
TEXAS BOARD OF NURSING

Board Training

Wednesday, April 27, 2011
1:00 p.m. - 3:30 p.m.
Hilton Garden Inn Hotel
500 North I.H. 35
Austin, Texas 78701

Present:

Kristin K. Benton
Richard Robert Gibbs
Deborah Bell
Tamara Cowen
Sheri Crosby
Marilyn Davis
Kathy Leader-Horn
Mary LeBeck
Beverley Nutall
Verna Kathleen Shipp

Absent:

Patti Clapp
Mary Jane Salgado
Josefina Lujan

Staff Present:

Katherine A. Thomas, Executive Director
Patricia Vianes-Cabrera, Executive Assistant
Mary Beth Thomas, Director of Nursing
Jan Hooper, Nursing Consultant
Paul Waller, Nursing Consultant
Robin Caldwell, Nursing Consultant
Virginia Ayars, Nursing Consultant
Bruce Holter, Information Specialist

Others in Attendance:

Linda Rounds, PhD, RN, FNP
Jerry Valdez

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kristin Benton called the meeting to order at 1:00 p.m, Wednesday, April 27, 2011.	
ROLL CALL	<p>Board Members Mary Jane Salgado, Josefina Lujan and Patti Clapp were absent.</p> <p>Jan Hooper provided a power point presentation on the history of accreditation.</p> <p>Information was presented and discussion was held pertaining to the National Accreditation organizations accreditation of career schools and colleges. Speakers were from several different establishments:</p> <p>Anthony S. Bieda, Director of External Affairs, Accrediting Council for Independent Colleges and Schools (ACICS)</p> <p>Michale S. McComis, Executive Director, Accrediting Commission of Career Schools and Colleges (ACCSC)</p> <p>Christy Baily-Byers, Distance Education and Communications Specialist, Accrediting Bureau of Health Education Schools (ABHES)</p> <p>Kathy Mizereck, Executive Director, Florida Association of Post-Secondary Schools and Colleges</p>	No action.
ADJOURNMENT:	<p>Having completed all business, the meeting adjourned at 3:30 p.m.</p> <hr/> <p>Kristin Benton, MSN, RN Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	

TEXAS BOARD OF NURSING

Regular Meeting

Thursday, April 28, 2011

8:09 a.m. - 7:04 p.m.

William Hobby Building

333 Guadalupe, Tower II, Room 225

Austin, Texas 78704

Present:

Kristin K. Benton

Richard R. Gibbs

Deborah Bell

Tamara Cowen

Sheri Crosby (arrived at 1:04 p.m.)

Marilyn Davis

Kathy Leader-Horn

Mary LeBeck

Josefina Lujan

Beverley Nutall

Mary Jane Salgado

Verna Kathleen Shipp

Absent:

Patti Clapp

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

Other in Attendance:

