
BOARD OF NURSE EXAMINERS

Regular Meeting

Thursday, July 20, 2006

8:35 a.m. - 4:50 p.m.

Friday, July 21, 2006

8:40 a.m. - 2:20 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Deborah Bell

George Buchenau, Jr.

Virginia Campbell

Phyllis Caves Rawley

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Anita Palmer

Beverley Nutall

Blanca Rosa Garcia

Absent:

Joyce Adams

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
CALL TO ORDER	Linda Rounds called the meeting to order at 8:35 a.m, Thursday, July 20, 2006.	
ROLL CALL	All members were present with the exception of Joyce Adams and 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 April 19-20, 2006 meeting.	The Board approved the minutes from the April 19-20, 2006 meeting.
CONSENT AGENDA ITEMS		<p>The Consent agenda was approved with the following changes:</p> <p>Item 2.1. Financial Statements was removed from the consent agenda for discussion.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.8.a. Notification of Nursing Education Program Closure, Del Mar College, Vocational Nursing Education Program.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.2 Agreed Order of Rachel Marie Loomis, LVN #152667.</p> <p>Item 8.2. Agreed Orders: The following Agreed Order was removed from the Agenda: Jeanne Marie Bartosiewice, RN #655661</p> <p>The following Agreed Orders were removed from the consent agenda for discussion: Jennie Lee Dison, LVN #155100 Risa Greenmyer Falkenberry, LVN #82862/RN #606270 George Eric Hartline, RN #608338</p> <p>Item 8.4. Eligibility Agreed Order: The following Agreed Order was removed from the Agenda: Leslie Karen Groves, LVN</p>

AGENDA ITEM	DISCUSSION	ACTION
2.2. CE Compliance Report		<i>Approved on Consent.</i>
3.2.1. Confirmation of Approval Status Based on 2005 NCLEX-PN Examination Pass Rate and Review of 2005 Annual Report - Full approval with No Recommendations and No Requirements, Trinity Valley Community College at Palestine	<i>The Board considered the 2005 NCLEX-PN examination pass rates and review of the 2005 Annual Reports.</i>	<i>The Board voted to continue full approval for Trinity Valley Community College at Palestine, with no conditions and no requirements to be met.</i>
3.2.7. Notification of Consolidation of Vocational Nursing Education Programs		
3.2.7.a. Angelina College at Lufkin, Crockett, and Jasper Vocational Nursing Education Programs		<i>No Board Action taken. This notification was for informational purposes only.</i>
3.2.7.b. Lamar State College at Orange Day and Evening Vocational Nursing Education Programs		<i>No Board Action taken. This notification was for informational purposes only.</i>
3.2.7.c. Tyler Junior College at Jacksonville Day and Evening Vocational Nursing Education Programs		<i>No Board Action taken. This notification was for informational purposes only.</i>
3.2.7.d. Tyler Junior College at Tyler Day and		<i>No Board Action taken. This notification was for informational purposes only.</i>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Evening Vocational Nursing Education Programs</i></p>		
<p><i>3.2.8. Notification of Nursing Education Program Closure</i></p>		
<p><i>3.2.8.a. Del Mar College, Vocational Nursing Education Program</i></p>		<p><i>No Board Action taken. This notification was for informational purposes only.</i></p>
<p><i>3.2.8.b. University of Texas Southwestern Medical Center at Dallas, Women’s Health Care Nurse Practitioner Program</i></p>		<p><i>No Board Action taken. This notification was for informational purposes only.</i></p>
<p><i>5.1.1. Eligibility and Disciplinary Committee</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>7.1.1. TPAPN Quarterly Report</i></p>		<p><i>Approved on Consent.</i></p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.2. Agreed Orders</p>		<p><i>The board voted to ratify the Agreed Orders on Consent with the following results:</i></p>
	<p>Linda Sue Acuna, RN #553633</p>	<p>Limited License. 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>Benny Don Baughman, LVN #143423</p>	<p>Warning with Stipulations. Within ninety days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,000. Within one year of entry of this order Respondent shall successfully complete a</p>

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	<p>Patricia Ann Peterson, RN #596370</p>	<p><i>notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and shall have in-direct supervision with employment restrictions.</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 \$250. 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 RN in Texas, it is agreed that Respondent's employment as a nurse shall be limited to Home Care Connections, San Antonio, Texas. Respondent will provide direct patient care under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall be subject to random periodic visits; and shall have in-direct supervision for the duration of the stipulation period. Should Respondent's employment with Home Care Connections cease prior to the completion of the one year of stipulations, 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 in-direct supervision with employment restrictions.</i></p>
	<p>Yvette Denise Raddohl, LVN #183902</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; a board approved course in nursing ethics; and a board approved course in nursing documentation. 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;</i></p>

