
TEXAS BOARD OF NURSING

Regular Meeting

Thursday, April 17, 2008

8:40 a.m. - 4:55 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Deborah Bell

Kristin K. Benton

George Buchenau, Jr.

Sheri Crosby

Marilyn Davis

Blanca Rosa Garcia

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Mary Jane Salgado

Frank Sandoval

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

Allison Hassinger, Administrative Assistant

Jolene Zych, Nursing Consultant

Virginia Ayars, Nursing Consultant

Janice Hooper, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Dorothy Joy, Nursing Consultant

Karen Neighbors, Nursing Consultant

Denise Benbow, Nursing Consultant

Bruce Holter, Information Specialist

Nancy Krause, RN, Investigator

Dennis Riggins, Investigator

John DeLaRosa, Investigator

Veronica Franco, Investigator

Tawnya Smith, Information Technology Specialist

Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:40 a.m, Thursday, April 17, 2008.	
ROLL CALL	Board Member Sheri Crosby was late, all other members were present. A quorum was established.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	The Agenda was approved.
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the January 17-18, 2008 Board meeting.	The Board approved the minutes from the January 17-18, 2008 Board meeting.
CONSENT AGENDA ITEMS		<p>The Consent agenda was reviewed and approved with the following changes:</p> <p>Kristin K. Benton recused herself from the consideration and vote on Item 3.2.1.a. Austin Community College, Austin, Texas.</p> <p>Linda Rounds recused herself from the consideration and vote on Item 3.2.1.a. University fo Texas Medical Branch at Galveston, Texas.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.1.b. Del Mar College in Corpus Christi, Texas.</p> <p>Brenda Jackson recused herself rom the consideration and vote on Item 3.2.1.b. University of Texas Health Science Center at San Antonio, Texas.</p> <p>The following Orders were removed from the Consent Agenda:</p> <p>8.2. Agreed Orders Gladys Nell Fennell, LVN #100028/RN #701535 Patricia Ann Fleetwood, LVN #134955 Edward Marroquin, RN #739052</p> <p>8.4. Eligibility Agreed Order Vanessa Lynka Smith, LVN</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2.1. <i>Financial Statement - 2ND Quarter, Fiscal Year 2008</i></p> <p>2.2. <i>Continuing Education Pre-Renewal Audit Report/ 2ND Quarter, Fiscal Year 2008</i></p> <p>3.2.1. <i>Confirmation of approval Status Based on 2007 NCLEX-RN Examination Pass Rates and Review of 2007 Nursing Education Program Information Survey (NEPIS) and 2007 Compliance Audit of Nursing Education Program (CANEP)</i></p> <p>3.2.1.a. <i>Full Approval with Commendation Associate Degree Nursing Educational Programs Alvin Community College in Alvin, Texas</i></p>	<p><i>The Board considered the 2007 NCLEX-RN Examination rates and review of 2007 NEPIS and 2007 CANEP.</i></p>	<p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.2. Agreed Order of: Karen Hudson, RN #567895</p> <p>Kristin K. Benton recused herself from the consideration and vote on Item 8.2. Agreed Order of: Teri Anne Potts, LVN #161068/ RN #656798</p> <p><i>Approved on Consent.</i></p> <p><i>Approved on Consent.</i></p> <p><i>Kristin K. Benton recused herself prior to the Consideration and Vote on Austin Community College in Austin, Texas. Linda Rounds recused herself prior to the consideration and vote on University of Texas Medical Branch at Galveston, Texas. The Board voted to continue full approval for the pre-licensure nursing education programs listed, including the commendations suggested by staff.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Amarillo College in Amarillo, Texas</i> <i>Austin Community College in Austin, Texas</i> <i>Blinn College in Bryan, Texas</i> <i>Brookhaven College in Farmers Branch, Texas</i> <i>Central Texas College in Killeen, Texas</i> <i>College of the Mainland in Texas City, Texas</i> <i>Collin County Community College in McKinney, Texas</i> <i>Cy Fair College in Cypress, Texas</i> <i>El Centro College in Dallas, Texas</i> <i>Grayson County College in Denison, Texas</i> <i>Houston Baptist University in Houston, Texas</i> <i>Houston Community College in Houston, Texas</i> <i>Kingwood College in Kingwood, Texas</i> <i>Lamar State College at Orange, Texas</i> <i>Lamar University at Beaumont, Texas</i> <i>Laredo Community College in Laredo, Texas</i> <i>Midland College in Midland, Texas</i> <i>Montgomery College in Conroe, Texas</i> <i>Navarro College in</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Corsicana, Texas</i> <i>North Central</i> <i>Texas College in</i> <i>Gainesville, Texas</i> <i>North Harris</i> <i>College in</i> <i>Houston, Texas</i> <i>Panola College in</i> <i>Carthage, Texas</i> <i>San Jacinto</i> <i>College Central in</i> <i>Pasadena, Texas</i> <i>Southwestern</i> <i>Adventist</i> <i>University in</i> <i>Keene, Texas</i> <i>Temple College in</i> <i>Temple, Texas</i> <i>Tomball College in</i> <i>Tomball, Texas</i> <i>Tyler Junior</i> <i>College in Tyler,</i> <i>Texas</i> <i>Weatherford</i> <i>College in</i> <i>Weatherford,</i> <i>Texas</i> <i>Wharton County</i> <i>Junior College in</i> <i>Wharton, Texas</i> Baccalaureate Degree Nursing Educational Programs <i>Houston Baptist</i> <i>University in</i> <i>Houston, Texas</i> <i>Lamar University</i> <i>at Beaumont,</i> <i>Texas</i> <i>Prairie View A&M</i> <i>University in</i> <i>Houston, Texas</i> <i>Stephen F. Austin</i> <i>State University in</i> <i>Nacogdoches,</i> <i>Texas</i> <i>Texas A&M</i> <i>International</i> <i>University in</i> <i>Laredo, Texas</i> <i>Texas Woman's</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p> <i>University in Denton, Texas</i> <i>University of Mary Hardin - Baylor in Belton, Texas</i> <i>University of Texas at Arlington in Arlington, Texas</i> <i>University of Texas at Austin, Texas</i> <i>University of Texas at El Paso in El Paso, Texas</i> <i>University of Texas at Tyler, Texas</i> <i>University of Texas Medical Branch at Galveston, Texas</i> <i>University of Texas - Pan American in Edinburg, Texas</i> <i>West Texas A&M University in Canyon, Texas -</i> <i>Master's Degree Nursing Education Program</i> <i>University of Texas at Austin, Texas Partial MSN (Alternate Entry MSN Program)</i> </p> <p> 3.2.1.b. <i>Full Approval with No Recommendations and No Requirements</i> <i>Diploma Nursing Educational Program</i> <i>Baptist Health System in San Antonio, Texas</i> <i>Covenant School of Nursing in Lubbock, Texas</i> </p>	<p> <i>The Board considered the 2007 NCLEX-RN® examination pass rates and review of 2007 NEPIS and 2007 CANEP.