
BOARD OF NURSE EXAMINERS

Retreat

Wednesday, April 19, 2006
8:00 a.m. - 4:00 p.m.
Tower II, Room 225
333 Guadalupe
Austin, Texas

Present:

Linda Rounds, President
Joyce Adams
Richard Gibbs
Deborah Bell
Virginia Campbell
Phyllis Caves Rawley
Blanca Rosa Garcia
Rachel Gomez
Brenda Jackson
Beverley Nutall
Anita Palmer
George Buchenau, Jr.

Absent:

Frank Sandoval

Staff present:

Katherine A. Thomas, Executive Director
Mark Majek, Director of Operations
Anthony Diggs, Director of Enforcement
Mary Beth Thomas, Director of Nursing
James "Dusty" Johnston, General Counsel
Patricia Vianes-Cabrera, Executive Assistant

| AGENDA ITEM | DISCUSSION | ACTION |
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| CALL TO ORDER | Linda Rounds called the meeting to order at 8:00 a.m, Wednesday, April 19, 2006. | |
| ROLL CALL | All members were present with the exception of Frank Sandoval. A quorum was established. | |
| Suzette Ashworth, Facilitator, Effective Communication and Governance Policies | Suzette Ashworth, Consultant, led the board in discussion about personal preferences, communication, and expectations. Ms. Ashworth facilitated the Board retreat on this date. The board discussed their governance philosophy and policies. | No action. |
| ADJOURNMENT | Having completed all the business listed on the agenda, the meeting adjourned at 4:00 p.m. | |
| | _____ Linda Rounds, PhD, RN, FNP, Board President | |
| | _____ Katherine A. Thomas, MN, RN, Executive Director | |

BOARD OF NURSE EXAMINERS

Regular Meeting

Thursday, April 20, 2006

8:45 a.m. - 4:55 p.m.

Friday, April 21, 2006

8:41 a.m. - 2:50 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Joyce Adams

Deborah Bell

George Buchenau, Jr.

Virginia Campbell

Phyllis Caves Rawley

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Anita Palmer (not in attendance as of 1:00 p.m. on 04/21/06)

Beverley Nutall

Blanca Rosa Garcia (not in attendance as of 2:30 p.m. on 04/20/06)

Absent:

Frank Sandoval

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

James "Dusty" Johnston, General Counsel

Joy Sparks, Assistant General Counsel

Victoria Cox, Assistant General Counsel

Mark Majek, Director of Operations

Mary Beth Thomas, Director of Nursing

Jolene Zych, Nursing Consultant

Virginia Holmes, Nursing Consultant

Betty Sims, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Janice Hooper, Nursing Consultant

Dorothy Joy, Nursing Consultant

Melinda Hester, Nursing Consultant

Bruce Holter, Information Specialist

| AGENDA ITEM | DISCUSSION | ACTION |
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| CALL TO ORDER | Linda Rounds called the meeting to order at 8:45 a.m, Thursday, April 20, 2006. | |
| ROLL CALL | All members were present with the exception of Frank Sandoval. A quorum was established. | |
| INTRODUCTIONS | Board members and staff introduced themselves to the audience. | |
| ACCEPTANCE OF AGENDA | The board reviewed the agenda. | The Agenda was approved. |
| ACCEPTANCE OF MINUTES | The board reviewed the minutes from the January 19-20, 2006 meeting. | The Board approved the minutes from the January 19-20, 2006 meeting. |
| CONSENT AGENDA ITEMS | | <p>The Consent agenda was approved with the following changes:</p> <p>Item 2.2. CE Compliance Report was removed from the consent agenda for discussion.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.1.a. Confirmation of Approval Status Based on 2005 NCLEX-PN Examination Pass rates and Review of 2005 Annual Report of Del Mar College.</p> <p>Item 8.2. Agreed Orders: The following Agreed Orders were removed from the consent agenda for discussion: Cynthia G. Banhart, RN #254878/LVN #90984 Patrice Diane Caldwell, RN #685656 Marie Antoinette Gordon, RN #675082/LVN #148184</p> <p>Item 8.3. Reinstatement Agreed Order: The following Agreed Order was removed from the consent agenda for discussion: Edward C. Girard, RN #238662</p> <p>Item 8.4. Eligibility Agreed Order: The following Agreed Order was removed from the consent agenda for discussion: Stacy Layne Beavers, LVN</p> <p>Brenda Jackson, recused herself from the consideration and vote on Item 8.2. Agreed Order of: Susan Hill, RN #230557</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>2.1. Financial Statements</p> <p>3.2.1. Confirmation of Approval Status Based on 2005 NCLEX-PN Examination Pass Rates and review of 2005 Annual Reports</p> <p>3.2.1.a. Full Approval with Commendations</p> <p>Alvin Community College</p> <p>Amarillo College</p> <p>Angelina College at Lufkin-MEEP</p> <p>Army Practical Nursing Program</p> <p>Austin Community College at Austin</p> <p>Austin Community College at Fredricksburg</p> <p>Blinn College at Brenham</p> <p>Blinn College at Bryan</p> <p>Brazosport Community College at Lake Jackson</p> <p>Central Texas College at Brady</p> <p>Clarendon College</p> <p>Coastal Bend College at Alice</p> <p>Coastal Bend College at Pleasanton</p> <p>Cy Fair College</p> <p>Del Mar College</p> | <p>The Board considered the 2005 NCLEX-PN examination pass rates and review of the 2005 Annual Reports.</p> | <p>Anita Palmer recused herself from the consideration and vote on Item 8.2. Agreed Order of: Anjanette Tresce Kulhanek, LVN #192601</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.2. Agreed Order of: Debbie Lynn Strong, LVN #157573</p> <p><i>Approved on Consent.</i></p> <p>Board member Rosa Blanca Garcia recused herself from consideration and voting on agenda item 3.2.1.a pertaining to Del Mar College. The Board voted to continue full approval for the vocational nursing education programs listed, including the commendations suggested by staff.</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p><i>El Paso Community College-MEEP</i> <i>Galen Health Institute</i> <i>Grayson County College</i> <i>Hill College at Cleburne</i> <i>Hill College at Clifton-Day</i> <i>Hill College at Glen Rose</i> <i>Hill College at Hillsboro</i> <i>Houston Community College</i> <i>Howard College at San Angelo</i> <i>Joe G. Davis Hospital</i> <i>Kilgore College at Longview</i> <i>Kingwood College (NHMCCD)</i> <i>Lamar State College at Port Arthur</i> <i>Laredo Community College</i> <i>Lee College</i> <i>McLennon Community College-MEEP</i> <i>Midland College-Day Program</i> <i>Montgomery College (NHMCCD)</i> <i>Navarro College at Corsicana</i> <i>Navarro College at Waxahachie</i> <i>North Central Texas College</i> <i>Northeast Texas Community College</i> <i>North Harris Montgomery Community College at North Harris</i> <i>College-MEEP</i> <i>North Texas Professional Career Institute</i> <i>Odessa College at Andrews</i> <i>Panola College at</i></p> | | |

