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**TEXAS BOARD OF NURSING**

Retreat

Wednesday, October 26, 2011

8:30 a.m. - 4:00 p.m.

Bob Bullock, Texas State History Museum

Board Meeting Room

1800 N. Congress Avenue

Austin, Texas 78701

Present:

Kristin Benton, President

Richard Gibbs, Vice-President

Deborah Bell

Tami Cowen

Sheri Crosby

Mary Jane Salgado

Kathy Leader-Horn

Josefina Lujan

Marilyn Davis

Beverley Nutall

Kathy Shipp

Mary LeBeck

Absent:

Patti Clapp

Staff present:

Katherine A. Thomas, Executive Director

Mark Majek, Director of Operations

Anthony Diggs, Director of Enforcement

Mary Beth Thomas, Director of Nursing

James "Dusty" Johnston, General Counsel

Patricia Vianes-Cabrera, Executive Assistant

AGENDA ITEM	DISCUSSION	ACTION
<p><b>CALL TO ORDER</b></p>	<p>Kristin Benton called the meeting to order at 8:30 a.m, Wednesday, October 26, 2011.</p>	
<p><b>ROLL CALL</b></p>	<p>Patti Clapp was absent. A quorum was established.</p>	
<p><b>ACCEPTANCE OF AGENDA</b></p>	<p>The Board reviewed the agenda.</p>	<p>The Board approved the agenda.</p>
<p>Training and Interactive Exercises Focused Around Productive Professional Relationships; Communication Skills; and Team Work, Presented by Marny Lifshen</p>	<p>Marny Lifshen introduced herself and then began with exercises on discovering our shared values; getting to know each other; identifying the Board’s Purpose; the Board’s desired outcomes; building bridges; and concluded with sharing key takeaways.</p> <p>The Board members and Staff used the exercises to develop a statement of the ultimate outcome for the training:</p> <p>To develop relationships and communication between board members and staff to build trust, a sense of common purpose, increased participation and a clear understanding of roles and responsibilities, leading to more effective identification of and creating solutions for all issues.</p>	<p>No action.</p>
<p>Strategic Planning for Fiscal Years 2013 and 2014 Facilitated by Katherine Thomas, Executive Director and Mark Majek, Director of Operations, Texas Board of Nursing</p>	<p>Katherine Thomas presented a power point presentation on issues and trends in fiscal year 2011.</p> <p>Mark Majek led the discussion with the board on items that should be taken into consideration when we are completing the Strategic Plan. The following items were identified by both staff and the board members:</p> <ul style="list-style-type: none"> <li>• Semi Independent Self Directed Agency Status</li> <li>• Certified Nurse Assistants</li> <li>• Medication Aides</li> <li>• Executive Director Salary</li> <li>• Criminal Background Check - Student Mandate</li> <li>• Increased Nursing Capacity - Production of Graduates</li> </ul>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<ul style="list-style-type: none"> <li>• Nursing Education Program Expansion and IOM Recommendations</li> <li>• Nursing Practice Issues and IOM Recommendations</li> <li>• Nurse Licensure Compact Audits and APRN Compact Introduction in 2013</li> <li>• Resolve Enforcement backlog</li> <li>• Respond to 2010 CORE report</li> <li>• Taxonomy of Error Root Cause Analysis of Practice Responsibilities Initiative with Peer Review Committee</li> <li>• Deferred Disciplinary Action Pilot Report to Legislature in 2013</li> <li>• Texas Peer Assistance Program for Nurses Policies Comparison to National Substance Use Disorder Guidelines</li> <li>• Review of Nursing Delegation Rules</li> <li>• Nursing Shortage</li> <li>• Continued Competency to Practice</li> <li>• Nursing Diversity in the Workplace</li> <li>• Punitive vs. Remedial Disciplinary Actions</li> <li>• Patient Safety Education for all Nurses</li> <li>• Patient Safety/Competency</li> <li>• Patient Safety (Education)</li> <li>• Transparency</li> <li>• Outreach to: <ul style="list-style-type: none"> <li>• Employers</li> <li>• Nurses</li> <li>• Associations</li> </ul> </li> </ul>	
<b>ADJOURNMENT</b>	<p>Having completed all business the meeting adjourned at 4:00 p.m.</p> <hr/> <p>Kristin K. Benton, MSN, RN, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, FAAN Executive Director</p>	

