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**TEXAS BOARD OF NURSING**

## Regular Meeting

Thursday, January 27, 2011  
8:35 a.m. - 5:41 p.m.  
William Hobby Building  
333 Guadalupe, Tower II, Room 225  
Austin, Texas 78704

Present:

Linda Rounds  
Deborah Bell  
Kristin K. Benton (Left the board meeting at 5:00 p.m.)  
Richard Robert Gibbs  
Beverley Nutall  
Marilyn Davis  
Tamara Cowen  
Josefina Lujan  
Sheri Crosby  
Patti Clapp  
Blanca Rosa Garcia  
Kathy Leader-Horn (Left the board meeting at 4:20 p.m.)

Absent:

Mary Jane Salgado

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  
Kyle Hensley, Assistant General Counsel  
Lance Brenton, Assistant General Counsel  
Mary Beth Thomas, Director of Nursing  
Allison Hassinger, Administrative Assistant  
Jan Hooper, Nursing Consultant  
Jolene Zych, Nursing Consultant  
Denise Benbow, Nursing Consultant  
Melinda Hester, Nursing Consultant  
Paul Waller, Nursing Consultant  
Bonnie Cone, Nursing Consultant  
Robin Caldwell, Nursing Consultant  
Virginia Ayars, Nursing Consultant  
Bruce Holter, Information Specialist  
Tawnya Smith, Information Technology Specialist  
Bill Ray, Information Technology Specialist

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AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Linda Rounds called the meeting to order at 8:35 a.m, Thursday, January 27, 2011.	
<b>ROLL CALL</b>	A quorum was established with twelve members in attendance, one member was absent.	
<b>INTRODUCTIONS</b>	Board members and staff introduced themselves to the audience.	
<b>ACCEPTANCE OF AGENDA</b>	The Board reviewed the agenda.	The Agenda was approved.
<b>ACCEPTANCE OF MINUTES</b>	The Board reviewed the minutes from the October 21-22, 2010 Board Meeting.	A correction was made to the October minutes on Agenda Item 9.7. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2011 to correct the spelling of "Mary" to "May". The Board approved the minutes from the October 21-22, 2010, Board Meeting.
<b>CONSENT AGENDA ITEMS</b>		<p>The Consent agenda was reviewed and approved with the following amendments:</p> <p>Agenda item 3.2.5. Report from St. Philip's College in San Antonio, Texas of Teach-Out Plan was pulled from the Consent Agenda.</p> <p>Board Order of Patrick Campbell Harrison, LVN #216132 was pulled from the Consent Agenda.</p> <p>Kristin Benton recused herself from the consideration and vote on Agenda Item 3.2.3. Report on NCLEX-RN Examination Pass Rates for 2010, Austin Community College.</p> <p>Deborah Bell recused herself from the consideration and vote on Agenda Item 8.1., Agreed Orders of:            Brian Evan Alford, RN #670360            Tosin Mercy Anifowose, RN #746796            Linda Kay Johnson, LVN #150060            Timothy Ross Lee, RN #253403            Cynthia Michele Matthews, LVN #186229            Linda Diane Reid-Bonnema, RN #675141            Cynthia Gwen Roberts, RN #741695            Lucille Anna Marie Santos, RN #722574 / LVN #213364            Jeffrey F. Vogel, RN #518481 / LVN #93860</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2.1. Financial Statement - 1<sup>ST</sup> Quarter, Fiscal Year 2011</p>		<p>Blanca Rosa Garcia recused herself from the consideration and vote on Agenda Item 8.1., Agreed Orders of:            Brian Evan Alford, RN #670360            Amy K. Wilmoth, RN #753258</p> <p>Deborah Bell recused herself from the consideration and vote on Agenda Item 8.2., Reinstatement Agreed Order of:            Karyn Brooke Adair, LVN #169332</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Agenda Item 8.2., Reinstatement Agreed Order of:            Kary Denise Gutierrez, RN #582656</p> <p><i>Approved on Consent.</i></p>
<p>2.2. Continuing Education Pre-Renewal Audit Report/ 1<sup>ST</sup> Quarter, Fiscal Year 2011</p>		<p><i>Approved on Consent.</i></p>
<p>3.1.1. Promoting Competency Report</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.2. Status Report on Programs with Changed Approval Status</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.3. Report on NCLEX-RN Examination Pass Rates for 2010</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.4. Report on Communication Activities with Nursing Education Programs</p>		<p><i>Approved on Consent.</i></p>
<p>5.1.1. Eligibility and Disciplinary</p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Committee</p>		
<p>5.1.2. Strategic Planning / 1<sup>ST</sup> Quarter, Fiscal Year 2011</p>		<p>Approved on Consent.</p>
<p>6.1. Nurse Licensure Compact Update</p>		<p>Approved on Consent.</p>
<p>6.2. Adoption of Proposed Amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to Vocational Nursing Education and Chapter 215, Pertaining to Professional Nursing Education</p>		<p>Approved on Consent.</p>
<p>7.1. Texas Peer Assistant Program for Nurses 7.1.1. Quarterly Report</p>		<p>Approved on Consent.</p>
<p><b>8.1. Agreed Orders</b></p>	<p><b>Alodia Balin Abejuela, RN #700646</b></p>	<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p> <p><b>Warning with Stipulations.</b> Within forty five days of entry of this order Respondents 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 employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with</p>













AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Laura J. Flowers, RN #619018</b></p>	<p><i>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 shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of three years with the following agreed terms of probation: Within forty five days of entry of this order 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. Should Respondent choose to practice as a nurse in Texas Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; 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 not practice in any critical care area for the first year of employment under this order; Respondent shall have employment restrictions 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>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Hope M. Gamble, LVN #195750</b></p> <p><b>Marcus David Garcia, LVN #159686</b></p>	<p><i>practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports regarding Respondent's progress in therapy to be submitted to the board until released from therapy.</i></p> <p><b>Warning with Stipulations.</b> <i>Within forty five 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; 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><b>Warning with Stipulations.</b> <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</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Deniell Leshonya Graham, LVN #183671</b></p>	<p><i>the duration of the stipulation period.</i></p> <p><b>Enforced Suspension.</b> 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 stay Respondent shall pay a monetary fine in the amount of \$350. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</p>



AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 810 841 835"><b>Amy Michelle Jenkins, RN #689026</b></p> <p data-bbox="407 1446 829 1472"><b>Linda Kay Johnson, LVN #150060</b></p>	<p data-bbox="945 300 1463 751"><i>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 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="945 810 1463 1381"><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; and a board approved 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 data-bbox="945 1446 1463 1528"><b>Deborah Bell recused herself from the consideration and vote on this agreed order.</b></p> <p data-bbox="945 1539 1463 1990"><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing medication administration; and a board approved course in nursing documentation. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Michelle Dowden Kasprzak, RN #680439</b></p> <p><b>Janet Monique Kennedy, LVN #216872</b></p> <p><b>Furqan Shuja Khan, RN #696580/LVN #165827</b></p>	<p><i>employment restrictions for the duration of the stipulation period.</i></p> <p><b>Reprimand with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. The order of the board issued to Respondent on September 8, 2009 is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in physical assessment; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall 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><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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>







AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Barbara Bryant McKinney, RN #728131/LVN #116893</b></p> <p><b>Melissa Mitchell, RN #651735</b></p> <p><b>Brenda Louise Molett, LVN #94081</b></p>	<p><i>years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent 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><b>Warning with Stipulations.</b> 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 infection control; a board approved course in pressure ulcers; 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.</p> <p><b>Limited License.</b> While under the terms of this order Respondent shall not provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and that includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care. Should Respondent desire to return to a clinical practice setting, which would require her to provide direct patient care, Respondent shall petition the Board for such approval.</p> <p><b>Warning with Stipulations.</b> 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,</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Debbie Ann Oatman-Broadnax, LVN #207457</b></p> <p><b>Imeh Samuel Okpon-Jack, RN #566417</b></p>	<p><i>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><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; 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><b>Warning with Stipulations.</b> <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 pre-survey conference computer-based training for home and community support services agencies. 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 cause each employer to immediately submit any and all incident, counseling, variance, etc. error reports</i></p>



AGENDA ITEM	DISCUSSION	ACTION
		<p><i>days of entry of this order Respondent shall pay a monetary fine in the amount of \$750. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. It is further agreed after a period of not less than one year of entry of this order AND upon verification of successful completion of the above requirements, the suspension of prescriptive authorization number 6942 will be STAYED, and upon payment of the necessary fees, if any, Respondent's prescriptive authorization in the role of family nurse practitioner will be reinstated with Stipulation Approval but only for the purposes of prescribing dangerous drugs, as defined by Chapter 483 of the Texas Health and Safety Code. While under the terms of this Order Respondent shall not prescribe or communicate order, telephonically or otherwise for controlled substances and respondent shall not possess a controlled substances registration issued by the Texas Department of Public Safety and all Texas DPS Controlled Substances Registrations issued to Respondent, if any, shall be surrendered to DPS within ten days of entry of this order. 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 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 by a physician or family nurse practitioner with employment restrictions for the first year of employment as a family nurse practitioner under this order; Respondent shall have in-direct supervision with employment restrictions by a physician or family nurse practitioner who has been approved by the board for the remainder of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall cause her probation officer to submit quarterly written reports regarding her compliance with her</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Angela Pearson Robinson, RN #692970/LVN #146829</b></p> <p><b>Raymond Leonard Rodriguez, LVN #208681</b></p> <p><b>Lucille Anna Marie Santos, RN #722574/LVN #179370</b></p>	<p><i>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><b>Warning with Stipulations.</b> <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; 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><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; 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><b>Deborah Bell recused herself from the consideration and vote on this agreed order.</b></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation with the following agreed terms of probation: Within forty five days of entry of</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Tsarina Chan Sarandos, LVN #175110</b></p>	<p><i>this order Respondent shall pay a monetary fine in the amount of \$750. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for two years of 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 as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Enforced Suspension.</b> 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 entry of this order Respondent shall pay a monetary fine in the amount of \$350. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Alta Darlene Scott, RN #564228</b></p>	<p><i>approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports to be submitted to the board regarding Respondent's progress in therapy until released from therapy.</i></p> <p><b>Warning with Stipulations.</b> <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; Respondent shall provide employer reports; Respondent shall</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Sheri Faye Tarpley, RN #564451</b></p> <p><b>Beverly Byome Thompson, LVN #156233</b></p> <p><b>Peter Robert Triporo, LVN #213364/RN #758330</b></p>	<p><i>and alcohol; and Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports regarding Respondent's progress in therapy to be submitted to the board until released from therapy.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in physical assessment. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; 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><b>Warning with Stipulations.</b> <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 detecting and preventing abuse; 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><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing medication administration. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of</i></p>





AGENDA ITEM	DISCUSSION	ACTION
<p>8.2.  <b>REINSTATEMENT            AGREED ORDERS</b></p>	<p><b>Karyn Brooke Adair, LVN #169332</b></p>	<p><i>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; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall cause each employer to immediately submit any and all incident, counseling, variance, unusual occurrence and medication or other error reports involving Respondent; 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><b>Deborah Bell recused herself prior to the consideration and vote on this agreed order.</b></p> <p><b>Reinstated with Stipulations.</b> <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within forty-five days of relicensure Petitioner shall pay a monetary fine in the amount of \$350; Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 898 870 926"><b>Tawni Elizabeth Bullard, RN #595600</b></p> <p data-bbox="407 1717 849 1745"><b>Kary Denise Gutierrez, RN #582656</b></p>	<p data-bbox="943 300 1463 842"><i>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 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="943 905 1463 1661"><b>Reinstated with Stipulations.</b> <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 fine in the amount of \$500. Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; a board approved course in OASIS assessment and reporting; and a board approved course in sharpening critical thinking skills. 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 one year of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="943 1724 1463 1808"><b>Blanca Rosa Garcia recused herself prior to the consideration and vote on this agreed order.</b></p> <p data-bbox="943 1818 1463 1986"><b>Reinstated with Stipulations.</b> <i>Petitioner's Application for Reinstatement shall be granted with 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><b>8.3 ELIGIBILITY AGREED ORDERS</b></p>	<p><i>F. Daniel Lander, RN #622917</i></p> <p><b>Adrianna Guillermina Alatorre, Petitioner for Eligibility for Licensure (RN)</b></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 indirect 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 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><b>Reinstated with Stipulations.</b> <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics.</i></p> <p><i>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 and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Ebony Love Bradshaw, Petitioner for Eligibility for Licensure (LVN)</b></p>	<p><i>graduate nurse and/or graduate vocational nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN or NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for 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; 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 and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse and/or as a graduate vocational nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN or NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for 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</i></p>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Derrence Jerrohn Freeman, Petitioner for Eligibility for Licensure (RN)</b></p>	<p><i>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><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 and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner, upon attaining a passing grade on the NCLEX-PN and/or NCLEX-RN, shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for 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; and Petitioner shall submit to periodic screens for controlled substances and alcohol. The stipulations outlined and required herein shall supercede all previous stipulation required by an order entered by the Texas Board of Nursing.</i></p>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Robert Anthony Santiago, Petitioner for Eligibility for Licensure (LVN)</b></p>	<p><i>graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN and/or NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall cause her probation officer to submit quarterly written reports regarding her compliance with her court ordered probation until released from probation.</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 and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN and/or NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for 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>



