

TEXAS BOARD OF NURSING

Retreat

Wednesday, October 21, 2009

8:35 a.m. - 4:00 p.m.

Texas State Capitol

Legislative Conference Room

Capitol Extension, Room E2.002

Austin, Texas 78701

Present:

Linda Rounds, President

Richard Gibbs

Deborah Bell

Blanca Rosa Garcia

Kristin Benton

Sheri Crosby

Mary Jane Salgado

Tamara Cowen

Kathy Leader-Horn

Josefina Lujan

Absent:

Beverley Nutall

Marilyn Davis

Patti Clapp

Staff present:

Katherine A. Thomas, Executive Director

Mark Majek, Director of Operations

Anthony Diggs, Director of Enforcement

Mary Beth Thomas, Director of Nursing

James "Dusty" Johnston, General Counsel

Patricia Vianes-Cabrera, Executive Assistant

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:35 a.m, Wednesday, October 21, 2009.	
ROLL CALL	Beverley Nutall, Marilyn Davis, and Patti Clapp were absent. A quorum was established.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	The Board approved the agenda.
Communication and Team Building Exercises, Presented by Robin Scott, Open Circle Consulting	<p>Robbin Scott with Open Circle Consulting introduced herself and then had each board member share with everyone their passions and interest in serving on the board. The Board then moved into the concepts of Group Culture by starting with the context of what defines the group; then collaboration, a process by which the group functions around shared information; third was conscious decision making, how the group makes decisions; fourth was conflict resolution; fifth was the commitment to quality processes and outcomes; and the discussion ended with what are the shared values of the group. The group then worked on the shared values and agreed on the following values:</p> <ol style="list-style-type: none"> 1) Compassion 2) Integrity 3) Loyalty 4) Vision 5) Wisdom 6) Competence <p>The Board agreed to discuss the values further at a future meeting to clarify the board member values as a group in their role as a board member.</p>	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>Environmental Scan of Factors Affecting Nursing Regulation, Presented by Kathy Thomas Executive Director, Texas Board of Nursing</p>	<p>Kathy Thomas presented a power point presentation on the various environmental factors impacting nursing regulation including consumers, public policy organizations, the Legislature and the Governor, nurses and the media.</p>	<p>No action.</p>
<p>Identification of Issues for Inclusion in the 2013-2014 Strategic Plan, Facilitated by Mark Majek, Director of Operations, Texas Board of Nursing</p>	<p>Mark Majek led the discussion with the board on items that should be taken into consideration when we are completing the Strategic Plan. The following items were identified by both staff and the board members:</p> <ul style="list-style-type: none"> Semi Independent Self Directed Agency Status Certified Nurse Assistants Medication Aides Executive Director Salary Criminal Background Check - Student Mandate Increased Capacity – Production of Graduates Continued Competency to Practice Nursing Diversity in the Workplace Punitive vs. Remedial Disciplinary Actions Patient Safety Education for all Nurses? Patient Safety/Competency Transparency Outreach to: <ul style="list-style-type: none"> Employers Nurses Associations Patient Safety (Education) Nursing Shortage 	

AGENDA ITEM	DISCUSSION	ACTION
ADJOURNMENT	Having completed all business the meeting adjourned at 4:00 p.m. _____ Linda Rounds, PhD, RN, FNP, Board President _____ Katherine A. Thomas, MN, RN, Executive Director	

TEXAS BOARD OF NURSING

Regular Meeting

Thursday, October 22, 2009
8:35 a.m. - 4:45 p.m.
William Hobby Building
333 Guadalupe, Tower II, Room 225
Austin, Texas 78704

Present:

Linda Rounds
Deborah Bell
Kristin K. Benton
Richard Robert Gibbs
Sheri Crosby
Blanca Rosa Garcia
Marilyn Davis
Mary Jane Salgado
Tamara Cowen
Kathy Leader-Horn
Josefina Lujan

Absent:

