

---

**TEXAS BOARD OF NURSING**

## Board Training

Wednesday, July 20, 2011  
1:00 p.m. - 3:30 p.m.  
Hilton Garden Inn Hotel  
500 North I.H. 35  
Austin, Texas 78701

Present:

Kristin K. Benton  
Richard Robert Gibbs  
Deborah Bell  
Tamara Cowen (arrived @ 1:45 p.m.)  
Marilyn Davis  
Kathy Leader-Horn  
Mary LeBeck  
Beverley Nutall  
Verna Kathleen Shipp  
Patti Clapp

Absent:

Sheri Crosby  
Mary Jane Salgado  
Josefina Lujan

Staff Present:

Katherine A. Thomas, Executive Director  
Patricia Vianes-Cabrera, Executive Assistant  
James W. Johnston, General Counsel  
Jena Abel, Assistant General Counsel  
Skylar Caddell, Investigator  
Mary Beth Thomas, Director of Nursing  
Paul Waller, Nursing Consultant  
Denise Benbow, Nursing Consultant  
Melinda Hester, Nursing Consultant  
Bonnie Cone, Nursing Consultant

Others in Attendance:

Marc Meyer, Attorney  
Ashley Grimes, Legal Assistant

---

AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 1:00 p.m, Wednesday, July 20, 2011.	
<b>ROLL CALL</b>	<p>Board Members Mary Jane Salgado, Josefina Lujan and Sheri Crosby were absent.</p> <p>James Johnston, Anthony Diggs, Skylar Caddell and Jena Abel provided a power point presentation on the anatomy of a disciplinary investigation and contested case proceeding and how a disciplinary action makes its way from the opening of a complaint to the State Office of Administrative Hearings and finally to the Board for adoption or modification.</p> <p>Information was presented and discussion was held pertaining to the investigator and hearing process on complaints.</p>	No action.
<b>ADJOURNMENT:</b>	<p>Having completed all business, the meeting adjourned at 3:30 p.m.</p> <p>-----            Kristin Benton, MSN, RN            Board President</p> <p>-----            Katherine A. Thomas, MN, RN,            Executive Director</p>	

---

**TEXAS BOARD OF NURSING**

## Regular Meeting

Thursday, July 21, 2011

8:30 a.m. - 4:55 p.m.

William Hobby Building

333 Guadalupe, Tower II, Room 225

Austin, Texas 78704

Present:

Kristin K. Benton

Richard R. Gibbs

Deborah Bell

Patti Clapp

Tamara Cowen

Sheri Crosby

Marilyn Davis

Kathy Leader-Horn

Mary LeBeck

Beverley Nutall

Verna Kathleen Shipp

Absent:

Josefina Lujan

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

Lance Brenton, Assistant General Counsel

Allison Hassinger, Administrative Assistant

Mary Beth Thomas, Director of Nursing

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

Virginia Ayars, Nursing Consultant

Bruce Holter, Information Specialist

Tawnya Smith, Information Technology Specialist

Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 8:30 a.m, Thursday, July 21, 2011.	
<b>ROLL CALL</b>	A quorum was established with eleven members in attendance, Board Members Mary Jane Salgado and Josefina Lujan were absent.	
<b>INTRODUCTIONS</b>	Board members and staff introduced themselves to the audience.	
<b>ACCEPTANCE OF AGENDA</b>	The Board reviewed the agenda.	<p>The following items were removed from the agenda:</p> <p>8.1., Agreed Orders            Therese A. Aracher (Forgrave), RN #516704/LVN #103337            Juan Jose Calvo, RN #675811            Roberto Gamez, LVN #211499            Omar Emilio Sandoval, RN #708307</p> <p>8.5 Proposals for Decision            8.5.11. Docket No. 507-11-2062, In the Matter of Permanent Certificate LVN #175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to Sandy Kay Thomas</p> <p>The Agenda was approved.</p>
<b>ACCEPTANCE OF MINUTES</b>	The Board reviewed the minutes from the April 27, 2011 Board Development; April 28-29, 2011 Board Meeting; and June 29, 2011 Public Hearing.	The Board approved the minutes from the April 27, 2011 Board Development; April 28-29, 2011 Board Meeting; and June 29, 2011 Public Hearing.
<b>CONSENT AGENDA ITEMS</b>		<p>The Consent agenda was reviewed and approved with the following amendments:</p> <p>Agenda Item 2.1. Financial Statement - 3<sup>RD</sup> Quarter, Fiscal Year 2011 was pulled from the Consent Agenda.</p> <p>Agenda Item 3.2.5. Notification of Closure of Nursing Education Program - Central Texas College in Brady, Texas - Vocational Nursing Education Program was pulled from the Consent Agenda.</p> <p>Agenda Item 8.1. Agreed Orders            Deborah Bell recused herself from the consideration and vote on Agreed Orders of:</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>Harriet Mae Hartley, RN #572506 Richard Charles Martinez, RN #709123 Adam Lael Ramirez, RN #660326</p> <p>Agenda Item 8.2. Deferred Agreed Orders were pulled from the Consent Agenda.</p> <p>Agenda Item 8.4. Eligibility Agreed Order Deborah Bell recused herself from the consideration and vote on the Eligibility Agreed Order of: Ruben Ramirez</p> <p><i>Approved on Consent.</i></p> <p><i>No action. Informational report only.</i></p>
<p><i>2.2. Continuing Education Pre-Renewal Audit Report/ - 3<sup>RD</sup> Quarter, Fiscal Year 2011</i></p>		
<p><i>3.1.1. Promoting Competency Report</i></p>		
<p><i>3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs</i></p>		
<p><i>3.2.2. Status Report on Programs with Sanctions</i></p>		
<p><i>3.2.3. Report on Communication Activities with Nursing Education Programs</i></p>		
<p><i>3.2.4. St. Philip's College in San Antonio, Texas - Associate Degree Nursing Education Program - Teach Out Report</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.6. Consideration for Change of Approval Status from Initial to Full Approval - Fortis College (formerly MedVance Institute in Houston, Texas) - Vocational Nursing Education Program</p>		<p>Approved on Consent to change the approval status of the Fortis College Vocational Nursing Education Program in Houston, Texas, from Initial to Full, accept the report of the June 24, 2011 survey visit, and issue the following requirement: Faculty and nursing administration shall review and update the curriculum and clinical evaluation instruments to reflect inclusion of the Differentiated Essential Competencies (DECs) in the program of study.</p>
<p>3.2.7. Consideration of Petition for Waiver of Director Qualifications - San Jacinto College South in Houston, Texas - Associate Degree Nursing Program</p>		<p>Approved on Consent to approve the petition for waiver regarding the appointment of Karen E. Alexander, PhD, RN as Interim Director of the San Jacinto College South LVN Paramedic to ADN Mobility Nursing Education Program.</p>
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p>Approved on Consent.</p>
<p>5.1.2. Strategic Planning - 3<sup>RD</sup> Quarter, Fiscal Year 2011</p>		<p>Approved on Consent.</p>
<p>6.1. Nurse Licensure Compact Update</p>		<p>Approved on Consent.</p>
<p>6.2. Adoption of Amendments to 22 Tex. Admin. Code §221.6, Pertaining to Interim Approval</p>		<p>Approved on Consent.</p>
<p>6.3. Adoption of Amendments to 22 Tex. Admin. Code §217.5, Pertaining to Temporary License and Endorsement</p>		<p>Approved on Consent.</p>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b>April Nicole Carrington, LVN #212543</b></p> <p><b>Janice Gail Corkill, RN #628251</b></p> <p><b>Teresa Gayle Cottam, LVN #154178</b></p>	<p><i>therapy with a board approved therapist and shall cause quarterly written reports regarding Respondent's progress in therapy to be submitted to the board until Respondent is released from therapy.</i></p> <p><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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 stipulation period.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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 stipulation period.</i></p> <p><b>Enforced Suspension.</b> <i>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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Doris Ann Davis, RN #655758 / LVN #161306</b></p>	<p><i>verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. 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 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><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; 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</i></p>











AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Michael T. Hecker, RN #619074 / LVN #147747</b></p>	<p><i>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 provide notification of employment; shall provide employer reports; Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports regarding Respondent's progress in therapy to be submitted to the board until Respondent is released from therapy.</i></p> <p><b>Enforced Suspension.</b> 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 three 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. 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 in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Alissa Marie Hill, RN #572216</b></p> <p><b>Cynthia Kaye Jordan, RN #237984</b></p> <p><b>Rhonda Kay Jagow (Schulze), RN #628919 / LVN #134235</b></p>	<p><i>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><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; 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 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.</i></p> <p><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. The Order of the Board issued to Respondent on November 9, 2007 is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order within six months from the date of this order.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in medication administration; a board approved course in advanced practice</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Regina C. Lorenz, RN #641622</b></p>	<p><i>Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics and a board approved course in sharpening critical thinking skills. 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 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; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Richard Charles Martinez, RN #709123</b></p>	<p><i>provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Board Member Deborah Bell recused herself from the consideration and vote on this agreed order.</b></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of 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; 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 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>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b><i>Evelyn Kay Mitchell, RN #534651</i></b></p> <p><b><i>Quincy Bernard Moore, LVN #209568</i></b></p> <p><b><i>Sharla Rae Moser, RN #584692</i></b></p> <p><b><i>Michelle Angolia Parker, LVN #201328</i></b></p>	<p><b><i>Suspend Probate.</i></b> Respondent's license is hereby suspended with said suspension STAYED and probated with the following agreed terms of probation: Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. 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 two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p> <p><b><i>Warning with Stipulations.</i></b> 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 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> <p><b><i>Limited License.</i></b> 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.</p> <p><b><i>Warning with Stipulations.</i></b> Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500;</p>







AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Angela Sachetta, LVN #107346</b></p> <p><b>Anne Fisher Sanchez, RN #631160</b></p> <p><b>Chontell Rene Santos, LVN #221507</b></p>	<p><i>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.</i></p> <p><b>Reprimand with Stipulations.</b> <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. 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 two years 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 indirect supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Reprimand with Stipulations.</b> <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; and a board approved course in sharpening critical thinking skills.</i></p> <p><b>Enforced Suspension.</b> <i>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 three 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>William Patrick Simmons, LVN #171808</b></p>	<p><i>\$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. 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 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><b>Enforced Suspension.</b> 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 three 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 \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Richard Sosa, RN #667426 / LVN #175500</b></p>	<p><i>critical thinking skills. 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 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><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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 provide notification of employment; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Debbe Purcell Trevino, LVN #133934</b></p> <p><b>Shirley Rose Taylor, RN #634934</b></p> <p><b>Megan Lashell Thomas, LVN #217345</b></p>	<p><b>Limited License.</b> 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.</p> <p><b>Warning.</b> 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 medication administration; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. It is further agreed that upon full compliance with the terms of this order, all encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas and said license(s) shall be placed in Inactive status.</p> <p><b>Reprimand with Stipulations.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; a board approved course in physical assessment; 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 two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</p>