AGENDA ITEM	DISCUSSION	ACTION
<p><b>1.</b> <b>ADMINISTRATION</b></p> <p>1.1. Executive Director's Report</p> <p>1.2. Legal</p> <p>1.2.1. Update of Pending Litigation: Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation in the Matters of: <i>Amy Bagley Krenek and Victor Lara v. Texas Board of Nursing</i>, Cause No. D-1-GN-08-002763, In the 419<sup>th</sup> Judicial District, Travis County, TX; <i>Amy Bagley Krenek RN, v. Texas Board of Nursing</i>, Cause No. D-1-GN-09-001195, In the 419<sup>th</sup> Judicial District, Travis County, TX; <i>Amy Bagley Krenek, RN, Robin Higgins, LVN v. Texas Board of Nursing</i>, Cause No. D-1-GN-09-001195; In the 419<sup>th</sup> Judicial District, Travis County, TX; <i>Texas Board of Nursing v. Greg Abbott, Attorney General of Texas</i>, Cause No. D-1-GN-09-003960,</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>Dusty Johnston presented an update on all currently pending litigation.</p>	<p><i>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>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>In the 353<sup>rd</sup> Judicial District, Travis County, TX; <i>Brian Zalesky v. Texas Board of Nursing</i>, Cause No. D-1-GN-09-004403; In the 250<sup>th</sup> Judicial District, Travis County, TX; and <i>Bonafacio Espinoza v. Texas Board of Nursing</i>, Cause No. 219-05095-2009, In the 219<sup>th</sup> Judicial District, Collin County, TX; <i>Bernardino Pedraza, Jr. v. Texas State Board of Nursing</i>, Cause No. C-2541-10-B; In the 93<sup>rd</sup> Judicial District, Hidalgo County, TX; <i>Emmanuel Uko Akpan v. Texas State Board of Nursing</i>, <i>Katherine A. Thomas</i>, Judge <i>Sarah G. Ramos</i>, <i>Lance R. Brenton</i>, <i>James S. Smelser</i>, <i>Jena Abel</i> and <i>Individual Board Members</i>; United States District Court - Western District, Austin Division; Case No. A10-CA-669LY; <i>Amy Deann Stoy vs. Texas Board of Nursing</i>, Cause No. D-1-GN-10-004442, In the 261<sup>st</sup> Judicial District, Travis County, TX</p> <p>1.2.2. Report on New Initiatives by the Military to Use Civilian Facilities for Training</p>	<p>Dusty Johnston discussed issues concerning the military training in civilian facilities.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>3. NURSING</b></p> <p><b>3.2. Education</b></p> <p>3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs</p> <p>3.2.5. Report from St. Philip's College in San Antonio, Texas of Teach-Out Plan</p> <p>3.2.6. Report of Survey Visit - Midland College in Midland, Texas - Associate Degree Nursing Education Program</p> <p>3.2.7. Consideration for Change of Approval Status from Conditional to Full Approval - Computer Career Center in El Paso, Texas - Vocational Nursing Education Program</p> <p>3.2.8. Consideration for Change of Approval Status from Initial to Full Approval</p> <p>3.2.8.a. Brazosport College in Lake Jackson, Texas - Associate Degree Nursing Education Program</p>	<p>The Board reviewed the status report on inquiries, proposals and approval status of new nursing educational programs.</p> <p>The Board considered the report from St. Philip's College in San Antonio, Texas of Teach-Out Plan.</p> <p>The Board reviewed the report of survey visit - Midland College in Midland, Texas - Associate Degree Nursing Education Program. Becky Hannack, Dean and Valerie Steiner Nurse Administrator were present to answer questions.</p> <p>The Board considered the change of approval status from Conditional to Full Approval - Computer Career Center, El Paso Texas - Vocational Nursing Education Program. Robbin Wilson, MSN, RN, Dean; Jim Tolbert, Chief Executive Officer; Cassandra Gillis, RN; and Joy Moreau were present to answer questions.</p> <p>The Board considered change of approval status from Initial to Full Approval for Brazosport College in Lake Jackson, Texas - Associate Degree Nursing Education Program. Ken Tasa, Dean; and Susan McCormick, Director were present to answer questions.</p>	<p>The Board voted to accept staff reports of new program proposals approved since 2006; active proposals for new programs; the list of inquiries and statements of intent to submit new program proposals and to Approve the New Program Proposal Packet and place it on the Board of Nursing web page.</p> <p>No action.</p> <p>The Board voted to accept the report of the survey visit conducted November 30-December 1, 2010 at the Midland College associate degree nursing education program, and issue the recommendations and requirements as indicated.</p> <p>The Board voted to accept the report of the survey visit conducted December 13-14, 2010 at the Computer Career Center vocational nursing education program, change the program approval status from Conditional to Full, permit the program to resume enrolling students at a rate of not more than 40 students per cohort with three cohorts during 2011 at the El Paso primary campus and not more than 40 students per cohort with two cohorts during 2011 at the Lubbock extension campus, and issue the recommendations and requirements as indicated.</p> <p>The Board voted to change the program approval status of Brazosport College Associate Degree Nursing education program from Initial Approval to Full Approval based on compliance with Rule 215, review of the NCLEX-RN® examination pass rate for the first class of graduates, and Survey Visit conducted by Board staff on December 9-10, 2010.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.8.b. Southwest Texas Junior College in Uvalde, Texas - Associate Degree Nursing Program</p>	<p>The Board considered change of approval status from Initial to Full Approval for Southwest Texas Junior College in Uvalde, Texas - Associate Degree Nursing Program. Geraldine Goosen, PhD, RN, Director; Jeanene Burns, Nursing Faculty; Patricia Lightfoot, Faculty; and Joan Garcia, RN Instructor were present to answer questions.</p>	<p>The Board voted to change the approval status of the Southwest Texas Junior College Associate Degree Nursing Education Program in Uvalde, Texas, from initial to full, accept the report of the November 29-30, 2010 survey visit, and issue the recommendations and requirement.</p>