Patti Clapp
Beverley Nutall

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
Jena Abel, Assistant General Counsel
John Legris, Assistant General Counsel
Kyle Hensley, 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
Denise Benbow, Nursing Consultant
Melinda Hester, Nursing Consultant
Paul Waller, Nursing Consultant
Bonnie Cone, Nursing Consultant
Robin Caldwell, Nursing Consultant
Bruce Holter, Information Specialist
Tawnya Smith, Information Technology Specialist
Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:35 a.m, Thursday, October 22, 2009.	
ROLL CALL	The following members were absent: Beverley Nutall and Patti Clapp. A quorum was established with all other members in attendance.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	The Agenda was approved.
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the July 9, 2009 Public Hearing.	Sheri Crosby abstained from the vote on the minutes. The Board approved the minutes from the July 9, 2009 Public Hearing.
CONSENT AGENDA ITEMS	The Board reviewed the minutes from the July 23-24, 2009 Board Meeting.	<p>Sheri Crosby abstained from the vote on the minutes. The Board approved the minutes from the July 23-24, 2009, Board Meeting.</p> <p>The Consent agenda was reviewed and approved with the following changes:</p> <p>Agenda Item 2.1. Financial Statement - 4TH Quarter, Fiscal Year 2009 was removed from the Consent Agenda.</p> <p>Agenda Item 8.3., Eligibility Agreed Order of Ana Luiza Gonzalez was removed from the Consent Agenda.</p> <p>Kristin Benton recused herself from the consideration and vote on Agenda Item 3.2.2.a. Notification of Continued Program Approval Status Based on 2008 NCLEX-PN® Examination Pass Rates, Austin Community College in Austin, Texas.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Agenda Item 3.2.3. Notification of Continued Initial Program Approval Status, Del Mar College in Corpus Christi, Texas - MEEP.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2.2. Continuing Education Pre-Renewal Audit Report/ 4TH Quarter, Fiscal Year 2009</p> <p>3.2.2. Notification of Continued Program Approval Status Based on 2008 NCLEX-PN Examination Pass Rates</p> <p>3.2.2.a. Full Approval with Commendation Vocational Nursing Educational Programs Alvin Community College in Alvin, Texas Amarillo College in Amarillo, Texas Angelina College in Lufkin, Texas - MEEP Angelina College in Lufkin, Texas - Traditional</p>	<p>The Board considered the Notification of Continued Program Approval Status Based on 2008 NCLEX-PN Examination Pass Rates.</p>	<p>Deborah Bell recused herself from the consideration and vote on Item 8.1. Agreed Orders of: Chasity Barden, RN #657819 Jamie S. Nguyen, RN #652850</p> <p>Deborah Bell recused herself from the consideration and vote on Item 8.2. Reinstatement Agreed Order of: Reginald Carl Graves, LVN #167106/RN #711952</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.1. Agreed Orders of: Jamie S. Nguyen, RN #652850 Arcadio Valenzuela, LVN #162890</p> <p><i>Approved on Consent.</i></p> <p><i>Board Member Kristin Benton recused herself prior to the consideration and vote on this agenda item pertaining to Austin Community College in Austin, Texas. Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Army Practical Nurse Course (Phase I) at Ft. Sam Houston, Texas</i></p> <p><i>Austin Community College in Austin, Texas</i></p> <p><i>Blinn College in Bryan, Texas</i></p> <p><i>Brazosport Community College in Lake Jackson, Texas</i></p> <p><i>Central Texas College in Killeen, Texas</i></p> <p><i>Childress Regional Medical Center in Childress, Texas</i></p> <p><i>Cisco College in Abilene, Texas</i></p> <p><i>Coastal Bend College in Beeville, Texas</i></p> <p><i>College of the Mainland in Texas City, Texas</i></p> <p><i>El Centro College in Dallas, Texas</i></p> <p><i>El Paso Community College in El Paso, Texas - MEEP</i></p> <p><i>Frank Phillips College in Borger, Texas</i></p> <p><i>Galveston College in Galveston, Texas</i></p> <p><i>Grayson County College in Van Alstyne, Texas</i></p> <p><i>Hill College in Hillsboro, Texas</i></p> <p><i>Howard College in Big Springs, Texas</i></p> <p><i>Howard College in San Angelo, Texas</i></p> <p><i>Joe G. Davis in Huntsville, Texas</i></p> <p><i>Kilgore College in</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Longview, Texas Laredo Community College in Laredo, Texas Lee College in Baytown, Texas Lone Star College - Cy-Fair in Cypress, Texas Lone Star College - Kingwood in Kingwood, Texas Lone Star College - Montgomery in Conroe, Texas Lone Star College - North Harris in Houston, Texas Lone Star College - Tomball in Tomball, Texas McLennan Community College in Waco, Texas - MEEP Navarro College in Corsicana, Texas Navarro College in Mexia, Texas Navarro College in Waxahachie, Texas North Central Texas College in Gainesville, Texas Northeast Texas Community College in Mount Pleasant, Texas Odessa College in Andrews, Texas Paris Junior College in Paris, Texas San Jacinto College North in Houston, Texas South Plains College in Plainview, Texas South Plains College at Reese</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Center in Lubbock, Texas</i> <i>St. Philip's College in New Braunfels, Texas</i> <i>Sul Ross University in Alpine, Texas</i> <i>Temple College in Taylor, Texas</i> <i>Temple College in Temple, Texas</i> <i>Texarkana College in Texarkana, Texas</i> <i>Trinity Valley Community College in Kaufman, Texas</i> <i>Tyler County Hospital in Woodbine, Texas</i> <i>University of Texas at Brownsville & Texas Southmost College in Brownsville, Texas</i> <i>Valley Baptist Medical Center in Harlingen, Texas</i> <i>Victoria College in Victoria, Texas</i> <i>Weatherford College in Weatherford, Texas</i> <i>Wharton County Junior College in Wharton, Texas</i></p>		
<p><i>3.2.2.b. Full Approval Vocational Nursing Educational Programs American Medical Institute in Houston, Texas Anamarc Educational Institute in El</i></p>	<p><i>The Board considered the Notification of Continued Program Approval Status Based on 2008 NCLEX-PN Examination Pass Rates.</i></p>	<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Paso, Texas Baptist Health System in San Antonio, Texas Blinn College in Brenham, Texas Central Texas College in Brady, Texas Clarendon College in Pampa, Texas Computer Career Center in El Paso, Texas Concorde Career Institute in Arlington, Texas Dallas Nursing Institute in Dallas, Texas El Paso Community College at Mission Del Paso in El Paso, Texas Galen College of Nursing in San Antonio, Texas Houston Community College System in Houston, Texas Lamar State College in Orange, Texas Lamar State College in Port Arthur, Texas McLennan Community College in Waco, Texas - Traditional Midland College in Ft. Stockton, Texas Midland College in Midland, Texas Odessa College at Monahans in Odessa, Texas Panola College in Carthage, Texas</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Platt Health Careers Training in Dallas, Texas</i> <i>San Jacinto College South in Houston, Texas</i> <i>Schreiner University in Kerrville, Texas</i> <i>South Plains College in Levelland, Texas</i> <i>South Texas College in McAllen, Texas</i> <i>Southwest Texas Junior College at Uvale, Texas</i> <i>St. Philip's College in San Antonio, Texas</i> <i>Texas Careers Incorporated in San Antonio, Texas</i> <i>Trinity Valley Community College in Palestine, Texas</i> <i>Tyler Junior College in Tyler, Texas</i> <i>Vernon College in Wichita Falls, Texas</i> <i>Western Texas College in Snyder, Texas</i></p> <p><i>3.2.2.c. Full Approval with Warning</i> <i>Ranger College in Comanche, Texas</i> <i>Texas State Technical College West Texas in Sweetwater, Texas</i> <i>Valley Grande Institute for Academic Studies</i></p>	<p><i>The Board considered the Notification of Continued Program Approval Status Based on 2008 NCLEX-PN Examination Pass Rates.</i></p>	<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>in Weslaco, Texas</i></p> <p>3.2.3. Notification of Continued Initial Program Approval Status Vocational Nursing Educational Programs <i>Career Point College in San Antonio, Texas</i> <i>Del Mar College in Corpus Christi, Texas - MEEP</i> <i>Med Vance Institute Southwest Houston Campus in Houston, Texas</i> <i>Rio Grande Valley Careers in Pharr, Texas</i> <i>Texas State Technical College in Harlingen, Texas</i> <i>Universal Health Services School of Vocational Education in Fort Worth, Texas</i></p>	<p><i>The Board reviewed the Notification of Continued Initial Program Approval Status.</i></p>	<p><i>Board Member Blanca Rosa Garcia recused herself prior to the consideration and vote on this agenda item pertaining to Del Mar College in Corpus Christi, Texas - MEEP. Approved on Consent.</i></p>
<p>3.2.4. Petition for Waiver of Director Qualifications, Lone Star College - Kingwood, Texas, Associate Degree Nursing Educational Program</p>	<p><i>The Board considered the petition from Lone Star College - Kingwood (LSC-K) in Kingwood, Texas for a waiver of director qualifications on behalf of Donna Spivey, MSN, RN, CEN, and the recommendation from the Education Liaison Committee (ELC) regarding the petition.</i></p>	<p><i>Approved on Consent.</i></p>
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p><i>Approved on Consent.</i></p>
<p>5.1.2. Strategic Planning/4TH Quarter Report</p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>6.2. <i>Emergency Adoption of Amendments to 22 Tex. Admin. Code §213.32, Pertaining to Schedule of Administrative Fine(s)</i></p>		<p><i>Approved on Consent.</i></p>
<p>6.3. <i>Adoption of Repeal of 22 Tex. Admin. Code Chapter 216, Pertaining to Continuing Education and New 22 Tex. Admin. Code, Chapter 216, Pertaining to Continuing Competency</i></p>		<p><i>Approved on Consent.</i></p>
<p>6.4. <i>Adoption of Rule Review for Chapter 227, Pertaining to Pilot Programs for Innovative Applications to Professional Nursing Education</i></p>		<p><i>Approved on Consent.</i></p>
<p>7.1. <i>Texas Peer Assistance Program for Nurses</i></p>		
<p>7.1.1. <i>Quarterly Report</i></p>		<p><i>Approved on Consent.</i></p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1. Agreed Orders</p>	<p><i>Mary A. Adams, RN #539574</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</i></p>