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| <p> <i>Shelby College Center</i> <i>Paris Junior College</i> <i>Ranger Junior College at Early Ranger Junior College at Graham San Jacinto College-South South Plains College at Plainview South Plains College at Reese Center South Texas College at McAllen-Evening Program Southwest Texas Junior College at Del Rio Southwest Texas Junior College at Uvalde St. Philip's College at Seguin Sul Ross University Temple College at Temple Texas Careers Incorporated Texas State Technical College at Breckenridge Trinity Valley Community College at Kaufman Tyler Junior College at Jacksonville-Day Program Tyler Junior College at Jacksonville-Evening Program Tyler Junior College at Tyler-Day Program University of Texas at Brownsville/Texas Southmost Valley Baptist Medical Center Vernon College at Vernon-Day and Evening Programs</i></p> | | |

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| <p><i>Victoria College at Hallettsville Victoria College at Victoria-Day Program Weatherford College</i></p> | | |
| <p><i>3.2.1.b. Full Approval with Commendations and Requirements El Centro College</i></p> | <p><i>The Board considered the 2005 NCLEX-PN examination pass rates and review of the 2005 Annual Reports.</i></p> | <p><i>The Board voted to continue full approval for the vocational nursing education program listed, including the commendations suggested by staff.</i></p> |
| <p><i>3.2.1.c. Full Approval with No Recommendations and No Requirements Angelina College at Jasper Baptist Health System Central Texas College at Killeen Childress Regional Medical Center Cisco Junior College Coastal Bend College at Beeville Concorde Career Institute El Paso Community College at Mission del Paso Frank Phillips College Galveston College Hill College at Clifton-Evening Program Howard College at Big Spring Lamar State College at Orange-Day Program Lamar State College at Orange-Evening Program McLennan Community College-Traditional Program</i></p> | <p><i>The Board considered the 2005 NCLEX-PN examination pass rates and review of the 2005 Annual Reports.</i></p> | <p><i>The Board voted to continue full approval for the vocational nursing education programs listed, with no recommendations and no requirements to be met.</i></p> |

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| <p> <i>Navarro College at Mexia Panola College at Carthage San Jacinto College-North Schreiner University South Texas College at Weslaco St. Philip's College at San Antonio Texas State Technical College at Sweetwater-Day Program Texas State Technical College at Sweetwater-Evening Program Texarkana College Tomball College (NHMCCD) Tyler County Hospital Tyler Junior College at Tyler-Evening Program Vernon College at Wichita Falls-Day Program Vernon College at Wichita Falls-Evening Program Victoria College at Gonzales Victoria College at Victoria-Evening Program Western Texas College</i> </p> <p> 3.2.2. Continuation of Approval Status Based on NCLEX-PN Examination Pass Rates, Review of 2005 Annual Report and Progress Report-Full Approval with Commendation-Southwest Texas Junior College at Eagle Pass, </p> | <p> <i>The Board considered the 2005 NCLEX-PN examination pass rates, the review of the 2005 Annual Report and the review of the Quarterly Progress Report.</i> </p> | <p> <i>The Board voted to continue full approval.</i> </p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>Vocational Nursing Education Program</p> <p>3.2.3. Continuation of Approval Status Based on 2005 NCLEX-RN Examination Pass Rates and Review of 2005 Annual Report-Full Approval with Commendation-North Harris Montgomery Community College District, Associate Degree Nursing Education Program</p> | <p>The Board considered the 2005 NCLEX-RN examination pass rates and review of the 2005 Annual Report.</p> | <p>The Board voted to continue full approval for the associate degree program.</p> |
| <p>5.1.1. Eligibility and Disciplinary Committee</p> | | <p>Approved on Consent.</p> |
| <p>7.1.1. TPAPN Quarterly Report</p> | | <p>Approved on Consent.</p> |
| <p>8. PROPOSED BOARD ORDERS</p> | | |
| <p>8.1. ALJ Proposals for Decision</p> | | <p>The board voted to ratify the ALJ Proposals for Decision on Consent with the following results:</p> |
| | <p>Theresa L. Dunn, LVN #164493</p> | <p>License Revoked. The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</p> |
| | <p>Neal E. Garner, LVN #135297</p> | <p>License Revoked. The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</p> |
| | <p>Tammy F. Hansen, RN #695790</p> | <p>License Revoked. The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</p> |
| | <p>Joy L. Rickes, Applicant/Petitioner for Initial Licensure</p> | <p>Licensure Denied. The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</p> |