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	<p>Laura Joanne Sewell, LVN #174892</p>	<p><i>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 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 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.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a board approved treatment program, 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 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 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 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</p>

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	<p>Terrilynn Ray Shade, LVN #142677/RN #621236</p>	<p><i>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 reports regarding Respondent's progress in therapy until released from therapy; and Respondent shall cause her probation officer to submit quarterly written reports regarding Respondent's compliance with her court ordered probation until released from probation. It is further agreed that should Respondent be convicted of the offense as outlined in finding of fact number six, said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice nursing in the State of Texas.</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 medication administration; 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; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p>

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	<p>Richie Sue Sharrock, LVN #108729</p> <p>Julie Ventura Simmons, LVN #191749</p> <p>Myung Hi Sin, LVN #79756/RN #513090</p> <p>William L. Skaehill, LVN #136331/RN #617726</p>	<p>Limited License. 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; 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>Enforced Suspension. Respondent's licenses are hereby suspended with said suspension enforced until Respondent returns her licenses to be placed in "retired" status. Once Respondent's licenses are placed in "retired" status, Respondent shall not seek to renew or reactivate her professional or vocational license, nor will she be eligible to practice as a Voluntary Retired Nurse. Should Respondent desire to return to the practice of nursing, Respondent shall petition the Board for such approval and Respondent's petition shall be evaluated pursuant to criteria in effect at the time the petition is considered.</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 physical assessment; 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</p>

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<p>8.3. REINSTATEMENT AGREED ORDERS</p>	<p>Dick Howard Weatherly, RN #227135</p>	<p>Warning with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence. Should Respondent choose to practice as a CRNA 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's practice as a RN Anesthetist shall be monitored for one year by a board approved Anesthesiologist or CRNA.</p>
	<p>Gay Lynn Wuerzburger, RN #699390</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 medication administration; 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 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>Barbara Sweeney Cox, RN #526992</p>	<p>Reinstated with Stipulations. Petitioner's Application for Reinstatement shall be granted with the following conditions: 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 forty-five days of entry of this order Petitioner shall apply to and be accepted into the TPAPN program which shall include payment of a non-refundable participation fee in the amount of five</p>

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	<p>Harolynn Jakesha Barker, Petitioner for Initial Licensure (RN)</p> <p>Susan Noelle Cranford, Petitioner for Initial Licensure (LVN)</p> <p>Sharon Lee Davis, Petitioner for Initial Licensure (LVN)</p>	<p>reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p> <p>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. 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 until released from therapy.</p> <p>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-LVN 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-LVN, 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; and Petitioner shall cause each employer to submit notification of employment forms.</p> <p>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</p>

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	<p>Mary Alice Grismore, Petitioner for Initial Licensure (RN)</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 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> <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 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 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</i></p>

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	<p>Katrina Marie O’Grady, Petitioner for Initial Licensure (RN)</p>	<p><i>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 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 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 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. 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 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Sophie Rochelle Shields, Petitioner for Initial Licensure (RN)</p>	<p><i>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 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; 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 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 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; and Petitioner shall have in-direct supervision with employment restrictions for the duration</i></p>

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	<p><i>Karen L. Stropki, Petitioner for Initial Licensure (RN)</i></p> <p><i>Halana Addis Alem Teshome, Petitioner for Initial Licensure (RN)</i></p> <p><i>Brian David Thompson, Petitioner for Initial Licensure (LVN)</i></p>	<p><i>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. 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 until released from therapy.</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 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> <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</i></p>