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	<p>Chasity Barden, RN #657819</p>	<p><i>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>Board Member Deborah Bell recused herself prior to the consideration and vote on this board order.</p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>JoAnne McCans Bell, RN #661080</p>	<p><i>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 cause her probation officer to submit quarterly written reports regarding Respondent's compliance with her court ordered probation until released from probation.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Anna Marie Blalack, LRN #111248/RN #567487</i></p> <p><i>Leighann Ellora Burt, LVN #107978</i></p>	<p><i>for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period; and Respondent shall cause each employer to submit any and all incident, counseling, variance, etc. or other error reports involving Respondent to the attention of Monitoring at the Board's office.</i></p> <p>Warning with Stipulations. <i>Within forty-five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within sixty days of entry of this order Respondent shall successfully complete a board approved course in basic cardiopulmonary life support for healthcare providers. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Constance Louise Carpenter, RN #683911</p>	<p><i>board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within ninety 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 583 899 615">Maryonmuehn Seta Etim, LVN #204808</p> <p data-bbox="407 1157 915 1213">Anita Dolores Fernandez, LVN #199343/RN #724329</p> <p data-bbox="407 1724 867 1755">Estefana Anita Franco, LVN #156164</p>	<p data-bbox="945 306 1468 527"><i>one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="945 583 1471 1094">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 nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="945 1157 1471 1667">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 nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="945 1724 1471 1978">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 nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 648 857 674">Susan Carol Hambrick, RN #683544</p> <p data-bbox="407 1509 915 1564">Pamela Gail Hawkins, LVN #164450/RN #665649</p>	<p data-bbox="943 306 1463 590"><i>hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="943 653 1463 1446">Reprimand with Stipulations. <i>Within one hundred eighty days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall submit 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="943 1514 1463 1976">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 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Sharon Lashun Holder, LVN #171190</p>	<p><i>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; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p>Warning with Stipulations. <i>Within 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 detecting and preventing abuse and neglect. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 1003 915 1031">Shadda Rose McCullough, LVN #207650</p> <p data-bbox="407 1671 878 1698">Eileen Nora Mulqueeney, RN #556514</p>	<p data-bbox="943 310 1468 940"><i>pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="943 1003 1468 1608">Suspend Probate. <i>Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation for one year with the following agreed terms of probation: Respondent shall fully comply with all the terms and conditions of the Order of the board issued to Respondent on May 28, 2008 by the Oklahoma Board of Nursing. Respondent shall cause the Oklahoma Board of Nursing to submit written verification of Respondent's successful completion of that Order. Evidence of compliance/completion with the terms of the Order of the Oklahoma Board of Nursing will be accepted as evidence of compliance/completion of the terms of this order issued by the Texas Board of Nursing.</i></p> <p data-bbox="943 1671 1468 1885">Warning with Stipulations. <i>Within ninety days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,000. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Christopher William Nelson, RN #676218</p>	<p>Enforced Suspension. Respondent’s license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years 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; 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.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Erin D. Placer, RN #634385</p>	<p><i>nursing jurisprudence and ethics; a board approved course in medication administration; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment 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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</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 nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Donna Elizabeth Preble, RN #655017</i></p> <p><i>Wanda Faye Pruitt, LVN #57360</i></p> <p><i>Rene Luis Ramos, LVN #167414</i></p>	<p><i>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 written 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>Warning with Stipulations. <i>Within ninety days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,000.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for 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 indirect supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p>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>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Stephanie Borne Rowe, RN #728850</p>	<p><i>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 submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="402 554 915 611">Florence Uyomakaro Urevbu, LVN #178959</p> <p data-bbox="402 1220 834 1247">Arcadio Valenzuela, LVN #162890</p>	<p data-bbox="943 306 1463 491"><i>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 data-bbox="943 554 1463 1157">Reprimand 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 nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="943 1220 1463 1310">Board Member Blanca Rosa Garcia recused herself prior to the consideration and vote on this board order.</p> <p data-bbox="943 1318 1463 1919">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 nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall 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>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Robbie Renee Williams, LVN #141438</p>	<p><i>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 \$600. 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; 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>Reprimand 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Reginald Carl Graves, LVN #167106/RN #711952</p>	<p><i>granted with the following conditions: Petitioner shall apply for a six month clinical permit for the limited purpose of completing a refresher course and shall successfully complete a board approved refresher course; Within forty five days of relicensure Petitioner shall pay a monetary fine in the amount of \$500. 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 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 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.</i></p> <p>Board Member Deborah Bell recused herself prior to the consideration and vote on this board order.</p> <p>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted and subject to the following conditions: Within forty five days of relicensure Petitioner shall pay a monetary fine in the amount of \$500. Within one year of relicensure Petitioner shall</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Shay Lynn Seale, RN #568512</p>	<p><i>successfully complete a board approved course in nursing jurisprudence and ethics. Should Petitioner choose to 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 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; Petitioner shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly written reports regarding Petitioner's progress in therapy until released from therapy. 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>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall apply for a six month clinical permit for the limited purpose of completing a refresher course and shall successfully complete a board approved refresher course; Within forty five days of relicensure Petitioner shall pay a monetary</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.3 ELIGIBILITY AGREED ORDERS</p>	<p><i>Adelia Anne Barker, Applicant for Initial Licensure (RN)/LVN #195734</i></p>	<p><i>fine in the amount of \$500. 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 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 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.</i></p> <p>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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Alison Lyn Eizel, Applicant for Initial Licensure (RN)</p>	<p><i>initial licensure Applicant shall successfully complete a board approved course in nursing jurisprudence and ethics. 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 two 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 have indirect 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 written reports regarding Applicant's progress in therapy until released from therapy.</i></p> <p><i>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. 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 one year 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 have indirect supervision with employment restrictions for the duration of the stipulation period; Applicant shall abstain</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Henry E. Hernandez, Applicant for Initial Licensure (RN)</p>	<p><i>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 indirect supervision with employment restrictions for the duration of the stipulation period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><i>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 forty-five days of initial licensure Applicant shall pay a monetary fine in the amount of \$500. Within one year of initial licensure Applicant shall successfully complete a board approved course in nursing jurisprudence and ethics. 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 two 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 have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Applicant shall have indirect supervision with employment</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Cynthia Marie Mager, Applicant for Licensure by Endorsement (RN)</p>	<p><i>restrictions for the remainder of the stipulation period; Applicant shall have employment restrictions for the first year of employment under this order; Applicant shall not practice in any critical care area for the first year of employment under this order; Applicant shall not administer or have any contact with controlled substances or synthetic opiates for the first year of employment under this order; Applicant shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Applicant shall submit to periodic screens for controlled substances and alcohol; Applicant 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; Applicant shall cause his probation officer to submit quarterly written reports regarding Applicant's compliance with his court ordered probation until released from probation. Should Applicant's probation be revoked and Applicant's sentence of confinement be imposed said judicial action will result in further disciplinary action including Revocation of Applicant's license to practice nursing in the State of Texas.</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 ethics. Should Applicant choose to 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 one year of employment: Applicant shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Applicant shall have in-direct supervision with employment restrictions for the duration of the stipulation period;</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Teronica D’Ann Taylor, Petitioner for Initial Licensure (LVN)</i></p>	<p><i>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 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 two 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; and Applicant shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Petitionerfor Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances;</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Caprina Clayton Toliver, Petitioner for Initial Licensure (LVN)</i></p>	<p><i>and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>
<p>1. ADMINISTRATION 1.1. Executive Director's Report</p> <p>1.2. Legal</p> <p>1.3. Presentation of Fiscal Year 2009 Trend Data</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>No report.</p> <p>Katherine Thomas did a power point presentation of the 2009 Trend Data.</p>	<p>No action.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
2. OPERATIONS 2.1. Financial Statement - 3 RD Quarter, Fiscal Year 2009	Mark Majek responded to questions from the board members in regards to the cost of postage spent and the amount spent for printing for workshops. Tamara Cowen requested a comparison between the total budget to the financial statement.	No action.
2.3. Funding of a Research Plan Required by HB3961, 81 ST Legislative Session	Mark Majek discussed the legislation in HB3961, 81 ST Legislative Session which requires a clinical component study. He indicated that the funding not to exceed \$100,000 will come from appropriated receipts. Mark Majek further reported that the Texas Board of Nursing has been requested to issue a proposal for the researcher in order to get the project moving so that we can receive the grant from the National Council for State Boards of Nursing in March, 2010.	No action.
2.4. Report on Examination Seminar - 2009 Tour of Texas	Mark Majek reported that the Operations Department had held seven Examination Seminars across the state and had seven more scheduled. The seminars explained current examination procedures and the new student criminal background process.	No action.
3. NURSING 3.1 Practice 3.1.1. Workshop Report	Denise Benbow reviewed the written report and extended appreciation to Kristin Benton for her assistance at the Austin workshop. Ms. Benbow also reviewed the 2010 workshop schedule. Katherine Thomas indicated that staff are working on creating webinars of the workshops for the future.	No action.
3.2. EDUCATION 3.2.1. Status Report on Inquiries, Proposals, and Approvals: New Nursing Educational Programs	Virginia Ayars presented that three new nursing education program proposals have been received since the July, 2009 board meeting. Currently there are seven proposals under review: Academy of Health Care Professions (VN), Career Quest (VN), LuPaul (VN), Hallmark College (ADN), Platt College (ADN), Brookline College (BSN), and Concordia University	No action.