## TEXAS BOARD OF NURSING

### Regular Meeting

Thursday, October 27, 2011  
8:32 a.m. - 4:55 p.m.  
William Hobby Building  
333 Guadalupe, Tower II, Room 225  
Austin, Texas 78704

### Present:

Kristin K. Benton, President  
Richard R. Gibbs, Vice-President  
Deborah Bell  
Sheri Crosby  
Marilyn Davis  
Kathy Leader-Horn  
Mary LeBeck  
Beverley Nutall  
Verna Kathleen Shipp  
Josefina Lujan  
Mary Jane Salgado

### Absent:

Patti Clapp  
Tamara Cowen

### 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  
Lance Brenton, Assistant General Counsel  
Nikki Hopkins, Assistant General Counsel  
Allison Hassinger, Administrative Assistant  
Mary Beth Thomas, Director of Nursing  
Jan Hooper, Nursing Consultant  
Jolene Zych, Nursing Consultant  
Denise Benbow, Nursing Consultant  
Melinda Hester, Nursing Consultant  
Linda Laws, 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  
Amanda Crider, Information Technology Specialist

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AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 8:32 a.m, Thursday, October 27, 2011.	
<b>ROLL CALL</b>	A quorum was established with eleven members in attendance, Board Members Tamara Cowen and Patti Clapp were absent.	
<b>INTRODUCTIONS</b>	Board members and staff introduced themselves to the audience.	
<b>ACCEPTANCE OF AGENDA</b>	The Board reviewed the agenda.	The Agenda was approved.
<b>ACCEPTANCE OF MINUTES</b>	The Board reviewed the minutes from the July 20, 2011 Board Development and July 21-22, 2011 Board Meeting.	The Board approved the minutes from the July 20, 2011 Board Development and July 21-22, 2011 Board Meeting.
<b>CONSENT AGENDA ITEMS</b>		<p>The Consent agenda was reviewed and approved with the following amendments:</p> <p>Agenda Item 3.2.7. Report of Pilot Paper Audit Survey in Lieu of Site Visit - Navarro College in Corsicana, Texas - Vocational Nursing Education Program was pulled from the Consent Agenda.</p> <p>Agenda Item 8.1. Agreed Orders Deborah Bell recused herself from the consideration and vote on Agreed Orders of: David Spence Abramson, RN #710901 Casimiro Benavidez IV, LVN #213487 Tammy J. Bond, RN #617268 Omar Emilio Sandoval, RN #708307 Amy Michelle Straley, RN #688202 James H. Winston, RN #256870</p>
2.1. Financial Statement - 4 <sup>TH</sup> Quarter, Fiscal Year 2011		<i>Approved on Consent.</i>
2.2. Continuing Education Pre-Renewal Audit Report/ - 4 <sup>TH</sup> Quarter, Fiscal Year 2011		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
3.1.1. <i>Promoting Competency Report</i>		<i>Approved on Consent.</i>
3.2.1. <i>Status Report on Inquiries, Proposals, and Approval Status of New Nursing Educational Programs</i>		<i>Approved on Consent.</i>
3.2.2. <i>Status Report on Programs with Sanctions</i>		<i>Approved on Consent.</i>
3.2.3. <i>Report on Communication Activities with Nursing Education Programs</i>		<i>Approved on Consent.</i>
3.2.4. <i>St. Philip's College in San Antonio, Texas - Associate Degree Nursing Education Program - Teach Out Report</i>		<i>No action. Informational report only.</i>
3.2.5. <i>Notification of Closure of Nursing Education Program - Childress Regional Medical Center in Childress, Texas - Vocational Nursing Education Program</i>		<i>Approved on Consent.</i>
3.2.6. <i>Report of Joint Survey Visit to Galen College of Nursing in San Antonio, Texas - Vocational Nursing Education Program</i>		<i>Approved on Consent.</i>
5.1.1. <i>Eligibility and Disciplinary Committee</i>		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
5.1.2. Strategic Planning - 4 <sup>TH</sup> Quarter, Fiscal Year 2011		Approved on Consent.
6.1. Nurse Licensure Compact Update		Approved on Consent.
6.2. Adoption of New 22 Tex. Admin. Code §217.21, Pertaining to Remedial Education Course Providers and Remedial Education Courses and Related Amendments to §223.1, Pertaining to Fees		Approved on Consent.
6.3. Adoption of Amendments to 22 Tex. Admin. Code §223.1, Pertaining to Fees		Approved on Consent.
6.4. Adoption of Rule Reviews for 22 Tex. Admin. Code Chapters 211, 217, 219, and 223		Approved on Consent.
7.1. Texas Peer Assistant Program for Nurses 7.1.1. Quarterly Report		Approved on Consent.