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	<p>Judith Anne Wampole, Petitioner for Initial Licensure (LVN)</p>	<p><i>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; 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>1. ADMINISTRATION 1.1. Executive Director's Report</p> <p>2. OPERATIONS 2.1 Financial Statements</p> <p>3. NURSING 3.1. PRACTICE 3.1.1. Workshop Report</p> <p>3.2. EDUCATION 3.2.2. Continuation of Approval Status Based on NCLEX-PN Examination Pass Rates, Review of 2005 Annual Report and Review of Self Study</p> <p>3.2.2.a. Angelina College at Crockett, Vocational Nursing Education Program</p> <p>3.2.2.b. Angelina College at Lufkin-Traditional, Vocational Nursing Education Program</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>Mark Majek discussed the monthly revenue and expenditure budget reports.</p> <p>Melinda Hester gave a verbal summary of the Workshop Report.</p> <p>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 self study report. Sharon Buffalo, RN, MSN, Nursing Programs Coordinator was present to answer questions.</p> <p>The Board considered the approval status and requirements to be met for the Angelina College at Lufkin Vocational Nursing Education Program based on review of the NCLEX-PN® examination pass rate for 2005, review of the 2005 Annual Report, and review of the self-study report received May 19, 2006. Sharon Buffalo, RN, MSN, Nursing Programs Coordinator was present to answer questions.</p>	<p><i>the stipulation period.</i></p> <p>No action.</p> <p>No action.</p> <p>No action.</p> <p>The Board voted to continue full approval status for the Angelina College at Crockett Vocational Nursing Education Program, accepted the Self-Study Report, and issued requirements to be met.</p> <p>The Board voted to continue full approval status for the Angelina College at Lufkin Vocational Nursing Education Program, accepted the Self-Study Report, and issued requirements to be met.</p>

AGENDA ITEM	DISCUSSION	ACTION
3.2.2.c. Coastal Bend College at Kingsville, Vocational Nursing Education Program	<p>The Board considered staff recommendation concerning approval status and requirements to be met for the Coastal Bend College at Kingsville Vocational Nursing Education Program based on review of the NCLEX-PN® examination pass rate for 2005, review of the 2005 Annual Report, and review of the self-study report.</p> <p>Judy Guerra-Barrera, RN, Director/Coordinator was present to answer questions.</p>	The Board voted to continue full approval status for the Coastal Bend College at Kingsville Vocational Nursing Education Program, accepted the Self-Study Report, and issued requirements to be met.
3.2.2.d. Midland College at Fort Stockton, Vocational Nursing Education Program	<p>The Board considered staff recommendation concerning approval status and requirements to be met for the Midland College at Ft. Stockton Vocational Nursing Education Program based on review of the NCLEX-PN® examination pass rate for 2005, review of the 2005 Annual Report, and review of the self-study report received May 15, 2006.</p> <p>Dee Ann Decker, RN, MSN, Program Director; Carla Hooker, Program Coordinator; and Lynn Mock, Instructor, were present to answer questions.</p>	The Board voted to continue full approval status for the Midland College at Ft. Stockton Vocational Nursing Education Program, accepted the Self-Study Report, and issue the requirements to be met.
3.2.2.e. Odessa College at Monahans, Vocational Nursing Education Program	<p>The Board considered staff recommendations concerning approval status and requirements to be met for the Odessa College Vocational Nursing Education Program at Monahans based on the review of the 2005 NCLEX-PN® pass rate, review of the 2005 Annual Report and review of the Self-Study Report.</p> <p>Patricia Bayless, RN, Program Director; and Carmen Edwards, MSN, RN, Associate Dean of Nursing were present to answer questions.</p>	The Board voted to continue full approval status for the Odessa College Vocational Nursing Education Program at Monahans, accepted the Self Study, and issue the recommendation and requirements to be met.
3.2.2.f. South Plains College at Levelland, Vocational Nursing Education Program	<p>The Board considered staff recommendation concerning approval status and requirements to be met for South Plains College at Levelland Vocational Nursing Education Program based on review of the NCLEX-PN® examination pass rate for 2005, review of the 2005 Annual Report, and review of the May 15, 2006 self study report.</p> <p>Sue Ann Lopez, MSN, RN was present to answer questions.</p>	The Board voted to continue full approval status for South Plains College Vocational Nursing Education Program, accepted the Self Study Report, and issued requirements to be met.

