

BOARD OF NURSE EXAMINERS

Public Hearing

Wednesday, April 18, 2007
3:04 p.m. - 5:20 p.m.
333 Guadalupe, Tower II, Room 225
Austin, Texas

Present:

Linda Rounds
Deborah Bell
George Buchenau, Jr.
Virginia Campbell
Richard Robert Gibbs
Rachel Gomez
Brenda Jackson
Beverley Nutall
Blanca Rosa Garcia

Absent:

Frank Sandoval
Anita Palmer

Staff present:

Katherine A. Thomas, Executive Director
Anthony Diggs, Director of Enforcement
Mark Majek, Director of Operations
James "Dusty" Johnston, General Counsel
Sabrina McDonald, Administrative Assistant
Jolene Zych, Nursing Consultant
Virginia Ayars, Nursing Consultant
Carol Marshall, Nursing Consultant
Melinda Hester, Nursing Consultant
Bruce Holter, Information Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the hearing to order at 3:04 p.m, Wednesday, April 18, 2007.	
ROLL CALL	All members were present with the exception of Frank Sandoval and Anita Palmer. A quorum was established.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
The Board of Nurse Examiners is holding a public hearing to obtain stakeholder feedback on the Board's Proposed Position Statement on Nursing Work Hours. This hearing is designed to provide an opportunity for nurses and others to comment on this Position Statement.	Carol Marshall did a power point presentation on the	
	The Board heard from the following individuals who spoke in support of the implementation of the Position Statement on Nursing Work Hours: Margie O'Donnell, Texas Nurses Association Debora Simmons	No action.
	The Board heard from the following individuals who spoke in opposition of the Position Statement on Nursing Work Hours: Brenda Williams Stephen T. Cooney Andrea Silverstein Lisa Cashiola Laura Roy-Gures, Air Evac Lifeteam, EMS Amanda McWilliams Margaret Steinback, Pediatrix Medical Group Esta Coin Karen McKeown, East Texas Medical Center Cheryl Roberts, McCarney County Hospital District James Walker, Texas Association of Nurse Anesthetists Linda King, Iraan General Hospital/Rankin Hospital/Medical Center Hospital	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>ADJOURNMENT:</p>	<p>Vickie Ramsey, Critical Access Hospital Heidi L. Willsher Anne Marie Bisch, Regent Care Center Skilled Nursing Facility Juan P. Perez Philip Raine Carmen Strobel Lynda Woolbert, Coalition for Nurses in Advanced Practice Doug Barrera Julie Byers, N.N.O.C. Liann Vinson, United States Alliance of Emergency Medicine Jeff Bates, Association of Emergency Physicians Tricia Davis, MedCare Pediatric Group Maria Erica Tinajero Sandra Ferrera, UTMB Correctional Managed Care Lisa Meditz Jan Neeley Cheryl Carlson Laura Waters, Davita Kevin Graham, Davita Franes E. Mulero Andi Freeman</p> <p>Having completed all public testimony, the hearing adjourned at 5:20 p.m.</p> <p>_____ Linda Rounds, PhD, RN, FNP, Board President</p> <p>_____ Katherine A. Thomas, MN, RN, Executive Director</p>	

BOARD OF NURSE EXAMINERS

Regular Meeting

Thursday, April 19, 2007

8:39 a.m. - 5:05 p.m.

Friday, April 20, 2007

8:40 a.m. - 11:49 a.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Deborah Bell

George Buchenau, Jr.