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| <p>8.2. Agreed Orders</p> | <p>Summer Christine Shore, Applicant/Petitioner for Initial Licensure</p> <p>Stephen M. Wenzel, RN #689839</p> <p>Sybil Marcea Bent, RN #575243</p> <p>Elizabeth Ann Bindel, LVN #169076</p> <p>Brittany Tara Brannon, LVN #184816</p> | <p>Licensure Denied. The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</p> <p>License Revoked. The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</p> <p>The board voted to ratify the Agreed Orders on Consent with the following results:</p> <p>Limited License. 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 a board approved course in nursing ethics. Respondent shall not provide direct patient care. Should Respondent desire to return to a clinical practice setting, which would require her to provide direct patient care, Respondent shall petition the Board for such approval.</p> <p>Warning with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in physical assessment; and a board approved course in nursing ethics. Should Respondent choose to practice as a LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions 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 a board approved course in nursing ethics. Should Respondent choose to practice as a LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing</p> |

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| | <p>Kelley Carson Lemons, LVN #135526/RN #661201</p> | <p><i>approved by the Board. Respondent shall cause the performing psychologist to send a report to the Board office which includes a statement regarding Respondent's compliance with treatment and a statement as to Respondent's fitness to safely practice vocational nursing. Respondent shall comply with the recommendations for therapy or other follow up. If the evaluation states that Respondent lacks fitness to practice nursing, Respondent shall cease to provide direct patient care until such time that the same evaluator deems Respondent safe to return to direct patient care. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a LVN 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 under this board order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</i></p> <p>Reprimand with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in nursing documentation; and a board approved course in nursing 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; shall provide employer reports; Respondent shall have in-direct supervision</i></p> |

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| | <p>Charlotte Lee Smola, LVN #156449/RN #683968</p> <p>Mark Clifton Stephens, LVN #177988/RN #695745</p> | <p>and alcohol.</p> <p>Suspend Probate. Respondent's license is hereby suspended with said suspension stayed. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; 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 recommended treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation: Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. 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; 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 or provide pediatric patient care for the first year</p> |

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| | <p>Debbie Lynn Strong, LVN #157573</p> <p>Melissa Kathryn Stutts, LVN #160594</p> <p>Karen Denise Taylor, RN #547598</p> | <p><i>of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><i>Board member Blanca Rosa Garcia, recused herself from consideration and voting on this order.</i></p> <p>Reprimand with Stipulations. <i>Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. In addition the Order of the Board issued to Respondent on January 20, 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 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; a board approved course in nursing documentation; and a board approved course in nursing ethics. Should Respondent choose to practice as a LVN 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.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended with said suspension stayed. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a</i></p> |

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| | <p>Mary Jane Semich, RN #688166</p> | <p><i>professional nursing in the State of Ohio. Upon acceptance into TPAPN, or Ohio Peer Assistance Program, Petitioner shall waive confidentiality and provide a copy of the executed TPAPN contract to the BNE. Petitioner shall comply with all requirements of the TPAPN contract. Petitioner shall cause TPAPN to notify the BNE of any violation of the TAPN contract.</i></p> <p>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within forty-five days of entry of this order Petitioner shall pay a monetary fine in the amount of \$500. Petitioner shall pay all re-registration fees and be issued a coded license which shall be subject to the following agreed post-licensure stipulations: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Petitioner choose to practice as a RN in the State of Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment; Petitioner shall not practice in any critical care area for the first year of employment; Petitioner shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall 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 Petitioner shall participate in</i></p> |

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| | <p>Douglas E. Wallace, LVN #148405/RN #618669</p> | <p><i>therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Petitioner's progress in therapy until released from therapy.</i></p> <p>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within forty-five days of entry of this order Petitioner shall pay a monetary fine in the amount of \$500. Petitioner shall successfully complete a nurse refresher course prior to returning to the practice of nursing in the State of Texas. Petitioner shall pay all re-registration fees and be issued a coded license which shall be subject to the following agreed post-licensure stipulations: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Petitioner choose to practice as a nurse in the State of Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment; Petitioner shall not practice in any critical care area for the first year of employment; Petitioner shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a nurse; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall 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> |

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| | <p>Barry Dean Bell, Petitioner for Initial Licensure (LVN)</p> | <p><i>jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN 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; 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 a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN 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; shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; and Petitioner shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Petitioner's progress in therapy</i></p> |

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| | <p>Benetta Nichols Coffman, Petitioner for Initial Licensure (LVN)</p> | <p><i>complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for three years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; shall cause employer(s) to submit periodic reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment; Petitioner shall not practice in any critical care area for the first year of employment; Petitioner shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed should Petitioner practice as a LVN in Texas, Petitioner will provide direct patient care and practice in a hospital,</i></p> |