AGENDA ITEM	DISCUSSION	ACTION
<p>8.3.  <b>REINSTATEMENT            AGREED ORDER</b></p>	<p><b>Richard Hobson Simmon, RN #589944</b></p>	<p><i>year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent 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><b>Reinstated with Stipulations.</b> <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within forty five days of relicensure Petitioner shall pay a monitoring fee in the amount of \$500. Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Petitioner is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse 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 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</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Shannon Michelle Gilbert, Petitioner for Eligibility for Licensure (RN)</b></p>	<p><i>\$250. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. 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; Petitioner shall cause each employer to immediately submit any and all incident, counseling, variance, etc. error reports involving Petitioner to the attention of the Monitoring department at the Board office; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse or graduate vocational nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN and/or 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</i></p>





AGENDA ITEM	DISCUSSION	ACTION
<p><b>1.</b> <b>ADMINISTRATION</b></p> <p>1.1. Executive Director's Report</p> <p>1.1.1. Report on Self Directed Semi-Independent Status</p> <p>1.2. Legal</p> <p>1.2.1. Update of Pending Litigation: Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation in the Matters of: <b>Amy Bagley Krenek and Victor Lara vs. Texas Board of Nursing</b>, Cause No. D-1-GN-08-002763; In the 419<sup>th</sup> Judicial District, Travis</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>Mark Majek reported on the lessons learned in the 82<sup>ND</sup> Legislative Session and concluded that strategic changes would be necessary to explore this status in the future.</p> <p>Dusty Johnston presented an update on all currently pending litigation.</p>	<p><i>nurse in the State of Texas. Petitioner, upon attaining a passing grade on the NCLEX-PN and/or 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 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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>No action.</p> <p>The Board decided to continue seeking self directed semi-independent status for the next legislative session.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>County, TX;  <b>Amy Bagley</b>  <b>Krenek RN, vs.</b>  <b>Texas Board of Nursing</b>, Cause No. D-1-GN-09-001195; In the 419<sup>th</sup> Judicial District, Travis County, TX;  <b>Texas Board of Nursing vs. Greg Abbott, Attorney General of Texas</b>, Cause No. D-1-GN-09-003960; In the 353<sup>rd</sup> Judicial District, Travis County, TX;  <b>Brian Zalesky vs. Texas Board of Nursing</b>, Cause No. D-1-GN-09-004403; In the 250<sup>th</sup> Judicial District, Travis County, TX;  <b>Ex Parte Brian Zalesky</b>, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas;  <b>Bonafacio Espinoza vs. Texas Board of Nursing</b>, Cause No. 219-05095-2009; In the 219<sup>th</sup> Judicial District, Collin County, TX;  <b>Bernardino Pedraza, Jr. vs. Texas State Board of Nursing</b>, Cause No. C-2541-10-B; In the 93<sup>rd</sup> Judicial District, Hidalgo County, TX;  <b>Emmanuel Uko Akpan vs. Texas State Board of Nursing</b>,  <b>Katherine A. Thomas, Judge Sarah G. Ramos,</b></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><b>Lance R. Brenton, James S. Smelser, Jena Abel and Individual Board Members;</b> United States District Court - Western District, Austin Division; Case No. A10-CA-669LY; <b>Amy Deann Stoy vs. Texas Board of Nursing,</b> Cause No. D-1-GN-10-004442, In the 261st Judicial District, Travis County; and <b>Sandra Hernandez Meza, RN vs. Texas Board of Nursing and Katherine A. Thomas, RN, Executive Director,</b> Cause No. D-1-GN-08-00375, In the 201st District, Travis County</p>		
1.3. Legislative Update	Katherine Thomas provided an update on bills that affect nursing and the regulation of nursing education and practice.	No action.
<b>2. OPERATIONS</b>		
2.1. Financial Statement - 3 <sup>RD</sup> Quarter, Fiscal Year 2011	The Board discussed the Financial Statement - 3 <sup>RD</sup> Quarter Fiscal Year 2011.	Approved.
<b>3. NURSING</b>		
<b>3.2. Education</b>		
3.2.5. Notification of Closure of Nursing Education Program - Central Texas College in Brady, Texas -	The Board considered the notification of closure of Nursing Education Program - Central Texas College in Brady, Texas - Vocational Nursing Education Program. Board Member Tamara Cowen requested a thank you letter be sent to the program	The Board approved sending the program director a thank you letter.