<p>3.2.9. Consideration for Change of Approval Status from Full to Full with Warning - Del Mar College in Corpus Christi, Texas - Associate Degree Nursing Education Program</p>	<p>The Board considered the change of approval status from Full to Full with Warning - Del Mar College in Corpus Christi, Texas - Associate Degree Nursing Education Program. Evangeline DeLeon, PhD, RN, Director and Bertha Almendarez, PhD, RN, Nursing Department Chair, were present to answer questions.</p>	<p><b>Board Member Blanca Rosa Garcia recused herself prior to the consideration and vote on this agenda item.</b> The Board voted to change the approval status of Del Mar College in Corpus Christi, Texas Associate Degree Nursing Education Program from Full to Full with Warning and authorize board staff to conduct a survey visit as indicated.</p>
<p>3.2.10. Consideration for Change of Approval Status from Initial to Initial with Warning</p>		
<p>3.2.10.a. Texas State Technical College West Texas in Brownwood, Texas - Associate Degree Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of Texas State Technical College West Texas (TSTC) Associate Degree Nursing Education Program in Brownwood, Texas, based upon the review of the 2010 NCLEX-PN® examination pass rate, the 2010 NEPIS, and Rule 215. Kathryn Smith, Director and Annette Smith, AVP Student Learning and Director Allied Health were present to answer questions.</p>	<p>The Board voted to change the approval status of Texas State Technical College West Texas in Brownwood, Texas Associate Degree Nursing Education Program from initial to initial with warning and authorize board staff to conduct a survey visit as indicated.</p>
<p>3.2.10.b. University of Houston-Victoria in Sugarland, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of the University of Houston-Victoria (UH-V) Baccalaureate Degree Nursing Education Program in Sugar Land, Texas, based upon the review of the 2010 NCLEX-PN® examination pass rate, the 2010 NEPIS, and Rule 215. Kathryn Tart, PhD, RN, Dean and Linda S. Dune, PhD, RN were present to answer questions.</p>	<p>The Board voted to change the approval status of the University of Houston-Victoria Baccalaureate Degree Nursing Education Program in Sugar Land, Texas, from initial to initial with warning and authorize board staff to conduct a survey visit as indicated.</p>
<p>3.2.11. Public Hearings on Proposals to Establish New Nursing</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>Educational Programs</p> <p>3.2.11.a. Academy of Health Care Professions in Houston, Texas - Vocational Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Academy of Health Care Professions in Houston, Texas - Vocational Nursing Education Program. Jason Smith, MSN, RN, Proposed Director; John Emerald, Chief Operating Officer and Partner were present to answer questions.</p>	<p>The Board voted to grant initial approval to the Academy of Health Care Professions for a Vocational Nursing Education Program in Houston, Texas, with a single cohort of 30 students annually to begin in 2011, based upon the proposal and survey visit and issue the requirement as indicated.</p>
<p>3.2.11.b. Chamberlain College of Nursing in Houston, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Chamberlain College of Nursing in Houston, Texas - Baccalaureate Degree Nursing Education Program. Carol Eldridge, RN, Dean; Stephanie Steward, Vice-President Academic Affairs; and Kathleen B. Hill, were present to answer questions.</p>	<p><b>Board Member Linda Rounds recused herself from the discussion, consideration and vote on this agenda item.</b></p> <p>The board voted to grant initial approval to Chamberlain College of Nursing to establish a new Baccalaureate Degree Nursing Education Program in Houston, Texas, with an initial cohort of 40 students to begin in February 2011 with two subsequent cohorts of 40 students each to begin in July 2011 and October 2011, based upon the proposal and survey visit.</p>
<p>3.2.11.c. Hallmark College of Technology in San Antonio, Texas - Associate Degree Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Hallmark College of Technology in San Antonio, Texas - Associate Degree Nursing Education Program. April Ernst, MSN, RN, Nursing Director; Joe Fisher; and Richard Fessler, Chairman were present to answer questions.</p>	<p>The Board voted to grant initial approval to Hallmark College to establish a new Associate Degree Nursing Education Program in San Antonio, Texas, with an initial cohort of 30 students to begin in 2011 with a subsequent cohort of 30 students to begin eight months later, based upon the proposal and survey visit.</p>
<p>3.2.11.d. I.T.T. Technical Institute in Richardson, Texas, Associate Degree Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - I.T.T. Technical Institute in Richardson, Texas, Associate Degree Nursing Education Program. Jane E. Allen, MS, RN, Proposed Director; Margaret (Peggy) Keen, MSN, RN, National Chair, Health Sciences; Jeff Atkinson, Director, ITT Technical Institute Richardson; and Bruce Bundeali, Dean, Academic Affairs were present to answer questions.</p>	<p>The Board voted to grant initial approval to I.T.T. Technical Institute to establish a new Associate Degree Nursing Education Program in Richardson, Texas, with admission of 30 students every other quarter beginning in 2011, based upon the proposal and survey visit.</p>
<p>3.2.11.e. International Business College in El Paso, Texas - Vocational Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - International Business College in El Paso, Texas - Vocational Nursing Education Program. Margie Aguilar, President and Walker Crowson, Attorney were present to answer</p>	<p>The Board voted to deny approval to International Business College to establish a new vocational nursing program in El Paso, Texas.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.12. Report on Meeting with Representatives from Career Schools and Colleges</p>	<p>questions.</p> <p>The Board reviewed the report on meeting with Representatives from Career Schools and Colleges.</p>	<p>No action.</p>
<p><b>4. ENFORCEMENT</b> 4.1. Criminal Background Check Update</p>	<p>The board reviewed the statistical report provided regarding criminal background checks.</p>	<p>No action.</p>
<p><b>OPEN FORUM:</b></p>	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>No speakers came forward and the Open Forum was closed.</p>	<p>No action.</p>
<p><b>7. NEW BUSINESS</b> 7.1.4. Review Comparison of NCSBN Guidelines for <i>Alternative Programs and Discipline Monitoring Programs</i> and Texas Peer Assistance Program for Nurses Policies</p>	<p>The Board considered the Review Comparison of NCSBN Guidelines for <i>Alternative Programs and Discipline Monitoring Programs</i> and Texas Peer Assistance Program for Nurses Policies.</p>	<p>No action.</p>
<p><b>ADJOURNMENT</b></p>	<p>Having completed this day's business the meeting adjourned at 5:41 p.m.</p>	