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| | <p>Stephanie Lynn Livingston, Petitioner for Initial Licensure (LVN)</p> | <p><i>one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN 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; 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 a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN 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; 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 |
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| | <p>Keith Allan Thierry, Petitioner for Initial Licensure (RN)</p> | <p><i>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. It is further agreed at the time of initial licensure should Petitioner practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; 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-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. It is further agreed at the time of initial licensure should Petitioner practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; shall cause employer(s) to submit periodic reports; 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</i></p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| Visit 3.2.4.a. Wharton County Junior College at Richmond | The Board considered the continuation of the approval status based on the 2005 NCLEX-PN examination pass rates , review of the 2005 Annual Report, and review of the survey report. Liz Prather, MS, RN was present to answer questions. | The Board voted to continue full approval status, accepted the survey visit report, issued the commendations, recommendations, and requirements to be met, and added an additional requirement that the Director and faculty investigate additional clinical opportunities for nursing of children in the Richmond area, and that the school submit a report to Board staff detailing hours of clinical nursing experience in this area. |
| 3.2.4.b. Wharton County Junior College at Wharton | The Board considered the continuation of the approval status based on the 2005 NCLEX-PN® Examination Pass Rates, review of the 2005 annual report and the report of the survey visit conducted by Staff. Ginger White, RN, Coordinator and Mark King, Dean were present to answer questions. | The Board voted to continue full approval status, accepted the survey visit report, issued the commendations, recommendations, and requirements to be met, and added an additional requirement that the Director and faculty shall investigate clinical opportunities for student learning experiences outside the Bay City are and that the Director and faculty work on incorporating additional skills lab experiences in that area. |
| 3.2.5. Continuation of Approval Status Based on 2005 NCLEX-RN Examination Pass Rates, Review of 2005 Annual Report and Review of Self Study | The Board considered Staff recommendation concerning approval status and requirements to be met for the Patty Hanks Shelton School of Nursing Baccalaureate Degree Nursing Education Program based on review of the NCLEX-RN examination pass rate for 2005, review of the 2005 Annual Report, and review of the self-study report received February 2, 2006. Dr. Sharon Souter, BSN Director and Dr. Janet Noles, Dean of the School of Nursing were present to answer questions. | The Board voted to continue full approval status for the Patty Hanks Shelton School of Nursing baccalaureate Degree Nursing Education Program, accept the Self-Study report, and issue the requirements as indicated. |
| 3.2.5.a. Patty Hanks Shelton School of Nursing (formerly Abilene Intercollegiate) | | |

| AGENDA ITEM | DISCUSSION | ACTION |
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| 3.2.5.b. Tarleton State University, Baccalaureate Degree Nursing Education Program | <p>The Board Considered Staff recommendation concerning approval status and requirements to be met for Tarleton State University Baccalaureate Degree Nursing Education program based on review of the NCLEX-RN examination pass rate for 2005, review of the 2005 Annual Report, and review of the March 14, 2006, self study report.</p> <p>Elaine Evans, PhD, RN, Department Head, was present to answer questions.</p> | <p>The Board voted to continue full approval status for Tarleton State University Baccalaureate Degree Nursing Education Program, accept the Self Study Report, and issue requirements to be met as indicated.</p> |
| 3.2.5.c. Tyler Junior College, Associate Degree Nursing Education Program | <p>The Board considered Staff recommendation concerning approval status and requirements to be met for Tyler Junior College Associate Degree Nursing Program based on review of the 2005 NCLEX-RN Examination pass rates, the 2005 Annual Report and the self study report.</p> <p>Rebecca Seeton, RN, MSN was present to answer questions.</p> | <p>The Board voted to continue the full approval status of the Tyler Junior College Associate Degree Nursing Program, accept the self study report, issue requirements to be met as indicated and added an additional requirement that Tyler Junior College ADN Program consult with the coordinating board.</p> |
| 3.2.6. Consideration of Proposed Change in Approval Status Based on the NCLEX-PN Examination Pass Rates for the first Graduating Class and Review of 2005 Annual Report | | |
| 3.2.6.a. College of the Mainland, Vocational Nursing Education Program | <p>The Board considered Staff recommendation concerning a proposed change in the approval status for College of the Mainland Vocational Nursing Education Program based on review of the preliminary NCLEX-PN pass rate for the first graduating class and the 2005 Annual Report.</p> <p>Gay Reeves, EdD, MSN, RN, Program Director and Misty Jones, BSN, RN, Program Coordinator were present to answer questions.</p> | <p>The Board voted to change the Initial Approval status of the college of the Mainland Vocational Nursing Education Program to Full based on review of the 2005 Annual Report and the preliminary NCLEX-PN pass rate for the first graduating class and issue the recommendation as stated.</p> |
| 3.2.6.b. Temple College at Taylor, Vocational Nursing Education Program | <p>The Board considered Staff recommendation concerning a proposed change in the approval status for Temple College at Taylor Vocational Nursing Education Program based on review of the</p> | <p>The Board voted to change the Initial approval status of the Temple College at Taylor vocational nursing education program to full in accordance with rule 214.4 related to Approval and issue the</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>3.2.6.c. South Texas college at Rio Grande City, Vocational Nursing Education Program</p> | <p>NCLEX-PN examination pass rates for the first graduating class and the 2005 Annual Report. Virginia Leak, RN, MSN, Director; Glynda Parker, RN, MSN, Coordinator; and Angela Tietz, RN, Lead Instructor were present to answer questions.</p> <p>The Board considered Staff recommendation concerning a proposed change in the approval status for South Texas College at Rio Grande City Vocational Nursing Education Program based on review of the NCLEX-PN examination pass rates for the first graduating class and the 2005 Annual Report.</p> | <p>Commendation as noted.</p> <p>The Board voted to change the Initial approval status of the South Texas College at Rio Grande City Vocational Nursing Education Program to Full in accordance with Rule 214.4 related to Approval.</p> |
| <p>3.2.7. Consideration of Proposed Change in Approval Status Based on the NCLEX-RN Examination Pass Rates for the First Graduation Class</p> <p>3.2.7.a. Brookhaven College, Associate Degree Nursing Education Program</p> | <p>The Board considered Staff recommendation concerning a proposed change in the approval status for Brookhaven College Associate Degree Nursing Education program based on the preliminary NCLEX-RN pass rate for the first graduating class. Juanita Z. Fling, FNP-C, RN, Interim Program Director and Sue McLelland, MSN, RN, Previous Program Director were present to answer questions.</p> | <p>The Board voted to change the Initial Approval status of the Brookhaven College Associate Degree Nursing Education Program to Full based on the NCLEX-RN pass rate for the first graduating class as stated.</p> |
| <p>3.2.7.b. Cy Fair College, Associate Degree Nursing Education Program</p> | <p>The Board considered the proposed change of the approval status from Initial to Full for the Cy-Fair College Associate Degree Nursing Education program based on the preliminary NCLEX-RN examination pass rates for the first graduating class. Kathy Emmite, MS, Director of Nursing Programs and Jo Faye, Dean were present to answer questions.</p> | <p>The Board voted to change the approval status from Initial to Full for the Cy-Fair College Associate Degree Nursing Education Program based on review of the NCLEX-RN examination pass rates for the first graduating class as indicated.</p> |