Linda Rounds, PhD, RN, FNP

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kristin Benton called the meeting to order at 8:09 a.m, Thursday, April 28, 2011.	
ROLL CALL	A quorum was established with eleven members in attendance, Board Member Sheri Crosby arrived at 1:04 p.m. and Board Member Patti Clapp was absent.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	<p>The following item was removed from the agenda:</p> <p>8.1., Agreed Order Jesus Orlando Pena, RN #747392</p> <p>The Agenda was approved.</p>
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the January 27-28, 2011 Board Meeting.	<p>Board Member Mary Jane Salgado abstained from the vote on the minutes. The Board approved the minutes from the January 27-28, 2011, Board Meeting.</p>
CONSENT AGENDA ITEMS		<p>The Consent agenda was reviewed and approved with the following amendments:</p> <p>Agenda Item 8.1., Agreed Order of Roger Kenneth Blackman, RN #606012 was pulled from the Consent Agenda;</p> <p>Deborah Bell recused herself from the consideration and vote on Agenda Item 8.1., Agreed Orders of: James Daniel Baker, RN #671174/ LVN #130581 Warren Rutledge Dill, RN #687910 Lisa Gay Giusti, LVN #198008 Diane M. Hadley, RN #620557 Marilyn Elaine Lee, RN #632927 Dale Ross McKenzie, LVN #167278</p>
2.1. Financial Statement - 2 ND Quarter, Fiscal Year 2011		<i>Approved on Consent.</i>
2.2. Continuing Education Pre-		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Renewal Audit Report/ 2ND Quarter, Fiscal Year 2011</i></p>		
<p><i>3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.2. Status Report on Programs with Sanctions</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.3. Report on NCLEX-PN Examination Pass Rates for 2010</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.4. Report on Communication Activities with Nursing Education Programs</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.5. Consideration for Change of Approval Status from Initial to Full - Texas State Technical College Harlingen in Harlingen, Texas - Vocational Nursing Education Program</i></p>		<p><i>Approved on Consent. The Board changed the approval status of the Texas State Technical College Harlingen Vocational Nursing Education Program in Harlingen, Texas, from initial to full, accepted the report of the March 23, 2011 survey visit, and issued the following recommendations:</i></p> <p><i>The administration is strongly encouraged to include the vocational nursing program director and faculty in the planning of any reconstruction and allocation of space for the nursing programs in the adjoining building (subject to the official decision to move);</i></p> <p><i>The program director and faculty are encouraged to design a system for documenting in the total program evaluation their informal and ongoing dialogue and decisions for revising the program of study.</i></p>
<p><i>3.2.6. St. Philip's College in San Antonio, Texas - Associate Degree Nursing Education</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Program - Teach Out Report</i></p>		
<p><i>5.1.1. Eligibility and Disciplinary Committee</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>5.1.2. Strategic Planning / 2ND Quarter, Fiscal Year 2011</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>6.1. Nurse Licensure Compact Update</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>6.2. Adoption 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</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>6.3. Adoption of Proposed Amendments 22 Tex. Admin. Code §213.33, Pertaining to Factors Considered for Imposition of Penalties / Sanctions</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>7.1. Texas Peer Assistant Program for Nurses</i></p>		
<p><i>7.1.1. Quarterly Report</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 1052 826 1079">Penny Sue Bradford, RN #248526</p> <p data-bbox="407 1839 743 1866">Dixie Brillhart, LVN #37360</p>	<p data-bbox="945 300 1466 995"><i>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; a board approved course in medication administration; a board approved course in physical assessment; and a board approved course in nursing documentation. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p data-bbox="945 1056 1466 1782">Reprimand with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; a board approved course in physical assessment; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p data-bbox="945 1843 1466 1986">Suspend Probate. <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 one year of entry of this</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Ronnine R. Davis, LVN #179418</p>	<p><i>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.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty five days of the stay Respondent shall pay a monetary fine in the amount of \$600. Within one year of the stay Respondent shall successfully complete a board approved course in 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; and Respondent shall attend at least two support group meetings each week, one of which shall be</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Belinda Story Goodpasture, LVN #171183</p> <p>Catherine Graves, RN #611671</p>	<p>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; 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>Warning with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500 Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p> <p>Warning with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Rochelle Marie Hanner (Hall), RN #768003</p> <p>Christy Lee Hawks, RN #689014</p> <p>Kimberly Haze-Yanz, LVN #182284</p>	<p><i>this order Respondent shall pay a monetary fine in the amount of \$250. The Order of the Board issued to Respondent on October 22, 2009, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</i></p> <p>Warning with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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>Reprimand with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. The Order of the Board issued to Respondent on July 22, 2010 is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order within six months from the date of this order.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Sean David Hudson, LVN #185474/RN #697288</p> <p>Jennifer Woodson Hurr, RN #662547</p> <p>Mary Ann Ikner, LVN #67947</p>	<p><i>employment restrictions for the duration of the stipulation period.</i></p> <p>Warning with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; and Respondent shall cause his probation officer to submit quarterly written reports regarding his compliance with his court ordered probation until released from probation.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; a board approved course in sharpening critical thinking skills; and a board approved course in intermediate fetal monitoring. 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>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in resident rights and quality of life; a board approved course in basic</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 810 915 867">Shannon Sharee Irwin, LVN #134668/ RN #671369</p> <p data-bbox="407 1656 841 1688">Latosha Nicole Ivery, LVN #180505</p>	<p data-bbox="943 300 1463 751"><i>cardiopulmonary life support for healthcare providers; 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="943 810 1463 1598">Suspend Probate. <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of two years with the following agreed terms of probation: Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in medication administration; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p data-bbox="943 1656 1463 1990">Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; a board approved course in physical assessment; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Michael Bartholomew Jennings, RN #772443</p> <p>Katherine Sue Joseph, LVN #207501</p> <p>Gordon Joslin, RN #640879</p>	<p><i>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>Reprimand with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. The order of the Board issued to Respondent on Mary 13, 2008, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</i></p> <p>Warning with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250; Within six months of entry of this order Respondent shall pay restitution in the amount of \$250 to patient L.D. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in respecting professional boundaries; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a 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>Enforced Suspension. <i>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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Marilyn Elaine Lee, RN #632927</p>	<p><i>suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within ninety days of the stay Respondent shall pay a monetary fine in the amount of \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p>Deborah Bell recused herself from the consideration and vote on this agreed order.</p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation:</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Autumn Renee Lester, RN #671341</p>	<p><i>Within forty five days of the stay Respondent shall pay a monitoring fee in the amount of \$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this 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 regarding Respondent's progress in therapy to be submitted to the board until Respondent is released from therapy.</i></p> <p>Reprimand with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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>Judy Mae Mayberry, LVN #146451</p> <p>Lawausa Rene McCurley, RN #649386</p>	<p><i>hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports regarding Respondent's progress in therapy to be submitted to the board until Respondent is released from therapy.</i></p> <p>Warning with Stipulations. <i>Within forty five days of entry of this order Respondent shall submit 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 in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>Limited License. <i>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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 810 748 835">Luvy Najarro, LVN #212081</p> <p data-bbox="407 1535 792 1560">Matt Alan Nichols, RN #783855</p>	<p data-bbox="945 300 1463 751"><i>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 cause each employer to immediately submit any and all incident, counseling, variance, etc. error reports involving Respondent to the attention of the Monitoring department at the Board office.</i></p> <p data-bbox="945 810 1463 1476">Reprimand with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in physical assessment; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two 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 data-bbox="945 1535 1463 1986">Reprimand with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$400. 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 two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Justin Lynn Sanders, RN #703439</p>	<p><i>order Respondent shall pay a monetary fine in the amount of \$1,000. The Order of the Board issued to Respondent on January 17, 2008, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation with the following agreed terms of probation for three years: Within forty five days of entry of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$600. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence 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 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.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.2. REINSTATEMENT AGREED ORDER</p>	<p>Brandy Michelle Wright, RN #679961</p> <p>Donna Etter Zimmerman, LVN #69604</p> <p>Sammy Kay Whisenhunt (Followell), LVN #135974</p>	<p><i>care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; 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>Reprimand with Stipulations. <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics.</i></p> <p>Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in detecting and preventing abuse and neglect; 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>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within forty-five days of relicensure Petitioner shall apply to TPAPN and within ninety (90) days of relicensure sign and execute the TPAPN</i></p>