AGENDA ITEM	DISCUSSION	ACTION
3.2.2.g. South Texas College at McAllen-Day, Vocational Nursing Education Program	The Board considered staff recommendation concerning approval status of the South Texas College Day Vocational Nursing program at McAllen based on review of the 2005 NCLEX-PN® Examination pass rates, the 2005 Annual Report, and self-study report.	The Board voted to continue the full approval status of the South Texas College Day Vocational Nursing Program at McAllen accepted the self study report, and issue requirements to be met.
3.2.2.h. Valley Grande Institute for Academic Studies, Vocational Nursing Education Program	The Board considered staff recommendation concerning approval status and requirement to be met for the Valley Grande Institute for Academic Studies Vocational Nursing Education Program based on review of the NCLEX-PN® examination pass rate for 2005, review of the 2005 Annual Report, and review of the letter of explanation dated May 4, 2006. Irene Elizade, RN; and Graciela Pena, LVN were present to answer questions.	The Board voted to continue full approval status of the Valley Grande Institute for Academic Studies Vocational Nursing Education Program based upon the program's 2005 NCLEX-PN® examination pass rate, review of the 2005 Annual Report, and letter of explanation regarding the 2005 NCLEX-PN® examination pass rate as indicated.
3.2.2.i. Victoria College at Cuero, Vocational Nursing Education Program	The Board considered staff recommendation concerning approval status and requirements to be met for Victoria College at Cuero Vocational Nursing Education Program based on review of the NCLEX-PN® examination pass rate for 2005, review of the 2005 Annual Report, and review of the May 12, 2006 self study report. LeAnn Wagner, MSN, RN and Patricia Dworaczyk, BSN, RN were present to answer questions.	The Board voted to continue full approval status for Victoria College Vocational Nursing Education Program, accepted the Self Study Report, and issued requirements to be met.
3.2.3. Continuation of Approval Status Based on NCLEX-PN® Examination Pass Rates, Review of 2005 Annual Report, Review of Self Study and Report of Survey Visit-Computer Career Center, Vocational Nursing Education Program	The Board considered staff recommendation concerning approval status and requirements to be met for Computer Career Center Vocational Nursing Program based on review of the 2005 NCLEX-PN® Examination pass rates for first time graduates, the 2005 Annual Report, self-study report and survey visit. Lee Chaayes, president; Fernando Martinez; Jim Tolbert; and Kim Golucke were present to answer questions.	Board member Blanca Rosa Garcia, abstained from the vote on this item. The Board voted to continue the Initial Approval status of the Computer Career Vocational Nursing Program, accepted the self study report and issued requirements to be met.

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.4. Report of Survey Visit</p> <p>3.2.4.a. Anamarc Educational Institute, Vocational Nursing Education Program</p>	<p>The Board considered the report of the May 23, 2006 site survey visit to Anamarc Vocational Nursing Education Program at El Paso, Texas.</p>	<p>The Board voted to accept the report of findings of the survey visit for Anamarc Vocational Nursing Education Program at El Paso, Texas and issued requirements to be met.</p>
<p>3.2.4.b. Army Practical Nurse Course - Phase II at Tacoma, WA, Practical Nurse Course</p>	<p>The Board considered the report of the March 29, 2006 survey visit to the Army Practical Nurse Program Phase 2 site at Fort Lewis, Washington.</p>	<p>The Board voted to accept the report of findings of the survey visit for Army Practical Nurse Program Phase 2 site at Fort Lewis, Washington and issued the commendations, recommendations, and requirements to be met.</p>
<p>3.2.4.c. Concorde Career Institute</p>	<p>The Board considered the survey visit report conducted on June 20, 2006 to Concorde Career Institute Vocational Nursing Education Program. Barbara Johnson, NDON and Anna Dye, MSN, RN, Program Director were present to answer questions.</p>	<p>The Board voted to accept the Concorde Career Institute Vocational Nursing Education Program survey visit report and issued the commendations, recommendation and requirements to be met.</p>
<p>3.2.4.d. St. Philip's College, Associate Degree Nursing Education Program</p>	<p>The Board considered the report of the April 17, 2006 survey visit and the staff recommendation concerning commendations, requirements and recommendations to be met based on the outcome of the survey visit. Dr. Lanier Byrd, Vice-President, Academic Affairs, Clare Wallace, ADN Program Director and Dr. Bess Steward, ADN Program Instructor were present to answer questions.</p>	<p>The Board voted to accept the report of the April 17, 2006 survey visit and issued the commendations, recommendations and requirements to be met.</p>
<p>3.2.4.e. Tyler Junior College at Jacksonville-Day, Vocational Nursing Education Program</p>	<p>The Board considered the report of the April 5, 2006 survey visit to the Tyler Junior College- Day Vocational Nursing Education Program at Jacksonville. Kay Devereux, Director and Cindy James, Coordinator were present to answer questions.</p>	<p>The Board voted to accept the report of findings of the survey visit for Tyler Junior College-Day Vocational Nursing Program at Jacksonville and issued the commendations, recommendations, and requirements to be met.</p>
<p>3.2.4.f. Tyler Junior College at Jacksonville-Evening, Vocational Nursing Education</p>	<p>The Board considered the report of the April 5, 2006 survey visit to the Tyler Junior College- Evening Vocational Nursing Education Program at Jacksonville. Kay Devereux, Director and Cindy James,</p>	<p>The Board voted to accept the report of findings of the survey visit for Tyler Junior College-Evening Vocational Nursing Program at Jacksonville and issued the commendations, recommendations and requirements to be met.</p>