8.1. Agreed Orders	<p><b>M. Betty Abidde, RN #572356 / LVN #133001</b></p>	<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p> <p><b>Reprimand with Stipulations.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>David Spence Abramson, RN #710901</b></p>	<p><i>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 indirect supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p><b>Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order.</b></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of three years with the following agreed terms of probation: Within forty five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; 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 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 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; 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b><i>Brittni Kay Aldridge, RN #782191 / LVN #199897</i></b></p> <p><b><i>Elizabeth Ann Anderson, LVN #192149</i></b></p> <p><b><i>Brenda Baggs, RN #653074</i></b></p>	<p><i>for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b><i>Warning with Stipulations.</i></b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p><b><i>Warning with Stipulations.</i></b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. 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; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b><i>Warning with Stipulations.</i></b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Eileen T. Baker, RN #254696 / LVN #29356</i></p> <p><i>Selma S. Bemister, RN #667484</i></p>	<p><i>board approved course in medication administration; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall participate in therapy with a board approved therapist and shall cause quarterly written reports regarding Respondent's progress in therapy to be submitted to the board until Respondent is released from therapy.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. It is further agreed, that upon full compliance with the terms of this order Respondent's licenses to practice nursing shall remain in INACTIVE status and Respondent shall not return to the practice of nursing. Should Respondent desire to reactivate her licenses and return to the practice of nursing, Respondent shall first obtain authorization from the Board by filing a petition for exception to this order.</i></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of one year with the following agreed terms of probation: Within forty five days of the suspension Respondent shall pay a monetary fine in the amount of \$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved</i></p>









AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Eileen Carney, LVN #207157</b></p>	<p><i>Within forty five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; 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 family nurse practitioner or 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; Should Respondent choose to practice as a FNP under this order Respondent shall have direct supervision, by a FNP or physician, with employment restrictions for the first year of employment as a FNP under this order; Respondent shall have in-direct supervision, by a FNP or physician, with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and probated for a period of three years with the following agreed terms of probation: Within sixty days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$600. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Laurie Kristina Castillo, LVN #214220</b></p>	<p><i>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 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 under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall 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; and Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$600. Within one year of the stay Respondent shall successfully complete</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Cheryl Denean Chapman, LVN #179542</b></p>	<p><i>a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Reprimand with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for 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</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 961 870 989"><b>Brandy Michelle Crouch, RN #789535</b></p> <p data-bbox="407 1230 870 1257"><b>Paula Audra Davenport, LVN #114738</b></p>	<p data-bbox="945 300 1466 905"><i>shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p data-bbox="945 961 1466 1171"><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. The order of the board issued to Respondent on June 8, 2010, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</i></p> <p data-bbox="945 1230 1466 1927"><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; a board approved course in medication administration; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>