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

AGENDA ITEM	DISCUSSION	ACTION
	<p>Lashanda Evette Mims, Petitioner for Eligibility for Licensure (RN)</p>	<p><i>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 cause her probation officer to submit quarterly written reports regarding her compliance with her court ordered probation until released from probation; It is further agreed that should Petitioner be convicted of or receive a deferred order for the offenses outlined in finding of fact number five said action will result in further disciplinary action.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-RN and/or NCLEX-PN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-RN and/or NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. It is further agreed should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Jacqueline Robles, Petitioner for Eligibility for Licensure (LVN)</p> <p>Ashonti Renee Ward, Petitioner for Eligibility for Licensure (LVN)</p>	<p><i>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 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> <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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>1. ADMINISTRATION</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: Update of Pending Litigation: Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation in the Matters of: Amy Bagley Krenek and Victor Lara vs. Texas Board of Nursing, Cause No. D-1-GN-08-002763; In the 419th Judicial District, Travis County, TX; Amy Bagley Krenek RN, vs. Texas Board of Nursing, Cause No. D-1-GN-09-001195; In the 419th Judicial District, Travis County, TX;</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>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. The stipulations outlined and required herein shall supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.</i></p> <p>No action.</p> <p>The Board voted to move cases that have had no action since the previous board meeting to the consent agenda and only discuss cases with changes.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Texas Board of Nursing vs. Greg Abbott, Attorney General of Texas, Cause No. D-1-GN-09-003960; In the 353rd Judicial District, Travis County, TX;</p> <p>Brian Zalesky vs. Texas Board of Nursing, Cause No. D-1-GN-09-004403; In the 250th Judicial District, Travis County, TX;</p> <p>Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas;</p> <p>Bonafacio Espinoza vs. Texas Board of Nursing, Cause No. 219-05095-2009; In the 219th Judicial District, Collin County, TX;</p> <p>Bernardino Pedraza, Jr. vs. Texas State Board of Nursing, Cause No. C-2541-10-B; In the 93rd Judicial District, Hidalgo County, TX;</p> <p>Emmanuel Uko Akpan vs. Texas State Board of Nursing, Katherine A. Thomas, Judge Sarah G. Ramos, Lance R. Brenton, James S. Smelser, Jena Abel and Individual Board Members; United States District Court - Western District, Austin Division; Case No.</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>A10-CA-669LY; Amy Deann Stoy vs. Texas Board of Nursing, Cause No. D-1-GN-10-004442, In the 261st Judicial District, Travis County; and Sandra Hernandez Meza, RN vs. Texas Board of Nursing and Katherine A. Thomas, RN, Executive Director, Cause No. D-1-GN-08-00375, In the 201st District, Travis County</p>		
<p>1.3. Legislative Update</p>	<p>Katherine Thomas provided an update on bills that affect nursing and the regulation of nursing education and practice. Mark Majek reported on the budget bill and on the Self Directed Semi-Independent bill.</p>	<p>No action.</p>
<p>3. NURSING 3.1. Practice</p>		
<p>3.1.1. Promoting Competency Report</p>	<p>Bonnie Cone reported on the webinars and thanked board member Josefina Lujan for attending the El Paso workshop.</p>	<p>No action.</p>
<p>3.2. Education 3.2.7.</p>		
<p>Consideration for Change of Approval Status of Professional Nursing Programs from Full Approval with Warning to Conditional</p>		
<p>3.2.7.a. Cisco College in Abilene, Texas - Associate Degree Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of Cisco College Associate Degree Nursing Education Program in Abilene, Texas, based upon review of the 2010 NCLEX-RN® examination rate, the 2010 NEPIS, and Rule 215. Jackie Morgan, Ed D, MSN, RN, Dean; Dani Day, Vice President Learning Services; and</p>	<p>The Board voted to change the approval status of Cisco College in Abilene, Texas Associate Degree Nursing Education Program from Full with Warning to Conditional approval, specify the time for conditional approval status be set until the program demonstrates an annual pass rate for first time test takers of at least 80% on the NCLEX-RN® examination, and authorize</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.7.b. West Texas A&M University in Canyon, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>Janine Ray, RN Educator, were present to answer questions.</p> <p>The Board considered a proposed change in the approval status of West Texas A & M University in Canyon, Texas Baccalaureate Degree Nursing Education Program based upon review of the 2010 NCLEX-RN® examination pass rate, review of the 2010 Nursing Education Program Information Survey (NEPIS), and Board Rule 215. Dirk Nelson, Dean, College of Nursing and Helen Reyes, Department Head Nursing, were present to answer questions.</p>	<p>Board staff to conduct a survey visit.</p> <p>The Board voted to change the approval status of West Texas A & M University in Canyon, Texas Baccalaureate Degree Nursing Education Program from Full with Warning to Conditional approval, specify the time for Conditional approval status be set until the program demonstrates an annual pass rate for first-time test takers of at least 80% on the NCLEX-RN® examination, and authorize Board staff to conduct a survey visit.</p>
<p>3.2.8. Consideration for Change of Approval Status of Vocational Nursing Programs from Full Approval to Full with Warning</p> <p>3.2.8.a. Galveston College in Galveston, Texas - Vocational Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of Galveston College Vocational Nursing (VN) Education Program in Galveston, Texas, based upon the review of the 2010 NCLEX-PN® examination pass rate, the 2010 NEPIS, and Rule 214. Elaine Renola, MSN, RN, Program Director was present to answer questions.</p>	<p>The Board voted to change the approval status of Galveston College in Galveston, Texas Vocational Nursing Education Program from full to full with warning and authorize board staff to conduct a survey visit.</p>
<p>3.2.8.b. Kaplan School of Nursing in Corpus Christi, Texas - Vocational Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of Kaplan College Vocational Nursing Education Program in Corpus Christi, Texas, based upon review of the 2010 NCLEXPN ® examination rate, the 2010 NEPIS, and Rule 214. Clarissa Lopez-Briseno, Interim DON, RN; Sheila Burke, RN, MSN, MBA, Dean; Laura Bledsoe, Regional Vice President of Operations; John Carreon, Vice President, State Regulatory Affairs; Jeriann Hix, Campus President; Yvonne Puig, Attorney; and Theresa A. Pappal, Nursing Consultant were present to answer questions.</p>	<p>Board Member Kristin Benton recused herself prior to the consideration and vote on this agenda item.</p> <p>The Board voted to to change the approval status of Kaplan College in Corpus Christi, Texas Vocational Nursing Education Program from Full to Full with Warning and authorize Board staff to conduct a survey visit.</p>
<p>3.2.8.c. Concorde Career Institute in Arlington, Texas -</p>	<p>The Board considered a proposed change in the program approval status of Concorde Career Institute Vocational Nursing (VN)</p>	<p>Board Member Richard Gibbs recused himself prior to the consideration and vote on this agenda item.</p>