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| <p>3.2.8. Report of Survey Visit</p> <p>3.2.8.a. East Texas Baptist University, Baccalaureate Degree Nursing Education Program</p> | <p>The Board considered the report of the survey visit conducted on January 25, 2006, at East Texas Baptist University and Board Staff's recommendation for commendations, recommendations and requirements to be met.</p> <p>J. Paul Sorrels, Vice President of Academic Affairs; Dr. Carolyn Harvey, Dean, Department of Nursing; and Shirley Ballard, MSN, RN, Curriculum Coordinator were present to answer questions.</p> | <p>The Board voted to accept the survey visit report of the January 25, 2006, survey visit and issues the commendations, recommendations and requirements to be met based on staff recommendation as indicated.</p> |
| <p>3.2.8.b. Texas A&M International University Family Nurse Practitioner Program</p> | <p>The Board considered the report of the March 7-8, 2006 survey visit and the staff recommendation concerning commendations and requirements to be met based on the outcome of the survey visit.</p> <p>Dr. Susan Walker, Nursing Director was present to answer questions.</p> | <p>The Board voted to accept the report of the March 7-8, 2006 survey visit, authorize a follow up survey visit in Spring 2007, and issue the commendations, recommendation and requirement to be met as indicated.</p> |
| <p>3.2.9. Public Hearing for Proposal to Establish a New Nursing Education Program</p> <p>3.2.9.a. Platt 'Health Careers Training', Platt Vocational Nursing Program</p> | <p>The Board considered Platt 'Health Careers Training' proposal to establish a new vocational nursing education program and the report of a survey visit to the proposed vocational nursing education program.</p> <p>Barbara Rose, BS, RN, Proposed Director and Gay Pearce, BS, RN, Tulsa Campus Nursing Director were present to answer questions.</p> | <p>The Board voted to grant initial approval for Platt 'Health Careers Training' to establish a new vocational nursing education program based upon the Proposal and findings from the survey visit and issue the commendations and requirements as indicated.</p> |
| <p>3.2.9.b. Hill College, Associate Degree Nursing Education Program</p> | <p>The Board considered the Hill College proposal to establish a new professional nursing education program and the report of a survey visit to the proposed professional nursing education program.</p> <p>Dr. Jeanean Boyd, Director, ADN Program; Dr. Sheryl Kappus, President; Mary Ann Grams, Vice President of Instruction; and Lori Moseley, RN, BSN, Director of Vocational Nursing were present to answer questions.</p> | <p>The Board voted to approve a professional nursing education program operated by Hill College and issue the commendations and requirements to be met prior to student enrollment as indicated.</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| 3.2.9.c. American Medical Institute, Vocational Nursing Education Program | The Board considered the American Medical Institute proposal to establish a Vocational Nursing Program in Houston, Texas and results of the survey visit conducted by board staff. Ify Emenah, RN, Pharm D, Director and Pastor Leo Emenaha, President were present to answer questions. | The Board voted to deny a new vocational nursing education program be established by American Medical Institute. |
| 3.2.10. Petition for Emergency Faculty Waiver - Cisco Junior College, Generic Associate Degree Nursing Education Program | The Board considered the recommendation from the Education Liaison Committee (ELC) to approve the Cisco Junior College Generic Associate Degree Nursing Education Program petition for an emergency faculty waiver for Ms. Kimberly A. Cooper, BSN, RN. Jackolyn Morgan, MSN, RN, Program Director was present to answer questions. | The Board voted to approve the recommendation from the ELC to approve the emergency faculty waiver for Kimberly A. Cooper, BSN, RN to be a nursing faculty member for the Generic Associate Degree Nursing Education Program at Cisco Junior College as indicated. |
| 3.2.11. Notification of Program Closure 3.2.11.a. Army Reserve Practical Nurse Program | The Board considered the automatic closure of the inactive program, Army Reserves 10 TH Battalion Practical Nursing Detachment. The program has had no admission since 2004. | The Board voted to the Army Reserves 10 TH Battalion Practical Nursing Detachment be considered automatically closed on April 30, 2006, if no students are enrolled as indicated. |
| 3.2.11.b. Memorial Hermann Memorial City Hospital | The Board considered the written notification from Memorial Hermann Memorial City Hospital of the closure of the vocational nursing education program located in Houston, Texas. | The Board voted to accept the written notification from Memorial Hermann Memorial City Hospital of the closure of the vocational nursing education program located in Houston, Texas. |
| 3.2.12 Summary and Analysis of 2005 Annual Report Data submitted by BNE Approved Professional Nursing Education Programs | The Board reviewed the Summary and Analysis of 2005 Annual Report Data submitted by BNE Approved Professional Nursing Education Programs. | No action. |
| 3.2.13. Summary of 2005 Annual Report Data submitted by BNE Approved Vocational Nursing Education Programs | The Board reviewed the Summary of 2005 Annual Report Data submitted by BNE Approved Vocational Nursing Education Programs. | No action. |