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	<p><b>Natalie Suzanne Fincannon, LVN #178331</b></p> <p><b>Mayra Yvette Fortuna, RN #774225</b></p>	<p><i>Louisiana State Board of Nursing to submit quarterly written reports regarding Respondent's compliance with the order and Respondent shall cause the Louisiana State Board of Nursing to submit written verification of Respondent's successful completion of that order.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 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; shall cause each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving Respondent, as well as documentation of any internal investigations regarding action by Respondent to the attention of monitoring at the board's office; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Rubin Cruz Garcia, LVN #185320</b></p>	<p><i>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><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and probated for a period of three years with the following agreed terms of probation: Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$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. 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 under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall</i></p>

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	<p><b>Tiffany Gehlhaar, RN #646744</b></p>	<p><i>attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment and sobriety the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty five days of 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; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance;</p>











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	<p><b>Edith Alexander Lewis, LVN #97921</b></p>	<p><i>with the following agreed terms of probation: Within forty five 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; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; 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><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse in Texas,</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Connie Lee Markel, RN #705784 / LVN #186227</b></p> <p><b>Stacy Lee Martinez, LVN #219363</b></p> <p><b>Antoinette Meaderis, RN #695375</b></p>	<p><i>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; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in 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; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Warning with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; 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; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Reprimand with Stipulations.</b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in medication administration; a board approved course in physical assessment; and a board approved course in sharpening critical thinking skills.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 810 821 835"><b>Perry William Moore, RN #583686</b></p> <p data-bbox="407 1507 846 1533"><b>Darrell Derwin Myles, LVN #160786</b></p>	<p data-bbox="945 300 1466 751"><i>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="945 810 1466 1444"><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; Respondent shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="945 1507 1466 1992"><b>Reprimand with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$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 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:</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Jessica Marie Prasek, RN #789619</b></p>	<p><i>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 \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; 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><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension</p>









AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Amy Michelle Straley, RN #688202</b></p>	<p><i>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><b>Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order.</b></p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and probated for two years with the following agreed terms of probation: Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$750. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas Respondent shall either provide direct patient care and practice in a hospital, nursing home, or other clinical setting except that Respondent may practice as an assistant simulation lab coordinator at Anamarc College where she is currently employed if not seeking to work in direct patient care. Respondent must work in such setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall 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</p>







AGENDA ITEM	DISCUSSION	ACTION
	<p><b>James H. Winston, RN #256870</b></p>	<p><i>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 cause each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving Respondent, as well as documentation of any internal investigations regarding action by Respondent to the attention of monitoring at the board's office; It is further agreed that Respondent may be employed by RPNT Acute Services, Inc. While under this order, should Respondent cease working at RPNT Acute Services, Inc. Respondent must comply with the following stipulation: Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; and Respondent shall cause his probation officer to submit quarterly written reports regarding Respondent's compliance with this court ordered probation until released from probation.</i></p> <p><b>Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order.</b></p> <p><b>Warning with Stipulations.</b> <i>Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment, Respondents current employment with Baptist Health System Vocational Nursing Education Program will</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Theresa A. Wright, RN #500860</b></p>	<p><i>satisfy this requirement for direct patient care, while in his position as instructor with Baptist Health System the Respondent remains subject to the following stipulations: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall cause each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving Respondent, as well as documentation of any internal investigations regarding action by Respondent to the attention of monitoring at the board's office; Respondent shall participate in therapy with a LSOTP with credentials approved by the board and shall cause the therapist to submit quarterly written reports regarding Respondent's progress until released from therapy.</i></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension STAYED and probated for two years with the following agreed terms of probation: Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. 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 indirect supervision with employment restrictions for the duration of the stipulation period; Respondent shall cause each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving Respondent, as well as documentation of any internal investigations regarding action by Respondent to the attention of monitoring at the board's office; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent</i></p>