AGENDA ITEM	DISCUSSION	ACTION
Vocational Nursing Education Program	<p>Education Program in Arlington, Texas, based upon the review of the 2010 NCLEX-PN® examination pass rate, the 2010 Nursing Education Program Information Survey (NEPIS), and Board Rule 214. Tim Cole, President; Rebecca Zielinski, RN, Campus President; Ione Scivally, Director of Nursing Education; and Gail Finney, Nursing Education Specialist were present to answer questions.</p>	<p>The Board voted to change the approval status of Concorde Career Institute in Arlington, Texas Vocational Nursing Education Program from Full to Full with Warning and authorize board staff to conduct a survey visit.</p>
<p>3.2.8.d. Midland College in Midland, Texas - Vocational Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of Midland College Vocational Nursing Education Program in Midland, Texas, based upon review of the 2010 NCLEX-PN® examination rate, the 2010 NEPIS, and Rule 214. Diana Jones, Director of VN Program; Carla Hooker, RN, RN Program Coordinator; and Paula Callo, RN, Nurse Educator were present to answer questions.</p>	<p>The Board voted to change the approval status of Midland College in Midland, Texas Vocational Nursing Education Program from Full to Full with Warning and authorize Board staff to conduct a survey visit.</p>
<p>3.2.9. Public Hearings on Proposals to Establish New Nursing Educational Programs</p> <p>3.2.9.a. Texas Tech University in El Paso, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Texas Tech University in El Paso, Texas - Baccalaureate Degree Nursing Education Program. The Board considered Texas Tech University Health Sciences Center (TTUHSC) proposal to establish a new baccalaureate degree nursing education program as the Gayle Greve Hunt School of Nursing (GGHSON) in El Paso, Texas, and the report of the survey visit. Josefina Lujan, PhD, RN, Proposed Interim Dean of Nursing; Jose Manuel DeLaRosa, Vice President Health Affairs and Dean, School of Medicine; Wrennah L. Gabbert, RN; and Woody Hunt, El Paso Community Leader were present to answer questions.</p>	<p>Board Member Josefina Lujan recused herself from the vote on this agenda item. Board Member Sheri Crosby abstained from the vote on this agenda item.</p> <p>The Board voted to grant initial approval to the Gayle Greve Hunt School of Nursing at Texas Tech University Health Sciences Center for a Baccalaureate Degree Nursing Educational Program in El Paso, Texas, contingent upon approval by the Texas Higher Education Coordinating Board, with an initial cohort of forty (40) Traditional BSN students to begin in Fall 2011 and an initial cohort of thirty (30) Second Degree BSN students to begin in Spring 2012, based upon the proposal and survey visit and issue the following requirement: The program shall provide a copy of the approval letter from the Texas Higher Education Coordinating Board.</p>
<p>3.2.9.b. Teamwork Services in Grand Prairie,</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Teamwork Services</p>	<p>Board Member Mary LeBeck abstained from the vote on this agenda item.</p> <p>The board voted to grant initial approval to the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.10.b. Kaplan College in San Antonio, Texas - Vocational Nursing Education Program</p>	<p>The Board considered a proposed change in the program approval status of Kaplan College Vocational Nursing Education Program in San Antonio, Texas, based upon review of the 2010 NCLEX-PN® examination pass rate, the 2010 NEPIS, and Rule 214. Becky Anderson, Campus President; Geneva Baker, Director of Nursing; Laura Bledsoe, Regional Vice President of Operations; John Carreon, Vice President, State Regulatory Affairs; Jeriann Hix, Campus President; Sheila Burke, MSN, MBA, RN, Dean; Yvonne Puig, Attorney; and Theresa A. Pappal, Nursing Consultant were present to answer questions</p>	<p>improve the success of students on the NCLEX-PN® examination.</p> <p>Board Member Kristin Benton recused herself from the consideration and vote on this agenda item.</p> <p>The Board voted to change the approval status of Kaplan College in San Antonio, Texas Vocational Nursing Education Program from Full with Warning to Conditional approval, specify the time for conditional approval status be set until the program demonstrates an annual pass rate for first time test takers of at least 80% on the NCLEX-PN® examination, and authorize staff to conduct a survey visit.</p>
<p>3.2.11. Consideration of Change of Status for Program on Conditional Approval - St. Michael's School of Nursing in Weslaco, Texas - Vocational Nursing Education Program</p>	<p>The Board considered the change of status for St. Michael's School of Nursing and Technology Vocational Nursing Education Program which has been on Conditional Approval status since April 2010, staff recommendation based upon the 2010 NCLEX-PN® examination pass rate, and Board Rule 214. Martha Montelongo, Administrator/Owner and Hermelinda Bolling, RN, Vocational Nursing Program Director were present to answer questions.</p>	<p>Board Member Josefina Lujan recused herself from the consideration, discussion and vote on this agenda item.</p> <p>Board Member Sheri Crosby abstained from the vote on this agenda item.</p> <p>The Board voted that based upon the history of the program being unable to achieve an 80% NCLEX-PN® examination pass rate since the time of initial program approval in 2007 and consistent with Rule 214.4(a)(5), to withdraw approval from St. Michael's School of Nursing and Technology Vocational Nursing Educational Program in Weslaco, Texas, and to remove the name of the program from the list of Board-approved vocational nursing education programs.</p>
<p>3.2.12. Report on Trends in Prelicensure Nursing Education Programs in Texas</p>	<p>Jan Hooper reviewed the Report on Trends in Prelicensure Nursing Education Programs in Texas with the Board.</p>	<p>No action.</p>
<p>4. ENFORCEMENT 4.1. Criminal Background Check Update</p>	<p>The board reviewed the statistical report provided regarding criminal background checks.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
OPEN FORUM:	<p>Kristin Benton announced the format and invited participation from the audience.</p> <p>No speakers came forward and the Open Forum was closed.</p>	No action.
5. COMMITTEE REPORTS 5.1. Board Committees 5.1.3. Development and Evaluation	Richard Gibbs discussed having training on SOAH/Mock Trial for the July board meeting; a potential board retreat in October that would include getting to know each other; and a presentation next year on TPAPN drug testing. Tamara Cowen suggested training from The Higher Education Coordinating Board and Texas Workforce Commission.	No action.
5.1.4. Task Force on Executive Director Evaluation Tool Review	Kristin Benton discussed the new evaluation tool for the Executive Director annual evaluation. Substantive revisions were made to the Executive Director evaluation but not to the Board evaluation. Both the Executive Director and Board evaluations will be done electronically on Survey Monkey. The board members will receive the Executive Director self evaluation by June 1 st .	The Board voted to approve the new evaluation tool for the Executive Director annual evaluation and the use of Survey Monkey to complete the evaluations.
5.2. Advisory Committees/Task Forces 5.2.1. Advanced Practice Nurses Advisory Committee 5.2.2. Nursing Practice Advisory	<p>Jolene Zych reported that the APNAC met on March 28, 2011 to begin working on their charge from the Board to consider whether APRNs are qualified to perform physical and psychological evaluations under Texas Occupations Code 301.4521 and Board rules and guidelines. Staff shared that expert resources in psychological evaluations and in psychiatric/mental health nursing were invited to attend and participate in the discussion. The committee will continue its discussion at its next meeting and provide a recommendation for the Board's consideration at a future Board meeting.</p> <p>Bonnie Cone reported that upon completion of the Differentiated Essential Competencies</p>	<p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Committee	(DECs) and subsequent approval by the Board at the October 2010 meeting, staff began developing two position statements on the RN and LVN Scope of Practice. Staff plans to seek input from the Nursing Practice Advisory Committee (NPAC) on the draft position statements in May or June. Staff plans to bring the proposed position statements to the July 2011 meeting for the Board's consideration.	
5.2.3. Advisory Committee on Education	Virginia Ayars reported the Advisory Committee on Education (ACE) will be hosting a workshop on May 26 th at Texas State University regarding the implementation of the Differentiated Essential Competencies (DECs), with Nancy Spector as the keynote speaker.	No action.
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	No report.	No action.
5.2.5. Advisory Committee on Deferred Disciplinary Action Pilot Program	No report.	No action.
5.2.5.a. Consideration of Appointment of Additional Member to the DDAPPAC	The Board considered the appointment of Jane Bavineau to serve on the DDAPPAC as a representative of a public advocacy organization. Ms. Bavineau is the Executive Director of <i>Sheltering Arms Senior Services</i> , Houston, Texas, and works closely with the elderly and caregivers for the elderly.	The Board voted to approve the appointment of Ms. Bavineau as a new member of the Deferred Disciplinary Action Pilot Program Advisory Committee (DDAPPAC).
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee	Richard Beard gave a report and update of the RN, LVN, and APRN Admission Enrollment Graduate, Faculty Demographics, Program Characteristics and Student Demographics. He informed the Board of the changes that were made to the reports by the committee. Mr. Beard provided the Board with a copy of the revised and approved reports. Mr. Beard	No action.

