
TEXAS BOARD OF NURSING

Regular Meeting

Thursday, October 21, 2010
8:37 a.m. - 5:54 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
Beverley Nutall
Marilyn Davis
Tamara Cowen
Josefina Lujan (arrived at 8:55 a.m.)
Sheri Crosby
Mary Jane Salgado

Absent:

Patti Clapp
Blanca Rosa Garcia
Kathy Leader-Horn

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
John Legris, Assistant General Counsel
Kyle Hensley, Assistant General Counsel
Lance Brenton, 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
Virginia Ayars, 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 8:37 a.m, Thursday, October 21, 2010.	
ROLL CALL	A quorum was established with nine members in attendance, one member was late and three members were absent.	
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 July 22-23, 2010 Board Meeting.	A correction was made to the July minutes on Agenda Item 3.2.12 Proposed Change of Program Approval Status Based on Review of 2009 NCLEX-PN® Examination Pass Rate, Nursing Educational Program Information Survey (NEPIS), and Compliance Audit of Nursing Educational Program (CANEP) - Kaplan College in San Antonio, Texas - Vocational Nursing Educational Program to reflect that Board Member Kristin Benton recused herself prior to the consideration and vote on that agenda item. The Board approved the minutes from the July 22-23, 2010, Board Meeting.
CONSENT AGENDA ITEMS		The Consent agenda was reviewed and approved with the following amendments: Board Members Mary Jane Salgado and Marilyn Davis abstained from the vote on the Consent Agenda and Consent Agenda Items. Agenda item 3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs was pulled from the Consent Agenda. Agenda item 3.2.2. Status Report on Programs with Changed Approval Status was pulled from the Consent Agenda. Board Orders of Christiane Giroux, RN #726173 and Johnnie Lee Warren, LVN #129093 were pulled from the Consent Agenda.

AGENDA ITEM	DISCUSSION	ACTION
		<p>Tamara Cowen recused herself from the consideration and vote on Agenda Item 8.1., Agreed Order of: Christiane Giroux, RN #726173</p> <p>Deborah Bell recused herself from the consideration and vote on Agenda Item 8.1., Agreed Order of: Johnnie Lee Warren, LVN #129093</p>
<p>2.1. Financial Statement - 4TH Quarter, Fiscal Year 2010</p>		<p><i>Approved on Consent.</i></p>
<p>2.2. Continuing Education Pre-Renewal Audit Report/ 4TH Quarter, Fiscal Year 2010</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.3. Follow-Up Report on Strategies Used by Texas Nursing Education Programs To Improve Candidates' Performance on the NCLEX® Examination</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.4. Report on Communication Activities with Nursing Educational Programs</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.5. Petition for Waiver of Faculty Qualifications - Brazosport College in Lake Jackson, Texas - Associate Degree Nursing Educational Program</p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p>Approved on Consent.</p>
<p>5.1.2. Strategic Planning / 4TH Quarter, Fiscal Year 2010</p>		<p>Approved on Consent.</p>
<p>6.1. Nurse Licensure Compact Update</p>		<p>Approved on Consent.</p>
<p>6.2. Adoption of Proposed Amendments to 22 Tex. Admin. Code §217.6, Pertaining to Failure to Renew License, and §217.9, Pertaining to Inactive Status</p>		<p>Approved on Consent.</p>
<p>6.3. Adoption of Proposed Amendments to 22 Tex. Admin. Code §216.1, Pertaining to Definitions, and §216.3, Pertaining to Requirements</p>		<p>Approved on Consent.</p>
<p>7.1. Texas Peer Assistant Program for Nurses 7.1.1. Quarterly Report</p>		<p>Approved on Consent.</p>
<p>8.1. Agreed Orders</p>	<p>Glenda Davis Andress, LVN #107908</p>	<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced for a minimum of ninety days and until Respondent successfully completes a board approved course in nursing jurisprudence and ethics; and Respondent shall pay a monetary fine in the amount of \$500. Upon verification of successful completion of the course and payment of the</p>

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	<p data-bbox="407 900 876 928">Darlene Rebecca Angele, RN #550965</p> <p data-bbox="407 1719 846 1747">Matthew Alan Arnaud, LVN #203940</p>	<p data-bbox="945 300 1468 842"><i>fine the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation: 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 two 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; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p data-bbox="945 905 1468 1661">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; 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 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 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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p data-bbox="945 1724 1468 1990">Enforced Suspension. <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</i></p>

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	<p>Patricia Ann Barnett, RN #242491</p>	<p><i>will be placed on Probation for 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 \$350. 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 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; 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>Suspend Probate. Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation 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. Within one year of entry of this order Respondent shall successfully complete a board approved</p>

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	<p>Hirji Kanji Bhudia, LVN #205463/ RN #736368</p>	<p><i>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 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 in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the duration of this order but is exempt from this stipulation while employed with Medical Staffing Network, Boca Raton, Florida, and can only work up to three assignments while with Medical Staffing Network, Boca Raton, Florida; Respondent shall not practice in any critical care area for the first year of employment under this order, Respondent is exempt from this stipulation while employed with Medical Staffing Network, Boca Raton, Florida and can work in neo-natal intensive care unit assignments; 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>Reprimand with Stipulations. 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; a board approved course in respecting professional boundaries; 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</p>