AGENDA ITEM	DISCUSSION	ACTION
<p><b>8.3. REINSTATEMENT AGREED ORDERS</b></p>	<p><b>Billie Jean Dunn, LVN #192287</b></p>	<p><i>course in nursing jurisprudence and ethics; a board approved course in nursing documentation; and a board approved course in sharpening critical thinking skills. Should Petitioner choose to practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; should Petitioner choose to work as a PNP Petitioner's practice of professional nursing will be monitored for one year by a pediatrician or pediatric nurse practitioner who has been approved by the board. It is further agreed, that upon full compliance with the terms of the order, including the successful completion of the required period of deferral, the complaint will be dismissed and this order will become confidential.</i></p> <p><b>Reinstated with Stipulations.</b> <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. The following terms of this probation may only be served while Petitioner is employed as a nurse in a hospital, nursing home, or other clinical practice setting for one year of probation: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall have indirect supervision with employment restrictions for the duration of the stipulation period; and Petitioner shall cause her probation office to submit quarterly written reports regarding her compliance with her court ordered probation until released from probation.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Stephanie Tylene Galvan (Fry), RN #631080</b></p>	<p><b><i>Reinstated with Stipulations.</i></b> <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall apply for a six month clinical permit for the limited purpose of completing a refresher course and shall successfully complete a board approved refresher course; Within forty five days of relicensure Petitioner shall pay a monitoring fee in the amount of \$500. Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Petitioner is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances for the first year of employment under this order; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; Petitioner shall participate in therapy with a professional counselor approved by the board and shall cause quarterly written reports regarding her progress in therapy to be submitted to the board until Petitioner is released from therapy; Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Petitioner shall participate in pain management therapy with a board approved medical doctor or doctor of osteopathy, Petitioner shall cause the physician to submit quarterly written reports regarding Petitioner's progress and compliance with pain management therapy until Petitioner no longer requires the use of</i></p>







AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Candice Marie Caballero, Petitioner for Eligibility for Licensure (RN)</b></p>	<p><i>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; 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; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse and or 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:</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 747 917 806"><b><i>Dianne Bass Carpenter, Petitioner for Eligibility for Licensure (LVN)</i></b></p> <p data-bbox="407 1688 917 1747"><b><i>Cynthia Noemi Colchado, Petitioner for Eligibility for Licensure (RN)</i></b></p>	<p data-bbox="945 300 1468 688"><i>Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p> <p data-bbox="945 747 1468 1629"><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 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 two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="945 1688 1468 1984"><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse and or graduate vocational nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN</i></p>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Audrey Rebecca Garcia, Petitioner for Initial Licensure (RN)</b></p>	<p><i>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-PN 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; 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,</i></p>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Makeba Danielle Lamb, Petitioner for Initial Licensure (LVN)</b></p>	<p><i>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; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN and/or NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse and/or 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 two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of</i></p>





AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Deven Michelle Portier, Petitioner for Initial Licensure (LVN)</b></p>	<p><i>graduate nurse and/or graduate vocational nurse in the State of Texas. Petitioner, upon attaining a passing grade on the NCLEX-PN 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 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; 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,</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Heidi Anne Rounsaville (Cannon), Eligibility for Licensure by Endorsement (RN)</b></p>	<p><i>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 Eligibility for Licensure by Endorsement. The application of Petitioner is hereby granted and upon payment of the required fees, Petitioner shall be issued the applicable license to practice nursing in the State of Texas which shall be subject to the following stipulations:</i></p> <p><b>Enforced Suspension.</b> <i>Petitioner's license is hereby suspended with said suspension enforced until Petitioner 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 Petitioner will be placed on Probation for three years with the following agreed terms of probation: Within forty five days of licensure Petitioner shall pay a monitoring fee in the amount of \$500. Within one year of the stay Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics. The following terms of this probation may only be served while Petitioner is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances for the first year of employment under this order; Petitioner shall abstain from the consumption of alcohol,</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Taylor Simmons, Petitioner for Eligibility for Licensure by Endorsement (RN)</b></p>	<p><i>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 Eligibility for Licensure by Endorsement. The application of Petitioner is hereby granted and upon payment of the required fees, Petitioner shall be issued the applicable license to practice nursing in the State of Texas which shall be subject to the following stipulations: Within forty five days of licensure Petitioner shall pay a monetary fine in the amount of \$500. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in sharpening critical thinking skills. 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 three years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; Petitioner shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances for the first year of employment under this order; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance.</i></p>