Virginia Campbell

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Frank Sandoval

Blanca Rosa Garcia

Absent:

Anita Palmer

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

Mark Majek, Director of Operations

James "Dusty" Johnston, General Counsel

Joy Sparks, Assistant General Counsel

Victoria Cox, Assistant General Counsel

Mary Beth Thomas, Director of Nursing

Sabrina McDonald, Administrative Assistant

Jolene Zych, Nursing Consultant

Virginia Ayars, 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 8:39 a.m, Thursday, April 19, 2007.	
ROLL CALL	All members were present with the exception of Anita Palmer. 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 February 19-20, 2007 meeting.	Blanca Rosa Garcia requested that the minutes be changed to reflect that she was not present for the approval of the Consent Agenda. The Board approved the minutes from the February 19-20, 2007 meeting.
CONSENT AGENDA ITEMS		<p>The Consent agenda was reviewed and approved with the following changes:</p> <p>Brenda Jackson recused herself from the consideration and vote on Item 3.2.1.a. University of Texas Health Sciences Center at San Antonio.</p> <p>Linda Rounds recused herself from the consideration and vote on Item 3.2.1.a. University of Texas Health Sciences Center at Galveston.</p> <p>The following Agreed Orders were removed from the Consent Agenda for Discussion:</p> <p>Valerie Ann Edwards, LVN #175940 Tammy Ann Harmon, LVN #130890 Elissa Kate Mahan, RN #721464 Rebecca Lynne Murphy, LVN #113019 Steven Wayne Rhame, LVN #185805 Cathryn Patricia Rodriguez, LVN #155055/RN #670729</p>
<p>2.1. Financial Statement - 2ND Quarter, Fiscal Year 2007</p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.1.1. <i>Workshop Report</i></p> <p>3.2.1. <i>Confirmation of Approval Status Based on 2006 NCLEX-RN Examination Pass Rates and Review of 2006 Annual Reports</i></p> <p>3.2.1.a. <i>Full Approval with Commendation Diploma Nursing Education Program Covenant School of Nursing Associate Degree Nursing Education Programs Alvin Community College Amarillo College Austin Community College Blinn College Brookhaven College Central Texas College College of the Mainland Collin County Community College Cy Fair College El Centro College El Paso Community College Grayson County College Houston Baptist University Houston Community College Howard College Lamar State College at Port Arthur Lamar University at Beaumont North Central Texas College North Harris College Rortheast Texas</i></p>	<p><i>The Board considered the 2006 NCLEX-RN examination pass rates and review of 2006 Annual Reports.</i></p>	<p><i>Approved on Consent.</i></p> <p><i>The Board voted to continue full approval including commendations.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Community College Odessa College Panola College Paris Junior College San Jacinto College Central Tarrant County College Texarkana College Trinity Valley Community College Temple College Weatherford College Wharton County Junior College Baccalaureate Degree Nursing Education Programs Baylor University Houston Baptist University Lamar University at Beaumont Midwestern State University Prairie View A&M University Stephen F. Austin State University Texas A&M International University Texas A&M University at Corpus Christi Texas Christian University Texas Tech University Health Science Center Texas Woman's University University of Mary- Hardin Baylor University of Texas at Arlington University of Texas at Austin University of Texas at El Paso University of Texas at Tyler University of Texas</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Health Science Center at Houston University of Texas Health Science Center at San Antonio University of Texas Medical Branch at Galveston University of Texas-Pan American Master's Degree Nursing Education Program University fo Texas at Austin-(Alternate Entry MSN Program)</i></p>		
<p><i>3.2.1.b. Full Approval with Commendation and Requirement Associate Degree Nursing Education Program Laredo Community College</i></p>	<p><i>The Board considered the 2006 NCLEX-RN examination pass rates and review of 2006 Annual Reports.</i></p>	<p><i>The Board voted to continue full approval for the pre-licensure nursing education programs listed, including the commendations and requirements to be met.</i></p>
<p><i>3.2.1.c. Full Approval with No Recommendations and No Requirements Diploma Nursing Education Program Baptist Health System Associate Degree Nursing Education Programs Angelina College Angelo State University Del Mar college Galveston College Kingwood College Lamar State College at Orange Lee College McLennan Community College Midland College San Antonio College</i></p>	<p><i>The Board considered the 2006 NCLEX-RN examination pass rates and review of 2006 Annual Reports.</i></p>	<p><i>The Board voted to continue full approval.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>San Jacinto College South South Plains College South Texas College Southwestern Adventist University Tyler Junior College University of Texas at Brownsville & Texas Southmost College Victoria College Baccalaureate Degree Nursing Education Programs East Texas Baptist University Tarleton State University Texas Tech University Health Science Center University of the Incarnate Word West Texas A&M University</p> <p>3.2.2. Confirmation of Approval Status Based on Review of 2006 Annual Reports 3.2.2.a. Initial Approval with No Recommendations and No Requirements Associate Degree Nursing Education Programs Cisco Junior College (Generic ADN) Montgomery College Tomball College Baccalaureate Degree Nursing Education Program Southwestern Adventist University (Generic BSN)</p>	<p>The Board considered approval status based on review of 2006 annual reports.</p>	<p>The Board voted to continue initial approval for the pre-licensure nursing programs with no recommendations and no requirements to be met.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.2.b. Full Approval with No Recommendations and No Requirements Post-Licensure Baccalaureate Degree Nursing Education Programs Angelo State University (RN to BSN) Texas A&M University at Texarkana (RN to BSN) University of Texas at Brownsville/Texas Southmost College (RN-BSN) Advanced Practice Nursing Programs Angelo State University Medical/Surgical Clinical Nurse Specialist Program Patty Hanks Shelton School of Nursing Family Nurse Practitioner Program Prairie View A&M University Family Nurse Practitioner Program Texas Christian University Medical/Surgical Clinical Nurse Specialist Program</p>	<p>The Board considered the review of the 2006 Annual Reports.</p>	<p>The Board voted to continue full approval for the post-licensure nursing programs with no recommendations and no requirements to be met.</p>