AGENDA ITEM	DISCUSSION	ACTION
	<p>(BSN). Inquiries to the Education Department regarding the proposal development process have continued to increase. As a result Board staff held an Informal Information Session for interested stakeholders on September 17, 2009. Tamara Cowen suggested that a map of existing programs and new proposed programs be included in the new program proposals when presented to the board.</p>	
<p>3.2.5. Public Hearing on Proposal to Establish a New Vocational Educational Program: Med Vance Institute in Grand Prairie, Texas, Vocational Nursing Educational Program</p>	<p>The Board held a public hearing to consider the proposal to establish a new nursing educational program by Med Vance Institute in Grand Prairie, Texas, Vocational Nursing Educational Program. April Shroer and David Moore were present to answer questions.</p>	<p>Board Member Richard Gibbs recused himself prior to the vote on this agenda item. The Board voted to approve the vocational nursing educational program to be established by MedVance - Grand Prairie in Grand Prairie, Texas, and grant the program Initial Approval status and issue the commendations and requirement to be met.</p>
<p>3.2.6. Proposed Change of Program Approval Status Based on 2008 NCLEX-PN Examination Pass Rate and Report of Survey Visit</p>		
<p>3.2.6.a. St Michael's School of Nursing and Technology in Weslaco, Texas, Vocational Nursing Educational Program</p>	<p>The Board considered a change of the Initial approval status of St. Michael's School of Nursing and Technology Vocational Nursing Educational Program in Weslaco, Texas based on the 2008 NCLEX-PN® Examination Pass Rate and report of the survey visit conducted by Texas Board of Nursing (BON) staff on August 25, 2009. Mario Garza, Program Director was present to answer questions.</p>	<p>Josefina Lujan recused herself prior to the vote on this agenda item. The Board voted to change the Initial approval status of St. Michael's School of Nursing and Technology Vocational Nursing Educational Program to Initial with Warning, based on the 2008 NCLEX-PN® Examination Pass Rates and report of the survey visit conducted by BON staff, accept the report of the survey visit, and issue the commendations and requirements to be met.</p>
<p>3.2.7. Report on Information Session for Programs Wishing</p>	<p>Virginia Ayars reviewed her written report with the board.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
to Establish a New Nursing Educational Program in Texas		
3.2.8. Issues and Trends in Nursing Education	Mary Beth Thomas reviewed three issues that were discussed during the July board meeting: Vocational faculty and director experience and qualifications; Waiver options for directors of professional programs; Appropriate utilization of the tests to determine success on the NCLEX exam. The board expressed exploration of these issues and requested a report be made at the January, 2010 meeting.	No action.
4. ENFORCEMENT		
4.1. Criminal Background Check Update	The board reviewed the statistical report provided regarding criminal background checks.	No action.
4.2. Texas Peer Assistance Program for Nurses Third Party Referral Report	The board reviewed the third party referral report.	No action.
5. COMMITTEE REPORTS		
5.1. Board Committees		
5.1.3. Development and Evaluation	The Board discussed receiving training on Cultural Competence as requested by Josefina Lujan.	No action.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	Linda Rounds and Jolene Zych reported that the committee met on July 30 and again on September 23 to discuss proposed amendments to Rule 222 based on statutory changes made by SB 532. The committee's recommendations to the	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>5.2.2. Nursing Practice Advisory Committee</p>	<p>Board were presented in agenda item 7.4.</p> <p>Melinda Hester reported that Board Staff has begun to evaluate various components of refresher programs, from other state board's of nursing, other licensing boards, program providers, employers and nurses who have completed refresher programs. The committee plans to meet again this fall via teleconference and convene a task force of a few NPAC and ACE committee members. The goal is to have recommendations for the Board in April, 2010 that will strengthen the refresher program requirement.</p>	<p>No action.</p>
<p>5.2.2.a. Consideration of Appointment of New Committee Member</p>	<p>The Board considered the nomination of Elizabeth (Beth) Skeleton, RN to serve as the Texas Department of Aging and Disability (DADS) representative to the Nursing Practice Advisory Committee.</p>	<p>The board voted to approve the nomination of Elizabeth Skeleton to represent Texas Department of Aging and Disability Services on the Nursing Practice Advisory Committee.</p>
<p>5.2.3. Advisory Committee on Education 5.2.3.a. Advisory Committee on Education - Differentiated Entry Level Competencies (DELIC) Work Group</p>	<p>Virginia Ayars reported The Advisory Committee on Education (ACE) met via telephone conference on September 14, 2009 and September 18, 2009 to consider the revised Differentiated Entry Level Competencies (DELICs), as proposed by the DELIC Work Group. Subsequent to formal approval by the ACE, DELIC documents were distributed electronically on September 25, 2009 to Deans, Directors, and Coordinators of all vocational and professional nursing educational programs in order to elicit feedback. Responses from these stakeholders will be reviewed during a one day, face-to-face meeting of the ACE and the DELIC Work Group to be held on Friday, December 4, 2009 in Room 102, Tower III of the William P. Hobby Building in Austin, Texas.</p>	<p>No action.</p>
<p>5.2.4. .Advisory Committee on Licensure, Eligibility and Discipline</p>	<p>The Committee discussed implementation of SB1415 related to corrective actions and their comments and recommendations were included in the staff report for agenda item 6.5. They also discussed implementation of HB3961 and their</p>	