</i> </p>	<p> <i>Blanca Rosa Garcia recused herself prior to the consideration and vote on Del Mar College in Corpus Christi, Texas.</i> <i>Brenda Jackson recused herself prior to the consideration and vote on University of Texas Health Science Center at San Antonio, Texas.</i> <i>The board voted to continue full approval for the pre-licensure nursing education programs listed.</i> </p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Associate Degree Nursing Educational Programs Angelina College in Lufkin, Texas Angelo State University in San Angelo, Texas Cisco Junior College - Generic ADN in Abilene, Texas Cisco Junior College - LVN to ADN in Abilene, Texas Del Mar College in Corpus Christi, Texas El Paso Community College in El Paso, Texas Hill College in Hillsboro, Texas Howard College in Big Spring, Texas McLennan Community College in Waco, Texas Northeast Texas Community College in Mt. Pleasant, Texas Odessa College in Odessa, Texas Paris Junior College in Paris, Texas San Antonio College in San Antonio, Texas San Jacinto College South in Houston, Texas South Texas College in McAllen, Texas Tarrant County College in Fort</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>Worth, Texas Texarkana College in Texarkana, Texas Trinity Valley Community College in Kaufman, Texas University of Texas at Brownsville & Texas Southmost College in Brownsville, Texas Vernon College in Vernon, Texas Victoria College in Victoria, Texas Baccalaureate Degree Nursing Educational Programs Baylor University in Dallas, Texas Midwestern State University in Wichita Falls, Texas Patty Hanks Shelton School of Nursing in Abilene, Texas Texas A&M University at Corpus Christi, Texas Texas Christian University in Fort Worth, Texas Texas Tech University Health Science Center in Lubbock, Texas University of Texas Health Science Center at Houston, Texas University of Texas Health Science Center at San Antonio, Texas</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>University of the Incarnate Word in San Antonio, Texas</i></p>		
<p><i>3.2.2. Notification of Consolidation of Vocational Nursing Educational Programs - South Texas College at McAllen, Texas, Day and Evening, South Texas at Rio Grande City, Texas, and South Texas College at Weslaco, Texas</i></p>	<p><i>The Board reviewed the report on the Notification of Consolidation of Vocational Nursing Educational Programs - South Texas College at McAllen, Texas, Day and Evening, South Texas at Rio Grande City, Texas, and South Texas College at Weslaco, Texas.</i></p>	<p><i>No board action taken. Information report only.</i></p>
<p><i>3.2.3. Petition for Faculty Waiver - Southwestern Adventist University, Baccalaureate Degree Nursing Educational Program at Keene, Texas</i></p>	<p><i>The board considered the petition from Southwestern Adventist University to request an extension of a faculty waiver on behalf Penny deCarvalho, RN and the recommendation from the Education Liaison Committee (ELC) regarding the petition.</i></p>	<p><i>The board voted to approve the extension of faculty waiver of Penny Sue deCarvalho based on the recommendation from the Education Liaison Committee.</i></p>
<p><i>3.2.4. Summary and Analysis of 2006 Annual Report Data Submitted by Texas BON Approved Vocational and Professional Nursing Educational Programs</i></p>	<p><i>The board reviewed the Summary and Analysis of 2006 Annual Report Data Submitted by Texas BON Approved Vocational and Professional Nursing Educational Programs.</i></p>	<p><i>No board action taken. Information report only.</i></p>
<p><i>5.1.1. Eligibility and Disciplinary Committee</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5.1.2. Strategic Planning/2ND Quarter Report</p>		<p><i>Approved on Consent.</i></p>
<p>7.1. Texas Peer Assistance Program for Nurses 7.1.1. Quarterly Report</p>		<p><i>Approved on Consent.</i></p>
<p>7.5. Proposed Rule Reviews of Chapters 213 (Practice and Procedure), 216 (Continuing Education), and 221 (Advanced Practice Nurses)</p>		<p><i>Approved on Consent.</i></p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1. ALJ Proposals for Decision</p>		<p><i>The board voted to ratify the Proposals for Decision on Consent with the following results:</i></p>
<p>Donna L. Mares, RN #238500</p>		<p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p>
<p>Denise M. Martinez, LVN #116301</p>		<p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p>
<p>Norman W. McGuire, RN #637537</p>		<p>Enforced Suspension. <i>Respondent's license is hereby suspended with said suspension enforced until Respondent submits to a complete forensic psychological evaluation within ninety days of entry of this order by a board approved evaluator. Upon receipt of the evaluation, the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation: Within one year of the stay Respondent shall successfully</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.2. Agreed Orders</p>	<p>Brenda A. Beringer, LVN #195402</p>	<p><i>complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for two years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; 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><i>The board voted to ratify the Agreed Orders on Consent with the following results:</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in physical assessment; a board approved course in nursing documentation; and a board approved course in Sharpening Critical Thinking Skills. It is further agreed that should Respondent practice as a LVN in the State of 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 indirect supervision with employment restrictions for the duration of the stipulation period.</i></p>