<p>3.2.3. Notification of Consolidation of Vocational Nursing Education Programs 3.2.3.a. Austin Community College at Austin and Austin Community College at Fredericksburg</p>	<p>The Board reviewed the Notification of Consolidation of Vocational Nursing Education programs.</p>	<p>No action, this report was for informational purposes only.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.3.b. Coastal Bend College at Alice, Coastal Bend College at Beeville, Coastal Bend College at Kingsville, and Coastal Bend College at Pleasanton</p>	<p>The Board reviewed the Notification of Consolidation of Vocational Nursing Education programs.</p>	<p>No action, this report was for informational purposes only.</p>
<p>3.2.3.c. Texas State Technical College at Sweetwater (Day and Evening) and Texas State Technical College at Breckenridge</p>	<p>The Board reviewed the Notification of Consolidation of Vocational Nursing Education programs.</p>	<p>No action, this report was for informational purposes only.</p>
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p>Approved on Consent.</p>
<p>5.1.2. Strategic Planning/2ND Quarter Report</p>		<p>Approved on Consent.</p>
<p>5.3.4. Texas Higher Education Coordinating Board Committee to Increase RN Graduates in Texas</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 Proposal for Decision</p>	<p>Deborah Jean Gilbreath, RN #251953</p>	<p>The Board voted to ratify the Proposal for Decision with the following results:</p>
<p>8.2. Agreed Orders</p>		<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Dorina Lee Markey, LVN #140461/RN #650894</p>	<p><i>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 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 contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</i></p> <p>Suspend Probate. Respondent's license is hereby suspended with said suspension stayed. Within forty-five days of entry of this order Respondent shall pay a monetary fine</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Billy Jack Martin, LVN #189251</p>	<p><i>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. Should Respondent choose to practice as a RN/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 three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall cause her probation officer to submit quarterly written reports regarding Respondent's compliance with her court ordered probation until released from probation; 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; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p>Reprimand with Stipulations. <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 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 in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Elizabeth E. Roten, RN #578658</p>	<p><i>shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent undergoes a psychiatric evaluation within ninety days of entry of this order. Upon verification of said evaluation 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 \$500. 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Frances Salinas, LVN #172478</p> <p>Amanda B. Samrani, RN #623563</p> <p>Jennifer Lynn Smith, RN #721695</p>	<p><i>the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall 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; 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.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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>Enforced Suspension. <i>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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>John Christopher Sullivan, RN #645657</p>	<p><i>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 \$500. 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 contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</i></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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p data-bbox="142 1812 378 1898">8.3. REINSTATEMENT AGREED ORDERS</p>	<p data-bbox="407 709 792 737">Joe L. Thompson, RN #612513</p> <p data-bbox="407 1003 854 1031">John Weldon Williams, RN #559575</p> <p data-bbox="407 1927 808 1955">Malee Charoendee, RN #557667</p>	<p data-bbox="951 296 1468 653"><i>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 data-bbox="951 709 1468 947">Reprimand with Stipulations. <i>Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$600. The Order of the board issued to Respondent on August 9, 2005, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that Order.</i></p> <p data-bbox="951 1003 1468 1724">Reprimand with Stipulations. <i>Within forty-five years of entry of this order Respondent shall pay a monetary fine in the amount of \$750. 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 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 direct supervision with employment restrictions for the first year of employment under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p data-bbox="951 1927 1468 1982">Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Cathy Sue Morbitzer, LVN #83498</p>	<p><i>granted with the following conditions: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics.</i></p> <p>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall successfully complete a board approved nursing refresher course prior to returning to the practice of nursing; 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 relicensure Petitioner shall pay a monetary fine in the amount of \$350. 