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>5.3.2. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee</p> <p>5.3.3. Texas Higher Education Coordinating Board Nursing Education Updates</p> <p>5.3.4. Taxonomy of Error Root Cause Analysis of Practice Responsibilities</p> <p>5.3.5. Texas Team Report, Robert Wood Johnson Nursing Education Capacity</p>	<p>comments and recommendations were included in the staff report for agenda item 6.7. The Committee reviewed and made recommendations for changes to the disciplinary matrix which were included in agenda item 7.3. Finally the committee discussed the pilot program on deferral of final disciplinary actions authorized by SB1415 but did not complete this discussion and will continue discussion at the next meeting.</p> <p>No Report.</p> <p>Katherine Thomas reported that the 2008 updates on nursing education demographics, characteristics and trends are now available on the center’s website.</p> <p>Mary Beth Thomas reported that Board staff have been corresponding with Staff from the THECB to ensure appropriate implementation of HB 4471 which directs grants fo the professional nursing shortage reduction program.</p> <p>No report.</p> <p>Katherine Thomas reported that five regional proposals were approved through a one million dollar grant from the Texas Workforce Commission. The Texas Team reviewed and approved the proposal.</p>	<p>No action.</p> <p>No action.</p> <p>No action.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Expansion	Three will focus on regionalization activities related to clinical simulation.	
OPEN FORUM:	Linda Rounds announced the format and invited participation from the audience. There were no speakers and the open forum was closed at 1:32 p.m.	No action.
6. OLD BUSINESS		
6.1. Nurse Licensure Compact Update	Katherine Thomas reviewed her written report with the Board.	No action.
6.5. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §213.32, Pertaining to Schedule of Administrative Fine(s) and §211.7, Pertaining to Executive Director, Written Comments Received and Board Responses to Comments	The Board considered final adoption of proposed amendments to 22 Tex. Admin. Code §213.32, pertaining to <i>Schedule of Administrative Fine(s)</i> and §211.7, pertaining to <i>Executive Director</i> . Proposed amendments to §213.32 and §211.7 were approved by the Board at its July 23-24, 2009, meeting for submission to the <i>Texas Register</i> for public comment. The proposed amendments were published in the <i>Texas Register</i> on September 4, 2009, and the comment period ended on October 5, 2009. The Board received one written comment from the representative of an organization. The Eligibility and Disciplinary Advisory Committee also reviewed and considered the proposed amendments at its September 17, 2009, meeting. The proposed amendments to §213.32 implement the requirements of SB 1415 by prescribing the types of violations that are eligible for resolution through a corrective action and the circumstances under which a corrective action may be offered. The proposed amendments also revise and clarify the amount of fines applicable to disciplinary actions. The proposed amendments to §211.7 clarify the types of orders that the Executive Director may approve and accept without Board ratification. If adopted, the amendments to §213.32 will permanently take the place of the amendments to §213.32 that were	The Board voted to adopt the proposed amendments to 22 Tex. Admin. Code §213.32, pertaining to <i>Schedule of Administrative Fine(s)</i> and §211.7, pertaining to <i>Executive Director</i> , with changes. Further, adopted the summary of comments and Staff's response to the comments and authorize Staff to publish the summary of comments and response to comments with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i> . Further, adopted the revised rule text and authorize Staff to publish the revised rule text with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i> .