| AGENDA ITEM | DISCUSSION | ACTION |
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| 4. ENFORCEMENT 4.1. Criminal Background Check Update | The board reviewed the statistics provided regarding the criminal background checks. | No action. |
| 5. COMMITTEE REPORTS | | |
| 5.1. Board Committees | | |
| 5.1.2. Strategic Planning/2 ND Quarter Report | The Board reviewed the Strategic Planning 2 ND Quarter Report. Mark Majek was present to answer questions. | No action. |
| 5.1.3. Development and Evaluation | The Board discussed developing a succession plan for the Executive Director position. | The Board voted to begin developing a succession plan in the event that the Executive Director were to leave the agency. |
| 5.2. Advisory Committees/Task Forces | | |
| 5.2.1. Advanced Practice Nurses Advisory Committee | Linda Rounds reported that the committee met in March and will meet again in late May. The Committee does not have any recommendation on the NCSBN Vision Paper. In addition the committee began its review of Rule 219, as it pertains to the education of APN's. | No action. |
| 5.3. Collaboration with Outside Agencies / Stakeholders | | |
| 5.3.5. American Association of Colleges of Nursing's Doctorate of Nursing Practice Model | Mary Beth Thomas updated the Board regarding the ongoing discussions related to the Doctor of Nursing Practice Degree. | No action. |
| OPEN FORUM: | Linda Rounds announced the format and invited participation from the audience. Carolyn Harvey, Co-Chair, DNP Task Force, spoke regarding the Doctorate of | No action. |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>ADJOURNMENT</p> | <p>Nursing Practice and was available to answer any questions the Board members may have regarding the DNP.</p> <p>Elizabeth Sjoberg, Associate General Counsel, Texas Hospital Association</p> <p>No one else came forward and the Open Forum was closed.</p> <p>Having completed this day's business the meeting adjourned at 4:55 p.m.</p> | |

| AGENDA ITEM | DISCUSSION | ACTION |
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| RECONVENE | The board reconvened at 8:41 am on Friday, April 21, 2006. | |
| ROLL CALL | All members were present with the exception of Rosa Blanca Garcia. A quorum was established. | |
| 2. OPERATIONS 2.4. Strategic Plan/Legislative Appropriations Request | The Board considered Staff's request to update the Strategic Plan and provide input into the Legislative Appropriations Request and to have an additional Board member appointed to review the Strategic Plan. | The Board voted to approved staff's request to update the Strategic Plan/Legislative Appropriations Request and appointed Anita Palmer to serve on the Strategic Plan Review Committee. |
| 5. COMMITTEE REPORTS 5.2. Advisory Committees/Task Forces | No Report. | No action. |
| 5.2.2. Nursing Practice Advisory Committee, Recommended Changes to §217.16, Minor Incidents | No report. | No action. |
| 5.2.3. Advisory Committee on Education | Dusty Johnston reported that the Committee was in the process of soliciting participants and scheduling the first meeting. | No action. |
| 5.2.4. Advisory Committee on Licensure, Eligibility and Discipline | No report. | No action. |
| 5.3. Collaboration with Outside Agencies/ Stakeholders | No report. | No action. |
| 5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee | | |

| AGENDA ITEM | DISCUSSION | ACTION |
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| 5.3.2. Texas Nurses Association's Competency Task Force | Mary Beth Thomas informed the Board of several groups in the state of Texas that are developing initiatives to evaluate and test models of graduate and continued nursing competency. Some of the activities being discussed may require regulation and BNE oversight. | No action. |
| 5.3.3. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee | Kathy Thomas reported that the advisory committee met on January 18, 2006. | No action. |
| 5.3.4. Texas Higher Education Coordinating Board Committee to Increase RN Graduates in Texas | Mary Beth Thomas discussed the most current activities of the Texas Higher Education Coordinating Board Committee to Increase RN Graduates in Texas and will continue to monitor. | No action. |
| 5.3.6. American Nurses Credentialing Center | Linda Rounds, Katherine Thomas, Mary Beth Thomas and Jolene Zych updated the Board on a meeting with ANCC staff to discuss issues related to National Certification for Advanced Practice Nurses. | No action. |
| 5.3.7. Texas Nurses Association House of Delegates Resolution on Nursing Work Hours | Mary Beth Thomas informed the Board of the 2006 Texas Nurses Association House of Delegates Resolution that calls for a limitation of the hours a nurse may work. | No action. |
| 5.3.8. Department of State Health Services' Role in Local Public Health Stakeholders Meeting | Melinda Hester attended this meeting in February 2006. A workgroup within the Department of State Health Services (DSHS) was charged with determining what DSHS' role is in local public health services. The workgroup is in the early stages of developing performance measures. During the meeting information was gathered from local public health stakeholders regarding essential public health standards; how those standards could be achieved; what were the factors | No action. |