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 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 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 under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances for the first year of employment under this order; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic 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>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Catherine Marie Stephens, Applicant for Licensure by Endorsement Licensure (RN)</p>	<p><i>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; Petitioner shall cause each employer to submit notification of employment forms; shall provide employer reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Applicant for Licensure by Endorsement. Upon meeting the requirements for licensure and payment of any required fees, Applicant is hereby Conditionally Eligible for licensure in Texas with conditions. Within one year of initial licensure Applicant 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 Applicant practice as a RN in Texas, Applicant 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: Applicant 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; Applicant shall have in-direct supervision with employment restrictions for the duration of the stipulation period; and Applicant shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Applicant's progress in therapy until released from therapy.</i></p>
<p>1. ADMINISTRATION 1.1. Executive Director's Report 1.2. Legal 1.3. Legislative Update 1.4. Report on Sunset Legislation HB2426/SB907</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>No report.</p> <p>Kathy Thomas reviewed the pending legislation with the Board.</p> <p>Kathy Thomas reported on the Sunset Legislation.</p>	<p>No action.</p> <p>No action.</p> <p>This report was for informational purposes only. No action.</p> <p>This report was for informational purposes only. No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2. OPERATIONS 2.2. Continuing Education Pre-Renewal Audit Report</p>	<p>Mark Majek reported on the Continuing Education Pre-Renewal Audit.</p>	<p>This report was for informational purposes only. No action.</p>
<p>3. NURSING 3.2. EDUCATION 3.2.4. Consideration of Proposed Change of Approval Status Based on Review of 2006 Annual Report and Report of Virtual Survey Visit - Texas A&M International University Family Nurse Practitioner Program</p>	<p>The Board considered a proposed change in the approval status for Texas A&M International University (TAMIU) Family Nurse Practitioner (FNP) Program based on review of the 2006 Annual Report and the report on the virtual survey visit. Louise Autio and Susan Walker were present to answer questions.</p>	<p>The Board voted to change the approval status of the Texas A&M International Family Nurse Practitioner program from Initial to Full based on review of the 2006 Annual Report and the Virtual Survey Visit Report and issue the recommendations.</p>
<p>3.2.5. Consideration of Proposed Change in Approval Status Based on the 2006 NCLEX-PN Examination Pass Rates and Review of 2006 Annual Report-Computer Career Center, Vocational Nursing Education Program</p>	<p>The Board considered a proposed change in the approval status for Computer Career Center Vocational Nursing Education Program based on review of the 2006 NCLEX-PN® Examination pass rates and review of the 2006 Annual Report. Fernando Martinez was present to answer questions.</p>	<p>The Board voted to change the Initial Approval status of the Computer Career Center vocational nursing education program to Full Approval in accordance with rule 214.4 related to Approval and issue the commendations.</p>
<p>3.2.6. Consideration of Proposed Education Guidelines Recommended by the Advisory Committee for Education</p>	<p>The Board considered the Proposed Education Guidelines Recommended by the Advisory Committee for Education. Representative Mike Villarreal spoke in support of the proposed guidelines recommended by the Advisory Committee for Education.</p>	<p>The Board voted to accept the recommendations proposed by the Advisory Committee on Education to meet the charge issued by the Board to “Recommend new rules and regulations addressing Board approval of nursing education programs outside Texas’ jurisdiction currently operating in Texas or desiring to operate in Texas”.</p>
<p>4. ENFORCEMENT 4.1. Criminal Background Check Update</p>	<p>The board reviewed the statistical report provided regarding criminal background checks.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
5. COMMITTEE REPORTS		
5.1. Board Committees		
5.1.3. Development and Evaluation	No report.	No action.
5.1.4. Task Force on Executive Director Succession Planning	Brenda Jackson reported that the committee has met and presented a proposed succession plan to the Board. The Board considered the proposed succession plan.	The Board voted to adopt the proposed succession plan.
5.1.5. Task Force on Board Governance Policies	Virginia Campbell reported that the committee has met and will present some recommendations at the July meeting.	No action.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	No report.	No action.
5.2.2. Nursing Practice Advisory Committee	No report.	No action.
5.2.3. Advisory Committee on Education	Betty Sims reported that the committee has met to discuss the current charges issued by the Board to the committee. At this time the committee has suspended meeting pending the completion of the 80 TH Legislative session and the anticipated Board charge for rule revisions.	This report was for informational purposes only. No action.
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	No report.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>5.3. Collaboration with Outside Agencies / Stakeholders</p>		
<p>5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee</p>	<p>No report.</p>	<p>No action.</p>
<p>5.3.2. Texas Competency Consortium</p>	<p>Mary Beth Thomas provided the Board with an update of the activities of the Texas Competency Consortium.</p>	<p>No action.</p>
<p>5.3.3. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee</p>	<p>Kathy Thomas reported on the status of nursing education funding bills pending in the legislature.</p>	<p>No action.</p>