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	<p>Jana Lanette Dominguez, LVN #133693</p>	<p><i>monitoring fee in the amount of \$500 within forty five days of the suspension being stayed. 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>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 respecting professional boundaries; 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</i></p>

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	<p>Amanda Celeste Hassell, LVN #213644</p> <p>Alicia Hinojos, RN #653254</p> <p>Hae Jung Jin, LVN #193011</p>	<p>period.</p> <p>Warning with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in 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; shall provide employer reports; and shall have indirect supervision with employment restrictions for the duration of the stipulation period.</p> <p>Reprimand 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; 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 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 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.</p> <p>Suspend Probate. Respondent's license is hereby suspended with said suspension STAYED and probated for a period of two</p>

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	<p><i>Sheryl Louise Johnson, LVN #193525</i></p>	<p><i>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; 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 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 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.</i></p> <p><i>Reprimand with Stipulations.</i> <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 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 in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate</i></p>

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	<p>Rosalind Owens Lartson, LVN #109636</p>	<p>Warning with Stipulations. 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.</p>
	<p>Melina Joy Mason, LVN #135565</p>	<p>Warning with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. 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 with the exception of Respondent's current employment as a Field Nurse with Outreach Health Pediatric Services, San Angelo, Texas. Should Respondent's employment as as Field Nurse with Outreach Health Pediatric Services San Angelo, Texas, cease or change, Respondent shall not be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency.</p>
	<p>Estelita Sarmiento Maximo, RN #676407</p>	<p>Warning with Stipulations. 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 physical assessment; a board approved course in nursing documentation; and a board approved course in sharpening critical</p>

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	<p>Jimmy Leon Maynor, LVN #185999</p> <p>Sheila Marie Mills, LVN #187830 / RN #726413</p> <p>Melissa Muecke, LVN #162377/RN #675904</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 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>Suspend Probate. Respondent's license is hereby suspended with said suspension STAYED and probated for a period of one year with the following agreed terms of probation: Within ninety days of the stay Respondent shall pay a monetary fine in the amount of \$1,000. 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.</p> <p>Warning with Stipulations. 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; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</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 three years</p>

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	<p>Sarah Ann Nelson, RN #673766</p>	<p><i>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. 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; and 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. <i>It is agreed that in order to satisfy the terms of this order Respondent must work in a capacity which requires her to utilize nursing knowledge, skills and abilities and Respondent must work in such a setting a minimum of sixty four hours per month under the following stipulations for one year of employment: 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>

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	<p>Elizabeth A. Palomino-Garcia, LVN #216905</p> <p>Billie Sherre Payne, RN #596310</p> <p>Tammy Knutson Reed, LVN #146429</p>	<p>Warning with Stipulations. 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 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>Warning with Stipulations. 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; a board approved course in respecting professional boundaries; 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.</p> <p>Warning with Stipulations. 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 physical assessment; a board approved course in human physiology; 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</p>

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	<p>Glenda Chinelo Ughanze, RN #687385</p> <p>William N. Warren, RN #620674</p> <p>Shelly D. Weaver aka Shelly Diann Weaver, LVN #172987/RN #669584</p>	<p><i>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>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 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 in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended with said suspension STAYED with the following agreed terms of probation: Within one hundred thirty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,500. The Order of the board issued to Respondent on May 10, 2005, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that Order.</i></p> <p>Reprimand with Stipulations. <i>Within forty five days of reactivation of her license 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</i></p>