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	<p>Gregory Paul Crowley, RN #675829</p>	<p><i>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 indirect 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 four support group meetings each week, for the first year and at least three support group meetings each week for the duration of this order, 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. The stipulations outlined and required herein shall supercede all previous stipulations required by any order entered by the Texas Board of Nursing, previously the Board of Nurse Examiners. It is further agreed that should Respondent practice as a RN in the State of 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 abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic</i></p>

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	<p data-bbox="407 489 794 516">Anita Louise Dyet, RN #608259</p> <p data-bbox="407 1094 857 1121">Patricia Anne DePriest, RN #511153</p>	<p data-bbox="951 306 1468 428"><i>opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p data-bbox="951 489 1481 1031">Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed that should Respondent practice as a RN in the State of 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 1094 1468 1887">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 ethics; a board approved course in medication administration; and a board approved course in physical assessment. It is further agreed that should Respondent practice as a RN in the State of 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 not practice in any critical care area for the first year of employment under this order.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>shall cause her employer to submit periodic reports as to Respondent's capability to practice nursing. Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p>Shontell Davon Foster (Guillory) RN #688852</p> <p>Stephen Hugh George, RN #571929</p> <p>Tonya Rena Hamala, LVN #189054 / RN#729138</p>	<p><i>shall cause her employer to submit periodic reports as to Respondent's capability to practice nursing. Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p>Reprimand with Stipulations. <i>Within one hundred eighty days of entry of this order Respondent shall pay restitution to AMN HealthCare, San Diego, California in the amount of \$2,784.69. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a 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 indirect supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended for two years with said suspension stayed and Respondent is placed on Probation for two years. The stipulations outlined and required herein shall supercede all previous stipulations required by any order entered by the Texas Board of Nursing. 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</i></p>

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	<p data-bbox="407 1226 899 1255">Linda June Hollingsworth, RN #524812</p> <p data-bbox="407 1507 911 1537">Megan Kathleen Honeycutt, LVN #203638</p>	<p data-bbox="951 306 1466 1163"><i>jurisprudence and ethics; a board approved course in medication administration; a board approved course in physical assessment; and a board approved course in nursing documentation. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of the stipulation period; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p data-bbox="951 1226 1466 1444">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 ethics.</i></p> <p data-bbox="951 1507 1466 1976">Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in Respecting Professional Boundaries; and a board approved course in Sharpening Critical Thinking Skills. 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</i></p>