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| <p>5.3.9. Connectivity Work Group of the Department of State Health Services Preparedness Coordinating Council</p> | <p>affecting the cost of providing services; and ways to strengthen links between services. Hester emphasized the importance of partnering with school nurses and their ability to identify quickly, children and families in need of public health services.</p> <p>Katherine Thomas reported to the Board that staff would be participating in an State wide Emergency Preparedness drill May 1-4, 2006.</p> | <p>No action.</p> |
| <p>6. OLD BUSINESS</p> | | |
| <p>6.1. Nurse Licensure Compact Update</p> | <p>Katherine Thomas reported that Kentucky had just passed legislation to join the compact.</p> | <p>No action.</p> |
| <p>6.2. M.D. Anderson Patient Safety Pilot Program</p> | <p>The Board reviewed the update from the Patient Safety Pilot Health Alliance Safety Partnership. Debra Simmons, RN, did an update on the Pilot Program using a slide presentation.</p> | <p>No action.</p> |
| <p>6.3. Proposed Adoption and Consideration of Comments and Responses of Amendments to Rule 217.16, Minor Incidents</p> | <p>The Board considered the proposed adoption, comments and responses of Amendment sot Rule 217.16, Minor Incidents.</p> | <p>The Board voted to adopt proposed Rule 217.16, Minor Incidents, as published in the <i>Texas Register</i> with two editorial changes to make language consistent with other sections of the rule and to publish the adopted rule in the <i>Texas Register</i> with the summary of the comments received and Board responses to the comments as presented.</p> |
| <p>6.4. Update on Rules 217.2, 217.4, and 217.5</p> | <p>Joy Sparks gave a verbal summary on the status of these previously proposed rule amendments.</p> | <p>No action.</p> |
| <p>6.5. Consideration of the Psychological Evaluation Requested by the Board at the January, 2006 Board Meeting and Staff's</p> | <p>The Board considered the results of the forensic psychological evaluation of Shellie G. Jorden. Dr. Matthew Ferrara was present to answer any questions regarding the results of the evaluation.</p> | <p>The Board voted to initiate a complaint against LVN License No. 48706 Issued to Shellie Jorden under the authority of Texas Occupations Code Section 301.457, based on the conclusions in Dr. Ferrara's February 17, 2006 evaluation that Mr. Jorden is not fit to currently practice.</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>Recommendation in the Matter of Permanent Certificate #48706, Issued to Shellie G. Jorden</p> | | |
| <p>7. NEW BUSINESS 7.2. Consideration of Amendment to Board Policy on TPAPN Orders to include Suspend/TPAPN Orders</p> | <p>The Board considered the proposed amendment to the Board Policy on TPAPN Orders to include Suspend/TPAPN Orders.</p> | <p>The Board voted to adopt the proposed change to the Board's Policies on Discipline of the board member Policy Book in the section entitled policy Regarding Delegation of Authority to the Executive Director in Eligibility and Disciplinary Matters and grant the Executive Director the authority to enter Suspend/TPAPN orders without Board ratification.</p> |
| <p>7.2.1. Consideration of Agreed Order of Robert Roy Wittmer, RN #643249</p> | <p>The Board considered the Proposed Agreed Order of Robert Roy Wittmer, RN #643249.</p> | <p>The Board voted to accept the Agreed Order of Robert Roy Wittmer. Enforced Suspension. Respondent license is hereby suspended with such suspension enforced until such time as Respondent complies with the requirements set out below: Respondent shall make a payment of \$500 payable to TPAPN at the time of application and entry into the TPAPN program. Upon acceptance into the TPAPN program, Respondent shall waive confidentiality and provide a copy of the executed TPAPN contract to the Board; Respondent shall comply with all requirements of the TPAPN contract; and Respondent shall cause TPAPN to notify the Board of any violation of the TPAPN contract.</p> |
| <p>7.3. Request for Charge from the Board to the Advisory Committee on Education Regarding Approval of Nursing Education Programs Outside of Texas' Jurisdiction</p> | <p>The Board considered staff's request to issue a charge to ACE regarding Board approval of nursing education programs outside of Texas' jurisdiction.</p> | <p>The Board voted to issue a charge to ACE regarding Board approval of nursing education programs outside of Texas' jurisdiction to include, but not limited to: studying the issues involved in the Board approving nursing education programs outside Texas' jurisdiction currently operating in Texas or desiring to operate in Texas; recommending new rules and regulations addressing Board approval of nursing education programs outside Texas' jurisdiction currently operating in Texas or desiring to operate in Texas; and reviewing rule language for clarity and consistency between Rule 214 and Rule</p> |

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| <p>7.4. APN Petitioner, Linda Meister, RN #670301</p> <p>8. PROPOSED BOARD ORDERS 8.2. Agreed Orders</p> | <p>The Board considered APN Petitioner Linda Meister's request for eligibility for authorization to practice as a Women's Health Care Nurse Practitioner based on limited information regarding her educational preparation.</p> <p>Cynthia Banhart, LVN #90984/RN #254878</p> <p>Patrice Diane Caldwell, RN #685656</p> | <p>215 and making recommendations regarding Rule 219.</p> <p>The Board voted to deny Linda Meister's request for authorization to practice Advance Practice Nurse.</p> <p>The Board voted to ratify the Agreed Orders on Consent with the following results:</p> <p>The Board voted to approve this order with a correction to the education portion of this order.</p> <p>Reprimand with Stipulations. Within ninety days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,100. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; and shall provide employer reports.</p> <p>Reprimand with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in medication administration; a board approved course in physical assessment; and a board approved course in nursing documentation. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order;</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| | <p>Marie Antoinette Gordon, LVN #148184/RN #675082</p> | <p>shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this board order; and in-direct supervision with employment restrictions for the remainder of the stipulation period.</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 medication administration. 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 Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p> |
| <p>8.3. Reinstatement Agreed Order</p> | <p>Edward C. Girard, RN #238662</p> | <p>Reinstated with Stipulations. Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall be issued a MSR invalid license to practice professional nursing in the State of Texas.</p> |
| <p>8.4. Eligibility Agreed Order</p> | <p>Stacy Layne Beavers, Petitioner for Initial Licensure (LVN)</p> | <p>Board Member Frank Sandoval voted to oppose the acceptance of this order. 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 a board</p> |

