point College in San Antonio, Texas Vocational Nursing (VN) Educational Program based on the 2009 NCLEX-PN® examination pass rate for the first graduating class and the report of the March 4, 2010 survey visit.</p>	<p>The Board voted to change the program approval status of Career Point College Vocational Nursing Education Program in San Antonio, Texas from Initial Approval to Full Approval based on review of the NCLEX-PN® examination pass rate for the 2009 test period and the report of the March 4, 2010 survey visit, and issue</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Sheila Savell, MSN, RN, Director; Larry Earle, President/Owner; and Kim Murquia, School Director were present to answer questions.</p>	<p>commendations, recommendation, and requirement.</p>
<p>3.2.8.b. Texas State Technical College West Texas in Sweetwater, Texas - Vocational Nursing Educational Program</p>	<p>The Board considered the staff recommendation and petition to change program approval status for Texas State Technical College West Texas Vocational Nursing Educational Program in Sweetwater, Texas, based on review of the NCLEX-PN® examination pass rate and survey visit report. Kathryn Smith, MSN, RN, Director was present to answer questions.</p>	<p>The Board voted to change the approval status of Texas State Technical College West Texas Vocational Nursing Educational Program from full with warning to full and issue the commendations and recommendations.</p>
<p>3.2.9. Petition for Waiver of Director Qualifications</p>		
<p>3.2.9.a. East Texas Baptist University in Marshall, Texas, Baccalaureate Degree Nursing Educational Program</p>	<p>The Board considered the petition from East Texas Baptist University (ETBU) in Marshall, Texas, to extend the waiver of the required interim dean/director qualifications on behalf of Leslie Borcharding, MS, RN and the recommendation from the Education Liaison Committee (ELC).</p>	<p>The Board voted to approve the extension of the waiver for the appointment of Leslie Borcharding, MS, RN as Interim Dean of the East Texas Baptist University Baccalaureate Degree Nursing Educational Program.</p>
<p>3.2.9.b. Southwestern Adventist University in Keene, Texas, Baccalaureate Degree Nursing Educational Program</p>	<p>The Board considered the request from Southwestern Adventist University Baccalaureate Degree Nursing Educational Program for a waiver of dean/director qualifications on behalf of Grace Chu-Hui-Lin Chi, PhD, MS, RN, OCN and the recommendation from the Education Liaison Committee (ELC) regarding the petition. Benjamin McArthur, Vice President for Academics; Grace Chi, PhD, RN, OCN; and Catherine Turner, PhD were present to answer questions.</p>	<p>The Board voted to accept the waiver of dean/director qualifications regarding the appointment of Grace Chu-Hui-Lin Chi, PhD, MS, RN, OCN as Director of the Southwestern Adventist University Baccalaureate Degree Nursing Education Program.</p>
<p>3.2.9.c. San Antonio College in San Antonio, Texas, Associate Degree Nursing Educational</p>	<p>The Board considered the request from San Antonio College Associate Degree Nursing Educational Program for a waiver of interim director qualifications on behalf of Stella Cirlos, MSN, RN and the recommendation from the Education</p>	<p>The Board voted to accept the waiver of interim director qualifications regarding the appointment of Stella Cirlos, MSN, RN as Interim Director of the San Antonio College Associate Degree Nursing Education Program, with the recommendation that a</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Program</p> <p>3.2.10. Proposed Change of Program Approval Status Based on 2009 NCLEX-RN® Examination Pass Rate and Review of 2009 NEPIS and CANEP</p> <p>3.2.10.a. Cisco College in Abilene, Texas - Associate Degree Nursing Educational Program</p> <p>3.2.10.b. West Texas A&M University in Canyon, Texas - Baccalaureate Degree Educational Program</p> <p>3.2.11. Report of Survey Visit</p> <p>3.2.11.a. Valley Grande Institute in Weslaco, Texas - Vocational Nursing Educational Program</p>	<p>Liaison Committee (ELC) regarding the petition. Stella Cirlos, MSN, RN, Interim Program Director and Vernell Walker, MA, Dean of Professional and Technical Programs were present to answer questions.</p> <p>The Board considered the proposed change in the approval status for Cisco College in Abilene, Texas Associate Degree Nursing Educational Program based on review of the NCLEX-RN® examination pass rate for 2009 and review of the 2009 NEPIS and CANEP. Jackie Morgan, MSN, RN, Director was present to answer questions.</p> <p>The Board considered the proposed change in the approval status for the West Texas A & M University in Canyon, Texas Baccalaureate Degree Nursing Educational Program based on review of the NCLEX-RN® examination pass rate for 2009 and review of the 2009 NEPIS and CANEP. Marietta Branscom, DSHc(c), MSN, RNC, Interim Co-Department Head for Nursing; Deborah Davenport, PhD, RN, Interim Co-Department Head for Nursing; and John Lubker, EdD, CC-AASP, Interim Dean were present to answer questions.