AGENDA ITEM	DISCUSSION	ACTION
<p>1. <b>ADMINISTRATION</b> 1.1. Executive Director's Report</p>	<p><i>Beatrice Trevino, Petitioner for Initial Licensure (LVN)</i></p> <p>Katherine Thomas reviewed her written report to the board.</p>	<p><i>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 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 two years of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall 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>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<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:</p> <p><b>Amy Bagley Krenek and Victor Lara vs. Texas Board of Nursing</b>, Cause No. D-1-GN-08-002763, In the 419<sup>th</sup> Judicial District, Travis County, TX;</p> <p><b>Amy Bagley Krenek RN, vs. Texas Board of Nursing</b>, Cause No. D-1-GN-09-001195, In the 419<sup>th</sup> Judicial District, Travis County, TX;</p> <p><b>Texas Board of Nursing vs. Greg Abbott, Attorney General of Texas</b>, Cause No. D-1-GN-09-003960, In the 353<sup>rd</sup> Judicial District, Travis County, TX;</p> <p><b>Brian Zalesky vs. Texas Board of Nursing</b>, Cause No. D-1-GN-09-004403; In the 250<sup>th</sup> Judicial District, Travis County, TX;</p> <p><b>Ex Parte Brian</b></p>	<p>Dusty Johnston presented an update on all currently pending litigation.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>Zalesky</b>, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas;  <b>Bonafacio Espinoza vs. Texas Board of Nursing</b>, Cause No. 219-05095-2009, In the 219<sup>th</sup> Judicial District, Collin County, TX;  <b>Bernardino Pedraza, Jr. vs. Texas State Board of Nursing</b>, Cause No. C-2541-10-B; In the 93<sup>rd</sup> Judicial District, Hidalgo County, TX; and  <b>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</b>; United States District Court - Western District, Austin Division; Case No. A10-CA-669LY.</p>		
<p>1.3. Presentation of Fiscal Year 2011 Trend Data</p>	<p>Katherine Thomas presented a power point on the fiscal year 2011 trend data.</p>	<p>No action.</p>
<p><b>3. NURSING</b>  <b>3.2. Education</b>  3.2.7. Report of Pilot Paper Audit Survey in Lieu of Site Visit - Navarro College in Corsicana, Texas - Vocational Nursing Education Program</p>	<p>The Board reviewed the report on the Pilot Paper Audit Survey in Lieu of a Site Visit - Navarro College in Corsicana, Texas - Vocational Nursing Education Program.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.8. Consideration of Change of Approval Status from Conditional to Full Approval - West Texas A&amp;M University in Canyon, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>The Board considered the Change of Approval Status from Conditional to Full Approval - West Texas A&amp;M University in Canyon, Texas - Baccalaureate Degree Nursing Education Program. Helen Reyes, Nurse Educator, Departemnt Head; J. Dirk Nelson, Dean, College of Nursing Health Sciences; and Deborah Davenport, Educator were present to answer questions.</p>	<p>The Board voted to change the approval status of West Texas A &amp; M University in Canyon, Texas Baccalaureate Degree Nursing Education Program from Conditional to Full Approval.</p>
<p>3.2.9. Report of Joint Survey Visit and Status of Programs - Dallas Nursing Institute in Dallas, Texas - Vocational and Professional Nursing Education Programs</p>	<p>The Board considered the Report of Joint Survey Visit and Status of Programs - Dallas Nursing Institute in Dallas, Texas - Vocational and Professional Nursing Education Programs. Pat Perryman, Program Director; Gwendolyn Gaston, ADN Nursing Director; and Patricia Wilson, RN, Associate Vice-President of Accreditation were present to answer questions.</p>	<p><b>Board Member Josefina Lujan abstained from the vote on this agenda item.</b>  <b>Board Member Beverly Nutall abstained from the vote on this agenda item.</b>  <b>Board Member Sheri Crosby voted to oppose the approval of this agenda item.</b>  The Board voted to accept the survey visit to DNI on April 26, 2011, and issue the following requirement: Rule 214.8(a) related to <i>Students</i> states that "The number of students admitted to the program shall be determined by the number of qualified faculty, adequate educational facilities and resources, and the availability of appropriate clinical learning experiences for students." <b>Therefore</b>, the program shall adjust the number of new students being admitted to the vocational nursing program to fifty (50) students per quarterly enrollment to ensure that there are available clinical learning experiences for all enrolled students. Students enrollment in the ADN program shall be not more than fifty (50) students twice a year until the program is on full approval. A requirement is a mandatory criterion based on program assessment directly related to the rule that must be addressed in the manner prescribed. Please provide the plan for adjusting enrollment to match contracted clinical learning experiences to Board Staff by December 1, 2011.</p>
<p>3.2.10. Public Hearings on Proposals to Establish New Nursing Educational Programs</p> <p>3.2.10.a. Sanford-Brown College in</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing</p>	<p><b>Board Member Mary LeBeck voted to oppose the approval of this agenda item</b></p>