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**TEXAS BOARD OF NURSING**

## Regular Meeting

Friday, January 28, 2011

8:41 a.m. - 3:10 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

Marilyn Davis

Tamara Cowen

Josefina Lujan

Beverley Nutall

Blanca Rosa Garcia

Patti Clapp

Kathy Leader-Horn

Absent:

Mary Jane Salgado

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

Lance Brenton, Assistant General Counsel

Nikki Hopkins, Assistant General Counsel

Mary Beth Thomas, Director of Nursing

Allison Hassinger, Administrative Assistant

Jan Hooper, Nursing Consultant

Jolene Zych, Nursing Consultant

Virginia Ayars, 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
<b>CALL TO ORDER</b>	Linda Rounds called the meeting to order at 8:41 a.m, Friday, January 28, 2011.	
<b>ROLL CALL</b>	A quorum was established with twelve members in attendance, one member was absent.	
<b>5. COMMITTEE REPORTS</b>		
<b>5.1. Board Committees</b>		
5.1.3. Development and Evaluation	Richard Gibbs discussed having training on Proprietary Schools/ Career School Accreditation Presentation for the April board meeting; SOAH/Mock Trial for the July board meeting; future training on the APN consensus model, legislative responsibility and the board's role for future board meetings with a potential board retreat in October that would include training on dealing with different personalities.	No action.
<b>5.2. Advisory Committees/Task Forces</b>		
5.2.1. Advanced Practice Nurses Advisory Committee	Jolene Zych reported APNAC met on December 13, 2010. Committee members continued to discuss interim approval for new graduates of advanced practice nursing education programs who have not yet obtained national certification. Potential changes to Rule 221.6 were discussed with committee members.	No action.
5.2.1.a. Report on Meeting with APRN Education Community	Jolene Zych reported that staff hosted a meeting with the advanced practice nursing education community on November 12, 2010. More than 50 educators from across Texas attended. Linda Rounds, Kathy Thomas, and Jolene Zych presented information regarding the requirements for advanced practice licensure in the state of Texas and compared these requirements to the requirements for licensure in the <i>Consensus Model for APRN Regulation: Licensure, Accreditation, Certification, and Education</i> . Educators were also given an opportunity to share changes and challenges in education related	

AGENDA ITEM	DISCUSSION	ACTION
5.2.2. Nursing Practice Advisory Committee	<p>to the <i>Consensus Model</i>.</p> <p>Melinda Hester reported that upon completion of the Differentiated Essential Competencies (DECs) and subsequent approval by the Board at the October 2010 meeting, staff will begin converting the Interpretive Guideline for the LVN Scope of Practice under Rule 217.11 into two position statements. The position statements will focus on the RN and the LVN Scope of Practice. The DECs will serve as a foundation for the position statements. Input from the Nursing Practice Advisory Committee (NPAC) will be requested. We plan to bring the proposed position statements to the April 2011 meeting for the Board's consideration.</p>	No action.
5.2.3. Advisory Committee on Education	<p>Virginia Ayars reported the Advisory Committee on Education (ACE) has not met since the October 2010 Board meeting at which time the Differentiated Essential Competencies (DECs) were formally approved. In an effort to assist stakeholders operationalize the DECs, the Education Department will present a workshop in Fall 2011, as well as develop an Education Guideline designed to provide a step-by-step process regarding DEC implementation.</p>	No action.
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	No report.	No action.
5.2.4.a. Consideration of Appointment of Replacement Member	<p>The Board considered the appointment of Betty Sims, RN, MSN, to the Eligibility &amp; Disciplinary Advisory Committee (Committee). Ms. Sims will replace committee member Jean Flick, MS, RN, who currently represents the Texas Organization of Associate Degree Nursing (TOADN) at the Committee's meetings.</p>	The Board voted to approve the appointment of Betty Sims, RN, MSN, as a replacement member of the Eligibility & Disciplinary Advisory Committee, effective immediately.
5.2.5. Task Force on Executive Director Evaluation Tool Review	<p>Kristin Benton reported that the task force is working on a draft to give a better description of the Executive Director duties and the task force will be meeting in two weeks to finalize draft to be ready for the April meeting.</p>	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p><b>5.3. Collaboration with Outside Agencies / Stakeholders</b></p>		
<p>5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee</p>	<p>No report.</p>	<p>No action.</p>
<p>5.3.2. Texas Higher Education Coordinating Board Updates</p>	<p>Mary Beth Thomas reported on a meeting held at the THECB on January 4, 2011 regarding DNP Programs in the state of Texas.</p>	<p>No action.</p>
<p>5.3.3. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)</p>	<p>Mary Beth Thomas reported that a report will be developed this year from an analysis of national TERCAP cases. In addition, a meeting is being planned with employers of nurses in Texas to ascertain if the TERCAP could be utilized as a template for review of nursing practice errors.</p>	<p>No action.</p>
<p>5.3.4. Texas Team Report, Robert Wood Johnson Nursing Education Capacity Expansion</p>	<p>Mary Beth Thomas reported on a call from Robert Wood Johnson to implement recommendations of the IOM report, The Future of Nursing: Campaign for Action, through Regional Action Coalitions. The Texas Team would be one entity to support these initiatives.</p>	<p>No action.</p>
<p>5.3.5. National Council of State Boards of Nursing</p>	<p>Kathy Thomas reviewed her written report and highlighted new items on the NCSBN web site.</p>	<p>The Board agreed that this report will be moved to the Consent Agenda for future board meetings.</p>
<p><b>6. OLD BUSINESS</b></p>		
<p>6.3. Update on Invitation to Submit an Application for Participation in the National Study of the NCSBN Transition to Practice Regulatory Model</p>	<p>Mary Beth Thomas reported that we did not meet the requirements of the pilot which included having 25 hospitals agree to participate in the study.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<b>7. NEW BUSINESS</b> 7.1. Texas Peer Assistance Program for Nurses (TPAPN)		
7.1.2. Texas Peer Assistance Program for Nurses Advisory Committee	Denise Benbow reported The Texas Peer Assistance Program for Nurses (TPAPN) Advisory Committee met on December 3, 2010. Information was shared with the Advisory Committee about the budget status, TPAPN interface with Employee Assistance Programs, and the 3 <sup>rd</sup> party drug testing program. Next meeting will be March 4, 2011.	No action.
7.1.3. Texas Peer Assistance Program for Nurses Third Party Referral Report	Tony Diggs reviewed the Texas Peer Assistant Program for Nurses Third Party Referral Report with the Board.	No action.
7.2. Consideration of Appointment of Members to the Deferred Disciplinary Action Pilot Program Advisory Committee (DDAPPAC)	The Board considered the appointment of members to the newly formed Deferred Disciplinary Action Pilot Program Advisory Committee (DDAPPAC).	The Board voted to approve the appointment of the nominees as listed below as new members of the Deferred Disciplinary Action Pilot Program Advisory Committee (DDAPPAC): April J. Ernst, MSN, RN, representing the Texas Association of Vocational Nurse Educators (TAVNE); Tammy R. Wolff, LVN, and Peggy Roberts, LVN, representing the Licensed Vocational Nurses Association of Texas (LVNAT); Pamela Brashears, LVN, representing the Texas League of Vocational Nurses (TLVN); Lori Moseley, MSN, BS, RN, CNE, PLNC, representing the Texas Organization of Associate Degree Nursing (TOADN); Pamela Watson, RN, Sc.D, and Eileen Curl, RN, Ph.D, as an alternate, representing the Texas Organization of Baccalaureate and Graduate Nurse Educators (TOBGNE); Poldi Tschirch, MSN, BSN, RN, and Cindy Zolnierrek, MSN, BSN, and James H. Willmann, JD, as alternates, representing the Texas Nurses Association (TNA); Sheila Dehan Fata, BSN, RN, representing the Texas Organization of Nurse Executives (TONE); and Sandi Peters, CRNA, CLNC, representing the Coalition for Nurses in Advanced Practice