</p> <p>The Board considered the report of the survey visit to Valley Grande Institute for Academic Studies in Weslaco, Texas, related to NCLEX-PN® examination pass rates and approval status of full with warning. Leo Galvan, RN, Program Director; Mari</p>	<p>formal mentoring plan be established.</p> <p>The Board voted to change the approval status of Cisco College in Abilene, Texas Associate Degree Nursing Educational Program from full to full with warning and authorize staff to conduct a survey visit in Fall 2010.</p> <p>The Board voted to change the approval status of the West Texas A & M University in Canyon, Texas Baccalaureate Degree Nursing Educational Program from full to full with warning and authorize staff to conduct a survey visit in Fall 2010.</p> <p>The Board voted to accept the survey visit report, continue the full approval status with warning, and issue the commendation and recommendations.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.11.b. Computer Career Center in El Paso, Texas - Vocational Nursing Educational Program</p>	<p>Aviles, Vice-President; and JaNene Hoover, LVN, were present to answer questions.</p> <p>The Board considered the report of the focused survey visit on March 25-26, 2010 to Computer Career Center Vocational Nursing Educational Program in El Paso, Texas related to complaints and reports received by Board staff. Constance Howard, RN; Paulette Gallerson, Vice-President of Academics; Antonio Rico, Campus Director; Barbara M. Vasquez, RN, BSN, Clinical Instructor; Terry M. Sanchez, RN; Tim Schiechl, Student were present to answer questions.</p>	<p>Board Member Josefina Lujan recused herself from the discussion and vote on this agenda item.</p> <p>The Board voted to accept the survey visit report, change the approval status of the Computer Career Center in El Paso, Texas Vocational Nursing Educational Program from full approval to conditional, further the Program Director shall provide, in collaboration with Board staff, a review of clinical preparation of currently enrolled students to determine their current status.</p>
<p>3.2.11.c. St. Michael's School of Nursing and Technology in Weslaco, Texas - Vocational Nursing Educational Program</p>	<p>The Board considered the report of the survey visit on March 16-17, 2010 to St. Michael's School of Nursing and Technology Vocational Nursing Educational Program in Weslaco, Texas related to the 2009 NCLEX-PN® Examination Pass Rate and complaints received by Board staff. Hermelinda Bolling, RN, Program Director and Ruby Lee Ruiz, St. Michael's Board Member were present to answer questions.</p>	<p>Board Member Josefina Lujan recused herself from the consideration and vote on this agenda item.</p> <p>The Board voted to accept the survey visit report, change the approval status from initial with warning to conditional and cease enrollment until the graduates demonstrate a pass rate for first time test takers of at least 80% on the 2010 NCLEX-PN® examination and issue the commendation, recommendations, and requirements.</p>
<p>4. ENFORCEMENT</p>		
<p>4.1. Criminal Background Check Update</p>	<p>The board reviewed the statistical report provided regarding criminal background checks.</p>	<p>No action.</p>
<p>4.2. Texas Peer Assistance Program for Nurses Third Party Referral Report</p>	<p>The board reviewed the third party referral report.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
5. COMMITTEE REPORTS 5.1. Board Committees		
5.1.3. Development and Evaluation	Richard Gibbs discussed having training on cultural diversity at the July board meeting and NCLEX 101 at the October, 2010 or January 2011 board meeting.	No action.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	Jolene Zych reported that the committee met on February 17, 2010, where they worked on the rules pertaining to the APRN compact agreement; made recommendations to rules pertaining to DNP education; and nominated Dr. Linda Harrington as the Vice-Chair of the Committee.	No action.
5.2.2. Nursing Practice Advisory Committee	Bonnie Cone reported that two charges before the NPAC and ACE committees are (1) study and develop a rule related to failing to renew a license after a significant passage of time; and (2) study and develop a rule recommendation regarding the demonstration of continuing competency through continuing education in a nurse's area of practice. In June, 2009 after meeting via teleconference, the two committees recommended to strengthen the refresher course requirements. A meeting has been scheduled for NPAC and ACE for May 17, 2010 to discuss recommended changes to the refresher course requirements and the two charges.	No action.
5.2.2.a. Consideration of Appointment of New Committee Member	The Board considered the nomination of Julie Withaeger, RN to serve as the Texas Nurses Association representative to the Nursing Practice Advisory Committee.	The Board voted to accept and approve the nomination of Julie Withaeger to represent Texas Nurses Association on the Nursing Practice Advisory Committee.
5.2.3. Advisory Committee on Education	Virginia Ayars reported that the Advisory Committee on Education last met on January 27, 2010 at a combined meeting with the Differentiated Entry Level	No action.