AGENDA ITEM	DISCUSSION	ACTION
Dallas, Texas - Associate Degree Nursing Education Program	<p>Educational Program - Sanford-Brown College in Dallas, Texas - Associate Degree Nursing Education Program .</p> <p>The Board considered Sanford-Brown's proposal to establish a new associate degree nursing education program in Dallas, Texas, and the report of the survey visit.</p> <p>George Chip Dairy, Director of Education; David Bowman, Campus President/CEO; Rebecca A. Jones, RN, National Director; and Karen Given, RN were present to answer questions.</p>	<p>The Board voted to grant initial approval to Sanford-Brown College - Dallas to establish a new Associate Degree Nursing Education Program in Dallas, Texas, with an initial cohort of 30 students to begin in March 2012 with two subsequent cohorts of 30 students each to begin in October 2012 and March 2013, based upon the proposal and survey visit.</p>
3.2.10.b. Bell Tech Career Institute in Houston, Texas - Vocational Nursing Education Program	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program Bell Tech Career Institute in Houston, Texas - Vocational Nursing Education Program.</p> <p>The Board considered Bell Tech Career Institute's proposal to establish a new Vocational Nursing Education Program in Houston, Texas, and the report of the survey visit.</p> <p>Fay E. McClay, RN; Bobby Greenwood, RN; and Bello Kikelomo, RN were present to answer questions.</p>	<p>The Board voted to grant initial approval to Bell Tech Career Institute in Houston, Texas with an initial cohort of 30 students beginning in November 2011, with the next admission in 2012 of thirty students, based upon the proposal and survey visit.</p>
3.2.11. Consideration of Partial Refund of the Application Fee for A New Nursing Program Proposal	<p>The Board reviewed and considered the report on the Partial Refund of the Application Fee for A New Nursing Program Proposal.</p>	<p><b>Board Members Sheri Crosby, Deborah Bell, and Mary Jane Salgado voted to oppose the approval of this agenda item.</b></p> <p>The Board voted to refund \$1250 of the new proposal application fee to programs when a proposal is unacceptable. If the program proceeds with proposal development, they must repay the \$1250 when the proposal is considered ready for presentation to the Board at a regularly scheduled Board meeting.</p>
3.2.12. Feedback from Constituents Related to the Need for Additional Programs Across Texas	<p>The Board reviewed the feedback from Constituents Related to the Need for Additional Programs Across Texas.</p>	<p>No action.</p>
<b>4. ENFORCEMENT</b> 4.1. Criminal Background Check Update	<p>The board reviewed the statistical report provided regarding criminal background checks.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>5. COMMITTEE REPORTS</b></p> <p><b>5.2. Advisory Committees/Task Forces</b></p> <p>5.2.1. Advanced Practice Nurses Advisory Committee</p> <p>5.2.1.a. Consideration of Appointment of New Committee Member</p> <p>5.2.2. Nursing Practice Advisory Committee</p> <p>5.2.3. Advisory Committee on Education</p> <p>5.2.3.a. Consideration of Request for Charges to the Advisory Committee on Education</p> <p>5.2.3.b. Consideration of Appointment of Members to the Advisory Committee on Education</p>	<p>Jolene Zych reported that the committee met on October 3, 2011 and provided the minutes from the March, 2011, meeting for the board to review.