AGENDA ITEM	DISCUSSION	ACTION
	informed the Board that Aileen Kishi, PhD, RN will not seek re-election for Vice President of the National Forum for Workforce Studies. Mr. Beard also provided an update to the Board on the status of House Bill 1875, 82 ND Legislative Session.	
5.3.2. Texas Higher Education Coordinating Board Updates	No report.	No action.
5.3.3. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)	Mary Beth Thomas reviewed her written report with the Board.	No action.
5.3.4. Texas Team Report, Robert Wood Johnson Nursing Education Capacity Expansion	Mary Beth Thomas reported the Texas Team continues to work on increasing capacity for professional nursing programs. They are also incorporating recommendations from the IOM Report <i>on the Future of Nursing</i> . Future initiatives within the Texas Regional Coalition for Action will be brought before the Board.	No action.
5.3.5. National Council of State Boards of Nursing	Katherine Thomas reviewed her written report.	No action.
7. NEW BUSINESS		
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 March 4, 2011. Information was shared with the Advisory Committee about the 3 rd party drug testing program, budget status, strategic plan, The TPAPN Administrative Policies were reviewed, discussed, and revised. Next meeting will be June 4, 2011.	No action.

AGENDA ITEM	DISCUSSION	ACTION
7.1.3. Texas Peer Assistance Program for Nurses Third Party Referral Report	Tony Diggs reviewed his written report with the board.	No action.
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	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. Board staff will meet with TPAPN staff to develop final recommendations for changes and bring these back to the Board at a future meeting. Mike Van Doren was present to answer questions.	No action.
7.2. Consideration of a Memorandum of Understanding: A Cooperative Agreement Between the Board of Nursing and the Department of Aging and Disability Services	The Board considered a Memorandum of Understanding (MOU) between the Texas Department of Aging and Disability Services (DADS) and the Texas Board of Nursing (BON) to implement a statewide pilot wherein a Registered Nurse (RN) may determine when an Unlicensed Assistive Person (UAP) can administer medication in addition to 22 Texas Administrative Code Chapter 225 and when telephone on call services in community based settings may be provided by Licensed Vocational Nurses (LVNs).	The Board voted to approve the MOU between DADS and the BON contingent upon the enactment of HB 3611 or any other similar legislation by the 82 nd Legislature. Should HB 3611 be enacted or any other similar legislation by the 82 nd Legislature, the medication administration pilot program will be null and void. Should HB3611 be enacted, allow BON staff to edit the MOU to delete sections pertaining to administration of medications by UAP's outside RN delegation as this practice will be regulated by DADS. In addition, allow General Counsel to make editorial changes as necessary to clarify the MOU.
7.3. Consideration of Proposed Amendments to 22. Tex. Admin. Code §221.6, Pertaining to <i>Interim Approval</i>	The Board considered proposed amendments to 22 Tex. Admin. Code §221.6, pertaining to <i>Interim Approval</i> .	The Board voted to approve proposed amendments to 22 Tex. Admin. Code §221.6, pertaining to <i>Interim Approval</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, adopt proposed amendments to 22 Tex. Admin. Code §221.6, pertaining to <i>Interim Approval</i> , as proposed.
7.4. Consideration of Proposed Amendments to 22. Tex. Admin. Code §217.5, Pertaining to <i>Temporary</i>	The Board considered proposed amendments to 22 Tex. Admin. Code §217.5, Pertaining to <i>Temporary License and Endorsement</i> .	The Board voted to approve proposed amendments to 22 Tex. Admin. Code §217.5, Pertaining to <i>Temporary License and Endorsement</i> , with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and

AGENDA ITEM	DISCUSSION	ACTION
<p><i>License and Endorsement</i></p>		<p>to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, adopt proposed amendments to 22 Tex. Admin. Code §217.5, Pertaining to <i>Temporary License and Endorsement</i>, as proposed.</p>
<p>7.5. Consideration of Proposed New 22 Tex. Admin. Code §217.21, Pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i> and Proposed Amendments to 22 Tex. Admin. Code §223.1, Pertaining to <i>Fees</i></p>	<p>The Board considered proposed new 22 Tex. Admin. Code §217.21, pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i> and proposed amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</i>.</p>	<p>The Board voted to approve proposed new 22 Tex. Admin. Code §217.21, pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i> and proposed amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</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, adopt proposed new 22 Tex. Admin. Code §217.21, pertaining to <i>Remedial Education Course Providers and Remedial Education Courses</i> and proposed amendments to 22 Tex. Admin. Code §223.1, pertaining to <i>Fees</i>, as proposed. Further the Board voted to add a Renewal fee of \$100 for the renewal of remedial education courses.</p>
<p>7.6. Consideration of Proposed Amendments to the Board's Criminal History Review Policy</p>	<p>The Board considered proposed amendments to the Board's Criminal History Review Policy.</p>	<p>The Board voted to approve the amendments to the Board's Criminal History Review Policy.</p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1. Agreed Orders</p>	<p>Roger Kenneth Blackman, RN #606012</p>	<p>The board voted to ratify the following Agreed Order:</p> <p>Warning with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4. ALJ Proposals for Decision</p> <p>8.4.2. Docket No. 507-11-0886, In the Matter of Permanent Certificate LVN#107989, Issued to TERESA RENE COEN</p> <p>8.4.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-0886</p> <p>8.4.2.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-0886, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.2.c. Consideration of Recommendation by TERESA RENE COEN, Docket No. 507-11-0886</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-11-0886, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p> <p>The Board voted to accept and ratify the agreed order signed by the Respondent on March 28, 2011 and dismiss the pending matter at SOAH.</p>