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	<p><i>Maria Dolores Jimenez, LVN #138621</i></p> <p><i>Dorothy Faye Johnson, LVN #70009/ RN #589209</i></p> <p><i>Autumn Renee Hamilton Lester, RN #671341</i></p>	<p><i>Warning with Stipulations.</i> Within forty five five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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; 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><i>Warning with Stipulations.</i> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in physical assessment; and a board approved course in Sharpening Critical Thinking Skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</p> <p><i>Warning with Stipulations.</i> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; and a board approved</p>

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	<p><i>Brandi Dawn Mitchell, LVN #185659</i></p> <p><i>Raymond H. Moncivaiz, RN #627267</i></p>	<p><i>and a board approved course in medication administration; a board approved course in physical assessment; a board approved course in nursing documentation; and a board approved course in Sharpening Critical Thinking Skills. Should Respondent choose to practice as a 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; Respondent shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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 cause her probations officer to submit written reports regarding Respondent’s compliance with her court ordered probation.</i></p> <p>Warning with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; 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:</i></p>

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	<p>Deborah C. Roberts, RN #252958</p>	<p><i>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; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p>Enforced Suspension. <i>Respondent's license is hereby suspended with said suspension enforced until Respondent has successfully completed a treatment program approved by the Board, provides documentation of successful completion and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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</i></p>

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	<p><i>Katherine Ann Sosniecki, RN #581945</i></p> <p><i>Lisa Wengrovitz, RN #609078</i></p>	<p><i>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; 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. <i>Respondent's license is hereby suspended with said suspension stayed and Respondent placed on probation for one year. Respondent shall fully comply with all the terms and conditions of the Order of the Board issued to Katherine Ann Sosniecki on December 6, 2007, by the Minnesota Board of Nursing. Respondent shall cause the Minnesota Board of Nursing to submit quarterly reports regarding Respondent's compliance with the Order of the Board.</i></p> <p>Warning with Stipulations. <i>Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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</i></p>

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	<p>James David Wiswall, RN #607962</p>	<p><i>employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Enforced Suspension. <i>Respondent's license is hereby suspended with said suspension enforced until Respondent has successfully completed a treatment program approved by the Board, provides documentation of successful completion and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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 indirect 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;</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.3. REINSTATEMENT AGREED ORDERS</p>	<p><i>Katherine L. Aguilar (Robinett), RN #658061</i></p> <p><i>Sheri Diane Allbritton, LVN #153324</i></p>	<p><i>Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><i>Reinstatement Denied. Denial Stayed with Stipulations.</i> <i>Petitioner's Application for Reinstatement shall be denied with the denial stayed with the following conditions: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics.</i></p> <p><i>Reinstatement Denied. Denial Stayed with Stipulations.</i> <i>Petitioner's Application for Reinstatement shall be denied with the denial stayed with the following conditions: Within forty-five days of the stay Petitioner shall pay a monetary fine in the amount of \$350. Within one year of entry of this order Petitioner shall apply for a six month clinical permit for the limited purpose of completing a refresher course and Petitioner shall successfully complete a board approved refresher course. Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and 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 two years of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>David Lewis Spence, RN #257617</p>	<p><i>a six month clinical permit for the limited purpose of completing a refresher course and Petitioner shall successfully complete a board approved refresher course. Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Petitioner choose to practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Petitioner shall notify present/future employers of the board order; shall 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 or synthetic opiates 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> <p>Reinstatement Denied. Denial Stayed with Stipulations. <i>Petitioner’s Application for Reinstatement shall be denied with the denial stayed with the following conditions: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Terri Hedrick, Petitioner for Initial Licensure (RN)</i></p> <p><i>Henry E. Hernandez, Petitioner for Initial Licensure (RN)</i></p>	<p><i>Nurse and the Client. Applicant shall only be allowed to provide telephone triage. Should Respondent desire to return to a practice setting which would allow her to provide direct patient care, Applicant shall petition the Board for such approval. Applicant shall fully comply with all the terms and conditions of the Order of the Board issued to Applicant on September 2, 2005 by the Illinois Board of Nursing. Applicant shall cause the Illinois Board of Nursing to submit quarterly reports regarding her compliance with the order of the board.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; and Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees,</i></p>