AGENDA ITEM	DISCUSSION	ACTION
<p>6.6. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §213.23, Related to Decision of the Board, Written Comments Received and Board Responses to Comments</p>	<p>adopted on an emergency basis on September 1, 2009.</p> <p>The Board considered final adoption of proposed amendments to 22 Tex. Admin. Code §213.23, related to <i>Decision of the Board</i>. Proposed amendments to §213.23 were approved by the Board at its July 23-24, 2009, meeting for submission to the <i>Texas Register</i> for public comment. The proposed amendments were published in the <i>Texas Register</i> on August 28, 2009, and the comment period ended on September 28, 2009. The Board received three written comments. The proposed amendments to §213.23 implement the Board's policy that a Respondent be required to submit written exceptions and briefs to the Board before being permitted to make an oral presentation to the Board regarding a proposal for decision.</p>	<p>Sheri Crosby and Josefina Lujan abstained from the vote on this agenda item. The Board voted to adopt the amendments to §213.23, related to <i>Decision of the Board</i>, as proposed and published in the <i>Texas Register</i> on August 28, 2009 and authorize Staff to publish the summary of comments and response to comments.</p>
<p>6.7. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §213.20, Pertaining to Informal Proceedings and Alternate Dispute Resolution (ADR); §213.29, Pertaining to Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters; §213.30, Pertaining to Declaratory Order of Eligibility for Licensure; and §213.33, Pertaining to Factors Considered for Imposition of</p>	<p>The Board considered final adoption of proposed amendments to 22 Tex. Admin. Code §213.20, Pertaining to <i>Informal Proceedings and Alternate Dispute Resolution</i> (ADR); §213.29, Pertaining to <i>Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters</i>; §213.30, Pertaining to <i>Declaratory Order of Eligibility for Licensure</i>; and §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions and/or Fines</i>. Proposed amendments to §213.20, §213.29, §213.30, and §213.33 were approved by the Board at its July 23-24, 2009, meeting for submission to the <i>Texas Register</i> for public comment. The proposed amendments were published in the <i>Texas Register</i> on September 11, 2009, and the comment period ended on October 12, 2009. The Board received several public comments. The proposed amendments to §213.20, §213.29, §213.30, and §213.33 implement HB 3961, which was enacted by the 81st Legislature, effective June 19, 2009, and requires the Board to adopt guidelines for requiring or requesting an individual to submit to an evaluation under new</p>	<p>Sheri Crosby and Josefina Lujan abstained from the vote on this agenda item. The Board voted to adopt the proposed amendments to 22 Tex. Admin. Code §213.20, Pertaining to <i>Informal Proceedings and Alternate Dispute Resolution</i> (ADR); §213.29, Pertaining to <i>Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters</i>; §213.30, Pertaining to <i>Declaratory Order of Eligibility for Licensure</i>; as proposed and published in the <i>Texas Register</i> on September 11, 2009, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. Move to adopt proposed amendments to 22 Tex. Admin. Code §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions and/or Fines</i>, with changes. Further, move to adopt the summary of the written comments and Staff's responses to the comments and authorize Staff to publish the summary of comments and response to comments, with authority for General Counsel to make editorial changes as necessary to clarify</p>

AGENDA ITEM	DISCUSSION	ACTION
Penalties/Sanctions and/or Fines, Written Comments Received, and Board Responses to Comments	Occupations Code §301.4521 and rules regarding the qualifications for a licensed practitioner to conduct an evaluation under new §301.4521. The proposed amendments to §213.33 implement these requirements by prescribing the circumstances under which an evaluation will be requested by the Board, the requirements that the evaluation must meet, and the credentials that an evaluator must possess in order to conduct the evaluation. The proposed amendments also clarify existing Board policy regarding random drug testing through urinalysis.	rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i> . Further, move to adopt the revised rule text and authorize Staff to publish the revised rule text, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i> .
7. NEW BUSINESS 7.3. Consideration of Proposed Amendments to 22 Tex. Admin. Code §213.33, Pertaining to Factors Considered for Imposition of Penalties/Sanctions and/or Fines, including consideration of the Adoption of the Disciplinary Matrix in Rule	The Board considered the proposal of amendments to §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions and/or Fines</i> , including adoption of the Disciplinary Matrix in Rule.	Josefina Lujan abstained from the vote on this agenda item. Sheri Crosby voted to oppose this agenda item. The Board voted to adopt the Disciplinary Matrix and approve its inclusion in the proposed amendments to 22 Tex. Admin. Code §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions and/or Fines</i> . And approved §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions and/or Fines</i> , including the adopted Disciplinary Matrix, and authorized Staff to publish the proposal in the <i>Texas Register</i> for a 30-day comment period, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i> . If no negative comments and no request for a public hearing are received, adopt the proposed amendments to 22 Tex. Admin. Code §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions and/or Fines</i> , including the adopted Disciplinary Matrix, as proposed.
ADJOURNMENT	Having completed this day's business the meeting adjourned at 4:45 p.m.	