AGENDA ITEM	DISCUSSION	ACTION
<p>Vocational Nursing Education Program</p> <p>3.2.8. Public Hearings on Proposals to Establish New Nursing Educational Programs</p> <p>3.2.8.a. University of St. Thomas in Houston, Texas - Baccalaureate Degree Nursing Education Program</p> <p>3.2.8.b. Angelo State University in San Angelo, Texas - Generic Baccalaureate Degree Nursing Education Program</p> <p>3.2.8.c. Everest College in Fort Worth, Texas - Associate Degree Nursing Education Program</p>	<p>director.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - University of St. Thomas in Houston, Texas - Baccalaureate Degree Nursing Education Program. The Board considered University of St. Thomas' proposal to establish a new baccalaureate degree nursing education program in Houston, Texas, and the report of the survey visit. Poldi Tschirch, PhD, RN, BC, Director for Nursing Program Development and Robert R. Ivany, PhD, President were present to answer questions.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program Angelo State University in San Angelo, Texas - Generic Baccalaureate Degree Nursing Education Program. The Board considered Angelo State University's proposal to establish a new Generic Baccalaureate Degree Nursing Education Program in San Angelo, Texas, and the report of the survey visit. Susan Wilkinson, PhD, RN, CNS, Department Head and Associate Professor and Martha Sleutel, PhD, RN, Program Coordinator for Generic BSN Program were present to answer questions.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Everest College in Fort Worth, Texas - Associate Degree Nursing Education Program. The Board considered Everest College - Associate Degree Nursing Education Program's proposal to establish a new associate degree nursing education program in Fort Worth, Texas, and the report of the survey visit.</p>	<p>The Board voted to grant initial approval to the University of St. Thomas School of Nursing to establish a new Baccalaureate Degree Nursing Education Program in Houston, Texas, with an initial cohort of 40 students to begin in Summer 2012 with a yearly admission of 40 students in each cohort based upon the proposal and survey visit.</p> <p>The Board voted to grant initial approval to Angelo State University Generic Baccalaureate Degree Nursing Education Program in San Angelo, Texas, with a Fall 2011 and Spring 2012 enrollment of 20 students, moving to a Fall 2012 and Spring 2013 enrollment of 30 students, based upon the proposal and survey visit.</p> <p><b>Board Member Mary LeBeck abstained from the vote on this agenda item.</b>  <b>Board Member Sheri Crosby voted to oppose the approval of this agenda item.</b>  The Board voted to grant initial approval to Everest College Associate Degree Nursing Program in Fort Worth, Texas with an initial cohort of 40 students beginning in Fall 2011, with the next admission in 2012 with 40 students admitted in the spring and 40 students admitted in the fall, based upon the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.8.d. Mountain View College in Dallas, Texas - Associate Degree Nursing Education Program</p>	<p>Kathy Smith, RN, MSN, ACNP, Proposed Director; Lori Ferguson, RN, MSN, CNE, Director of Nursing Program Development; and Lisa Ruszczyk, BSN, Everst Campus President were present to answer questions.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Mountain View College in Dallas, Texas - Associate Degree Nursing Education Program. The Board considered the Mountain View College proposal to establish a new Associate Degree Nursing Education Program Dallas, Texas, and the report of the survey visit.</p> <p>Cheryl Kisunzu, PhD, MSN, RN, Executive Dean/Director of Nursing; Nancy Breed, MEd, BSN, RN, Coordinator of Nursing; Dr. Felix Zamaroa, President; and Dr. Wright Lassiter, Chancellor of DCCD were present to answer questions.</p>	<p>proposal and survey visit.</p> <p><b>Board Member Patti Clapp recused herself from the consideration and vote on this agenda item.</b></p> <p>The board voted to grant initial approval to Mountain View College Associate Degree Nursing Education Program in Dallas, Texas, with an annual fall admission of 40 students beginning in Fall 2011, based upon the proposal and survey visit.</p>
<p>3.2.9. Consideration of Proposed Changes in Processes for Managing New Nursing Program Proposals</p>	<p>Jan Hooper reviewed the proposed changes in processes for managing new nursing program proposals. The Board discussed the proposed changes. The Board requested that staff bring this item back to the board at the October board meeting with options for the fee's associated with initial new program approval.</p>	<p>No action.</p>
<p><b>4. ENFORCEMENT</b> 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><b>5. COMMITTEE REPORTS</b> <b>5.1. Board Committees</b> 5.1.3. Development and Evaluation</p>	<p>Richard Gibbs discussed having Mark Majek do training on the budget at the October board retreat and there will not be a Board Development Session at the October board meeting.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>5.2. Advisory Committees/Task Forces</b></p> <p>5.2.1. Advanced Practice Nurses Advisory Committee</p> <p>5.2.1.a. Consideration of Appointment of a New Committee Member and Re-Appointment of an Existing Committee Member</p> <p>5.2.2. Nursing Practice Advisory Committee</p> <p>5.2.2.a. Consideration of Appointment of New Committee Members</p> <p>5.2.3. Advisory Committee on Education</p> <p>5.2.4. Advisory Committee on Licensure, Eligibility and Discipline</p>	<p>No report.</p> <p>The Board considered the nomination of Kathy Baker to serve as the Clinical Nurse Specialist education representative to the Advanced Practice Nursing Advisory Committee and the request from the Texas Clinical Nurse Specialist organization to reappoint Kathy Baldwin to serve as the Texas Clinical Nurse Specialist's representative to the Advanced Practice Nursing Advisory Committee.</p> <p>Bonnie Cone reported that the Nursing Practice Advisory Committee (NPAC) met on June 8, 2011. Laura Miller, MSN, RN, was elected as Chairperson for NPAC and served as the facilitator for the meeting. Committee members drafted Position Statement 15.27 LVN Scope of Practice and Position Statement 15.28 RN Scope of Practice. These position statements will benefit nurses and employers. Board member Kathy Leader-Horn requested that the committee solicit committee members for LVN representation on the committee who are currently practicing.</p> <p>The Board considered the nomination of three nurses for the Nursing Practice Advisory Committee: Kathryn Griffin, RN; Vickie Ragsdale, RN; and Diane Moy, RN.</p> <p>No report.</p> <p>No report.</p>	<p>No action.</p> <p>The Board voted to accept and approve the nomination of Dr. Kathy Baker to represent clinical nurse specialist education and approve the nomination of Dr. Kathy Baldwin to represent the Texas Clinical Nurse Specialist organization on the Advanced Practice Nursing Advisory Committee.</p> <p>No action.</p> <p>The Board voted to approve the nomination of Kathryn Griffin, Vickie Ragsdale, and Diane Moy.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
5.2.5. Advisory Committee on Deferred Disciplinary Action Pilot Program	Jena Abel reported the committee had its first meeting on June 29th, 2011. The purpose of the meeting was to introduce the members of the committee to one another and to review the laws and rules relating to the deferred pilot program. The Committee also discussed options for evaluating the pilot program. Several of the Committee members were interested in learning how employers felt about deferred orders and suggested administering a survey to employers and nurses in the program. The Committee also wanted Staff to report back to the Committee on the number and ages of the cases in the pilot. The Committee will likely meet one more time before the end of the year. Discussions will include developing a tool to measure outcomes of the pilot.	No action.
<b>5.3. Collaboration with Outside Agencies / Stakeholders</b>		
5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee	Katherine Thomas reported that the committee has not met since the last board meeting but that it will continue to exist.	No action.
5.3.2. Texas Higher Education Coordinating Board Updates	No report.	No action.
5.3.3. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)	Mary Beth Thomas reported that the national TERCAP project has developed its first report. Ms. Thomas will share this information with the board as soon as it is available. SB 193 passed which permits the board to develop a standardized error classification system for nursing peer review. TERCAP provides a template for this classification system. The board will be kept apprised of further developments to implement this model.	No action.
5.3.4. Texas Team Report, Robert Wood	Mary Beth Thomas reported the Texas Team continues to meet. There is now a practice team to help support the IOM's	No action.