AGENDA ITEM	DISCUSSION	ACTION
<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#107989, Issued to TERESA RENE COEN</p> <p>8.4.2.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#107989, Issued to TERESA RENE COEN</p>		
<p>8.4.3. Docket No. 507-10-6055, In the Matter of Nurse Licensure Compact Privilege Associated with Arkansas License Number L40142 Issued to DONNA MARIE COLTER</p> <p>8.4.3.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-6055</p> <p>8.4.3.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-6055, 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 Disposition of Docket No. 507-10-6055, 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 9, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's nurse licensure compact privileges to practice as a nurse in Texas.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.3.c. Consideration of Recommendation by DONNA MARIE COLTER, Docket No. 507-10-6055</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 Nurse Licensure Compact Privilege Associated with Arkansas License Number L40142 Issued to DONNA MARIE COLTER</p> <p>8.4.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Nurse Licensure Compact Privilege Associated with Arkansas License Number L40142 Issued to DONNA MARIE COLTER</p>		
<p>8.4.4. Docket No. 507-10-3554, In the Matter of Permanent Certificate RN#690642, Issued to MARSHALL INNO-CHYKE FINTAN</p> <p>8.4.4.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3554</p> <p>8.4.4.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. 507-10-3554, 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 8 and Conclusion of Law Number 7, and revoke the Respondent's nursing license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>for Disposition of Docket No. 507-10-3554, 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 MARSHALL INNO-CHYKE FINTAN, Docket No. 507-10-3554</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#690642, Issued to MARSHALL INNO-CHYKE FINTAN</p> <p>8.4.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#690642, Issued to MARSHALL INNO-CHYKE FINTAN</p> <p>8.4.5. Docket No. 507-10-5631, In the Matter of Permanent Certificate LVN#163844, Issued to MARSHA HANDLON</p> <p>8.4.5.a. Consideration of the Administrative Law Judge's</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-5631, 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, including the modifications made by the ALJ in his letter ruling of February 11, 2011, except for Conclusion of Law Number 14, and enter an Order suspending the Respondent's license, with the suspension stayed, to be followed by a three year monitoring period with Board stipulations.</p> <p>Suspend Probate. Within one year of entry of this order Respondent shall successfully</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Proposal for Decision in Docket No. 507-10-5631 8.4.5.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5631, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.4.5.c. Consideration of Recommendation by MARSHA HANDLON, Docket No. 507-10-5631 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#163844, Issued to MARSHA HANDLON 8.4.5.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#163844, Issued to MARSHA HANDLON</p> <p>8.4.6. Docket No. 507-11-1719, In the Matter of Permanent Certificate LVN#157034, Issued to CAROL ANN HERNANDEZ</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-11-1719, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>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 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 cause her probation officer to submit quarterly written reports regarding her compliance with her court ordered probation until released from probation.</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, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.6.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-1719</p> <p>8.4.6.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-1719, 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 CAROL ANN HERNANDEZ, Docket No. 507-11-1719</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 Permanent Certificate LVN#157034, Issued to CAROL ANN HERNANDEZ</p> <p>8.4.6.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#157034, Issued to CAROL ANN HERNANDEZ</p>		
<p>8.4.8. Docket No. 507-10-5182, In the Matter of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusions</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Permanent Certificate LVN#196906, Issued to QUINCY JACKSON</p> <p>8.4.8.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5182</p> <p>8.4.8.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5182, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.8.c. Consideration of Recommendation by QUINCY JACKSON, Docket No. 507-10-5182</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 LVN#196906, Issued to QUINCY JACKSON</p> <p>8.4.8.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#196906, Issued to QUINCY JACKSON</p>	<p>5182, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>of Law Numbers 8 and 9, which should be re-designated as the ALJ's recommended sanction, and adopt the ALJ's recommendation to issue the Respondent a formal reprimand, with stipulations, a fine and an administrative reimbursement.</p> <p>Reprimand with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; and a board approved course in detecting and preventing abuse and neglect. Within ninety days of entry of this order Respondent shall pay an administrative reimbursement in the amount of \$736.69. Within one hundred eighty days of entry of this order Respondent shall pay a monetary fine in the amount of \$3,000. Should Respondent choose to practice as a nurse in Texas Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4.10. Docket No. 507-10-3528, In the Matter of Permanent Certificate RN#738755, Issued to FRANCISCA MBANAJA</p> <p>8.4.10.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-3528</p> <p>8.4.10.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-3528, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.10.c. Consideration of Recommendation by FRANCISCA MBANAJA, Docket No. 507-10-3528</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 RN#738755, Issued to FRANCISCA MBANAJA</p> <p>8.4.10.e. Convene in Open Session to consider recommendations and take action: 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 No. 507-10-3528, 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, along with the ALJ's letter ruling in response to exceptions dated February 14, 2011, except for Conclusion of Law Number 5, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>RN#738755, Issued to FRANCISCA MBANAJA</p> <p>8.4.13. Docket No. 507-11-0890, In the Matter of Permanent Certificate LVN#134817, Issued to RHONDA M. RAMOS</p> <p>8.4.13.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-0890</p> <p>8.4.13.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-0890, 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 RHONDA M. RAMOS, Docket No. 507-11-0890</p> <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 LVN#134817, Issued to RHONDA M. RAMOS</p> <p>8.4.13.e. Convene in Open Session to consider</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-11-0890, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>Board Members Tamara Cowen, Beverley Nutall and Sheri Crosby recused themselves prior to the consideration and vote on this agenda item.</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 8, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>recommendations and take action: In the Matter of Permanent Certificate LVN#134817, Issued to RHONDA M. RAMOS</p> <p>8.4.14. Docket No. 507-10-4821, In the Matter of Permanent Certificate RN#734004, Issued to LORI JAN VAZQUEZ</p> <p>8.4.14.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4821</p> <p>8.4.14.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4821, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.14.c. Consideration of Recommendation by LORI JAN VAZQUEZ, Docket No. 507-10-4821</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#734004, Issued</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-4821, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>Board Member Sheri Crosby abstained from the vote on this agenda item.</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 9, and issue the Respondent a Warning with Stipulations.</p> <p>Warning with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in respecting professional boundaries.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>to LORI JAN VAZQUEZ 8.4.14.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#734004, Issued to LORI JAN VAZQUEZ</p>		
<p>9. MISCELLANEOUS</p>		
<p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>Tamara Cowen suggested that Staff provide a recommendation on recovering expenses for follow up surveys, etc. when the Board issues a sanction to a program. Josefina Lujan suggested a position statement that would shift the paradigm.</p>	<p>Board staff will research and report back to the board on these suggestions.</p>
<p>9.3. Review of the Board Quarterly Meeting Evaluation</p>	<p>The Board members discussed the results of the January board meeting quarterly evaluation.</p>	<p>No action.</p>
<p>9.4. Appointment of Attendees to the NCSBN Nurse Licensure Compact and Consumer Conference - Challenges for a New Decade: Examining the Nurse Licensure Compact and Exploring Public Protection, June 8-9, 2011, Chicago, IL</p>	<p>The Board discussed attendees for the NCSBN Nurse Licensure Compact and Consumer Conference - Challenges for a New Decade: Examining the Nurse Licensure Compact and Exploring Public Protection, June 8-9, 2011, Chicago, IL</p>	<p>The Board voted that Mary Jane Salgado and Deborah Bell would attend with Sheri Crosby as an alternate attendee.</p>
<p>9.5. Appointment of Attendees to the NCSBN Annual Meeting, August 2-5, 2011, Indianapolis, IN</p>	<p>The Board discussed attendees to the NCSBN Annual Meeting, August 2-5, 2011, Indianapolis, IN.</p>	<p>The Board voted that Tamara Cowen and Mary LeBeck would attend on NCSBN waiver with Kathy Shipp as an alternate attendee.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.6. Appointment of Board Member Liaison to the Deferred Disciplinary Action Pilot Program Advisory Committee</p>	<p>The Board discussed the appointment of a board member liaison to the Deferred Disciplinary Action Pilot Program Advisory Committee.</p>	<p>The Board voted that Richard Gibbs as the liaison to the Deferred Disciplinary Action Pilot Program Advisory Committee.</p>
<p>ADJOURNMENT</p>	<p>Having completed this day's business the meeting adjourned at 7:05 p.m.</p>	