<p>5.3.5. Texas Nurses Association Regulatory Task Force</p>	<p>Kathy Thomas gave a status report on the activities of this task force. The task force will provide recommendations for statutory changes to be introduced in the 2007 legislative session. These will include amendments to the peer review statute and the definition of reportable conduct.</p>	<p>No action.</p>
<p>5.3.6. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)</p>	<p>Mary Beth Thomas provided an update and a power point presentation outlining the specifics of the TERCAP project.</p>	<p>No action.</p>
<p>OPEN FORUM:</p>	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>Nancy Maebius with Texas Association of Vocational Nurse Educators spoke to the Board regarding the number of clinical hours that LVN students are required to complete and to request that the Board issue a charge to the ACE committee to study and/or review the need for that number of clinical hours. In addition Ms. Maebius requested that the</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Board review rules § 214 and § 215.</p> <p>Lolly Lockhart spoke to the Board to support the work of the ACE committee and Board Member Brenda Jackson.</p> <p>No one else came forward and the Open Forum was closed.</p>	
<p>6. OLD BUSINESS 6.1. Nurse Licensure Compact Update</p>	<p>Katherine Thomas provided an update on the Nurse Licensure Compact.</p>	<p>No action.</p>
<p>6.2. Update on Amendments to 22 Tex. Admin. Code §§ 214.10 and 215.10, Management of Clinical Learning Experiences and Resources</p>	<p>Joy Sparks gave a verbal summary on the adoption of the proposed rule amendments.</p>	<p>No action.</p>
<p>7. NEW BUSINESS 71.2. Review of the TPAPN Contract</p>	<p>The Board considered Staff's request to work with TPAPN to slightly modify provisions of the current contract prior to 2 year renewal cycle to begin September 1, 2007.</p>	<p>The Board voted to approve modifications to the TPAPN Contract as outlined and authorize Staff to submit draft of an amended contract back in July for approval of 2 year extension with modifications to begin September 1, 2007.</p>
<p>7.1.3. Consideration of Amendment to Board Policies Concerning Referrals to TPAPN</p>	<p>The Board considered Staff's request for amendments to Board policies concerning referrals to TPAPN.</p>	<p>The Board voted to approve modifications to the TPAPN referral policies to allow referral for one year of monitoring for isolated incidents which suggests a suspicion of improper drug use, but with no other history consistent with the recommendations outlined.</p>
<p>7.2. Consideration of Petitioner Karen Corlett, RN #70134 Request for Exception to §221.12 and §221.13(b)</p>	<p>The Board considered Ms. Corlett's request for exception to § 221.12 and § 221.13(b).</p>	<p>The Board voted to deny Ms. Corlett's request for exception.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>7.3. Proposed New Position Statement 15.26 Nursing Work Hours</p>	<p>The Board considered results of the on-line survey, written comments received, and input on proposed Position Statement 15.26, Nursing Work Hours, received in the public hearing.</p>	<p>The Board voted to remand the proposed position statement 15.26, Nursing Work Hours back to the Nursing Practice Advisory Committee for consideration of written and verbal feedback received from nurses and other interested stakeholders; add an advanced practice nurse representative and ask Debora Simmons to serve as a human performance expert for the purpose of re-working the position statement.</p>
<p>8. PROPOSED BOARD ORDERS 8.2. Agreed Orders</p>	<p>Valerie Ann Edwards, LVN #175940</p>	<p>Warning with Stipulations. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$600. 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 two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</p>
	<p>Tammy Ann Harmon, LVN #130890</p>	<p>Warning with Stipulations. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 531 792 562">Elissa Kate Mahan, RN #721464</p> <p data-bbox="407 919 857 951">Rebecca Lynn Murphy, LVN #113019</p> <p data-bbox="407 1791 850 1822">Steven Wayne Rhame, LVN #185805</p>	<p data-bbox="951 296 1469 478">board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</p> <p data-bbox="951 531 1469 835">Suspend Probate. Respondent's license is hereby suspended with said suspension stayed. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. The order of the Board issued to Respondent on September 13, 2005, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</p> <p data-bbox="951 919 1469 1738">Reprimand with Stipulations. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in physical assessment; 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 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 indirect supervision with employment restrictions for the duration of the stipulation period; 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.</p> <p data-bbox="951 1791 1469 1978">Reprimand with Stipulations. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Cathryn Patricia Rodriguez, LVN #155055/RN #670729</p>	<p>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 in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall 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>Limited License. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within forty-five days of entry of this order Respondent shall make arrangements to repay the student loan with the Texas Guaranteed Student Loan Corporation and Respondent shall submit verification of the defaulted loan's repayment status directly to the Board. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and aboard approved course in nursing ethics. While under the terms of this Order, Respondent shall not provide direct patient care, for the purposed of this order, direct patient care involves a personal relationship between the nurse and the client. Should Respondent desire to return to a clinical practice setting which would require her to provide direct patient care, Respondent shall petitioner the Board for such approval. It is further agreed, 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5. Docket No. 507-06-1027, related to Jesus Orlando Pena, Applicant for Initial Licensure</p> <p>8.5.1. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-06-1027 Including Review of Staff's Exceptions to the Administrative Law Judge's Proposal for Decision and ALJ's Order Denying Exceptions</p> <p>8.5.2. Consideration of Staff's Presentation and Recommendations for Disposition of Docket No. 507-06-1027 Including Adoption of Order Remanding the Proposal for Decision's Findings of Fact and Conclusions of Law for Further Consideration of Additional Evidence Consistent with Board's Opinion</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision, Staff's Exceptions to the Administrative Law Judge's Proposal for Decision. The Board heard a presentation by Dusty Johnston, General Counsel and by Sharon Trigo, Attorney for Applicant, Jesus Orlando Pena. Mr. Pena was also present to answer questions.</p>	<p>under the following stipulations for two years of employment: Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p> <p>The Board voted to Modify the Administrative Law Judge's Proposal for Decision, Vacating Findings of Fact Numbers nine and twelve. The Board further ordered that the Proposal for Decision signed October 4, 2006 should be and is Adopted as Modified and that Jesus Orlando Pena be Conditionally Eligible to sit for the NCLEX-RN with Stipulations. Upon meeting the requirements for graduation and payment of any required fees, Applicant is hereby Conditionally Eligible to sit for the NCLEX-RN examination with conditions. Applicant shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Applicant, 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 Applicant shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed at the time of initial licensure should Applicant practice as a RN in Texas, Applicant 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: Applicant shall notify present/future employers of the board order; Applicant shall cause each employer to submit notification of employment forms; shall provide employer reports; Applicant shall have direct supervision with employment restrictions for the first year of employment under this order; Applicant shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; and Applicant shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Applicant's progress in therapy until released from therapy.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.6. Docket No. 507-06-2785, In the Matter of Permanent Certificate Number 667249, Issued to Margie Elizabeth Geer</p> <p>8.6.1. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-06-2785</p> <p>8.6.2. Consideration of Staff's Presentation and Recommendations for Disposition of Docket No. 507-06-2785, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Consistent with the Board's Opinion</p> <p>8.6.3. Consideration of Presentation and Recommendation by Margie Elizabeth Geer, Docket No. 507-06-2785</p>	<p>The Board considered Staff's presentation and recommendation for disposition of Docket No. 507-06-2785, Margie Elizabeth Geer, including adoption of the proposal for decision's findings of fact and conclusions of law consistent with the Board's opinion.</p>	<p>The Board voted to adopt the findings of fact and conclusions of law in the proposal for decision and enter an Order Suspending Respondent's license until she obtains an evaluation and the Board takes further action.</p>
<p>8.7. Docket No. 507-06-2819, In the Matter of Permanent Certificate Number 200464, Issued to Amy Michelle Smith</p> <p>8.7.1. Consideration of the Administrative</p>	<p>The Board considered the Staff's presentation of Docket No. 507-06-2819, In the Matter of Permanent Certificate Number 200464, Issued to Amy Michelle Smith. Louis Leichter, Attorney for Respondent Amy Michelle Smith was present to answer questions.</p>	<p>Board Member, Deborah Bell recused herself prior to the consideration and vote on this item. The Board voted to table this matter for consideration at the July, 2007 Board meeting.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Law Judge's Proposal for Decision in Docket No. 507-06-2819</p> <p>8.7.2. Consideration of Staff's Presentation and Recommendations for Disposition of Docket No. 507-06-2819, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications Consistent with the Board's Opinion</p> <p>8.7.3. Consideration of Presentation and Recommendation by Amy Michelle Smith, Docket No. 507-06-2819</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 8:38 am on Friday, April 20, 2007.	
ROLL CALL	All members were present with the exception of Anita Palmer and Rosa Blanca Garcia. A quorum was established.	
7. NEW BUSINESS		
7.4. Proposed Amendments to §§ 216.1, 216.3, 216.4, 216.9 and 216.11 relating to Continuing Education	The Board considered the Proposed Amendments to §§ 216.1, 216.3, 216.4, 216.9 and 216.11 relating to Continuing Education	The Board voted to propose amendments to 22 Texas Administrative Code sections 216.1, 216.3, 216.4, 216.9 and 216.11 relating to Continuing Education. The proposed amendments are to be submitted to the <i>Texas Register</i> for a 30 day comment period, and if negative comments are not received, then the proposed amendments should be submitted for adoption.
7.5. Report on NCSBN-APRN Summit, February 26, 2007	Katherine Thomas reported on the NCSBN-APRN Summit held in Chicago to inform member boards of issues related to a future vision for regulation of Advanced Practice Nurses and to hear member board perspectives on these issues.	No action.
7.6. Consideration of Request from the Texas Association of Vocational Nurse Educators for a Charge to the Advisory Committee for Education	The Board considered the request from the Texas Association of Vocational Nurse Educators for a Charge to the Advisory Committee for Education (ACE).	The Board voted to hold a charge to ACE regarding vocational nursing education rule revision and review of the terms "board recognized accrediting body and regional accreditation" until effects from the 80 th Legislative Session can be determined.
9. MISCELLANEOUS		
9.1. Board Items of Interest for Future Board Meetings	The Board discussed items of interest for upcoming meetings.	The Board requested future development on the State Office of Administrative Hearings procedures.