AGENDA ITEM	DISCUSSION	ACTION
Johnson Nursing Education Capacity Expansion	Regional Action Coalition goals and objectives.	
5.3.5. National Council of State Boards of Nursing	Katherine Thomas discussed board member and staff serving on NCSBN committees.	No action.
5.3.5.a. Report on Annual NCSBN Delegate Assembly, August 2-5, 2011, Indianapolis, Indiana	Katherine Thomas discussed the upcoming Annual NCSBN Delegate Assembly. Board member Tami Cowen and staff, Mary Beth Thomas are the designated delegates. Ms. Thomas presented the board members with the summary of recommendations for the assembly.	The Board voted to direct the delegates to vote on these issues after hearing and considering the discussion on the issues.
5.3.5.b. Report on NCSBN Nurse Licensure Compact and Consumer Conference - Challenges for a New Decade: Examining the Nurse Licensure Compact and Exploring Public Protection, June 8-9, 2011, Chicago, IL	Deborah Bell reported that this conference was extremely informative and indicated that the Texas Board of Nursing website was recognized.	No action.
<b>OPEN FORUM:</b>	<p>Kristin Benton announced the format and invited participation from the audience.</p> <p>Beverly Skloss, RN, MSN, TAVNE; Valley Baptist Medical Center and Betty Sims, MN, RN, TAVNE spoke regarding their concern about the wording in the Scope of Practice Position Statement, specifically regarding the word "predictable" which may not be appropriate in today's healthcare/nursing environment. In addition the interpretation of the position statement should be the same as the LVN standards of practice. In the two steps of planning it is the perception that LVN's have no duty to evaluate contradicting what is in board rule 217.11 therefore the wording should be modified to say "all nurses are accountable". Ms. Skloss and Ms. Sims are asking the board to evaluate the purpose and potential effect of the</p>	No action.

AGENDA ITEM	DISCUSSION	ACTION
	<p>position statement before it is approved</p> <p>Betty Adams, PhD, RN, President TOBGNE, spoke on the establishment of many new professional nursing education programs and the need for all new associate degree nursing programs in Texas to have a plan for articulation.</p> <p>Deborah Yancy, MSN, RN and Sally Durand, MSN, RN, Representatives of TOADN spoke in support of new ADN nursing education programs having an articulation plan in order to meet the IOM recommendation to increase BSN prepared nurses. They also suggested that in the approval process for new nursing programs, proposals must include the needs for a new program in the community, the number of potential qualified faculty; clinical placement availability; and employment opportunities for graduates.</p> <p>No other speakers came forward and the Open Forum was closed at 1:58 p.m.</p>	
<p><b>6. OLD BUSINESS</b></p> <p>6.4. Proposed Adoption of New 22 Tex. Admin. Code §217.21, Pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i> and Amendments to 22 Tex. Admin. Code §223.1, Pertaining to <i>Fees</i>, Written Comments Received, if any, Oral Comments Received at Public Hearing, if any, and Board Responses to Comments</p>	<p>The Board considered adoption of proposed new 22 Tex. Admin. Code §217.21, pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i> and proposed amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</i>.</p>	<p>The Board voted to adopt the amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</i>, as proposed and published in the <i>Texas Register</i> on May 27, 2011, without changes. Further, move to adopt new §217.21, pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i>, with changes. Move to adopt and publish the summary of comments and response to comments and the revised rule text.</p>
<p>6.5. Review of the Memorandum of Understanding: A Cooperative Agreement</p>	<p>The Board reviewed the final Memorandum of Understanding: A Cooperative Agreement Between the Texas Board of Nursing and Texas Department of Aging and Disability Services.</p>	<p>No action, informational report only.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Between the Texas Board of Nursing and Texas Department of Aging and Disability Services</p>		
<p><b>7. NEW BUSINESS</b></p>		
<p>7.1. Texas Peer Assistance Program for Nurses (TPAPN)</p>		
<p>7.1.2. Texas Peer Assistance Program for Nurses Advisory Committee</p>	<p>Denise Benbow reported the Texas Peer Assistance Program for Nurses (TPAPN) Advisory Committee met on June 3, 2011. Information was shared with the Advisory Committee about the 3<sup>rd</sup> party drug testing program, financial status, strategic plan and the TPAPN Administrative Policies. Information was shared regarding the National Council of Boards of Nursing Alternative Program Guidelines in comparison to the TPAPN program. A new chair and vice-chair were elected. Next meeting will be September 2, 2011.</p>	<p>No action.</p>
<p>7.1.3. Texas Peer Assistance Program for Nurses Third Party Referral Report</p>	<p>Tony Diggs reviewed his written report with the board.</p>	<p>No action.</p>
<p>7.1.4. Texas Peer Assistant Program for Nurses SUDS Guidelines</p>	<p>The Board reviewed updates to the comparison of the Texas Peer Assistant Program for Nurses policies and guidelines with the NCSBN SUDS Guidelines. LeAnn Malone was present to answer questions.</p>	<p>No action.</p>
<p>7.1.5. Review of the Texas Peer Assistance Program for Nurses Contract Automatic Extension</p>	<p>The Board reviewed the Texas Peer Assistance Program for Nurses Contract and automatic extension.</p>	<p>No action.</p>
<p>7.2. Consideration of Proposed Amendments to 22 Tex. Admin. Code</p>	<p>The Board considered proposed amendments to 22 Tex. Admin. Code §223.1, Pertaining to <i>Fees</i>.</p>	<p>The Board voted to approve proposed amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</i>, to raise the RN Renewal fee from \$65 to \$73, with authority for</p>