AGENDA ITEM	DISCUSSION	ACTION
Program	Coordinator were present to answer questions.	
3.2.4.g. Tyler Junior College at Tyler-Day Vocational Nursing Education Program	The Board considered the report of the April 6, 2006 survey visit to the Tyler Junior College- Day Vocational Nursing Education Program at Tyler. Kay Devereux, Director and Cindy James, Coordinator were present to answer questions.	The Board voted to accept the report of findings of the survey visit for Tyler Junior College-Day Vocational Nursing Program at Tyler and issued the commendations, recommendations, and requirements to be met.
3.2.4.h. Tyler Junior College at Tyler-Evening, Vocational Nursing Education Program	The Board considered the report of the April 6, 2006 survey visit to the Tyler Junior College- Evening Vocational Nursing Education Program at Tyler. Kay Devereux, Director and Cindy James, Coordinator were present to answer questions.	The Board voted to accept the report of findings of the survey visit for Tyler Junior College-Evening Vocational Nursing Program at Tyler and issued the commendations, recommendations, and requirements to be met.
3.2.5. Consideration of Proposed Change in Approval Status Based on the NCLEX-RN® Examination Pass Rates for the First Graduating Class-Kingwood College (NHMCCD), Associate Degree Nursing Education Program	The Board considered the staff recommendation concerning a proposed change in the approval status for Kingwood College Associate Degree Nursing Education Program based on review of the NCLEX-RN® Examination pass rates for the first graduating class. Margaret M. Aalund, RN, MSN, Nursing Program Director was present to answer questions.	The Board voted to change the Initial approval status of the Kingwood College Associate Degree nursing education program to Full in accordance with rule 215. 4 related to Approval.
3.2.6. Public Hearing for Proposal to Establish a New Nursing Education Program		
3.2.6.a. Del Mar College, Multiple Entry/Exit Program	The Board considered the Del Mar College proposal to establish a nursing Multiple Entry-Exit Program (MEEP) in Corpus Christi, Texas. Bertha Almendarez, MSN, RN, Interim Chairperson and Donna Wofford, PhD, RN, Director of Nursing Program were present to answer questions.	Board member Blanca Rosa Garcia, recused herself from the consideration and vote on this item. The Board voted to approve a nursing Multi Entry/Exit Program (MEEP) to be established by Del Mar College, granted the program Initial Approval status, authorized board staff to conduct a survey visit in Fall 2006, and issued requirements to be met.

AGENDA ITEM	DISCUSSION	ACTION
3.2.6.b. University of Houston at Victoria and Sugarland, RN to BSN Education Program	The Board considered the University of Houston proposal to establish an RN to BSN Education Program to be offered at Victoria and Sugarland and results of the survey visit. Dr. Jeanette Hartshort, Don Smith, University Administrator and Dr. Dennis D. Golden, Board of Regents, were present to answer questions.	The Board voted to approve an RN to BSN Program to be established by the University of Houston at Victoria which will be offered at Victoria and Sugarland, granted the program Initial Approval status, authorized board staff to conduct a survey visit in Spring 2007, and issued requirements to be met.
3.2.9. Petition for Non-Emergency Faculty Waiver - Galen Health Institute Vocational Nursing Education Program	The Board considered the recommendation from the Education Liaison Committee (ELC) to approve the Galen Health Institute Vocational Nursing Education Program petition for a non-emergency faculty waiver for Mr. Jerry L. Armstrong, RN.	The Board voted to ratify the recommendation from the ELC to approve the non-emergency faculty waiver for Jerry L. Armstrong, RN, to be a nursing faculty member for the Vocational Nursing Education Program at Galen Health Institute.
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/3 RD Quarter Report	The Board reviewed the Strategic Planning 3 RD Quarter Report. Mark Majek was present to answer questions.	No action.
5.1.3. Development and Evaluation	The Board discussed receiving additional training on Forensic Evaluations.	No action.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	Jolene Zych reported that the committee is reviewing revisions to Rule 219.	No action.
5.2.2. Nursing Practice Advisory Committee	No report.	No action.

AGENDA ITEM	DISCUSSION	ACTION
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	Dusty Johnston reported that the Committee met on July 19, 2006.	No action.
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee	No report.	No action.
5.3.2. Texas Nurses Association's Competency Task Force	Mary Beth Thomas informed the Board of the activities of the consortium including their plans to offer a summer institute on continued competency.	No action.
5.3.3. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee	Kathy Thomas reported that the Center completed the second survey of hospitals on Nursing Staff and the appointment of a sub-committee on International Nurses.	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.
5.3.5. 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.
5.3.6. Connectivity Work Group of the	Katherine Thomas reported to the Board that staff participated in a State wide Emergency Preparedness drill May 1-4,	No action.