AGENDA ITEM	DISCUSSION	ACTION
7.3. Consideration of the Proposed 2011 Board of Nursing Rule Review Schedule	The Board considered the proposed 2011 Board of Nursing Rule Review Schedule.	The Board voted to approve the Board's 2011 Rule Review Plan with authority for General Counsel to make editorial changes as necessary to clarify Board intent and to comply with the formatting requirements of the <i>Texas Register</i> . Further, to authorize Staff to file the Board's 2011 Rule Review Plan with the Secretary of State's Office and to publish the Board's 2011 Rule Review Plan in the <i>Texas Register</i> .
7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §213.33, Pertaining to Factors Considered for Imposition of Penalties/Sanctions	The Board considered the Proposed Amendments to 22 Tex. Admin. Code §213.33, Pertaining to Factors Considered for Imposition of Penalties/Sanctions.	The Board voted to approve the proposed amendments to 22 Tex. Admin. Code §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions</i> , 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 §213.33, Pertaining to <i>Factors Considered for Imposition of Penalties/Sanctions</i> , as proposed.
7.5. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of the United States' Jurisdiction	The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of the United States' Jurisdiction.	The Board voted to approve the proposed amendments to 22 Tex. Admin. Code §217.4, Pertaining to <i>Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction</i> , 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 §217.4, Pertaining to <i>Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction</i> , as proposed.
7.6. Report on Plan to Review and Rewrite 22 Tex. Admin. Code Chapters 211-227	The Board reviewed the Report on Plan to Review and Rewrite 22 Tex. Admin. Code Chapters 211-227.	No action.

AGENDA ITEM	DISCUSSION	ACTION
7.7. Consideration of Pearson Test of English Academic (PTE Academic) to Determine English Proficiency for Internationally Educated Nurses	The Board reviewed the Pearson Test of English Academic (PTE Academic) to Determine English Proficiency for Internationally Educated Nurses.	The Board voted to accept the Pearson Test of English Academic (PTE) as an English proficiency exam for international candidates taking the NCLEX® exam through Texas. Also, to set the PTE passing standard at 55 overall with a minimum score of 50 in each of the four modules or reading, writing, listening and speaking.
7.8. Consideration of Approval Process for Board Approved Remedial Education Providers	The Board considered the approval process for Board approved Remedial Education providers.	The Board voted to approve the proposed process for Board approval of Remedial Education Providers, including criteria for providers, application fee, and procedure for withdrawal of approval.
7.9. Consideration of Release or Revocation of NCLEX Results of Applicant Michele S. Gomez	The Board considered the Release or Revocation of NCLEX Results of Applicant Michele S. Gomez.  Applicant Michele S. Gomez was present and addressed the board.	The Board voted to revoke the NCLEX examination results of Michele Gomez, Candidate Number IR#203065311.
7.10. Review of Position Statements 7.10.1 Current Position Statements with Editorial Changes 15.1 Nurses Carrying Out Orders From Physician's Assistants 15.2 Role of the Licensed Vocational Nurse in the Pronouncement of Death 15.3 LVNs Engaging in Intravenous Therapy, Venipuncture, or PICC Lines 15.4 Educational Mobility 15.5 Nurses with the Responsibility for Initiating	The Board reviewed the Current Position Statements with Editorial Changes.	The Board voted to approve the current position statements with editorial changes.

AGENDA ITEM	DISCUSSION	ACTION
<p>Physician Standing Orders</p> <p>15.6 Board Rules Associated with Alleged Patient "Abandonment"</p> <p>15.7 The Role of LVNs &amp; RNs in Management and/or Administration of Medications via Epidural or Intrathecal Catheter Routes</p> <p>15.8 Roles of the Nurse in Moderate Sedation</p> <p>15.9 Performance of Laser Therapy by RNs or LVNs</p> <p>15.10 Continuing Education: Limitations for Expanding Scope of Practice</p> <p>15.11 Delegated Medical Acts</p> <p>15.12 Use of American Psychiatric Associations Diagnoses by LVNs, RNs, or APRNs</p> <p>15.13 Role of LVNs &amp; RNs As School Nurses</p> <p>15.14 Duty of a Nurse in Any Practice Setting</p> <p>15.15 Board's Jurisdiction Over Nursing Titles and Practice</p> <p>15.17 Texas Board of Nursing/ Board of Pharmacy, Joint Position Statement, Medication Error</p> <p>15.18 Nurses Carrying out orders from Advance</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>Practice Registered Nurses</p> <p>15.19 Nurses Carrying out Orders from Pharmacists for Drug Therapy Management</p> <p>15.20 Registered Nurses in the Management of an Unwitnessed Arrest in a Resident in a Long Term Care Facility</p> <p>15.21 Deleted 01/2005</p> <p>15.22 APRNs Providing Medical Aspects of Care for Themselves or Others With Whom There is a Close Personal Relationship</p> <p>15.23 The Use of Complementary Modalities by the LVN or RN</p> <p>15.24 Nurses Engaging in Reinsertion of Permanently Placed Feeding Tubes</p> <p>15.25 Administration of Medication &amp; Treatments by LVNs</p> <p>15.26 Simulation in Prelicensure Nursing Education</p> <p>7.10.2. Current Position Statement with Substantive Changes</p> <p>15.16 Development of Nursing Educational Programs</p>	<p>The Board reviewed the Current Position Statement with Substantive Changes.</p>	<p>The Board voted to approve the Current Position Statement with Substantive Changes.</p>