AGENDA ITEM	DISCUSSION	ACTION
	<p>Competencies (DELIC) Work Group in order to continue revision of the DELICs document. The most notable outcome of the meeting is the change in name of the DELICs to the Differentiated Essential Competencies or DEC. ACE members will meet again with the DELIC Work Group on May 7, 2010 to discuss dissemination of the documents to clinical stakeholders.</p>	
<p>5.2.4. Advisory Committee on Licensure, Eligibility and Discipline</p>	<p>Jena Abel reported that the committee has not met but has a meeting scheduled for July 7, 2010.</p>	<p>No action.</p>
<p>5.3. Collaboration with Outside Agencies / Stakeholders</p>		
<p>5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee</p>	<p>Denise Benbow reported that the Committee met on March 5, 2010. One of the primary purposes of this meeting was strategic planning. There was a beginning discussion of recommending a one hour continuing education requirement for all nurses on chemical dependency; the content would include information regarding what to do when identifying someone who is potentially chemically impaired. Next meeting is June 4, 2010.</p>	<p>No action.</p>
<p>5.3.2. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee</p>	<p>Katherine Thomas reported that the committee met April 14, 2010 and approved the reports regarding the 2009 nursing education program data.</p>	<p>No action.</p>
<p>5.3.7. Center for Nursing Workforce Studies Selection Committee for House Bill 3961</p>	<p>Linda Rounds reported that the Committee met on Monday, January 25, 2010 and gave initial approval for an RFP for a researcher to conduct the required statistics.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>OPEN FORUM:</p>	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>Betty Sims, Rebecca Zielinski, Beverly Skloss, Nancy Maebius and Jackolyn Morgan, members from the Texas Association for Vocational Nurse Educators spoke regarding Agenda Item 5.2.3.b. Request for Charges from the Board Pertaining to the use of the HESI Exam; Rules 214.6(f) and 214.7(c); and Revision of Education Guideline 3.4.1.c. from the January, 2010 board agenda. These individuals discussed Director qualifications and the effect of changing Director qualifications; that changes to Educator qualifications would negatively affect the hospital based schools; and requested a Board Position Statement regarding the Role of LVN's in Acute Care Settings.</p> <p>Larry Earle spoke regarding his concern for the large enrollment of students with few completing the programs, stating he believes that retention rates should be looked at as well as completion rates. Specifically, he is concerned that students are not being allowed to take NCLEX because of worry regarding the NCLEX pass rate of the school if the student does poorly on an exit exam. Mr. Earle believes schools should not allow students to enroll if they don't meet qualifications.</p> <p>No other speakers came forward and the Open Forum was closed at 2:08 p.m.</p>	<p>No action.</p>
<p>7. NEW BUSINESS 7.1. Texas Peer Assistance Program for Nurses (TPAPN) 7.1.2. Texas Peer Assistant Program for Nurses Proposal to Change Length of Program</p>	<p>The Board considered the TPAPN request to change the length of the program. Mike Van Doren was present to answer questions.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>7.1.4. Staff's Response to the Texas Peer Assistance Program Legal Compliance Audit</p>	<p>The Board considered staff responses to the 2009 TPAPN Legal Compliance Audit report.</p>	<p>The Board voted to accept staff responses and directed staff to request that Mr. Vineyard conduct a risk assessment and make recommendations to the Board.</p>
<p>ADJOURNMENT</p>	<p>Having completed this day's business the meeting adjourned at 6:23 p.m.</p>	

TEXAS BOARD OF NURSING

Regular Meeting

Friday, April 23, 2010
8:45 a.m. - 3:43 p.m.
William Hobby Building
333 Guadalupe, Tower II, Room 225
Austin, Texas 78704

Present:

Linda Rounds
Deborah Bell
Kristin K. Benton
Richard Robert Gibbs
Sheri Crosby
Blanca Rosa Garcia, left at 2:30 p.m.
Marilyn Davis, left at 1:00 p.m.
Tamara Cowen
Kathy Leader-Horn
Josefina Lujan
Patti Clapp, left at 2:30 p.m.
Beverley Nutall

Absent:

Mary Jane Salgado

Staff present:

Katherine A. Thomas, Executive Director
Patricia Vianes-Cabrera, Executive Assistant
Anthony Diggs, Director of Enforcement
James "Dusty" Johnston, General Counsel
Jena Abel, Assistant General Counsel
Kyle Hensley, Assistant General Counsel
John Legris, Assistant General Counsel
Lance Brenton, Assistant General Counsel
Nikki Hopkins, Assistant General Counsel
Mary Beth Thomas, Director of Nursing
Allison Hassinger, Administrative Assistant
Jan Hooper, Nursing Consultant
Jolene Zych, Nursing Consultant
Virginia Ayars, Nursing Consultant
Bonnie Cone, Nursing Consultant
Robin Caldwell, Nursing Consultant
Denise Benbow, Nursing Consultant
Melinda Hester, Nursing Consultant
Paul Waller, Nursing Consultant
Bruce Holter, Information Specialist
Tawnya Smith, Information Technology Specialist
Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:45 a.m, Friday, April 23, 2010.	