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	<p>Selena Mae Wells, LVN #199039</p>	<p><i>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; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Respondent shall undergo a neuropsychological evaluation by a board approved evaluator within ninety days from the date of reactivation of Respondent's license and shall cause the evaluator to send a report of the evaluation to the board office; Respondent shall comply with the recommendations for therapy or other follow up, if the evaluation state that Respondent lacks fitness to practice Respondent shall cease to provide direct patient care; and Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports to be submitted to the board 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 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>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.3 ELIGIBILITY AGREED ORDERS</p>	<p>Amber Lavan Allen, Petitioner for Initial Licensure (LVN)</p>	<p><i>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; Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports to be submitted to the board regarding Respondent's progress in therapy until released from therapy; Respondent shall undergo a pain management evaluation and shall be performed by a board approved evaluator within sixty days from the date of this order; Respondent shall cause the evaluator to submit a written report of the evaluation to the board; and Respondent shall comply with the recommendations for pain management and/or other follow ups.</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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Tawnya Anita Askari-Goggin, Petitioner for Initial Licensure (LVN)</p>	<p><i>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 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 have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall cause her probation officer to submit quarterly written reports regarding her compliance with her court ordered probation until released from probation.</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 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>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Melissa Lanette Jameson, Petitioner for Initial Licensure (LVN)</p>	<p><i>license to practice professional nursing prior to the completion of the terms and conditions outlined in the October 15, 2008, Board order, that license shall bear the appropriate notation. Petitioner's professional nursing license will then be subject to the terms and conditions as outlined in the October 15, 2008 board order until that order is completed with the following stipulation modifications: 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 the length of the stipulation period from the October 15, 2008 board order will remain in effect until the successful completion of twelve consecutive months has elapsed as agreed to by Petitioner in the October 15, 2008 board order. It is further agreed that stipulation three and four outlined below and required herein shall supercede stipulations five and six in the board order issued on October 15, 2008, should Petitioner pass the NCLEX-RN be issued a license to practice professional nursing and obtain employment requiring said license: 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.</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 one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Kevin Sidney Knight, Petitioner for Initial Licensure (RN)</p>	<p><i>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><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; 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.</i></p>
	<p>Sheena Star Lehnert, Petitioner for Initial Licensure (LVN)</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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Michelle Dawn Morrow, Petitioner for Initial Licensure (LVN)</p>	<p><i>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; 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; 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 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 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>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 County, TX; and Bonafacio Espinoza v. Texas Board of Nursing, Cause No. 219-05095-2009, In the 219th Judicial District, Collin County, TX; Bernardino Pedraza, Jr. v. Texas State Board of Nursing, Cause No. C-2541-10-B; In the 93rd Judicial District, Hidalgo County, TX</p>		
<p>1.3. Presentation of Fiscal Year 2010 Trend Data</p>	<p>Katherine Thomas did a power point presentation of the 2010 Trend Data.</p>	<p>No action.</p>
<p>3. NURSING 3.1. Practice 3.1.1. Promoting Competency Report</p>	<p>Melinda Hester presented a change in name of the Workshop Report; that report will now be called the Promoting Competency Report. The Board reviewed the Promoting Competency Report which will include workshops, online continuing education offerings and Board webinars.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2. Education 3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs</p>	<p>Mary Beth Thomas reported to the Board that the Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs will be reformatted to provide a historical table of all programs approved since 2006.</p>	<p>No action.</p>
<p>3.2.2. Status Report on Programs with Changed Approval Status</p>	<p>The Board reviewed the status report on Programs with Changed Approval Status. Staff made a correction to the report that St. Michael's approval status was initial with warning to conditional.</p>	<p>No action.</p>
<p>3.2.6. Request to Conduct An Innovative Pilot Program - Coastal Bend College in Beeville, Texas - Associate Degree Nursing Educational Program</p>	<p>The Board considered the request from Coastal Bend College Associate Degree Nursing (ADN) Educational Program in Beeville, Texas, to conduct an innovative pilot program in order to participate in a partnership with Texas A&M University, in Corpus Christi, Texas, in a Nursing Innovation Grant Program (NIGP) administered by the Texas Higher Education Coordinating Board (THECB). Betty Sims, Director was present to answer questions.</p>	<p>The Board voted to approve Coastal Bend College's request to conduct an innovative pilot project allowing a waiver for faculty qualification requirements allowing their participation in the Nursing Innovation Grant Program administered by the Texas Higher Education Coordinating Board and issue the requirement to be met.</p>
<p>3.2.7. Public Hearings on Proposals to Establish New Nursing Educational Programs</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Sam Houston State University in Huntsville, Texas, Baccalaureate Degree Nursing Educational Program. Louise Plaisance, DNS, RN, Prospective Director and Jamie L. Hebert, PhD, Dean, College of Arts and Sciences were present to answer questions.</p>	<p>The Board voted to grant initial approval to Sam Houston State University for a Baccalaureate Degree Nursing Educational Program in Huntsville, Texas, contingent upon approval by the Texas Higher Education Coordinating Board on October 28, 2010, with an initial cohort of thirty-five (35) students to begin in January 2011, based upon the proposal and survey visit and issue the requirement to be met.</p>