AGENDA ITEM	DISCUSSION	ACTION
9.2. Board Development: Nurses and Addiction, Presentation by Mike Van Doren, MSN, RN, CARN, Program Director, Texas Peer Assistance Program for Nurses	Mike Van Doren did a power point presentation on Nurses and Addiction.	No action.
9.3. Review of the Board Quarterly Meeting Evaluation	The Board members discussed the results of the January board quarterly meeting evaluation.	The board members requested that the quarterly meeting evaluation form be provided at each meeting.
9.4. Consideration of Request for Stay of Suspension In the Matter of Permanent Certificate #701766 Issued to Mary De Lourdes Ballard	The Board considered the Request for Stay of Suspension In the Matter of Permanent Certificate #701766 Issued to Mary De Lourdes Ballard. Dean Jackson, Attorney for Respondent and Mary De Lourdes Ballard were present to answer questions.	No action.
9.4.1. Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Consideration of the Request for Stay of Suspension In the Matter of Permanent Certificate #701766 Issued to Mary De Lourdes Ballard	The Board convened in Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Consideration of the Request for Stay of Suspension In the Matter of Permanent Certificate #701766 Issued to Mary De Lourdes Ballard	
9.4.2. Convene in Open Session to consider recommendations	The Board convened in Open Session to consider recommendations and take action In the Matter of Permanent Certificate #701766 Issued to Maria De	The Board voted to deny the request for Stay of Suspension In the Matter of Permanent Certificate #701766 Issued to Mary De Lourdes Ballard.