ROLL CALL	The following member was absent: Mary Jane Salgado. A quorum was established with all other members in attendance.	
1. ADMINISTRATION		
1.2. Legal		
1.2.1. General Counsel Report Regarding Issues Raised at Prior Board Meeting Including Propriety of Executive Sessions for State Office of Administrative Hearings Proposals for Decision; Best Practices for Board Member Recusals from Deliberations; and Authority of the Board to Police Attorney Decorum During Board Meetings	Dusty Johnston presented to the board on protocol for executive session, board member recusals and the authority of the board to police attorney decorum during board meetings. Board members requested that staff bring recommendations for board member recusals from deliberations and notes to the July board meeting.	No action.
1.3. Strategic Plan for Fiscal Years 2011-2015	Katherine Thomas and Mark Majek reviewed the Strategic Plan for fiscal Years 2011-2015 with the Board.	No action.
1.3.1. Consideration of Self Directed Semi-Independent Status	Mark Majek presented a proposal to the board for consideration of self directed semi-independent status.	The Board voted to approve that the Texas Board of Nursing seek the status of self-directed, semi-independent state agency in the 82nd Legislative Session.
2. OPERATIONS		
2.3. Consideration of Proposed Executive Director	The Board considered staff's request for the Proposed Executive Director Compensation beginning September 1, 2011.	The Board voted to recommend that the position of executive director be moved from group 3 to group 4 in the current schedule of exempt positions as listed in

AGENDA ITEM	DISCUSSION	ACTION
<p>Compensation beginning September 1, 2011</p>		<p>the general appropriations act, 81st Legislative Session, Article IX, Section 3.05(b)(2); and, to recommend to the 82nd Legislature that the executive director compensation be set at \$120,000 per year within the appropriate group of the schedule of exempt positions.</p>
<p>3. NURSING</p>		
<p>3.2. EDUCATION</p>		
<p>3.2.12. Discussion of Issues Related to Maintaining Standards in the Changing Environment of Nursing Education</p>	<p>The Board considered the report of Issues Related to Maintaining Standards in the Changing Environment of Nursing Education. The Board did not recommend any changes to the current procedures for ensuring new program proposals meet the requirements for Rule 214 and 215 before coming to the Board for final review and if a program does not meet the requirements, staff will continue to make a recommendation to the board to deny approval of the program.</p>	<p>No action.</p>
<p>3.2.13. Consideration of Request for Expansion from Western Governors University</p>	<p>The Board considered the Request for Expansion from Western Governors University. Veronica Abdur-Rahman, PhD, RN, Texas Director and Jan Jones-Schenk, RN, MNA, NE-BC were present to answer questions.</p>	<p>Board Member Josefina Lujan recused herself from the consideration and vote on this agenda item. The Board voted to authorize the Education Liaison Committee (ELC) with Josefina Lujan recused and Linda Rounds replacing her on the ELC to take action on a pilot project proposal developed by Western Governors University to expand their baccalaureate degree nursing program into the El Paso and Brownsville areas with a detailed two-year plan resulting in an evidence-based curriculum model. The pilot project will be presented at the July 2010 Board meeting.</p>
<p>3.2.14 Report on Communication Activities by Board Staff</p>	<p>Robin Caldwell reported that the BON workshop for Nursing Faculty on February 10, 2010 was held at the Capital. The Informal Information Session regarding the essential elements of the proposal process for individuals interested in starting a nursing program was held January 28, 2011, Hobby Building, Tower II, room 500. There was a Pilot</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5. COMMITTEE REPORTS</p> <p>5.3. Collaboration with Outside Agencies/Stakeholders</p> <p>5.3.3. Texas Higher Education Coordinating Board Updates</p> <p>5.3.4. Taxonomy of Error Root Cause Analysis of Practice Responsibilities</p> <p>5.3.5. Texas Team Report, Robert Wood Johnson Nursing Education Capacity Expansion</p> <p>5.3.6. National Council of State Boards of Nursing</p>	<p>conference call to the Nursing Programs in the Upper Rio Grande and West Texas Regions on February 24, 2010. The purpose of the call was to provide updates from the BON and discuss educational initiatives.</p> <p>Mary Beth Thomas reported on THECB funding initiatives to promote increased graduations from nursing education programs.</p> <p>Mary Beth Thomas reported that NCSBN has reported there are 633 TERCAP cases nationally. The organization will be releasing trend information in the next few months.</p> <p>Katherine Thomas reported that the Texas Team is working on its Strategic Plan and overseeing the Texas Workforce Commission grants. Three grants involve simulation and there will be a workshop upcoming regarding simulation.</p> <p>Katherine Thomas provided a copy of the new journal of NCSBN and new reports on the NCSBN website. There is a forum the week of April 26, 2010 to share standardized approaches for peer assistance programs for substance abuse disorders with other boards. An Information technology summit will be held in May and an Investigator Symposium also in May with Board staff attending.</p>	<p>No action.</p> <p>No action.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>6. OLD BUSINESS 6.1. Nurse Licensure Compact Update</p>	<p>Katherine Thomas reviewed her written report with the Board and announced that Missouri will implement the Compact in June, 2010.</p>	<p>No action.</p>