<p>3.2.7.b. Ranger College in Brownwood, Texas - Associate Degree Nursing Educational Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Ranger College in Brownwood, Texas - Associate Degree Nursing Educational Program. Dr. William J. Champion, President; Pamela Craig, RN, Chief Nursing Officer,</p>	<p>The board voted to grant initial approval for Ranger College Associate Degree Nursing Program in Brownwood, Texas to establish a new professional nursing program based upon the proposal and findings from the survey visit.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.7.c. Schreiner University in Kerrville, Texas - Baccalaureate Degree Nursing Educational Program</p>	<p>Brownwood Regional Medical; Marnita Jo Guinn, PhD,RN, Dean of Associate Degree Registered Nursing were present to answer questions.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Schreiner University in Kerrville, Texas - Baccalaureate Degree Nursing Educational Program. Lena Rippstein, PhD, APRN-BC, GNP, Program Developer/Director; Charlie McCormick, PhD, Provost and Vice-President of Academic Affairs; and Diana Comuzzie, PhD, Dean of Sciences and Mathematics were present to answer questions.</p>	<p>Board Member Linda Rounds recused herself from the discussion, consideration and vote on this agenda item.</p> <p>The Board voted to grant initial approval to Schreiner University for a Baccalaureate Degree Nursing Educational Program in Kerrville, Texas, with an initial cohort of thirty (30) students to begin in Fall 2011, based upon the proposal and survey visit and issue the commendation, recommendation, and requirement.</p>
<p>3.2.8. Consideration of Change of Status for Program on Conditional Approval, St. Philip's College in San Antonio, Texas - Associate Degree Nursing Educational Program</p>	<p>The Board considered change of status for St. Philip's College Associate Degree Nursing Educational Program which has been on conditional approval status since 2006 and staff recommendation based upon the 2010 NCLEX-RN ® examination pass rate. Josephine Larin, Prgram Director, Lula Pelayo, Alamo Colleges, Christopher Pate, MPA, PhD, Dean, Division of Health Sciences; Adena Loston, PhD, President; and Cecelia Trinidad, MSN, RN were present to answer questions.</p>	<p>The Board voted, consistent with Rule 215.4(a)(5), to withdraw approval from St. Philip's College Associate Degree Nursing Educational Program in San Antonio, Texas, to remove the name of the program from the list of Board-approved professional nursing educational programs, and to allow that if the current graduation class in the next eight weeks passes has an 80% or higher pass rate, St. Philip's College may come back before the board in July, 2011, if an acceptable proposal is submitted.</p>
<p>3.2.9. Report on Survey Visit - Kaplan College in San Antonio, Texas</p>	<p>The Board considered report of the focused survey visits on July 6, 2010 and September 1, 2010 to Kaplan College – San Antonio Vocational Nursing Educational Program in San Antonio, Texas related to: 1) complaints received by Board staff; and 2) pattern of substandard NCLEX-PN Pass Rates. Sheila Burke, MSN, RN, Interim Director; Sharon Wilson, RN, ADON; and Yvonne Puig, Attorney, were present to answer questions.</p>	<p>Board Member Kristin Benton recused herself prior to the consideration and vote on this agenda item.</p> <p>Board Member Beverley Nutall was not present for the vote on this agenda item.</p> <p>The Board voted to accept the Survey Visit Reports and issue the requirements.</p>
<p>3.2.10. Graduation Rates in Texas Nursing Programs</p>	<p>Mary Beth Thomas reported that Staff from the Texas Higher Education Coordinating Board have indicated that they have the ability to determine graduation rates for LVN's in public institutions. Staff have requested these rates on several occasions but have not received the report. Staff will continue to work with THECB to obtain the report.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>4. ENFORCEMENT 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>
<p>5. COMMITTEE REPORTS</p>		
<p>5.1. Board Committees</p>		
<p>5.1.3. Development and Evaluation</p>	<p>Richard Gibbs discussed having training on Roberts Rules of Order; having a Parliamentarian provide training; and having information on Proprietary Schools by the Texas Workforce Commission, THEBC, and possibly the Department of Education presented to the Board.</p>	<p>No action.</p>
<p>5.2. Advisory Committees/Task Forces</p>		
<p>5.2.1. Advanced Practice Nurses Advisory Committee</p>	<p>Jolene Zych reported that the APNAC met on August 30, 2010 and again on October 4, 2010 to discuss their charge from the Board related to reviewing the educational requirements for advanced practice licensure for nurse practitioners and clinical nurse specialists. Staff shared observations regarding advanced practice nursing education with committee members. Committee members will review their recommendations to the Board at their next meeting, and these recommendations will be presented for the Board's consideration at the January 2011 meeting. Committee members also discussed interim approval for new graduates of advanced practice nursing education programs who have not yet obtained national certification. It is anticipated that the APNAC will have a recommendation for the Board regarding the interim approval process at the January 2011 meeting.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
OPEN FORUM:	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>Betty Sims, Director of Nursing Education, Coastal Bend College requested the board consider making Continuing Education Workshop/Jurisprudence Workshop mandatory but available online; the DEC should be distributed to schools of nursing as soon as possible; and suggested a pre-approval process for schools of nursing.</p> <p>Jim Willman shared information on legislation that will be proposed during the 2011 session.</p> <p>No other speakers came forward and the Open Forum was closed.</p>	No action.
7. NEW BUSINESS 7.2. Consideration of Approval of the Differentiated Essential Competencies	<p>The Board considered the revisions to the <i>Differentiated Entry Level Competencies (DELCS) of Graduates of Texas Nursing Programs, Vocational (VN), Diploma/Associate Degree (DIP/ADN), Baccalaureate Degree (BSN), September 2002</i>, and approval of new document, <i>Differentiated Essential Competencies (DECs) of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgments, and Behaviors, October 2010</i>. ACE Members and DELC Work Group Members Eileen Curl, PhD, RN, Chair of ACE and Liz Poster, PhD, RN, Chair of DELC Work Group were present to answer questions.</p>	<p>Board Member Beverley Nutall was not present for the vote on this agenda item. The Board voted to approve the <i>Differentiated Essential Competencies (DECs) of Graduates of Texas Nursing Programs Evidenced by Knowledge, Clinical Judgments, and Behaviors, October 2010</i>.</p>
7.3. Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to Vocational Nursing Education and Chapter 215, Pertaining to Professional Nursing Education	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to <i>Vocational Nursing Education</i> and Chapter 215, Pertaining to <i>Professional Nursing Education</i>.</p>	<p>The Board voted to to approve the proposed amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to <i>Vocational Nursing Education</i>, and Chapter 215, Pertaining to <i>Professional Nursing Education</i>, with a clarification for the definition of what “MEEP” stands for within the proposed amendment and 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, move to adopt the proposed amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to <i>Vocational Nursing Education</i>, and Chapter 215, Pertaining to <i>Professional Nursing</i></p>