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| | | <p>approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN 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; shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; and Petitioner shall cause her probation officer to submit quarterly written reports regarding her compliance with her court ordered probation until released from probation.</p> |
| <p>9. MISCELLANEOUS 9.1. Board Items of Interest for Future Board Meetings</p> | <p>The Board discussed items of interest for upcoming meetings.</p> | <p>Richard Gibbs requested the board consider limiting the number of times new nursing education programs may appear before the board. It was agreed that succession planning for the Executive Director position should begin. A Board development session on open records will be held at the July meeting.</p> |
| <p>9.2. Board Development: On-line training by the Office of the Attorney General - Open government Training Video</p> | <p>The Board members watched a one hour DVD presentation by the Office of the Attorney General regarding Open Meetings.</p> | <p>No action.</p> |
| <p>9.3. Consideration of Special Agreed Orders 9.3.1. Consideration of Agreed Orders In the Matter of Permanent Certificate #99225, Issued to</p> | <p>The board discussed the Agreed Order in the Matter of Permanent Certificate #99225, Issued to Carrie L. Baggett, Docket No. 507-06-0332; In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334; and In the Matter of Permanent</p> | <p>No action.</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>Carrie L. Baggett, Docket No. 507-06-0332; In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334; and In the Matter of Permanent Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333</p> | <p>Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333.</p> | |
| <p>9.3.2. Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending litigation: Consideration of Respondents Offers of Compromise to Settle in the Matter of Permanent Certificate #99225, Issued to Carrie L. Baggett, Docket No. 507-06-0332; In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334; and In the Matter of Permanent Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333</p> | <p>The Board convened in Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending litigation: Consideration of Respondents Offers of Compromise to Settle in the Matter of Permanent Certificate #99225, Issued to Carrie L. Baggett, Docket No. 507-06-0332; In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334; and In the Matter of Permanent Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333</p> | <p>No action.</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>9.3.3. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate #99225, Issued to Carrie L. Baggett, Docket No. 507-06-0332; In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334; and In the Matter of Permanent Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333</p> | <p>The Board convened in Open Session to consider recommendations and take action in the Matter of Permanent Certificate #99225, Issued to Carrie L. Baggett, Docket No. 507-06-0332; In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334; and In the Matter of Permanent Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333.</p> | <p>A motion was made, and passed, to consider the Agreed Orders separately.</p> <p>The Board voted to approve the Proposed Agreed Order of Carrie L. Baggett, LVN #99225, Docket No. 507-06-0332.</p> <p>Warning with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence. Within one year of entry of this order and before the time period commences for stipulations four through seven Respondent shall successfully complete a board approved course in physical assessment. Should Respondent choose to practice as a LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p> <p>On a tie vote the Board did not approve the Proposed Agreed Order In the Matter of Permanent Certificate #133629, Issued to Sheila Annette Clark, Docket No. 507-06-0334.</p> <p>On a tie vote the Board did not approve the Proposed Agreed Order In the Matter of Permanent Certificate #039917, Issued to Nathan West, Docket No. 507-06-0333.</p> |
| <p>9.4. Appointment of Board Members to attend the NCSBN Annual Meeting, August 1-4, 2006, Salt Lake city, Utah</p> | <p>The board discussed the appointment of Board members and Staff to attend the NCSBN Annual Meeting, August 1-4, 2006, in Salt Lake City, Utah.</p> | <p>The Board voted that Board Members Brenda Jackson and Rachel Gomez would attend the NCSBN Annual Meeting. That Staff Members Katherine Thomas, Mary Beth Thomas and Jan Hooper would attend the Annual Meeting. Board Member Brenda Jackson and Staff member Katherine Thomas were appointed as the Delegates and Board Members Rachel Gomez and Richard Gibbs were appointed as Alternates for the Delegates.</p> |

| AGENDA ITEM | DISCUSSION | ACTION |
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| <p>9.5. Consideration of Change to the November 14, 2006 and December 12, 2006, Meeting Dates of the Eligibility and Disciplinary Committee</p> | <p>The Board considered the proposed change to the November and December Eligibility and Disciplinary Committee meeting dates.</p> | <p>The Board voted to change the November 14, 2006 and December 12, 2006, Meeting Dates of the Eligibility and Disciplinary Committee to November 13, 2006 and December 11, 2006.</p> |
| <p>9.6. Executive Director and Board Evaluation Process</p> | <p>The Board discussed the Executive Director and Board Evaluation Process.</p> | <p>The Board voted for Phyllis Rawley to continue serving as the liaison for the Executive Director and Board Evaluation Process and to do both evaluations at the July Board meeting.</p> |
| <p>ADJOURNMENT:</p> | <p>Having completed all business as listed on the agenda, the meeting adjourned at 2:50 p.m.</p> | |
| | <p>_____ Linda Rounds, PhD, RN, FNP, Board President</p> | |
| | <p>_____ Katherine A. Thomas, MN, RN, Executive Director</p> | |