<p>6.4. Update on Department of Aging and Disability Services (DADS) Proposed Collaboration on Printed Distribution Media</p>	<p>Bonnie Cone reported that in January 2010, the Texas Board of Nursing approved a collaborative development of five informational posters with the Texas Department of Aging and Disability Services. The posters now available for download are: Scope of Practice; Rule 225 – Flow Chart; Rule 224 – Flow Chart; Five Rights of Delegation; and Delegation Don'ts. Two additional posters under development including, Safe Harbor Peer Review Flow Chart and the Six-Step Decision Making Model will be available later this year.</p>	
<p>6.5. Update on the Plan to Address Implications of Commitment to Ongoing Regulatory Excellence (CORE) 2008 Report</p>	<p>Katherine Thomas reported that staff are continuing to work with employers. Mary Beth Thomas and Katherine Thomas met with Texas Organization of Nurse Executives (TONE) and the Texas Hospital Association and will be meeting with chapters of TONE as next steps. The associations are concerned with the timeliness of disciplinary actions. Board member Richard Gibbs reported that CORE has met and they are getting ready to send out new survey's on nurses, education and boards. Mr. Gibbs asked that board members and staff please respond to the surveys upon receipt.</p>	<p>No action.</p>
<p>7. NEW BUSINESS 7.1. Texas Peer Assistance Program for Nurses 7.1.3. Financial Audit - Texas Peer Assistance Program for Nurses</p>	<p>The Board considered the audited financial statement from the Texas Nurses Foundation which includes the Texas Peer Assistance Program for Nurses (TPAPN).</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>7.2. Consideration of Proposed Amendments to 22 Tex. Admin Code §211.6, Pertaining to <i>Committees of the Board</i> and Proposed New §213.34, Pertaining to <i>Deferred Disciplinary Action Pilot Program</i></p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin Code §211.6, Pertaining to <i>Committees of the Board</i> and Proposed New §213.34, Pertaining to <i>Deferred Disciplinary Action Pilot Program</i>.</p>	<p>The Board voted to approve the proposed amendments to 22 Tex. Admin. Code §211.6, pertaining to <i>Committees of the Board</i> and proposed new §213.34, pertaining to <i>Deferred Disciplinary Action Pilot Program</i> and authorize Staff to publish the proposals in the <i>Texas Register</i> for a 30-day comment period, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, adopt the proposed amendments to 22 Tex. Admin. Code §211.6, pertaining to <i>Committees of the Board</i> and proposed new §213.34, pertaining to <i>Deferred Disciplinary Action Pilot Program</i>, as proposed.</p>
<p>7.3. Consideration of Proposed Amendments to 22 Tex. Admin Code §223.1, Pertaining to <i>Fees</i></p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin Code §223.1, Pertaining to <i>Fees</i>.</p>	<p>The Board voted to approve the proposed amendments to 22 Tex. Admin. Code §223.1, Pertaining to <i>Fees</i> and authorize Staff to publish the proposal in the <i>Texas Register</i> for a 30-day comment period, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, adopt the proposed amendments to 22 Tex. Admin. Code §223.1, Pertaining to <i>Fees</i>, as proposed.</p>
<p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §213.30, Pertaining to <i>Declaratory Order of Eligibility for Licensure; §217.2, Pertaining to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions; §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction; and §217.5, Pertaining to Temporary License and Endorsement.</i></p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §213.30, Pertaining to <i>Declaratory Order of Eligibility for Licensure; §217.2, Pertaining to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions; §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction; and §217.5, Pertaining to Temporary License and Endorsement.</i></p>	<p>The Board voted to to approve the proposed amendments to 22 Tex. Admin. Code §213.30, Pertaining to <i>Declaratory Order of Eligibility for Licensure; §217.2, Pertaining to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions; §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction; and §217.5, Pertaining to Temporary License and Endorsement</i> and authorize Staff to publish the proposals in the <i>Texas Register</i> for a 30-day comment period, with authority for</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>the United States, its Territories, or Possessions; §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction; and §217.5, Pertaining to Temporary License and Endorsement</i></p>		<p>General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no requests for a public hearing are received, adopt the proposed amendments to 22 Tex. Admin. Code §213.30, Pertaining to <i>Declaratory Order of Eligibility for Licensure</i>; §217.2, Pertaining to Licensure by <i>Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions</i>; §217.4, Pertaining to <i>Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction</i>; and §217.5, Pertaining to <i>Temporary License and Endorsement</i>, as proposed.</p>