AGENDA ITEM	DISCUSSION	ACTION
§223.1, Pertaining to Fees		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, move to adopt proposed amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</i> , as proposed.
7.4. Consideration of Permitting Staff to Conduct Bi-Annual NCLEX Test Item Review	The Board considered Permitting Staff to Conduct Bi-Annual NCLEX Test Item Review.	The Board voted to approve permitting Staff to conduct the bi-annual NCLEX test item review, with new board members to be invited to participate.
7.6. Consideration of Establishing Delegation Rules Task Force	The Board considered the request to charge Board Staff with the development of a Delegation Rules Task Force to review Chapter 224 Delegation of Nursing Tasks by Registered Professional Nurses to Unlicensed Personnel for Clients with Acute Conditions or in Acute Care Environments and Chapter 225 RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions.	The Board voted to charge Board staff with the creation of the Delegation Task Force to review and recommend revisions to each of the delegation rules.
7.6. Consideration of Proposed Amendments to the Board's Criminal History Review Policy	The Board considered proposed amendments to the Board's Criminal History Review Policy.	The Board voted to approve the amendments to the Board's Criminal History Review Policy.
<b>8. PROPOSED BOARD ORDERS</b>  <b>8.2. Deferred Agreed Orders</b>	<b>Tamra Lynn Beuvink, LVN #193824</b>	The board voted to ratify the following Deferred Agreed Orders:  <b>Warning with Stipulations, Deferred.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in sharpening critical thinking skills; and a board approved course in basic cardiopulmonary life support for healthcare providers. Should Respondent choose to practice as a nurse in





AGENDA ITEM	DISCUSSION	ACTION
<p><b>8.5. ALJ Proposals for Decision</b></p> <p>8.5.6. Docket No. 507-10-5181, In the Matter of Permanent Certificate RN#516413, Issued to <b>SHERRI D. HIGHTOWER</b></p> <p>8.5.6.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5181</p> <p>8.5.6.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5181, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.6.c. Consideration of Recommendation by <b>SHERRI D. HIGHTOWER</b>, Docket No. 507-10-5181</p> <p>8.5.6.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#516413, Issued</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No.507-10-5181, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p> <p>The Board voted to modify the PFD so that it reflects the Respondent's correct nursing license number, re-iterate the standard in <i>Lunsford</i>, adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and take no action against the Respondent's nursing license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>to <b>SHERRI D. HIGHTOWER</b>  8.5.6.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#516413, Issued to <b>SHERRI D. HIGHTOWER</b></p> <p>8.5.9. Docket No. 507-11-3251, In the Matter of Permanent Certificate LVN#90378, Issued to <b>PATRICIA RIDER</b></p> <p>8.5.9.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3251</p> <p>8.5.9.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-3251, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.9.c. Consideration of Recommendation by <b>PATRICIA RIDER</b>, Docket No. 507-11-3251</p> <p>8.5.9.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-11-3251, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to aopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 11, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter of Permanent Certificate LVN#90378, Issued to <b>PATRICIA RIDER</b></p> <p>8.5.9.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#90378, Issued to <b>PATRICIA RIDER</b></p> <p>8.5.11. Docket No. 507-11-2062, In the Matter of Permanent Certificate LVN#175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to <b>SANDY KAY THOMAS</b></p> <p>8.5.11.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2062</p> <p>8.5.11.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2062, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.11.c. Consideration of</p>	<p>This Item was removed from the agenda with no discussion.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Recommendation by <b>SANDY KAY THOMAS</b>, Docket No. 507-11-2062 8.5.11.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to <b>SANDY KAY THOMAS</b> 8.5.11.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to <b>SANDY KAY THOMAS</b></p>		
<p><b>9. MISCELLANEOUS</b> 9.4. Appointment of Board Liaison to the Advanced Practice Nursing Advisory Committee</p>	<p>The Board discussed the appointment of a board liaison to the Advanced Practice Nurse Advisory Committee.</p>	<p>The Board appointed Kathy Shipp as the Board Liaison to the Advanced Practice Nursing Advisory Committee.</p>

**462**

**ADJOURNMENT**

Having completed this day's business the meeting adjourned at 4:55 p.m.