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 one support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.

ADJOURNMENT

Having completed this day's business the meeting adjourned at 5:00 p.m.

TEXAS BOARD OF NURSING

Regular Meeting

Friday, October 22, 2010

8:33 a.m. - 2:15 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 arrived at 8:50 a.m.

Marilyn Davis

Tamara Cowen

Josefina Lujan

Beverley Nutall

Mary Jane Salgado

Absent:

Blanca Rosa Garcia

Patti Clapp

Kathy Leader-Horn

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

James "Dusty" Johnston, 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 8:33 a.m, Friday, October 22, 2010.	
ROLL CALL	A quorum was established with nine members in attendance, one member was late and three members were absent.	
5. COMMITTEE REPORTS		
5.2. Advisory Committees/Task Forces		
5.2.2. Nursing Practice Advisory Committee	No report.	No action.
5.2.3. Advisory Committee on Education	No report.	No action.
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	No report.	No action.
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee	Denise Benbow reported that the Texas Peer Assistance Program for Nurses Advisory Committee met on September 3, 2010. Topics discussed included: strategic planning, approved budget, the 3rd quarter report to the Board, information from the NCSBN forum and manual relating to chemical dependency, activity and outcome reporting information, and education activities.	No action.
5.3.2. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee	Richard Beard, Co-Chair, Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee, reported that the committee met on October 13, 2010 to discuss the hospital staffing and nurse staffing surveys. Mr. Beard also reported that three committee	No action.