<p>7.5. Consideration of Proposed Amendments to 22 Tex. Admin. Code §221.1, Pertaining to <i>Definitions</i> and §221.3, Pertaining to <i>Education</i></p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §221.1, Pertaining to <i>Definitions</i> and §221.3, Pertaining to <i>Education</i>.</p>	<p>The Board voted to approve the proposed amendments to 22 Tex. Admin. Code §221.1, Pertaining to <i>Definitions</i> and §221.3, Pertaining to <i>Education</i>, and authorize Staff to publish the proposals in the <i>Texas Register</i> for a 30-day comment period, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, adopt the proposed amendments to 22 Tex. Admin. Code §221.1, Pertaining to <i>Definitions</i> and §221.3, Pertaining to <i>Education</i>, as proposed.</p>
<p>7.6. Review of Position Statement 7.6.1. 15.23 The RNs use of Complementary Modalities</p>	<p>The Board reviewed Position Statement 15.23 The RNs use of Complementary Modalities.</p>	<p>The Board voted to to adopt the changes to position statement 15.23, The Use of Complementary Modalities by the LVN or RN, with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board staff.</p>
<p>7.7. Discussion of Staff's Review Process for Minor Criminal History</p>	<p>The Board considered Staff's Review Process for Minor Criminal History and Considered incorporating additional criminal behavior into current policy.</p>	<p>The Board voted to approve the categories of minor criminal history that rarely result in further investigation or Board action and amend Staff's review process for minor</p>

AGENDA ITEM	DISCUSSION	ACTION
and Consideration of Incorporating Additional Criminal Behavior Into Current Policy		criminal history.
7.8. Health Professions Council Annual Report	Katherine Thomas presented the Health Professions Council Annual Report.	No action.
8. PROPOSED BOARD ORDERS		
8.1.1. Consideration of Agreed Order for Christine Morrison, CRNA, RN #644485, Currently Subject to a Temporary Suspension Order Entered by the Eligibility and Disciplinary Committee on February 9, 2010	The Board considered the Agreed Order for Christine Morrison, CRNA, RN #644485, Currently Subject to a Temporary Suspension Order Entered by the Eligibility and Disciplinary Committee on February 9, 2010.	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this agreed order.</p> <p>Board Member Richard Gibbs recused himself prior to the consideration and vote on this agreed order.</p> <p>Board Member Kristin Benton recused herself prior to the consideration and vote on this agreed order.</p> <p>The Board voted to approve the following Agreed Order:</p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced for one year. It is further agreed and ordered that this enforced suspension will be eligible to be Stayed and Probated for at least four years provided Respondent complies with the covenants and conditions set out herein.</p> <p>I. Stipulations and Conditions which must be met during the time Respondent's suspension is enforced:</p> <p>Respondent shall not provide direct patient care and shall not serve in any capacity as an RN or CRNA and must complete the following:</p> <p>Within sixty days of this order being entered Respondent shall undergo a comprehensive chemical dependency evaluation performed by and American Society of Addiction Medicine Board certified Addictionologist approved by the board, Respondent shall comply with the recommendations for therapy or other follow up; During the period of enforced suspension Respondent shall abstain from</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>the consumption of alcohol, Propofol, 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 upon verification of successful completion of stipulations and conditions which must be met during the time Respondent's Suspension is enforced the enforced suspension will be stayed and Respondent will be placed on Probation for a minimum of four years with the following agreed terms of probation:</p> <p>II. Stipulations and Conditions that must be met during the first year of direct patient care after enforced suspension is stayed. Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; Prior to taking any employment as a RN under the terms of this order Respondent shall undergo a comprehensive chemical dependency evaluation performed by an ASAM Board Certified Addictionologist approved by the Board and must be able to demonstrate experience in evaluating chemically dependant Anesthesiologists or CRNAs, Respondent must comply with the recommendations for therapy or other follow up. It is further agreed that should the evaluation recommend return to practice as a RN, Respondent must provide direct patient care and practice in a hospital, nursing home or other clinical setting for one year of employment. Further, the probationary stipulations will continue for at least three more years if Respondent does not practice as a CRNA, surrenders her authority to practice as a CRNA or begins practice as a CRNA but does not complete three years of compliance with this order as a CRNA: for the first year of employment as a nurse under this order Respondent shall not practice as an advanced practice nurse or use the title CRNA or wear any insignia</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>identifying herself as an advanced practice nurse or certified nurse anesthetist or use any designation which, directly or indirectly would lead any person to believe that the Respondent is an advanced practice nurse; 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 as a nurse under this order; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Propofol, 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 at least once per week for the first three month period for the next three month period screens shall be performed at least twice a month, for the next six month period random screens shall be performed at least once a month, after the first year Respondent shall submit drug screens quarterly until she begins employment as a CRNA; 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. After the first year of practice a RN following the stay of suspension Respondent shall continue to comply with stipulations 9 through 19 for a minimum of three years should Respondent surrender her authority to practice as an advance practice nurse or choose not to seek employment as a CRNA.