TEXAS BOARD OF NURSING

Regular Meeting

Friday, October 23, 2009

8:35 a.m. - 12:52 p.m.

William Hobby Building

333 Guadalupe, Tower II, Room 225

Austin, Texas 78704

Present:

Linda Rounds

Deborah Bell

Kristin K. Benton

Richard Robert Gibbs

Sheri Crosby

Blanca Rosa Garcia

Marilyn Davis

Mary Jane Salgado

Tamara Cowen

Kathy Leader-Horn

Josefina Lujan

Absent:

Patti Clapp

Beverley Nutall

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

James "Dusty" Johnston, General Counsel

Jena Abel, Assistant General Counsel

Kyle Hensley, Assistant General Counsel

John Legris, Assistant General Counsel

Ron Simpson, 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

Bonnie Cone, Nursing Consultant

Robin Caldwell, Nursing Consultant

Denise Benbow, Nursing Consultant

Melinda Hester, Nursing Consultant

Paul Waller, Nursing Consultant

Bruce Holter, Information Specialist

Tawnya Smith, Information Technology Specialist

Bill Ray, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:35 a.m, Friday, October 23, 2009.	
ROLL CALL	The following members were absent: Beverley Nutall and Patti Clapp. A quorum was established with all other members in attendance.	
2. OPERATIONS		
2.5. Risk Assessment Update	Larry Vineyard presented a summary of the risk assessment.	No action.
2.6. Travel Reimbursement Update	Kizzie Gonzales and Karen Harrell presented the latest changes in the travel reimbursement rules to the Board members.	No action.
3. NURSING		
3.2. EDUCATION		
3.2.6. Proposed Change of Program Approval Status Based on 2008 NCLEX-PN Examination Pass Rate and Report of Survey Visit		
3.2.6.b. Career Centers of Texas in Corpus Christi, Texas, Vocational Nursing Educational Program	The Board considered the proposed change of the approval status from Initial to Full for Career Centers of Texas in Corpus Christi, Texas, Vocational Nursing (VN) Educational Program based on the 2008 NCLEX-PN® examination pass rate for the first graduating class and the report of the September 2-3, 2009 survey visit.	Blanca Rosa Garcia recused herself prior to the vote on this agenda item. The Board voted to change the program approval status of the Career Centers of Texas Vocational Nursing Educational Program from Initial Approval to Full Approval based on review of the NCLEX-PN® examination pass rate for the 2008 test period and the report of the September 2-3, 2009 survey visit, and issue the commendations, recommendation, and requirements to be met.
6. OLD BUSINESS		
6.8. Update on the Plan to	Katherine Thomas reported that she and Mary Beth Thomas met with staff of the	

AGENDA ITEM	DISCUSSION	ACTION
<p>Address Implications of Commitment to Ongoing Regulatory Excellence (CORE) 2008 Report</p>	<p>Texas Hospital Association and the board of Directors of the Texas Organization of Nurse Executives (TONE) to discuss concerns and perspectives on regulation. Follow up meetings with the TONE chapters are being planned.</p>	
<p>7. NEW BUSINESS 7.2. Review of SB 1415, Enacted by the 81st Legislature, Regular Session, Effective September 1, 2009, and Pilot Program on Deferral of Final Disciplinary Actions, Including Discussion of the Feasibility of Conducting a Pilot Program to Determine the Efficacy of Deferring Disciplinary Actions</p>	<p>The Board considered the Pilot Program on Deferral of Final Disciplinary Actions, Including Discussion of the Feasibility of Conducting a Pilot Program to Determine the Efficacy of Deferring Disciplinary Actions.</p>	<p>No action.</p>
<p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §222, Pertaining to Advanced Practice Nurses with Prescriptive Authority</p>	<p>The board considered a request to propose amendments to Rule 222 for the purpose of aligning the rule with changes to the Texas Occupations Code as a result of the passage of Senate Bill (SB) 532.</p>	<p>The Board voted to approve the proposed amendments to 22 Tex. Admin. Code Chapter 222, concerning <i>Advanced Practice Nurses with Prescriptive Authority</i> and authorized staff to publish the proposal in the <i>Texas Register</i> for a 30-day comment period, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code Chapter 222, concerning <i>Advanced Practice Nurses with Prescriptive Authority</i> as proposed.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS</p> <p>8.3. Eligibility Agreed Order</p> <p>8.4. ALJ Proposals for Decision</p> <p>8.4.1. Docket No. 507-09-3651, In the Matter of Permanent Certificate RN #711550, Issued to BONIFACIO BAQUIRAN ESPINOSA</p> <p>8.4.1.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-09-3651</p> <p>8.4.1.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-09-3651, Including Adoption of the Findings of Fact and Conclusions of Law contained in the Administrative Law Judge's Proposal for Decision without</p>	<p>Ana Luiza Gonzalez, Petitioner for Initial Licensure (LVN)</p> <p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-09-3651, Including Adoption of the Findings of Fact and Conclusions of Law contained in the Administrative Law Judge's Order.</p>	<p>The Board considered the agreed orders with the following results:</p> <p>The Board discussed Ms. Gonzalez' Petition for Initial Licensure with Staff regarding Petitioner's criminal background information. The Board voted to refuse acceptance of the proposed eligibility agreed order of Ana Luiza Gonzalez and voted to have Ms. Gonzalez appear before the Eligibility and Disciplinary Committee.</p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the recommended sanction of revocation of Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Modifications 8.4.1.c. Consideration of Recommendation by BONIFACIO BAQUIRAN ESPINOSA, Docket No. 507-09-3651 8.4.1.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the Matter of Permanent Certificate RN #711550 Issued to BONIFACIO BAQUIRAN ESPINOSA 8.4.1.e Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #711550, issued to BONIFACIO BAQUIRAN ESPINOSA</p> <p>8.4.2. Docket No. 507-09-4688, In the Matter of Permanent Certificate RN #631827, Issued to JIMMY LEE KLUTTS 8.4.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-09-4688</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-09-4688, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the recommended sanction of revocation of Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.2.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-09-4688, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications</p> <p>8.4.2.c. Consideration of Recommendation by JIMMY LEE KLUTTS, Docket No. 507-09-4688</p> <p>8.4.2.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the Matter of Permanent Certificate RN #631827 Issued to JIMMY LEE KLUTTS</p> <p>8.4.2.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #631827 Issued to JIMMY LEE KLUTTS</p>		
<p>8.4.3. Docket No. 507-09-4330, In the Matter of Permanent Certificate RN</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-09-4330, Including Adoption of the Proposal for Decision's</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the recommended sanction of revocation of Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>#739447, Issued to DALE THOMAS ROBERTS</p> <p>8.4.3.a. Consideration of the Administrative Law Judge’s Proposal for Decision in Docket No. 507-09-4330</p> <p>8.4.3.b. Consideration of Staff’s Recommendations for Disposition of Docket No. 507-09-4330, Including Adoption of the Proposal for Decision’s Findings of Fact and Conclusions of Law without Modifications</p> <p>8.4.3.c. Consideration of Recommendation by DALE THOMAS ROBERTS, Docket No. 507-09-4330</p> <p>8.4.3.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the Matter of Permanent Certificate RN #739447 Issued to DALE THOMAS ROBERTS</p> <p>8.4.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN</p>	<p>Findings of Fact and Conclusions of Law without Modifications.</p>	