AGENDA ITEM	DISCUSSION	ACTION
<p>and take action: In the Matter of Permanent Certificate #701766 Issued to Maria De Lourdes Ballard</p>	<p>Lourdes Ballard</p>	
<p>9.5. Report on the NCSBN Mid-Year Meeting, April 2-4, 2007</p>	<p>Katherine Thomas gave a report on the NCSBN Mid-Year Meeting.</p>	<p>No action.</p>
<p>9.6. Appointment of Board Members to attend the NCSBN Annual Meeting, August 7-10, 2007, Chicago, Illinois</p>	<p>The Board discussed attendance of board members at the NCSBN Annual Meeting.</p>	<p>The Board voted for the following members to attend the NCSBN Annual Meeting: Brenda Jackson, Richard Gibbs, and Rachel Gomez.</p>
<p>9.7. Presentation by Board Investigator Cynthia Smith on Criminal History Study</p>	<p>Cynthia Smith, did a power point presentation on her Criminal History Study.</p>	<p>No action.</p>
<p>9.8. Executive Director and board Evaluation Process</p>		
<p>ADJOURNMENT:</p>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 12:48 p.m.</p>	
	<p>_____ Linda Rounds, PhD, RN, FNP, Board President</p>	
	<p>_____ Katherine A. Thomas, MN, RN, Executive Director</p>	