AGENDA ITEM	DISCUSSION	ACTION
	<p>reports were not approved and needed additional information before the committee could approve and that they will be approved within the next few weeks.</p>	
<p>5.3.3. Texas Higher Education Coordinating Board Updates</p>	<p>No report.</p>	<p>No action.</p>
<p>5.3.4. Taxonomy of Error Root Cause Analysis of Practice Responsibilities</p>	<p>Mary Beth Thomas reported that the NCSBN TERCAP Committee is shortening the intake instrument to facilitate ease and efficiency of use. The Texas Nurses Association will be proposing legislation that gives the board authority to establish a voluntary program that would use a board approved error-classification system for facilities to report data about errors.</p>	<p>No action.</p>
<p>5.3.5. Texas Team Report, Robert Wood Johnson Nursing Education Capacity Expansion</p>	<p>Mary Beth Thomas reported The Texas Team is working to develop a strategy to respond to the Robert Wood Johnson/Institute of Medicine report on the Future of Nursing.</p>	<p>No action.</p>
<p>5.3.6. National Council of State Boards of Nursing</p>	<p>Katherine Thomas reviewed her written report with the board.</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 in early August. The committee received one qualified applicant that ultimately was not approved because it did not meet the necessary elements to complete the research. Currently the committee is seeking guidance from the legislature to see if they want the committee to continue.</p>	<p>No action.</p>
<p>7. NEW BUSINESS 7.4. Consideration of Change in Board Policy Regarding Appearance of Respondents Before the Board, including</p>	<p>The Board considered amending the Board's current policy of permitting a Respondent to appear before the Board regarding a Proposal For Decision (PFD).</p>	<p>The Board voted to make no changes to the Board's current policy and continue to permit Respondents to make oral presentations regarding PFDs to the Board at its quarterly meetings, in accordance with the Board's rules.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>consideration of Proposed Amendments to 22 Tex. Admin. Code §213.23(d), Pertaining to <i>Decision of the Board</i></p>		
<p>7.5. Request for Charge to the Advanced Practice Nursing Advisory Committee to Review Ability of Advanced Practice Registered Nurses to Conduct Physical and Psychological Evaluations under the Occupations Code §301.4521 and Board Rules and Guidelines</p>	<p>The Board considered a request from the Eligibility and Disciplinary Advisory Committee (Committee) to charge the Advanced Practice Nursing Advisory Committee with reviewing the ability of an advanced practice registered nurse (APRN) to conduct certain physical and psychological evaluations under the Occupations Code §301.4521 and Board rules and guidelines.</p>	<p>The Board voted to charge the Advanced Practice Nursing Advisory Committee with: (1) reviewing the ability of an APRN to conduct physical and psychological evaluations under the Occupations Code §301.4521 and Board rules and guidelines; (2) determining whether any empirical data exists to support including APRNs in the Board's guidelines; and (3) recommending any amendments to the Board's rules or guidelines, as supportable and necessary. The Committee's conclusions and recommendations should be presented for the Board's consideration at a future Board meeting.</p>
<p>7.6. Consideration of Invitation to Submit an Application for Participation in the National Study of the NCSBN Transition to Practice Regulatory Model</p>	<p>The Board considered an invitation by the National Council of State Boards of Nursing (NCSBN) to participate in a national study of NCSBN's Transition to Practice regulatory model.</p>	<p>The Board voted to authorize staff to complete an application to participate in the NCSBN Transition to Practice Study.</p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.4. ALJ Proposals for Decision</p>		
<p>8.4.1. Docket No. 507-10-3899, In the Matter of Permanent Certificate RN #685022 and LVN#182304, Issued to EMMANUEL U.</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3899, Including Adoption of the Findings of Fact and Conclusions of Law contained in the Administrative Law Judge's Order.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for finding of fact number one which should be modified to correct the Respondent's Registered Nurse license number and adopt the ALJ's recommended sanction that the Respondent's licenses to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>AKPAN 8.4.1.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3899 8.4.1.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3899, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.4.1.c. Consideration of Recommendation by EMMANUEL U. AKPAN, Docket No. 507-10-3899 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 RN #685022 and LVN#182304, Issued to EMMANUEL U. AKPAN 8.4.1.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #685022 and LVN#182304, Issued to EMMANUEL U. AKPAN</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.2. Docket No. 507-10-3574, In the Matter of Permanent Certificate LVN#215916, Issued to MARIAN ALLEN</p> <p>8.4.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3574</p> <p>8.4.2.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3574, 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 MARIAN ALLEN, Docket No. 507-10-3574</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 LVN#215916, Issued to MARIAN ALLEN</p> <p>8.4.2.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-3574, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>Board Member Kristin Benton 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>LVN#215916, Issued to MARIAN ALLEN</p> <p>8.4.3. Docket No. 507-10-3286, In the Matter of Permanent Certificate RN #698413 and LVN#181394, Issued to SCOTT PHILIP SANDIDGE</p> <p>8.4.3.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3286</p> <p>8.4.3.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3286, 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 SCOTT PHILIP SANDIDGE, Docket No. 507-10-3286</p> <p>8.4.3.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #698413 and LVN#181394, Issued to SCOTT PHILIP SANDIDGE</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3286, 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 with modification of a correction to the cause numbers, and adopt the ALJ's recommended sanction that the Respondent's licenses to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #698413 and LVN#181394, Issued to SCOTT PHILIP SANDIDGE</p>		
<p>8.4.4. Docket No. 507-10-1559, In the Matter of Permanent Certificate RN #720058, Issued to PEGGY ANN TOMLINSON</p> <p>8.4.4.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-1559</p> <p>8.4.4.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-1559, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.4.c. Consideration of Recommendation by PEGGY ANN TOMLINSON, Docket No. 507-10-1559</p> <p>8.4.4.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 507-10-1559, 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, except for Conclusion of Law Number 10, which has been re-designated as a recommendation, and enter an order reprimanding the Respondent's nursing license, subject to the terms and conditions required by Board policy and rule. Reprimand with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one hundred thirty five days of entry of this order Respondent shall pay an administrative reimbursement in the amount of \$1819. 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; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall 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 participate in pain management therapy with a board approved doctor and shall cause quarterly written reports regarding her progress in therapy to be submitted to the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter of Permanent Certificate RN #720058, Issued to PEGGY ANN TOMLINSON</p> <p>8.4.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #720058, Issued to PEGGY ANN TOMLINSON</p> <p>8.4.5. Docket No. 507-10-2226, In the Matter of Permanent Certificate RN #596689, Issued to AMY DEANN STOY</p> <p>8.4.5.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-2226</p> <p>8.4.5.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-2226, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.5.c. Consideration of Recommendation by AMY DEANN STOY, Docket No. 507-10-2226</p> <p>8.4.5.d. Executive Session pursuant to 551.071(1), Texas</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-2226, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p> <p>Petitioner Stoy was given full opportunity to address the board. Dan Lype, Attorney for Respondent and Respondent, were present and presented to the board.</p>	<p>board until released from therapy.</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, except for Finding of Fact Number 13, which was modified to correct the date of the Petitioner's criminal conviction, and Conclusion of Law Number 8, which was re-designated as a recommendation under the Government Code §2001.058(e)(3). Further, the Board voted to reject the ALJ's recommended sanction because the ALJ did not properly apply 22 Tex. Admin. Code §213.28 and the Board's Disciplinary Guidelines for Criminal Conduct, which specifically provide that a petition for reinstatement should be denied in matters involving a felony drug conviction that occurred three or less years before the petition for reinstatement was filed. The Board applied its rules, written policies, and prior administrative decisions and voted to deny the Petitioner's petition for reinstatement.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #596689, Issued to AMY DEANN STOY</p> <p>8.4.5.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #596689, Issued to AMY DEANN STOY</p>		