AGENDA ITEM	DISCUSSION	ACTION
<p>#739447 Issued to DALE THOMAS ROBERTS</p> <p>8.4.4. Docket No. 507-08-4024, In the Matter of Permanent Certificate RN #724320, Issued to MARTIN M. DIAZ</p> <p>8.4.4.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-08-4024</p> <p>8.4.4.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-08-4024, Including Remanding the Proposal for Decision to the Administrative Law Judge or Adopting the Proposal for Decision's Findings of Fact and Conclusions of Law as Modified</p> <p>8.4.4.c. Consideration of Recommendation by MARTIN M. DIAZ, Docket No. 507-08-4024</p> <p>8.4.4.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation; In the</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-08-4024, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law and/or Remanding back to the Administrative Law Judge to apply the correct burden of proof to the evidence in the record, to include additional findings of fact regarding the credibility and weight of the evidence in the record, and to re-analyze and re-write the PFD accordingly. Respondent Martin M. Diaz was given the full opportunity to address the board. Louis Leichter and Dan Lype, attorneys for Respondent were present and addressed the Board on behalf of the Respondent.</p>	<p>Deborah Bell recused herself prior to the consideration and vote on this agenda item. Linda Rounds and Kathy Leader-Horn voted to oppose.</p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law without modification, except for Finding of Fact Number 7, which should be modified to reflect the modification made by the Administrative Law Judge (ALJ) on August 25, 2009, in response to Staff's Exceptions filed on August 18, 2009, and Respondent's Response filed on August 24, 2009, and adopt the ALJ's recommended sanction that the Respondent's license should not be revoked and that no administrative costs should be imposed upon the Respondent.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter of Permanent Certificate RN #724320 Issued to MARTIN M. DIAZ 8.4.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN #724320 Issued to MARTIN M. DIAZ</p>		
<p>9. MISCELLANEOUS</p>		
<p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>The Board discussed items of interest for future board meetings. The Board discussed having follow up to the October Board Retreat in the form of re-evaluating and ascertaining the Board Values.</p>	<p>No action.</p>
<p>9.2. Board Development: Presentation on the Board Investigatory and Disciplinary Process</p>	<p>Anthony Diggs, Director of Enforcement, Cynthia Smith, Supervisor in Enforcement and Skylar Caddell, Legal Nurse Consultant did a power point presentation on the Board Investigatory 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 July board quarterly meeting evaluation.</p>	<p>No action.</p>
<p>9.4. Report of the NCSBN 2009 Delegate Assembly and Annual Meeting</p>	<p>Katherine Thomas reviewed her written report regarding the NCSBN 2009 Delegate Assembly and Annual Meeting.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.5. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2010</p>	<p>The Board reviewed the proposed dates for the Eligibility and Disciplinary Committee Meetings and Informal Conference Dates for 2010.</p>	<p>The board approved the Informal Conference dates and Eligibility and Disciplinary Committee Meeting Dates.</p>
<p>9.6 Appointment of Board Members for Informal Conferences for 2010</p>	<p>Linda Rounds requested volunteers to attend one Informal Conference day each quarter for 2010.</p>	<p>The following individuals were appointed to attend on the following dates:</p> <p>January 12, 2010 - Tamara Cowen June, 2010 - Josefina Lujan July 6, 2010 - Kathy Leader-Horn October 5, 2010 - Deborah Bell</p>
<p>9.7. Appointment of Board Members to BON Committees for 2010</p>	<p>Linda Rounds discussed the appointment of board members to BON Committees for 2010.</p>	<p>The following board members were appointed to the following committees:</p> <p>Board Development Liaison Richard Gibbs</p> <p>Board Budget Liaison Tamara Cowen</p> <p>Eligibility and Disciplinary Committee January - June, 2010 Deborah Bell, Chair Richard Gibbs Marilyn Davis</p> <p>August - September, 2010 Beverley Nutall, Chair Mary Jane Salgado Tamara Cowen</p> <p>November - December, 2010 Tamara Cowen, Chair Kathy Leader-Horn Sheri Crosby</p>

AGENDA ITEM	DISCUSSION	ACTION
ADJOURNMENT:	<p>Having completed all business as listed on the agenda, the meeting adjourned at 12:52 p.m.</p> <hr/> <p>Linda Rounds, PhD, RN, FNP, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	