AGENDA ITEM	DISCUSSION	ACTION
Department of State Health Services Preparedness Coordinating Council	2006.	
5.3.7. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)	Mary Beth Thomas reported on the completion of tool development and plans for testing the tool on investigations by Boards of Nursing.	No action.
5.3.8. Texas School Alliance - School Nurse Administrators Annual Conference	Melinda Hester reported that a conference was held on June 4, 2006. A discussion was held on the implementation and progress of HB 984 after completing the first school year and the reference documents on the BNE website. Additional discussion took place on how school nurses could be proactive in developing their own model for competency in their specialty area; on Position Statements 15.13 and 15.14; and the school nurse's duty to his/her students and staff. The School Nurse Administrators were encouraged to communicate with the BNE's nurse consultants for assistance in interpreting the NPA and Rules as they applied to the practice of school nursing.	No action.
OPEN FORUM:	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>Ana Mejia-Dietche, JD, Director Health Industry Steering Committee, came and spoke to the Board regarding the Centralized Clinical Coordination.</p> <p>Elizabeth Vandermulen, RN, MSN, spoke to the Board regarding Clinical Placement Coordination System.</p> <p>No one else came forward and the Open Forum was closed.</p>	No action.

AGENDA ITEM	DISCUSSION	ACTION
6. OLD BUSINESS		
6.1. Nurse Licensure Compact Update	Katherine Thomas reported that the compact has now passed in twenty-three states.	No action.
6.2. M.D. Anderson Patient Safety Pilot Program	The Board reviewed the update from the Patient Safety Pilot Health Alliance Safety Partnership. Debra Simmons, RN, did an update on the Pilot Program.	No action.
6.3. Update on Rules 217.16, Minor Incidents	Joy Sparks gave a verbal summary on the adoption of the proposed rule amendments which were implemented on May 17, 2006.	No action.
7. NEW BUSINESS		
7.3. Impact of House bill 1 on the School Nurses' Role	Melinda Hester reported that the 79 th Legislature, 3 rd called Special Session passed HB 1, which amended the Texas Education Code, Section 38.015, Self-Administration of Prescription Asthma or Anaphylaxis Medicine by Students. Beginning with the 2006-07 school year, students with asthma and students who are at risk for developing anaphylaxis are entitled to carry and self administer their prescription asthma or anaphylaxis medications while at school or a school event, provided the student can demonstrate they are skilled in self-administering their own prescription medications to their physician or other health care provider and the school nurse, if one is available.	No action.
7.4. National Council of State Boards of Nursing Overview of State Legislation on the Diabetic Student	Melinda Hester reported that American Nurses Association (ANA), National Association of School Nurses (NASN) and the American Federation of Teachers (AFT) representing thousands of school nurses presented, during a NCSBN policy call in May 2006, their concerns about legislation around the nation asking that every school with a student who has diabetes have at least 3 employees educated as trained diabetes personnel. The American Diabetes Association is	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>7.5. Proposed Rule Reviews for Chapters 211, General Provisions; 213, Practice and Procedure; and 219, Advanced Nurse Practitioner Programs</p>	<p>sponsoring the model legislation around the country. This type of legislation exists in (14 states including Texas) California, Montana, North Carolina, South Carolina, Washington, Connecticut, Wisconsin, Kentucky, Oregon, Hawaii, Utah and Virginia. Texas implemented this legislation (HB 984) last year. Texas schools and school nurses just completed their first year implementing this legislation. Legislation has been introduced in Rhode Island, Indiana, Oklahoma, New Jersey, West Virginia, Michigan, Pennsylvania and again in Tennessee. ANA, NASN and AFT are concerned about the legislation, because many states are requiring the RN to delegate, which is a violation of states NPAs, should the RN determine the unlicensed person is not qualified or competent. Additionally, they are concerned that precedent is being set for other types of chronic diseases to follow suit, i.e. asthma and epilepsy.</p> <p>A consensus among these organizations is the safety of students come first and efforts should be directed at public policy and funding that provides a full-time RN in each school building to manage all students, particularly those with chronic disease. The opportunity exists, to teach Texas school nurses about the laws surrounding delegation, thus assisting them to be confident in the care of students with diabetes by unlicensed personnel.</p> <p>Joy Sparks reported that Section 2001.039 of the Texas Government Code requires each agency to review each of its rules every four (4) years and consider whether to re-adopt, re-adopt with amendments, or repeal each rule. The reviews of chapter 211 (General Provisions), chapter 213 (Practice and Procedure), and chapter 219 (Advanced Nurse Practitioner Program) were posted in the July 14, 2006, <i>Texas Register</i> and are being done pursuant to this statutory requirement. The Board will need to assess whether the reason(s) for originally adopting these chapters continues to exist. Each section of these chapters will be reevaluated to determine whether it is obsolete, reflects current legal and policy considerations, reflects current procedures and practices of the Board, and/or whether it is in compliance with</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS 8.2. Agreed Orders</p>	<p>chapter 2001 of the Texas Government Code (Administrative Practice Act). The public has thirty (30) days to comment on the rule and to submit any response or suggestion.</p> <p>Jennie Lee Dison, LVN #155100</p> <p>Risa Greenmyer Falkenberry, LVN #82862/RN #606270</p>	<p>The Board voted to ratify the Agreed Orders with the following results:</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; 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 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; 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; 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>