<p>8.4.6. Docket No. 507-10-3136, In the Matter of Permanent Certificate RN #714842, Issued to JOAN RENE HAMPTON</p> <p>8.4.6.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3136</p> <p>8.4.6.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3136, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.6.c. Consideration of Recommendation by JOAN RENE</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3136, 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>HAMPTON, Docket No. 507-10-3136 8.4.6.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #714842, Issued to JOAN RENE HAMPTON 8.4.6.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #714842, Issued to JOAN RENE HAMPTON</p>		
<p>8.4.7. Docket No. 507-10-3138, In the Matter of Permanent Certificate LVN #67174, Issued to PHYLLIS K. LUNA 8.4.7.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3138 8.4.7.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3138, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3138, 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>8.4.7.c. Consideration of Recommendation by PHYLLIS K. LUNA, Docket No. 507-10-3138</p> <p>8.4.7.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #67174, Issued to PHYLLIS K. LUNA</p> <p>8.4.7.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #67174, Issued to PHYLLIS K. LUNA</p>		
<p>8.4.8. Docket No. 507-10-1758, In the Matter of Permanent Certificate RN #620119, Issued to JOLINE REESE</p> <p>8.4.8.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-1758</p> <p>8.4.8.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-1758, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-1758, 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 without modification, except for Conclusion of Law Number 7, which should be re-designated as a recommendation, and issue the Respondent a Warning with Stipulations.</p> <p>Warning with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within ninety days of entry of this order Respondent shall pay an administrative reimbursement in the amount of \$1213. 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 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;</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>With Modifications 8.4.8.c. Consideration of Recommendation by JOLINE REESE, Docket No. 507-10-1758 8.4.8.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #620119, Issued to JOLINE REESE 8.4.8.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #620119, Issued to JOLINE REESE</p>		<p>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>8.4.9. Docket No. 507-10-3582, In the Matter of ARTHUR H. GILLASPY, Applicant for Endorsement 8.4.9.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3582 8.4.9.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3582, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3582, 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 recommendation that the Board deny Respondent's application for licensure as a registered nurse by endorsement.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Without Modifications 8.4.9.c. Consideration of Recommendation by ARTHUR H. GILLASPY, Docket No. 507-10-3582 8.4.9.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of ARTHUR H. GILLASPY, Applicant for Endorsement 8.4.9.e. Convene in Open Session to consider recommendations and take action: In the Matter of ARTHUR H. GILLASPY, Applicant for Endorsement</p>		
<p>8.4.10. Docket No. 507-10-3551, In the Matter of Permanent Certificate LVN #119434, Issued to CYNTHIA RENEE SPENCER 8.4.10.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3551 8.4.10.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3551, Including Adoption of the Proposal for Decision's Findings</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3551, 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>of Fact and Conclusions of Law Without Modifications 8.4.10.c. Consideration of Recommendation by CYNTHIA RENEE SPENCER, Docket No. 507-10-3551 8.4.10.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #119434, Issued to CYNTHIA RENEE SPENCER 8.4.10.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #119434, Issued to CYNTHIA RENEE SPENCER</p> <p>8.4.11. Docket No. 507-10-3000, In the Matter of Permanent Certificate LVN #194141, Issued to LAVONDA JO HENDERSON 8.4.11.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3000 8.4.11.b. Consideration of Staff's Recommendations</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3000, 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>for Disposition of Docket No. 507-10-3000, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications 8.4.11.c. Consideration of Recommendation by LAVONDA JO HENDERSON, Docket No. 507-10-3000 8.4.11.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #194141, Issued to LAVONDA JO HENDERSON 8.4.11.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #194141, Issued to LAVONDA JO HENDERSON</p>		
<p>8.4.12. Docket No. 507-10-1778, In the Matter of Permanent Certificate RN #625887 Issued to JANET A. NASH 8.4.12.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-1778, 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 without modification, except for Conclusion of Law Number 12, which should be re-designated as a recommendation, and suspend the Respondent's nursing license and enforce a suspension of the Respondent's license, to be followed by probationary conditions. Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent pays a fine in the amount of \$1,000.; pays an administrative reimbursement in the amount of \$5099.; and</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>No. 507-10-1778 8.4.12.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-1778, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.4.12.c. Consideration of Recommendation by JANET A. NASH, Docket No. 507-10-1778 8.4.12.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #625887, Issued to JANET A. NASH 8.4.12.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #625887, Issued to JANET A. NASH</p>		<p>successfully completes a board approved course in jurisprudence and ethics; a board approved course in patient privacy; and a board approved course in sharpening critical thinking skills. Upon verification of said monetary payments and successful completion of the courses the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation. 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 two 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; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</p>
<p>8.4.13. Docket No. 507-10-3549, In the Matter of Permanent Certificate LVN #207804 Issued to THELMA CHRISTINE KEMP 8.4.13.a. Consideration of the Administrative Law Judge's</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3549, 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>Proposal for Decision in Docket No. 507-10-3549 8.4.13.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3549, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications 8.4.13.c. Consideration of Recommendation by THELMA CHRISTINE KEMP, Docket No. 507-10-3549 8.4.13.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #207804, Issued to THELMA CHRISTINE KEMP 8.4.13.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #207804, Issued to THELMA CHRISTINE KEMP</p>		
<p>8.4.14. Docket No. 507-10-3523, In the Matter of Permanent Certificate RN #540935 Issued to</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3523, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without</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>SCARLETT D. MAUNEY 8.4.14.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3523 8.4.14.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3523, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications 8.4.14.c. Consideration of Recommendation by SCARLETT D. MAUNEY, Docket No. 507-10-3523 8.4.14.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #540935, Issued to SCARLETT D. MAUNEY 8.4.14.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #540935, Issued to SCARLETT D. MAUNEY</p>	<p>Modifications.</p>	