AGENDA ITEM	DISCUSSION	ACTION
		<p><i>Petitioner is hereby Conditionally Eligible to sit for the NCLEX-RN examination with conditions. Petitioner shall submit to random drug screens for the duration of Petitioner’s nursing program. 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 forty five days of initial licensure Petitioner shall pay a monetary fine in the amount of \$500. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a 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; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall 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 or synthetic opiates 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><i>board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><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-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 ethics. It is further agreed 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; Petitioner shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>
<p>1. ADMINISTRATION 1.1. Executive Director’s Report</p> <p>1.2. Legal 1.2.1. Status Report on Staff Approval of Applicants with</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>Dusty Johnston provided a status report on staff approval of applicants with minor criminal history.</p>	<p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Minor Criminal History</p>		
<p>1.3. Business Process Work Plan from the Office of the Governor</p>	<p>Katherine Thomas presented the final report.</p>	<p>The board voted to approve the Business Process Review and if adopted by HPC, direct staff to work with the HPC to implement the recommendations.</p>
<p>1.4. Strategic Plan Update</p>	<p>Katherine Thomas reported that Staff are incorporating the Board Member recommendations from the Board retreat meeting that was held in October, 2007 and are also seeking input from stakeholders and interested parties.</p>	<p>No action.</p>
<p>2. OPERATIONS 2.3. Legislative Appropriations Request - Prioritize Issues</p>	<p>Mark Majek reviewed the Legislative Appropriations Request and discussed the priority of issues in the request.</p>	<p>Sheri Crosby abstained from the vote on this agenda item. The Board voted to approve the proposed Legislative Appropriations Request in the following order: 1) Staffing 2) Nurse Salary Adjustments 3) Executive Director Salary Increase 4) Information Technology Increase 5) Merit Increase Funds 6) Advanced Nurse Compact Licensure Compact Fee and Travel Expenses 7) Peer Assistance Program Increase</p>
<p>3. NURSING 3.1. PRACTICE 3.1.1. Workshop Report</p>	<p>Denise Benbow reported that the March workshop went very well. Denise thanked board members Richard Gibbs and Brenda Jackson for their assistance and participation at the workshop. Karen Neighbors reported that the educators in attendance were very interested in the jurisprudence exam.</p>	<p>This report was for informational purposes only. No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2. EDUCATION</p> <p>3.2.5. Consideration of Proposed Change of Approval Status Based on 2007 NCLEX-PN® Examination Pass Rates, Review of 2007 Nursing Education Program Information Survey (NEPIS) and 2007 Compliance Audit of Nursing Education (CANEP), and Report of Survey Visit - Platt Health Careers Training in Dallas, Texas, Vocational Nursing Educational Program</p> <p>3.2.6. Public Hearing for Proposal to Establish a New Nursing Educational Program</p> <p>3.2.6.a. Career Point College in San Antonio, Texas, Vocational Nursing Educational Program</p> <p>3.2.6.b. Coastal Bend College in Beeville, Texas, Associate Degree Nursing Educational Program</p>	<p>The Board considered the proposed change of approval status and survey visit of Platt Health Careers Training, Dallas, Texas, Vocational Nursing Education Program. Cindy Smith, Director and Brenda Sewell, Director LVN Programs were present to answer questions.</p> <p>The Board considered the Career Point Institute proposal to establish a vocational nursing educational program in San Antonio, Texas and results of the survey visit conducted by board staff. Larry Earle, Shelia Savell and Vince Roussin were present to answer questions.</p> <p>The Board considered the Coastal Bend College (CBC) proposal to establish a generic associate degree nursing educational program with an LVN to RN bridge track in Beeville, Texas. Judy McAda with U.S. Representative Ruben Hinojosa's office, Betty Sims with Coastal Bend College, Thomas Baynum, President, Coastal Bend College and Sister</p>	<p>The Board voted to change the approval status of Platt Health Careers Training, Dallas, Texas vocational nursing educational program from Initial to Full based on review of the 2007 VN-NEPIS and VN-CANEP, preliminary NCLEX-PN examination pass rate, and the report of the summary of the survey visit and issue the commendation, recommendations, and requirements to be met.</p> <p>The Board voted to approve a vocational nursing educational program to be established by Career Point Institute in San Antonio, Texas, and grant the program Initial Approval status and issue the commendations and requirements to be met.</p> <p>Sheri Crosby abstained from the vote. The Board voted to approve a generic associate degree nursing educational program with an LVN to RN bridge track to be established by Coastal Bend College in Beeville, Texas and grant the program Initial Approval status, issue the commendations and the requirement to be met and to obtain consultation on</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Michele O'Brien were present to answer questions.</p>	<p>development and implementation of an associate degree nursing level mental health course including utilization of learning experiences with patients acute care mental health problems which may require activities outside of the Coastal Bend College catchment/service area.</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>
<p>4.2. Process to Ensure that Alleged Practice Violations of Impaired Nurses are Reviewed by Board</p>	<p>The board reviewed the report.</p>	<p>No action.</p>
<p>5. COMMITTEE REPORTS 5.1. Board Committees</p>		
<p>5.1.3. Development and Evaluation</p>	<p>Rachel Gomez reported that a we will begin reviewing board functions/processes for the new board members. Linda Rounds reported that the Executive Director and Board evaluations will be done at the July meeting. Beverley Nutall requested development on criminal convictions and their affect on licensure.</p>	<p>No action.</p>
<p>5.2. Advisory Committees/Task Forces 5.2.1. Advanced Practice Nurses Advisory Committee</p>	<p>The Board considered the report of the February 5, 2008 meeting of the Advanced Practice Nursing Advisory Committee (APNAC)</p>	<p>This report is for information purposes only. No action is required.</p>