TEXAS BOARD OF NURSING

Regular Meeting

Friday, April 29, 2011
8:04 a.m. - 11:24 a.m.
William Hobby Building
333 Guadalupe, Tower II, Room 225
Austin, Texas 78704

Present:

Kristin K. Benton
Richard R. Gibbs
Deborah Bell
Tamara Cowen
Sheri Crosby (departed at 10:25 a.m.; returned at 11:15 a.m.)
Marilyn Davis
Kathy Leader-Horn (arrived at 8:07 a.m.)
Mary LeBeck
Josefina Lujan (departed at 10:25 a.m.)
Beverley Nutall
Mary Jane Salgado (arrived at 8:10 a.m.)
Verna Kathleen Shipp

Absent:

Patti Clapp

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
<p>CALL TO ORDER</p>	<p>Kristin Benton called the meeting to order at 8:04 a.m, Friday, April 29, 2011.</p>	
<p>ROLL CALL</p>	<p>A quorum was established with ten members in attendance, Board Member Kathy Leader-Horn arrived at 8:07 a.m.; Board Member Mary Jane Salgado arrived at 8:10 a.m.; Board Member Josefina Lujan departed the meeting at 10:25 a.m.; Board Member Sheri Crosby departed at 10:25 a.m. and returned at 11:15 a.m.; and Board Member Patti Clapp was absent.</p>	
<p>1. ADMINISTRATION 1.2. Legal 1.2.2. Consideration of Offer of Settlement in the matter of <i>Amy Deann Stoy vs. Texas Board of Nursing</i>, Cause No. D-1-GN-10-004442, In the 261st Judicial District, Travis County 1.2.2.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss settlement of pending or contemplated litigation in the matter of <i>Amy Deann Stoy vs. Texas Board of Nursing</i>, Cause No. D-1-GN-10-004442, In the 261st Judicial District, Travis County through an agreed order relating to the reinstatement of Ms. Stoy's license; 1.2.2.b. Convene in Open Session to consider Offer of Settlement and</p>	<p>The Board considered the Offer of Settlement in the matter of <i>Amy Deann Stoy vs. Texas Board of Nursing</i>, Cause No. D-1-GN-10-004442, In the 261st Judicial District, Travis County. Dan Lype, Attorney for Respondent was present and was given full opportunity to address the board.</p>	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this agenda item. Board Member Sheri Crosby abstained from the vote on this agenda item. The Board voted to accept the settlement offer proposed by the Plaintiff, wherein the Plaintiff agrees to dismiss the pending matter of: <i>Amy Deann Stoy vs. Texas Board of Nursing</i>, Cause No. D-1-GN-10-004442, in the 261st Judicial District, Travis County, in exchange for the reinstatement of her nursing license, subject to Board probationary stipulations. Petitioner's Application for Reinstatement shall be granted with the following agreed terms: 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>take action</p> <p>8.4. ALJ Proposals for Decision</p> <p>8.4.1. Docket No. 507-10-5790, In the Matter of Permanent Certificate LVN#174293, Issued to WINIFRED JOYCE BAKER</p> <p>8.4.1.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5790</p> <p>8.4.1.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5790, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.4.1.c. Consideration of Recommendation by WINIFRED JOYCE BAKER, Docket No. 507-10-</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No. 507-10-5790, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications. Respondent Winifred Joyce Baker was present and was given full opportunity to address the board</p>	<p>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 cause her probation officer to submit quarterly written reports regarding Petitioner's compliance with her court ordered probation until released from probation.</p> <p>Board Member Richard Gibbs abstained from the vote on this agenda item.</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 10, which should be re-designated as a recommendation, and issue the Respondent a board order of Reprimand with Stipulations.</p> <p>Reprimand with Stipulations. 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 physical assessment; and a board approved course in critical thinking. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this board order; and Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5790</p> <p>8.4.1.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#174293, Issued to WINIFRED JOYCE BAKER</p> <p>8.4.1.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#174293, Issued to WINIFRED JOYCE BAKER</p>		
<p>8.4.7. Docket No. 507-10-5462, In the Matter of Permanent Certificate RN#670648 and LVN#165052, Issued to D. DEWE HILLIARD</p> <p>8.4.7.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-5462</p> <p>8.4.7.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-5462, 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 Disposition of Docket No. 507-10-5462, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications. Respondent D. Dewe Hilliard was present and was given full opportunity to address the board.</p>	<p>Board Members Josefina Lujan and Sheri Crosby were not present for the vote on this agenda item.</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 8, which should be re-designated as a recommendation, and issued a Reprimand with Stipulations.</p> <p>Reprimand with Stipulations. Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; a board approved course in physical assessment; and a board approved course in critical thinking. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Conclusions of Law With Modifications 8.4.7.c. Consideration of Recommendation by D. DEWE HILLIARD, Docket No. 507-10-5462 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#670648 and LVN#165052, Issued to D. DEWE HILLIARD 8.4.7.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#670648 and LVN#165052, Issued to D. DEWE HILLIARD</p> <p>8.4.9. Docket No. 507-11-1582, In the Matter of Petition for Declaratory Order Made By ANTOINE JERMAINE JOSEPH 8.4.9.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-1582 8.4.9.b. Consideration of Staff's Recommendations for Disposition of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-1582, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications. Petitioner Joseph was present and was given full opportunity to address the board.