AGENDA ITEM	DISCUSSION	ACTION
<p>Issued to CAROLYN EVETTE BELL</p> <p>8.4.1.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3548</p> <p>8.4.1.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10- 3548, Including Dismissal of the Matter as Moot</p> <p>8.4.1.c. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#109731, Issued to CAROLYN EVETTE BELL</p>		
<p>8.4.2. Docket No. 507-10-4647, In the Matter of Permanent Certificate LVN#163679, Issued to AMY LYNNE BENTON</p> <p>8.4.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4647</p> <p>8.4.2.b. Consideration of Staff's Recommendations</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-4647, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p><b>Kathy Leader Horn abstained from the vote on this agenda item.</b></p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, and adopt the ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>for Disposition of Docket No. 507-10-4647, 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 AMY LYNNE BENTON, Docket No. 507-10-4647</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 LVN#163679, Issued to AMY LYNNE BENTON</p> <p>8.4.2.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#163679, Issued to AMY LYNNE BENTON</p>		
<p>8.4.3. Docket No. 507-10-4183, In the Matter of Application for Initial Licensure Made by BETTY RHAPSODY BROWN</p> <p>8.4.3.a. Consideration of the Administrative Law Judge's</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-4183, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p> <p>Petitioner Brown was present and was given full opportunity to address the board.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Finding of Fact Number 7, which should be modified to correct a technical error, and adopt the ALJ's recommendation that the Petitioner's petition for a declaratory order be denied.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Proposal for Decision in Docket No. 507-10-4183</p> <p>8.4.3.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4183, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.3.c. Consideration of Recommendation by BETTY RHAPSODY BROWN, Docket No. 507-10-4183</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 Application for Initial Licensure Made by BETTY RHAPSODY BROWN</p> <p>8.4.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Application for Initial Licensure Made by BETTY RHAPSODY BROWN</p>		
<p>8.4.4. Docket No. 507-10-0097, In the Matter of Permanent Certificate</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket 507-10-0097, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions</p>	<p><b>Deborah Bell recused herself prior to the consideration and vote on this proposal for decision.</b></p> <p>The Board voted to adopt all the Findings of</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>RN#672401, Issued to JEFFREY E. DURBIN</p> <p>8.4.4.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-0097</p> <p>8.4.4.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-0097, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.4.c. Consideration of Recommendation by JEFFREY E. DURBIN, Docket No. 507-10-0097</p> <p>8.4.4.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#672401, Issued to JEFFREY E. DURBIN</p> <p>8.4.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#672401, Issued to JEFFREY E. DURBIN</p>	<p>of Law with Modifications.</p> <p>Respondent Durbin was given full opportunity to address the board. Elizabeth Higginbotham, Attorney for Respondent and Respondent, were present and presented to the board.</p>	<p>Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 7, and enter an order imposing remedial education and a fine against the Respondent.</p> <p><b>Remedial Education and Fine.</b> Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in detecting and preventing abuse and neglect; a board approved course in residents rights and quality of life; and a board approved course in sharpening critical thinking skills.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.5. Docket No. 507-10-4467, In the Matter of Permanent Certificate LVN#204147, Issued to LAKESHIA MARIE GARDERE</p> <p>8.4.5.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4467</p> <p>8.4.5.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4467, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.5.c. Consideration of Recommendation by LAKESHIA MARIE GARDERE, Docket No. 507-10-4467</p> <p>8.4.5.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#204147, Issued to LAKESHIA MARIE GARDERE</p> <p>8.4.5.e. Convene in Open Session to</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-4467, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 7, and enter an order suspending the Respondent's license for one year, probating the suspension, and imposing probationary conditions.</p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation with the following agreed terms of probation for one year: Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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 one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>consider recommendations and take action: In the Matter of Permanent Certificate LVN#204147, Issued to LAKESHIA MARIE GARDERE</p> <p>8.4.6. Docket No. 507-10-3575, In the Matter of Permanent Certificate RN#420385, Issued to R.J. WATKINS JACKSON</p> <p>8.4.6.a. 8.4.6.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3575</p> <p>8.4.6.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3575, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.6.c. Consideration of Recommendation by R.J. WATKINS JACKSON, Docket No. 507-10-3575</p> <p>8.4.6.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3575, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD including Finding of Fact Number 9 and Conclusion of Law Number 6, which were modified by the ALJ in his letter ruling of October 6, 2010, without modification, except for Conclusion of Law Number 7, which is not adopted by the Board, and adopt the ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Permanent Certificate RN#420385, Issued to R.J. WATKINS JACKSON</p> <p>8.4.6.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#420385, Issued to R.J. WATKINS JACKSON</p> <p>8.4.7. Docket No. 507-10-4648, In the Matter of Permanent Certificate RN#601417 and LVN#69888, Issued to SANDRA FAYE LEE</p> <p>8.4.7.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4648</p> <p>8.4.7.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4648, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.7.c. Consideration of Recommendation by SANDRA FAYE LEE, Docket No. 507-10-4648</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-4648, 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 ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.7.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#601417 and LVN#69888, Issued to SANDRA FAYE LEE</p> <p>8.4.7.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#601417 and LVN#69888, Issued to SANDRA FAYE LEE</p>		
<p>8.4.8. Docket No. 507-10-5317, In the Matter of Permanent Certificate RN#633409, Issued to ROSE E. MATTHEWS</p> <p>8.4.8.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5317</p> <p>8.4.8.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5317, Including Adoption of the Proposal for Decision's Findings of Fact and</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-5317, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 6, which should be re-designated as a recommendation, and take no action against the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Conclusions of Law With Modifications</p> <p>8.4.8.c. Consideration of Recommendation by ROSE E. MATTHEWS, Docket No. 507-10-5317</p> <p>8.4.8.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#633409, Issued to ROSE E. MATTHEWS</p> <p>8.4.8.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#633409, Issued to ROSE E. MATTHEWS</p>		