AGENDA ITEM	DISCUSSION	ACTION
5.2.2. Nursing Practice Advisory Committee	No report.	No action.
5.2.3. Advisory Committee on Education	The Board considered an update regarding the status of ACE activities and considered staff recommendation regarding the nomination for a new committee member.	The Board voted to accept the nomination for Kendra Slatton, MSN, RN and approved the appointment of Ms. Slatton to be the representative for TONE on the ACE as recommended by the ELC and the Board President.
5.2.4. Task Force on Licensure, Eligibility and Discipline	Dusty Johnston reported that the committee met on April 4, 2008.	No action.
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee	Robbin Wilson reported that the committee met on March 4, 2008 and that Texas Nurses Association has a new website and has changed their logo.	No action.
5.3.2. Texas Nurses Association Competency Task Force	Robbin Wilson reported that TNA will pursue changing the continuing education certification requirements.	No action.
5.3.3. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Cmte.	Katherine Thomas reported on the meeting of the Advisory committee meeting held on February 6, 2008 including updates on pending studies on Nursing Workforce which should be released in the summer of 2008.	No action.
5.3.4. Texas Higher Education Coordinating Board Nursing Education Updates	Robbin Wilson gave an update on the THECB nursing education activities.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>5.3.6. Health Alliance Safety Partnership Updates</p>	<p>No report.</p>	<p>No action.</p>
<p>5.3.7. Report of Meeting with the Health and Human Services Commission Tele-Medicine Advisory Committee</p>	<p>Katherine Thomas reported that the committee met and wanted to propose some rule revisions to the Tele-Medicine rule to offer more reimbursement for tele-medicine.</p>	<p>No action.</p>
<p>5.3.8. Report of Meeting with the Texas Department of Public Safety Advisory Committee for the Improvement of the Texas Prescription Program</p>	<p>Jolene Zych reported that the first meeting was held on April 17, 2008. The group is exploring methods for DPS to receive information regarding prescriptions for controlled substances in Schedules III-V and how that information might be made available to individual prescribers.</p>	<p>No action.</p>
<p>5.3.9. Texas Department of State Health Services Abortion Facility Licensing Rules Stakeholder Meeting</p>	<p>Carol Marshall reported she and Jolene Zych attended a stakeholder meeting on February 29, 2008 regarding revisions to 25 Texas Administrative Code, Chapter 139, Abortion Facility Reporting and Licensing Rules.</p>	<p>No action.</p>
<p>OPEN FORUM:</p>	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>No one came forward and the Open Forum was closed.</p>	<p>No action.</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>