AGENDA ITEM	DISCUSSION	ACTION
	<p>George Eric Hartline, RN #608338</p>	<p>Reprimand with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in jurisprudence and a board approved course in nursing ethics. 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; shall provide notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; 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.</p>
<p>ADJOURNMENT</p>	<p>Having completed this day's business the meeting adjourned at 4:55 p.m.</p>	

AGENDA ITEM	DISCUSSION	ACTION
RECONVENE	The board reconvened at 8:40 am on Friday, July 21, 2006.	
ROLL CALL	All members were present with the exception of Joyce Adams and Frank Sandoval. A quorum was established.	
1. ADMINISTRATION 1.2. Legal	No report.	No action.
1.3. Sunset Review	Katherine Thomas updated the Board on the Sunset review and provided the Board with information on the schedule and remaining process of the review.	No action.
2. OPERATIONS 2.3. Strategic Plan/Legislative Appropriations Request	Mark Majek presented the Legislative Appropriations Request talking points and provided information on Staff's Requested Exceptional Items. The Board considered the requests.	The Board voted to Approve the following Legislative Appropriations Rider Items: The rider for Capital Budget; the Appropriations for Criminal Record Check Receipts; and the Contingency Rider to permit the Board to Hire Enforcement Staff. The Board voted to Approve the following Exception Items: 10% Budget Reduction; Nursing Staff Salary Adjustments; and Merit Raise Funding.
5. COMMITTEE REPORTS 5.2. Advisory Committees/Task Forces	The Board considered the update regarding the status of ACE activities and the recommendation to accept the proposed nomination for a new committee member.	The Board voted to accept the Advisory Committee on Education report and approved the nomination for new membership on the Advisory Committee on Education as follows: Beverly Skloss, MSN, RN-Texas Association of Vocational Nurse Educators (TAVNE)
5.2.3. Advisory Committee on Education		