</p> <p>III. Stipulations and Conditions that must be met during the time Respondent seeks to practice as an advance practice nurse or certified registered nurse anesthetist.</p> <p>Prior to taking employment as a CRNA under the terms of this order Respondent</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>shall undergo a comprehensive chemical dependency evaluation performed by an ASAM board certified addictionologist approved by the board and Respondent shall comply with the recommendations for therapy or other follow up. It is further agreed after successful completion of one year of employment as an RN and recommendation from the addictionologist that Respondent may safely practice as a CRNA under the terms and conditions of this order Respondent will provide direct patient care as a CRNA under the following probation conditions for three years of employment. Respondent shall pay a monetary fine in the amount of \$1,600 within ninety days of the re-authorization to practice as a CRNA. 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 by a CRNA or Anesthesiologist for the duration of employment as a CRNA under this order; Respondent's practice as a CRNA will be monitored for three years by an Anesthesiologist or CRNA who as been approved by the Board; While employed as a CRNA under this order Respondent shall not have access to the department's narcotic keys except as is absolutely necessary in the performance of her duties. Respondent shall surrender her narcotic records and supplies on demand for random inspection, Respondent shall surrender access to any personal locker or bag for inspection at any time she is practicing as an CRNA, Respondent shall not keep any type or form of medical supplies or related paraphernalia in her locker or personal bag. While employed as a CRNA under this order Respondent shall have employment restrictions and shall provide anesthesia care only to her assigned patients; Respondent shall not access the narcotics supplies on units to which she is not assigned. Should a need arise to access the narcotics supplies from a non-assigned unit, these supplies must be dispensed by appropriate nursing personnel to Respondent and Respondent</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4. ALJ Proposals for Decision</p> <p>8.4.1. Docket No. 507-10-1302, In the Matter of Permanent Certificate LVN #168402, Issued to MADELINE M. GORDON</p> <p>8.4.1.a. Consideration of the Administrative Law Judge's Proposal for</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-1302, Including Adoption of the Findings of Fact and Conclusions of Law contained in the Administrative Law Judge's Order.</p>	<p>shall return all unused portions to the dispensing nurse. Respondent shall abstain from the consumption of alcohol, Propofol, 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 at least three times a month for the first six months and after the first six months of practice as a CRNA, random drug screens must be submitted at least twice a month for the next six months for a total of at least thirty screens for the first year. After the first year of Practice as a CRNA, Respondent must submit drug screens at least once a month for the next year. Thereafter, Respondent must submit random screens quarterly for the remainder of her probation. Respondent shall attend at least three support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</p> <p>IV. Additional Stipulations or Conditions that apply while Respondent's License in encumbered by this order.</p> <p>This order is applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas; Respondent may not work outside the State of Texas while her license is encumbered.</p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and adopt the ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Decision in Docket No. 507-10-1302</p> <p>8.4.1.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-1302, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications</p> <p>8.4.1.c. Consideration of Recommendation by MADELINE M. GORDON, Docket No. 507-10-1302</p> <p>8.4.1.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the Matter of Permanent Certificate LVN #168402 Issued to MADELINE M. GORDON</p> <p>8.4.1.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #168402 Issued to MADELINE M. GORDON</p> <p>8.4.2. Docket No. 507-10-0211, In the Matter of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-</p>	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this Proposal for Decision.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Permanent Certificate RN #541423, Issued to ROSEANNE BONEWITZ DUNCAN</p> <p>8.4.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-0211</p> <p>8.4.2.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-0211, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications</p> <p>8.4.2.c. Consideration of Recommendation by ROSEANNE BONEWITZ DUNCAN, Docket No. 507-10-0211</p> <p>8.4.2.