AGENDA ITEM	DISCUSSION	ACTION
<p>6.2. Reports Related to Sunset Bill HB2426</p> <p>6.2.2. Status Report Relating to Streamlining of the Texas Board of Nursing's Initial Approval Process for Nursing Education Programs</p>	<p>Robbin Wilson provided historical perspective, actions to date and future actions regarding the Streamlining of the Texas Board of Nursing's Initial Approval Process for Nursing Education Programs.</p>	<p>This report was for informational purposes only. No action.</p>
<p>6.2.3. Status Update Relating to Development of a Process Allowing for Board Approval of Hospital-Based Diploma Programs</p>	<p>Robbin Wilson provided historical perspective, actions to date and future actions regarding the Development of a Process Allowing for Board Approval of Hospital-Based Diploma Programs.</p>	<p>This report was for informational purposes only. No action.</p>
<p>6.2.4. Status Report on Implementation of the Jurisprudence Examination.</p>	<p>Mark Majek provided a status report on the implementation of the jurisprudence examination.</p>	<p>This report was for informational purposes only. No action.</p>
<p>6.4. Adoption of Repeal of §§ 217.19 and 217.20, and Adoption of New §§ 217.19 and 217.20, Relating to Incident - Based and Safe Harbor Peer Review, Respectively, and Consideration of Comments and Response to Comments Submitted in Response to Publication of Proposals</p>	<p>The Board considered comments received and response to comments relating to the re-proposed peer review rules [Tex. Reg. 2/15/08].</p>	<p>The Board voted to adopt the repeal of current nursing peer review rules 217.19 and 217.20, and to adopt the re-proposed nursing peer review rules: 217.19 Incident-Based Nursing Peer Review and Whistleblower Protections; and 217.20 Safe Harbor Peer Review for Nurses and Whistleblower Protections. and to publish these adopted new rules in the <i>Texas Register</i>. The board further authorizes staff legal counsel to make non-substantive or grammatical changes in the proposed new rules for clarification and format consistency.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>7. NEW BUSINESS 7.2. Items Related to Sunset Bill HB2426 7.2.1. Consideration of Proposed Amendments to 22 Texas Administrative Code §213.27 (Good Professional Character), §213.28 (Licensure of Persons with Criminal Convictions), §213.29 (Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters), §213.30 (Declaratory Order of Eligibility for Licensure), and §213.33 (Factors Considered for Imposition of Penalties/Sanction s and/or Fines)</p> <p>7.2.2. Consideration of Proposed Disciplinary Matrix, or in the Alternative, Approval to Pilot Disciplinary Matrix</p>	<p>The Board considered the proposed amendments to 22 Texas Administrative Code §213.27 (Good Professional Character), §213.28 (Licensure of Persons with Criminal Convictions), §213.29 (Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters), §213.30 (Declaratory Order of Eligibility for Licensure), and §213.33 (Factors Considered for Imposition of Penalties/Sanctions and/or Fines).</p> <p>The Board considered the proposed disciplinary matrix, or in the alternative approval to pilot disciplinary matrix.</p>	<p>The Board voted to propose amendments to §213.27 (Good Professional Character), §213.28 (Licensure of Persons with Criminal Convictions), §213.29 (Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters), §213.30 (Declaratory Order of Eligibility for Licensure), and §213.33 (Factors Considered for Imposition of Penalties/Sanctions and/or Fines), and have them published in the <i>Texas Register</i> for a 30-day comment period. If no negative comments are received, adopt the rules as proposed.</p> <p>The Board voted to approve the Disciplinary Matrix as a pilot for use by the public, Staff and the Board as a guideline in analyzing violations of the Nurse Practice Act and Board rules; and in the development of appropriate sanctions for violations. Publish the matrix in the Texas Register for comment. Have Staff report results of pilot for reconsideration and re evaluation of the matrix at next appropriate Board meeting.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS</p> <p>8.2. Agreed Orders</p>	<p>Gladys Nell Fennell, LVN #100028/RN #701535</p> <p>Patricia Ann Fleetwood, LVN #134955</p>	<p>The board voted to ratify the Agreed Orders with the following results:</p> <p>Warning with Stipulations. Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; a board approved course in nursing documentation; and a board approved course in Sharpening Critical Thinking Skills". Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; 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 and 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; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Conclusions of Law with Modifications Consistent with the Board's Opinion</p> <p>8.6.3. Consideration of Presentation and Recommendation by Melinda F. Rodgers, Respondent, Docket No. 507-07-2817</p> <p>8.6.4. Executive Session Pursuant to § 551.071(1), Texas Government Code, to Discuss Pending or Contemplated Litigation In the Matter of Permanent Certificate Numbers 502150 and 53638, Issued to Melinda F. Rodgers</p> <p>8.6.5. Convene in Open Session to Consider Recommendations and Take Action In the Matter of Permanent Certificate Numbers 502150 and 53638, Issued to Melinda F. Rodgers</p>		
<p>ADJOURNMENT</p>	<p>Having completed this day's business the meeting adjourned at 4:40 p.m.</p>	

TEXAS BOARD OF NURSING

Regular Meeting

Friday, April 18, 2008

8:43 a.m. - 12:15 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Deborah Bell

Kristin K. Benton

Sheri Crosby

Marilyn Davis

Blanca Rosa Garcia

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Frank Sandoval

Mary Jane Salgado

George Buchenau

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

Allison Hassinger, Administrative Assistant

Jolene Zych, Nursing Consultant

Virginia Ayars, Nursing Consultant

Janice Hooper, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Dorothy Joy, Nursing Consultant

Karen Neighbors, Nursing Consultant

Denise Benbow, Nursing Consultant

Bruce Holter, Information Specialist

Douglas Boone, Investigator

Scott Torres, Investigator

Tawnya Smith, Information Technology Specialist

Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:43 a.m, Friday, April 18, 2008.	
ROLL CALL	All members were present. A quorum was established.	
5. COMMITTEE REPORTS 5.3. Collaboration with Outside Agencies / Stakeholders 5.3.5. Taxonomy of Error Root Cause analysis of Practice Responsibilities (TERCAP)	Robbin Wilson reported that the TERCAP study is ongoing. Training of additional BON staffs continuing. Mary Beth Thomas and Skylar Caddell presented at the NCSBN 2008 TERCAP Forum in Chicago on April 7, 2008. Several other BON staff attended the forum.	This was an informational item only. No action.
6. OLD BUSINESS 6.2. Reports Related to Sunset Bill HB2426 6.2.1. Status Report Relating to Selection of National Nursing Accrediting Agencies by the Board	Jan Hooper provided a status report relating to selection of National Nursing Accrediting Agencies by the Board.	No action. This was an information report only.
6.3. Draft Advanced Practice Registered Nurse (APRN) Joint Dialogue Paper: <i>Consensus Paper for APRN Regulation</i>	Katherine Thomas discussed the current draft of this paper with the board and reported that the paper will be finalized by July, 2008 and the final paper will be presented to the board at the July board meeting.	No action.
7. NEW BUSINESS 7.3. Proposed Amendments to § 213.12, Relating	The Board considered the proposed amendments to § 213.12, Relating to Witness Fees and Expenses.	The Board voted to propose the amendment to rule 213.12 and publish in the <i>Texas Register</i> for the 30-day