<p>8.4.9. Docket No. 507-10-5789, In the Matter of Permanent Certificate LVN#146837, Issued to TERESA D. MCKINNEY</p> <p>8.4.9.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5789</p> <p>8.4.9.b. Consideration of Staff's</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-5789, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p><b>Sheri Crosby abstained from the vote on this proposal for decision.</b></p> <p>The Board voted to adopt all the Findings of Fact and Conclusions of Law without modification and adopt the ALJ's recommendation that the Board revoke the nursing license of the Respondent.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Recommendations for Disposition of Docket No. 507-10-5789, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.9.c. Consideration of Recommendation by TERESA D. MCKINNEY, Docket No. 507-10-5789</p> <p>8.4.9.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#146837, Issued to TERESA D. MCKINNEY</p> <p>8.4.9.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#146837, Issued to TERESA D. MCKINNEY</p>		
<p>8.4.10. Docket No. 507-10-3526, In the Matter of Permanent Certificate LVN#206616, Issued to LARRY HORACE OMONDI</p> <p>8.4.10.a. Consideration of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3526, 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 ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3526</p> <p>8.4.10.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3526, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.10.c. Consideration of Recommendation by LARRY HORACE OMONDI, Docket No. 507-10-3526</p> <p>8.4.10.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#206616, Issued to LARRY HORACE OMONDI</p> <p>8.4.10.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#206616, Issued to LARRY HORACE OMONDI</p>		
<p>8.4.11. Docket No. 507-10-5188, In the</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter of Permanent Certificate RN#702053 and LVN#189636, Issued to MELANIE LEE (DENN) REBANDO</p> <p>8.4.11.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5188</p> <p>8.4.11.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5188, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.11.c. Consideration of Recommendation by MELANIE LEE (DENN) REBANDO, Docket No. 507-10-5188</p> <p>8.4.11.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#702053 and LVN#189636, Issued to MELANIE LEE (DENN) REBANDO</p> <p>8.4.11.e. Convene in Open Session to consider recommendations</p>	<p>Staff's Recommendations for Disposition of Docket No. 507-10-5188, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>without modification, except for Finding of Fact Number 1, which should be modified to correct a technical error, and adopt the ALJ's recommended sanction that the Respondent's license to practice nursing in Texas be revoked.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>and take action: In the Matter of Permanent Certificate RN#702053 and LVN#189636, Issued to MELANIE LEE (DENN) REBANDO</p> <p>8.4.12. Docket No. 507-10-1796, In the Matter of Permanent Certificate RN#225647, Issued to LINDA JOY STOUT SAPP</p> <p>8.4.12.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-1796</p> <p>8.4.12.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-1796, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.4.12.c. Consideration of Recommendation by LINDA JOY STOUT SAPP, Docket No. 507-10-1796</p> <p>8.4.12.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. 507-10-1796, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p> <p>Respondent Sapp was given full opportunity to address the board. Respondent Sapp was present and presented to the board.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law without modification and adopt the ALJ's recommendation that the Board suspend the nursing license of the Respondent until she obtains a mental health evaluation demonstrating her competency to practice nursing.</p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended with said suspension enforced until Respondent undergoes a mental health evaluation that meets the requirements specified by the Board; and pays an administrative reimbursement in the amount of \$2,000. Upon verification of said requirements Respondent shall be eligible to petition the Board to return to the practice of nursing.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter of Permanent Certificate RN#225647, Issued to LINDA JOY STOUT SAPP</p> <p>8.4.12.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#225647, Issued to LINDA JOY STOUT SAPP</p> <p>8.4.13. Docket No. 507-10-4823, In the Matter of Permanent Certificate RN#711064, Issued to CANNON LAMAR TUBB</p> <p>8.4.13.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4823</p> <p>8.4.13.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4823, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.13.c. Consideration of Recommendation by CANNON LAMAR TUBB, Docket No. 507-10-4823</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-4823, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Finding of Fact Number 1, which should be modified to correct a technical error, and Conclusion of Law Number 7, and enter an Order suspending the Respondent's license for a two year period, to be probated and subject to conditions.</p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation with the following agreed terms of probation: Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$750. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for two years of 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.13.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#711064, Issued to CANNON LAMAR TUBB</p> <p>8.4.13.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#711064, Issued to CANNON LAMAR TUBB</p>		<p>for controlled substances and alcohol.</p>
<p>8.4.14. Docket No. 507-10-3803, In the Matter of Permanent Certificate RN#654171, Issued to JERRIE LYNN WEINSTEIN</p> <p>8.4.14.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3803</p> <p>8.4.14.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3803, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-3803, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 14, and issue the Respondent a Reprimand with Stipulations for one year.</p> <p><b>Reprimand with Stipulations.</b> 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 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 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.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.14.c. Consideration of Recommendation by JERRIE LYNN WEINSTEIN, Docket No. 507-10-3803</p> <p>8.4.14.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#654171, Issued to JERRIE LYNN WEINSTEIN</p> <p>8.4.14.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#654171, Issued to JERRIE LYNN WEINSTEIN</p>		
<p><b>9. MISCELLANEOUS</b></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 the upcoming Texas Team Meeting and IOM being held in San Antonio on March 16, 2011.</p>	<p>Josefina Lujan and Tami Cowen will attend the Summit in San Antonio on March 16, 2011.</p>
<p>9.2. Board Development:  Review of Parliamentary Procedures, Presented by Kirk Overbey</p>	<p>Kirk Overbey provided review of Parliamentary Procedures to the Board.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
9.3. Review of the Board Quarterly Meeting Evaluation	The Board members discussed the results of the October board meeting quarterly evaluation.	No action.
9.4. Appointment of Board Members to Attend the National Council State Boards of Nursing Mid-Year Meeting, March 14-16, 2011, Chicago, IL	The Board discussed attendees for the National Council State Boards of Nursing Mid-Year Meeting, March 14-16, 2011, in Chicago, IL.	The Board voted that Marilyn Davis and Patti Clapp would attend with Sheri Crosby as an alternate attendee.
<b>ADJOURNMENT:</b>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 3:10 p.m.</p> <p>-----</p> <p>Linda Rounds, PhD, RN, FNP, Board President</p> <p>-----</p> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	