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the Matter of Permanent Certificate RN #541423 Issued to ROSEANNE BONEWITZ DUNCAN</p> <p>8.4.2.e. Convene in Open Session to</p>	<p>0211, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and adopt the ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>consider recommendations and take action: In the Matter of Permanent Certificate RN #541423 Issued to ROSEANNE BONEWITZ DUNCAN</p> <p>8.4.3. Docket No. 507-10-1300, In the Matter of Permanent Certificate RN #713310, Issued to ANITA MAXINE MITCHELL</p> <p>8.4.3.a. Consideration of the Administrative Law Judge’s Proposal for Decision in Docket No. 507-10-1300</p> <p>8.4.3.b. Consideration of Staff’s Recommendations for Disposition of Docket No. 507-10-1300, Including Adoption of the Proposal for Decision’s Findings of Fact and Conclusions of Law without Modifications</p> <p>8.4.3.c. Consideration of Recommendation by ANITA MAXINE MITCHELL, Docket No. 507-10-1300</p> <p>8.4.3.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or</p>	<p>The Board considered the Administrative Law Judge’s Proposal for Decision and Staff’s Recommendations for Disposition of Docket No. 507-10-1300, Including Adoption of the Proposal for Decision’s Findings of Fact and Conclusions of Law without Modifications.</p>	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this Proposal for Decision.</p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and adopt the ALJ’s recommended sanction that the Respondent’s license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>contemplated litigation; In the Matter of Permanent Certificate RN #713310 Issued to ANITA MAXINE MITCHELL</p> <p>8.4.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #713310 Issued to ANITA MAXINE MITCHELL</p> <p>8.4.4. Docket No. 507-10-0109, In the Matter of Permanent Certificate LVN #169745, Issued to CRYSTAL J. CRITTENDEN</p> <p>8.4.4.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-0109</p> <p>8.4.4.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-0109, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications</p> <p>8.4.4.c. Consideration of Recommendation</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket 507-10-0109, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and adopt the ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>by CRYSTAL J. CRITTENDEN, Docket No. 507-10-0109 8.4.4.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the Matter of Permanent Certificate LVN #169745 Issued to CRYSTAL J. CRITTENDEN 8.4.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #169745 Issued to CRYSTAL J. CRITTENDEN</p>		
<p>9. MISCELLANEOUS</p>		
<p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>The Board discussed items of interest for future board meetings. Richard Gibbs requested that the board members submit any suggestions for board development to him via e-mail.</p>	<p>No action.</p>
<p>9.2. Board Development: State Office of Administrative Hearings</p>	<p>Dusty Johnston, did a power point presentation on the State Office of Administrative Hearings.</p>	<p>No action.</p>
<p>9.3. Review of the Board Quarterly Meeting</p>	<p>The Board members discussed the results of the January board quarterly meeting evaluation.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Evaluation		
<p>9.4. Presentation of Results from the Texas Board of Nursing Employee Engagement Survey: Dr. Noel Landuyt, The University of Texas School of Social Work</p>	<p>Dr. Noel Landuyt presented the results from the Texas Board of Nursing Employee Engagement Survey.</p>	<p>No action.</p>
<p>9.5. Report of the Mid-Year Meeting of the National Council State Boards of Nursing</p>	<p>Katherine Thomas, Linda Rounds and Tamara Cowen attended the NCSBN Mid-Year Meeting and discussed the high lights of the meeting. Linda Rounds discussed attending an educational session for Presidents and Executive Officers on how to present to the media.</p>	<p>No action.</p>
<p>9.6. Appointment of Board Member(s) and Designation of Delegates to Attend National Council Annual Meeting, August 10-13, 2010, Portland, OR</p>	<p>Linda Rounds discussed the appointment of Board Member(s) and Designation of Delegates to Attend National Council Annual Meeting, August 10-13, 2010, Portland, OR.</p>	<p>The Board voted on the following attendees/delegates:</p> <p>Richard Gibbs, Delegate Kristin Benton, Alternate Delegate Deborah Bell Tamara Cowen Mary Beth Thomas, Delegate Katherine Thomas Linda Rounds, Alternate Delegate</p>
<p>9.7. Executive Director and Board Evaluation Process</p>	<p>Linda Rounds informed the board members that the annual evaluations would be sent to the board members for completion within the next few weeks.</p>	<p>No action.</p>
<p>9.8. Appointment of Board Members to BON Committees for 2010</p>	<p>Linda Rounds reviewed the Appointment of Board Members to BON Committees for 2010.</p>	<p>The Board voted to change the Eligibility and Disciplinary Committee for 2010 to the following:</p> <p>January - June Deborah Bell, Chair Richard Gibbs Marilyn Davis</p> <p>July - September Beverley Nutall, Chair Tamara Cowen Mary Jane Salgado</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>ADJOURNMENT:</p>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 3:43 p.m.</p> <hr/> <p>Linda Rounds, PhD, RN, FNP, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	<p>October-December Beverley Nutall, Chair Tamara Cowen Sheri Crosby</p> <p>August Kathy Leader-Horn to Observe</p>