---

**TEXAS BOARD OF NURSING**

## Regular Meeting

Friday, July 22, 2011  
8:35 a.m. - 11:22 a.m.  
William Hobby Building  
333 Guadalupe, Tower II, Room 225  
Austin, Texas 78704

Present:

Kristin K. Benton  
Richard R. Gibbs  
Deborah Bell  
Tamara Cowen  
Sheri Crosby  
Marilyn Davis  
Kathy Leader-Horn  
Mary LeBeck  
Beverley Nutall  
Verna Kathleen Shipp

Absent:

Patti Clapp  
Josefina Lujan  
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
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 8:35 a.m, Friday, July 22, 2011.	
<b>ROLL CALL</b>	A quorum was established with ten members in attendance, Board Members Patti Clapp, Mary Jane Salgado and Josefina Lujan were absent.	
<b>7. NEW BUSINESS</b> 7.3. Consideration of New Position Statements Regarding LVN Scope of Practice and RN Scope of Practice	The Board considered and discussed the recommendations of the Nursing Practice Advisory Committee (NPAC) and Board staff for two new position statements regarding the LVN and RN Scope of Practice.	The Board voted to adopt the new position statements with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.
7.5. Report on Results of the 2010 NCSBN Commitment to Regulatory Excellence (CORE) Survey	The Board reviewed the results of the 2010 NCSBN Commitment to Regulatory Excellence (CORE) Survey.	No action.
<b>8.5. ALJ Proposals for Decision</b>		
8.5.1. Docket No. 507-11-1721, In the Matter of Permanent Certificate LVN#197213, Issued to <b>RACHEL MARLENE BOYD</b> 8.5.1.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-1721 8.5.1.b. Consideration of Staff's Recommendations for Disposition of	The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-11-1721, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modification.	The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 9, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.