AGENDA ITEM	DISCUSSION	ACTION
<p>6. OLD BUSINESS 6.4. Revisions to Chapter VIII, Policies on Discipline, Board Policy Hand Book</p> <p>6.4.1. Revisions to pilot of Disciplinary Guidelines from Criminal Conduct</p>	<p>The Board considered Staff's proposed criteria for the staff to use in proposing eligibility and disciplinary orders involving individuals with criminal conduct.</p>	<p>The Board voted to adopt the "Disciplinary Guidelines for Criminal Conduct" to be used in Eligibility and Disciplinary Matters and to place the guidelines on the website to guide candidates for licensure and licensees under investigation with the addition of a footnote that employment with a board order/sanction is at the discretion of the employer/facility.</p>
<p>7. NEW BUSINESS 7.2. Revised Frequently Asked Questions on Emergency Medical Treatment and Labor Act (EMTALA)</p>	<p>The Board considered new FAQs on the role of the nurse regarding the Emergency Medical Treatment and Labor Act (EMTALA), primarily as it relates to performance of a medical screening exam by a registered nurse.</p>	<p>The Board voted to approve new FAQs on the <i>Nurse's Role with the Emergency Medical Treatment & Labor Act (EMTALA): Performance of Medical Screening Exams</i> and to permit Board legal counsel to make non-substantive editorial changes if deemed necessary for purposes of clarification.</p>
<p>7.6. Request for Additional Charges from the Board to the Advisory Committee for Education</p>	<p>The Board considered staff's request for the Board to approve additional charges to the Advisory Committee for Education (ACE) regarding distance education, simulation as a part of clinical learning experiences, and limitations or a revised process for re-submitting a proposal for a new nursing education program after the original proposal is denied by the Board.</p>	<p>The Board voted to issue three new charges to ACE to include, but not be limited to: Possible rule revision to clarify Board expectations in distance education for nursing education programs; Possible rule revision to clarify the role of simulation in clinical learning experiences; and Recommendations on possible limitations or a revised process for re-submitting a proposal for a new nursing education program after the original proposal is denied by the Board.</p>
<p>7.7. APN, Petitioner, Edmund Bouley, RN #723743</p>	<p>The Board considered APN Petitioner Edmund Bouley's request for eligibility for authorization for prescriptive authority.</p>	<p>The Board voted to deny Edmund Bouley's request for authorization for prescriptive authority.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS 8.1. ALJ Proposal for Decision</p>	<p>Charles Stephen Philips, RN #607783</p>	<p>Board Member George Buchenau, Jr., voted to oppose the acceptance of this order. The Board voted to modify the Proposal for Decision in accordance with Staff's recommendations as set forth in the Proposed Order and recommend Reprimand of Mr. Phillip's license as delineated in the Proposed Order and require he submit probation reports quarterly until he is released from probation. Reprimand with Stipulation. Respondent shall cause his probation officer to submit quarterly written reports regarding Respondent's compliance with his court ordered probation until released from probation.</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 upcoming meetings.</p>	<p>Phyllis Rawley requested board development on the Forensic Psychological Evaluations.</p>
<p>9.2. Board Development: On-line training by the Office of the Attorney General - Open Records Training Video</p>	<p>The Board members watched a one hour DVD presentation by the Office of the Attorney General regarding Open Records.</p>	<p>No action.</p>
<p>9.3. Executive Session Pursuant to Tex. Gov't. Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Board Self-Evaluation</p>	<p>The board convened in Executive Session to discuss the annual performance evaluation of the Board.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.4. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine Thomas, Executive Director</p>	<p>The board convened into Executive Session to discuss the annual performance evaluation of the Executive Director, Katherine Thomas.</p>	<p>No action.</p>
<p>9.5. Consideration of Special Agreed Orders</p> <p>9.5.1. Oral Presentation by Respondents and Respondent's Attorney</p> <p>9.5.2. Consideration of Agreed Orders 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 discussed the Proposed Agreed Orders and Considered information presented by Respondents Attorney, Jerri Ward.</p>	<p>Board Member George Buchenau, Jr., voted to oppose the acceptance of these Agreed Orders.</p> <p>The Board voted to approve the Agreed Orders.</p> <p>Sheila Annette Clark, LVN #133629. 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 physical assessment. 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 by an on-call nurse with employment restrictions for the duration of the stipulation period.</p> <p>Nathan West, LVN #039917. 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 physical assessment. 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.5.3. Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending litigation: Consideration for Respondents Offers of Compromise to Settle 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>9.5.4. Convene in Open Session to consider recommendations and take action: 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 did not hold the Executive Session.</p>	<p>provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision by an on-call nurse with employment restrictions for the duration of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
9.6. Appointment of Board Members to the Task Force to make Recommendations Regarding Executive Director Succession Planning	The Board discussed the appointment of Board members to serve on a Task Force to make recommendations regarding the Executive Director Succession Planning.	Linda Rounds appointed Brenda Jackson, Rachel Gomez and Deborah Bell to serve on the Task Force to Make Recommendations Regarding Executive Director Succession Planning.
9.7. Appointment of Board Members to Committee to make Recommendations Regarding Revisions to the Board Governance Policies	The Board discussed the appointment of Board members to serve on a Committee to make Recommendations Regarding Revisions to the Board Governance Policies.	Linda Rounds appointed Phyllis Rawley, Virginia Campbell and Richard Gibbs to serve on the Committee to make Recommendations Regarding Revisions to the Board Governance Policies.
9.8. Report on NCSBN Delegate Assembly, August 1-4, 2006, Salt Lake City, Utah	The Board reviewed the report on the NCSBN Delegate Assembly.	The Board voted to direct the delegates to vote on these issues after hearing and considering the discussion on the issues.
ADJOURNMENT:	Having completed all business as listed on the agenda, the meeting adjourned at 2:50 p.m.	
	<hr/> Linda Rounds, PhD, RN, FNP, Board President	
	<hr/> Katherine A. Thomas, MN, RN, Executive Director	