AGENDA ITEM	DISCUSSION	ACTION
to Witness Fees and Expenses		comment period. If negative comments are not received, then adopt the amendment to section 213.12 as proposed.
7.4. Proposed Amendment to §223.1, Fees, Relating to Reduction in Certain Fees	The Board considered the proposed amendment to §223.1, Fees, Relating to Reduction in Certain Fees.	The Board voted to to propose the amendment to section 223.1, relating to fees, and publish in the <i>Texas Register</i> for a 30-day comment period. If no comments are received in response to the fee change, adopt the amendment as proposed.
7.6. Consideration and Adoption of Criminal Background Check Policy as it Relates to Licensees, Applicants for Licensure, and Employees of the Agency	The Board considered the Adoption of a Criminal Background Check Policy as it Relates to Licensees, Applicants for Licensure, and Employees of the Agency	The Board voted to adopt the criminal background check policy as it relates to licensees, applicants for licensure, and employees of the agency.
7.7. Health Professions Council Annual Report	Katherine Thomas reviewed the Health Professions Council Annual Report with the Board.	No action. This report was for informational purposes only.
7.8. Status of Cease and Desist Orders from the Texas Workforce Commission Regarding Nursing Education Programs	Virginia Ayars reported to the board regarding recent efforts of the Texas Board of Nursing (BON) and the Texas Workforce Commission (TWC), Career Schools and Colleges Department, to protect the public from fraudulent nursing educational programs.	No action. This report was for informational purposes only.
7.9. Department of State Health Services and Texas Board of Nursing Disaster Preparedness Activities	Mark Majek gave the board an update on the participation of the Texas BON in the disaster training conducted by the Office of the Governor and The Texas Department of State Health Services. Tawnya Smith provided an update on the participation of the Texas BON in the Emergency Systems Advance Registration of Volunteer Health Professions (ESAR-VHP).	No action. This report was for informational purposes only.

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS</p> <p>8.5. In the Matter of Applicant for Initial RN Licensure Michael K. Thompson, Consideration of Proposed Eligibility Agreed Order</p>	<p>The Board considered the Proposed Eligibility Order of Michael K. Thompson. Applicant Michael K. Thompson was given full opportunity to address the board. Liz Higgenbotham, Attorney for Applicant and Michel K. Thompson, Applicant were present and presented to the board.</p>	<p>Board Members Brenda Jackson, Deborah Bell and George Buchenau recused themselves prior to the consideration and vote on this item. Board member Mary Jane Salgado abstained from the vote on this item. The Board voted to approve the proposed eligibility order of Michael K. Thompson with the following conditions: Applicant for Initial Licensure. 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. As a condition of continued licensure Applicant shall undergo an annual monitoring/maintenance polygraph examination each year for three years after initial licensure performed by a polygrapher pre-approved by the board to ensure that no sexual offense has been committed. It is further agreed should Applicant practice as a nurse in Texas, Applicant 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: Applicant shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Applicant shall cause employer(s) to submit periodic reports; Applicant shall participate in a minimum of six months of individualized psychoeducational therapy with a board approved professional counselor and Applicant shall cause the therapist to submit quarterly written reports regarding Applicant’s progress in therapy.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9. MISCELLANEOUS</p>		
<p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>The board discussed items of interest for future board meetings. The board requested that training on the State Office of Administrative Hearings be held in the future as well as requested that new school proposals come to the board members via CD or electronic method.</p>	<p>No action.</p>
<p>9.2. Board Development: Eligibility and Disciplinary Process</p>	<p>Dusty Johnston did a power point presentation to the board on the Eligibility and Disciplinary process.</p>	<p>No action.</p>
<p>9.3. Review of the Board Quarterly Meeting Evaluation</p>	<p>The Board members discussed the results of the January board quarterly meeting evaluation.</p>	<p>No action.</p>
<p>9.4. Appointment of Board Members to attend NCSBN Annual Meeting</p>	<p>The Board discussed board member attendance at the NCSBN Annual Meeting.</p>	<p>The Board voted to send the following board members and staff to the annual meeting: George Buchenau, Jr. Blanca Rosa Garcia Marilyn Davis Linda Rounds Katherine Thomas Mary Beth Thomas</p>
<p>9.5. Survey of Organizational Excellence, UT School of Social Work</p>	<p>Noel Landuyt did a power point presentation to the board regarding the results of the survey of organizational excellence.</p>	<p>No action.</p>
<p>9.6 Executive Director and Board Evaluation Process</p>	<p>Linda Rounds and Katherine Thomas reviewed the process for the upcoming annual board and executive director evaluations.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
ADJOURNMENT:	Having completed all business as listed on the agenda, the meeting adjourned at 12:15 p.m. _____ Linda Rounds, PhD, RN, FNP, Board President _____ Katherine A. Thomas, MN, RN, Executive Director	