AGENDA ITEM	DISCUSSION	ACTION
<p>Docket No. 507-11-1721, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.5.1.c.</p> <p>Consideration of Recommendation by <b>RACHEL MARLENE BOYD</b>, Docket No. 507-11-1721</p> <p>8.5.1.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#197213, Issued to <b>RACHEL MARLENE BOYD</b></p> <p>8.5.1.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#197213, Issued to <b>RACHEL MARLENE BOYD</b></p> <p>8.5.2. Docket No. 507-11-1195, In the Matter of Permanent Certificate RN#653584, Issued to <b>DERINDA CRAMER</b></p> <p>8.5.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-1195</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No.507-11-1195, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modification.</p>	<p><b>Board Member Deborah Bell recused herself from the discussion and vote on this agenda item.</b></p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and take no action against the Respondent's nursing license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.2.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-1195, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.2.c. Consideration of Recommendation by <b>DERINDA CRAMER</b>, Docket No. 507-11-1195</p> <p>8.5.2.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#653584, Issued to <b>DERINDA CRAMER</b></p> <p>8.5.2.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#653584, Issued to <b>DERINDA CRAMER</b></p> <p>8.5.3. Docket No. 507-11-2313, In the Matter of Permanent Certificate LVN#166593, Issued to <b>LISA DANIEL</b></p> <p>8.5.3.a. Consideration of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-2313, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p><b>Board Members Beverley Nutall and Tamara Cowen recused themselves from the discussion and vote on this agenda item.</b></p> <p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 6, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2313</p> <p>8.5.3.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2313, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.3.c. Consideration of Recommendation by <b>LISA DANIEL</b>, Docket No. 507-11-2313</p> <p>8.5.3.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#166593, Issued to <b>LISA DANIEL</b></p> <p>8.5.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#166593, Issued to <b>LISA DANIEL</b></p> <p>8.5.4. Docket No. 507-11-0081, In the Matter of Permanent Certificate RN#632070, Issued</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-0081, Including Adoption of the Amended Proposal for Decision's Findings of Fact and Conclusions of Law</p>	<p>Respondent's license.</p> <p><b>Board Member Deborah Bell recused herself prior to the consideration and vote on this agenda item.</b></p> <p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the Amended PFD without modification, except for</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>to <b>JAMES GREEN</b></p> <p>8.5.4.a. Consideration of the Administrative Law Judge's Amended Proposal for Decision in Docket No. 507-11-0081</p> <p>8.5.4.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-0081, Including Adoption of the Amended Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.4.c. Consideration of Recommendation by <b>JAMES GREEN</b>, Docket No. 507-11-0081</p> <p>8.5.4.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#632070, Issued to <b>JAMES GREEN</b></p> <p>8.5.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#632070, Issued to <b>JAMES GREEN</b></p> <p>8.5.5. Docket No. 507-11-3207, In the Matter of</p>	<p>with Modifications. Dan Lype, Attorney for Respondent and Respondent were present and were given full opportunity to address the board.</p> <p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of</p>	<p>Conclusion of Law Number 9, which should be redesignated as a recommendation, and adopt the ALJ's recommendation to take no action against the Respondent's nursing license.</p> <p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and revoke the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Permanent Certificate RN#616835 and LVN#143172, Issued to <b>WANDA CATHERINE HAWKINS</b></p> <p>8.5.5.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3207</p> <p>8.5.5.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-3207, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.5.c. Consideration of Recommendation by <b>WANDA CATHERINE HAWKINS</b>, Docket No. 507-11-3207</p> <p>8.5.5.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#616835 and LVN#143172, Issued to <b>WANDA CATHERINE HAWKINS</b></p> <p>8.5.5.e. Convene in Open Session to consider recommendations and take action: In</p>	<p>Docket No. 507-11-3207, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>Respondent's registered and vocational nursing licenses.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>the Matter of Permanent Certificate RN#616835 and LVN#143172, Issued to <b>WANDA CATHERINE HAWKINS</b></p> <p>8.5.7. Docket No. 507-11-3082, In the Matter of Permanent Certificate LVN#177793, Issued to <b>VALERIE KAY NAVA</b></p> <p>8.5.7.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3082</p> <p>8.5.7.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-3082, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.7.c. Consideration of Recommendation by <b>VALERIE KAY NAVA</b>, Docket No. 507-11-3082</p> <p>8.5.7.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#177793, Issued to <b>VALERIE</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-3082, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 6, which should be redesignated as a recommendation, and adopt the ALJ's recommendation to suspend the Respondent's license until such time as the Respondent is able to demonstrate current sobriety and fitness to practice, to be followed by probationary stipulations.</p> <p><b>Enforced Suspension.</b> 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 three years with the following agreed terms of probation: Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics and a board approved course in sharpening critical thinking skills. 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>KAY NAVA</b> 8.5.7.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#177793, Issued to <b>VALERIE KAY NAVA</b></p> <p>8.5.8. Docket No. 507-11-1937, In the Matter of Permanent Certificate RN#753845, Issued to <b>BEVERLY RICHARDS</b></p> <p>8.5.8.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-1937</p> <p>8.5.8.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-1937, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.8.c. Consideration of Recommendation by <b>BEVERLY RICHARDS</b>, Docket No. 507-11-1937</p> <p>8.5.8.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-1937, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p> <p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and revoke the Respondent's registered nursing license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>litigation: In the Matter of Permanent Certificate RN#753845, Issued to <b>BEVERLY RICHARDS</b></p> <p>8.5.8.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#753845, Issued to <b>BEVERLY RICHARDS</b></p> <p>8.5.10. Docket No. 507-11-2564, In the Matter of Permanent Certificate RN#735866, Issued to <b>SHAWN D. RUGGIERO</b></p> <p>8.5.10.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2564</p> <p>8.5.10.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2564, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.10.c. Consideration of Recommendation by <b>SHAWN D. RUGGIERO</b>, Docket No. 507-11-2564</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-2564, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 8, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.10.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#735866, Issued to <b>SHAWN D. RUGGIERO</b></p> <p>8.5.10.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#735866, Issued to <b>SHAWN D. RUGGIERO</b></p>		
<p>8.5.12. Docket No. 507-10-5855, In the Matter of Permanent Certificate LVN#100535 and RN#513126, Issued to <b>FRED D. THOMPSON</b></p> <p>8.5.12.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5855</p> <p>8.5.12.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5855, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-5855, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 7, which is not adopted by the Board, and issue the Respondent a Reprimand with Stipulations and a Fine.</p> <p><b>Reprimand with Stipulations.</b> Within forty five days of entry of this order Respondent shall pay an administrative reimbursement of \$604. Within ninety days of entry of this order Respondent shall pay a monetary fine in the amount of \$1000. 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 medication administration; and 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 two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.12.c. Consideration of Recommendation by <b>FRED D. THOMPSON</b>, Docket No. 507-10-5855</p> <p>8.5.12.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#100535 and RN#513126, Issued to <b>FRED D. THOMPSON</b></p> <p>8.5.12.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#100535 and RN#513126, Issued to <b>FRED D. THOMPSON</b></p> <p>8.5.13. Docket No. 507-11-3210, In the Matter of Permanent Certificate RN#755132, Issued to <b>SARAH JADE TISDALE</b></p> <p>8.5.13.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3210</p> <p>8.5.13.b. Consideration of Staff's Recommendations for Disposition of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-3210, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>shall have in-direct supervision with employment restrictions for the remainder 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.</p> <p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 7, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Docket No. 507-11-3210, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.5.13.c.</p> <p>Consideration of Recommendation by <b>SARAH JADE TISDALE</b>, Docket No. 507-11-3210 8.5.13.d.</p> <p>Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#755132, Issued to <b>SARAH JADE TISDALE</b> 8.5.13.e.</p> <p>Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#755132, Issued to <b>SARAH JADE TISDALE</b></p>		
<p><b>9. MISCELLANEOUS</b></p> <p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>No discussion.</p>	<p>No action.</p>
<p>9.2. Board Development: Priority of Future Development Items</p>	<p>Richard Gibbs discussed the future board development items and the priority of those items.</p>	<p>The Board agreed that there would be no Board Development scheduled for the October, 2011 board meeting; Melinda Hester will present her research to the board at the October board meeting; and at the January, 2012 board development will be on regulatory oversight of nursing education with</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.3. Review of the Board Quarterly Meeting Evaluation</p>	<p>The Board members discussed the results of the April board meeting quarterly evaluation.</p>	<p>presentations by the Texas Workforce Commission and the Texas Higher Education Coordinating Board.</p> <p>No action.</p>
<p>9.5. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine Thomas, Executive Director</p>	<p>The Board met in Executive Session to discuss the Annual Performance Evaluation of Katherine Thomas, Executive Director.</p>	<p>The Board voted in open session to grant Katherine Thomas, Executive Director ten days of paid administrative leave. Board Members Kristin Benton and Richard Gibbs provided comments on Ms. Thomas' outstanding performance and leadership.</p>
<p>9.6. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Board Self-Evaluation</p>	<p>The Board met in Executive Session to discuss its Annual Performance Evaluation.</p>	<p>No action.</p>
<p>9.7. Consideration of Proposed Dates and Topics for October, 2011 Board Retreat</p>	<p>The board discussed proposed dates and topics for the October, 2011 retreat.</p>	<p>The board agreed to hold the retreat on Wednesday, October 26, 2011 and potential topics will be diversity training; strength finders; DISC or Meyers Briggs; and/or strategic planning.</p>
<p><b>ADJOURNMENT:</b></p>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 11:24 a.m.</p> <hr/> <p>Kristin Benton, MSN, RN Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	