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.15. Docket No. 507-10-2717, In the Matter of Permanent Certificate LVN #179423 Issued to KIMBERLY K. DONALD</p> <p>8.4.15.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-2717</p> <p>8.4.15.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-2717, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.15.c. Consideration of Recommendation by KIMBERLY K. DONALD, Docket No. 507-10-2717</p> <p>8.4.15.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #179423, Issued to KIMBERLY K. DONALD</p> <p>8.4.15.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-2717, 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>#179423, Issued to KIMBERLY K. DONALD</p> <p>8.4.16. Docket No. 507-10-4949, In the Matter of Permanent Certificate RN #738054 Issued to THERESA CHRISTOFERSEN</p> <p>8.4.16.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4949</p> <p>8.4.16.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4949, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.16.c. Consideration of Recommendation by THERESA CHRISTOFERSEN, Docket No. 507-10-4949</p> <p>8.4.16.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #738054, Issued to THERESA CHRISTOFERSEN</p> <p>8.4.16.e. Convene in Open Session to consider</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-4949, 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 without modification, except for Conclusion of Law Number 6, which should be modified to correct a reference to the Administrative Code §217.12, and adopt the ALJ's recommendation that the Board revoke the nursing license of the Respondent.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>recommendations and take action: In the Matter of Permanent Certificate RN #738054, Issued to THERESA CHRISTOFERSEN</p> <p>8.4.17. Docket No. 507-10-2966, In the Matter of Permanent Certificate LVN #172325 Issued to EMORY HILL FORWARD</p> <p>8.4.17.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-2966</p> <p>8.4.17.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-2966, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.17.c. Consideration of Recommendation by EMORY HILL FORWARD, Docket No. 507-10-2966</p> <p>8.4.17.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-2966, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p> <p>Respondent Emory Hill Forward appeared and was given the opportunity to address the board. Respondent Forward addressed the board.</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>#172325, Issued to EMORY HILL FORWARD 8.4.17.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN #172325, Issued to EMORY HILL FORWARD</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. Board Member Richard Gibbs requested that the Board Rules and Regulations be updated to correct references to “BNE” and replaced with “BON”. Board Member Josefina Lujan requested that there be some board development on inter-professional collaboration between doctors, pharmacists, etc. including best practices.</p>	<p>No action.</p>
<p>9.2. Board Development: Current Research and Information Survey Conducted by Board Staff</p>	<p>Board Staff: Virginia Ayars, Mary Beth Thomas, Melinda Hester, Jolene Zych, and Jan Hooper presented to the board on research projects currently being conducted by board nursing consultants, and reviewed data from recent board survey of clinical availability for nursing programs in the state.</p>	<p>No action.</p>
<p>9.3. Review of the Board Quarterly Meeting Evaluation</p>	<p>The Board members discussed the results of the July board meeting quarterly evaluation.</p>	<p>No action.</p>
<p>9.4. Report of the NCSBN 2010 Delegate Assembly and Annual Meeting</p>	<p>Katherine Thomas reviewed the report on the NCSBN 2010 Delegate Assembly and Annual Meeting.</p>	<p>No action.</p>
<p>9.5. Executive Session Pursuant to Tex. Gov’t Code Ann. §551.074 (Texas Open</p>	<p>The Board met in Executive Session to discuss the Annual Performance Evaluation of Katherine Thomas, Executive Director. The Board met in open session to make a recommendation on the evaluation of</p>	<p>The Board voted to give Katherine Thomas, Executive Director ten (10) days of Executive Administrative Leave.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine Thomas, Executive Director</p> <p>9.6. Appointment of Board Members for Review of Executive Director Annual Evaluation Process</p> <p>9.7. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2011</p>	<p>Katherine Thomas, Executive Director.</p> <p>The Board discussed the Appointment of Board Members for Review of Executive Director Annual Evaluation Process.</p> <p>The Board discussed the Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2011.</p>	<p>Board Members Tami Cowen, Deborah Bell and Kristin Benton were appointed to Review the Executive Director Annual Evaluation Process.</p> <p>The Board voted on the following dates for meetings:</p> <p>Board Meetings 2011: January 27-28 April 28-29 July 21-22 October 27-28</p> <p>Eligibility and Disciplinary Committee Meetings 2011: February 8 March 8 May 10 June 14 August 9 September 13 November 8 December 13</p> <p>Informal Conference Dates 2011: January 4 January 11 January 18 February 1 February 15 February 22 March 1 March 22 March 29 April 5 April 12 April 19 May 3 May 17 May 24 May 31 June 7 June 21</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>June 28 July 5 July 12 July 26 August 16 August 23 August 30 September 6 September 20 September 27 October 4 October 11 October 18 November 1 November 15 November 22 November 29 December 6 December 20 December 27</p>
<p>9.8. Appointment of Board Members for Informal Conferences for 2011</p>	<p>The Board discussed Appointment of Board Members for Informal Conferences for 2011</p>	<p>The Board voted on the following informal conference dates for Board Member attendance:</p> <p>January 11 - Linda Rounds April 12 - Tami Cowen July 12 - Deborah Bell October 4 - Mary Jane Salgado</p>
<p>9.9. Appointment of Board Members to BON Committees for 2011</p>	<p>The Board discussed Appointment of Board Members to BON Committees for 2011</p>	<p>The Board voted on the following committee membership:</p> <p>Eligibility and Disciplinary Committee: January-March Deborah Bell, Chair Tami Cowen Beverley Nutall</p> <p>April-June Deborah Bell, Chair Tami Cowen Kathy Leader-Horn</p> <p>July-December Richard Gibbs, Chair Marilyn Davis Patti Clapp</p> <p>Board Development Liaison Richard Gibbs</p> <p>Board Budget Liaison Tami Cowen</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>Board and Executive Director Evaluations Liaison: Richard Gibbs</p> <p>Internal Auditor Liaison: Deborah Bell</p> <p>Advanced Practice Nursing: Linda Rounds Josefina Lujan</p> <p>Advisory Committee on Education: Rosie Garcia Kristin Benton</p> <p>APN Liaison Committee: Linda Rounds</p> <p>Education Liaison Committee: Kristin Benton Rosie Garcia Josefina Lujan</p> <p>Nursing Practice Advisory Committee: Marilyn Davis Kathy Leader-Horn</p> <p>Advisory Committee on Licensure, Eligibility and Discipline: Tami Cowen Deborah Bell</p>
9.10. Election of Board Vice-President	Tamara Cowen nominated Richard Gibbs for Board Vice-President.	The Board voted Richard Gibbs as the Board Vice-President.
ADJOURNMENT:	<p>Having completed all business as listed on the agenda, the meeting adjourned at 2:15 p.m.</p> <hr/> <p>Linda Rounds, PhD, RN, FNP, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	