</p>	<p>provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this board order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p> <p>Board Member Mary Jane Salgado abstained from the vote on this agenda item. 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, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to deny the Petitioner licensure.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Docket No. 507-11-1582, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.4.9.c.</p> <p>Consideration of Recommendation by ANTOINE JERMAINE JOSEPH, Docket No. 507-11-1582 8.4.9.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Petition for Declaratory Order Made By ANTOINE JERMAINE JOSEPH 8.4.9.e. Convene in Open Session to consider recommendations and take action: In the Matter of Petition for Declaratory Order Made By ANTOINE JERMAINE JOSEPH</p> <p>8.4.11. Docket No. 507-09-3087, In the Matter of Permanent Certificate RN#618412 and LVN#147877, Issued to WILLIAM H. MILLS 8.4.11.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-09-3087, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications. Elizabeth Higginbotham, Attorney for Respondent and Respondent were present and were given full opportunity to address the board.</p>	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this agenda item.</p> <p>The Board voted to Adopt all of the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the ALJ's recommendation to take no action against the Respondent.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>No. 507-09-3087 8.4.11.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-09-3087, 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 WILLIAM H. MILLS , Docket No. 507-09-3087</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#618412 and LVN#147877, Issued to WILLIAM H. MILLS</p> <p>8.4.11.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#618412 and LVN#147877, Issued to WILLIAM H. MILLS</p>		
<p>8.4.12. Docket No. 507-10-4146, In the Matter of Permanent Certificate RN#526357, Issued to FRANCES</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-10-4146, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>Board Member Sheri Crosby abstained from the vote on this agenda item. 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 12, which should be re-designated as a recommendation, and adopt</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>UNOKA NWOSUOCHA 8.4.12.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-10-4146 8.4.12.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-10-4146, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.4.12.c. Consideration of Recommendation by FRANCES UNOKA NWOSUOCHA, Docket No. 507-10-4146 8.4.12.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#526357, Issued to FRANCES UNOKA NWOSUOCHA 8.4.12.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#526357, Issued to FRANCES UNOKA</p>	<p>Frances Nwosuocha and Ceclia Dimas were present and were given full opportunity to address the board.</p>	<p>the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>NWOSUOCHA</p> <p>9. MISCELLANEOUS 9.2. Board Development: NCLEX Test Item Review</p> <p>ADJOURNMENT:</p>	<p>The Board members departed the meeting to the NCLEX Test site and conducted the NCLEX test item review.</p> <p>Having completed all business as listed on the agenda, the meeting adjourned at 11:24 a.m.</p> <p>----- Kristin Benton, MSN, RN Board President</p> <p>----- Katherine A. Thomas, MN, RN, Executive Director</p>	<p>No action.</p>

TEXAS BOARD OF NURSING

Public Hearing

Wednesday, June 29, 2011
1:31 p.m. - 1:36 p.m.
333 Guadalupe, Room 102
Austin, Texas

Present:

Kristin Benton

Absent:

Deborah Bell
Tamara Cowen
Sheri Crosby
Richard Robert Gibbs
Kathy Leader-Horn
Josefina Lujan
Beverley Nutall
Patti Clapp
Marilyn Davis
Mary Jane Salgado
Mary LeBeck
Verna "Kathy" Shipp

Staff present:

Dusty Johnston, General Counsel
Jena Abel, Assistant General Counsel
Anthony Diggs, Director of Enforcement
Allison Hassinger, Legal Secretary
Janice Hooper, Lead Nursing Consultant
Virginia Ayars, Nursing Consultant
Paul Waller, Nursing Consultant
Robin Caldwell, Nursing Consultant

Others in Attendance:

Taralynn Mackay
Marc Meyer

AGENDA ITEM	DISCUSSION	ACTION
<p>CALL TO ORDER</p> <p>ROLL CALL</p> <p>INTRODUCTIONS</p> <p>The Board of Nursing is holding a public hearing to receive comments from interested persons concerning proposed new 22 T e x a s Administrative Code §217.21, relating to <i>Remedial Education Course Providers and Remedial Education Courses</i>, as was published in the Texas Register on May 27, 2011, (36 TexReg 3244-3253). This hearing is designed to provide an opportunity for nurses and others to comment on the proposed new section.</p>	<p>Kristin Benton called the hearing to order at 1:31 p.m., Wednesday, June 29, 2011.</p> <p>Kristin Benton was the only board member in attendance. A quorum was not established.</p> <p>Board member Kristin Benton introduced herself to the audience.</p> <p>The Board heard from the following individuals:</p> <p><i>Marc Meyer, Texas Chapter of American Association of Nurse Attorneys (TAANA)</i> Mr. Meyer provided verbal comments in addition to written comments previously submitted by TAANA. Mr. Meyer stated that TAANA is primarily concerned that given the limited number of remedial education providers in Texas, the proposed rule too broadly limits the pool of potentially qualified instructors. TAANA suggests the BON use wording that was provided in its written testimony allowing those who hold an advanced degree and a current license to practice in an area of study relevant to the course content to be included in the pool of qualified instructors for</p>	<p>No action.</p>