</p> <p>The Board considered the nomination of Lara Boyett to serve as the Texas Nurse Practitioners' representative to the Advanced Practice Nursing Advisory Committee.</p> <p>No report.</p> <p>No report.</p> <p>The Board considered Staff's request for the Board to approve and issue a new charge to the Advisory Committee on Education (ACE) regarding rule changes related to preceptors, petitions for waivers for faculty and director qualifications, proposal process for new nursing programs, approval of extension sites/campuses, online instruction, articulation agreements for ADN programs, and an inclusion of geriatric and end-of-life care in the professional nursing education curriculum.</p> <p>The Board considered Staff recommendations regarding nominations for committee members for the Advisory Committee on Education (ACE).</p>	<p>No action.</p> <p>The Board voted to accept and approve the nomination of Lara Boyett to serve as the Texas Nurse Practitioners' representative to the Advanced Practice Nursing Advisory Committee.</p> <p>No action.</p> <p>No action.</p> <p>The Board voted to approve and issue a new charge to the Advisory Committee on Education (ACE) regarding rule changes related to preceptors, petitions for waivers for faculty and director qualifications, proposal process for new nursing programs, approval of extension sites/campuses, online instruction, articulation agreements for ADN programs, and an inclusion of geriatric and end-of-life care in the professional nursing education curriculum.</p> <p>The Board voted to accept and approve the nominations for ACE membership as follows:  LVNAT - Peggy Roberts, LVN  TAVNE - Betty Sims, MSN, RN  TOBGNE - Betty Adams, PhD, RN  TOADN - Nancy Walters, MSN, RN  TLVN - None identified  TONE - Kendra Slatton, MSN, RN  TNA - Susan Sportsman, PhD, RN  TADDPNS - LeAnn Wagner, MSN, RN  Career Colleges &amp; Schools - Nancy Maebius, PhD, RN  Hospital-based VN Schools - Beverly Skloss, MSN, RN</p>

AGENDA ITEM	DISCUSSION	ACTION
5.2.5. Advisory Committee on Deferred Disciplinary Action Pilot Program	Jena Abel reported the committee has not met since the last Board meeting. However, the DDAPPAC will be meeting on Friday, December 9, 2011. At that meeting, Staff will present data that was requested by the Committee at its last meeting and Dr. Heather Becker will give a presentation. Dr. Becker holds a doctorate in Educational Psychology with a specialization in program evaluation from The University of Texas at Austin and is a research scientist at The University of Texas at Austin School of Nursing. Dr. Becker will help the Committee determine the types of information it should be collecting and reviewing in order to evaluate the pilot program, in anticipation of developing a report for the Legislature next fall.	No action.
5.2.6. Task Force on Delegation	No report.	No action.
5.2.6.a. Consideration of Appointment of Members to the Task Force on Delegation	The Board considered the appointment of members to the Task Force on Delegation.	<p>The Board voted to accept and approve the appointment of members to the Task Force on Delegation - Candidates that participate on the Nursing Practice Advisory Committee (NPAC) are highlighted with asterisks (*):</p> <p><b>Chapter 224 Candidates</b></p> <p>Diane Moy, RN – Consultant *</p> <p>Elizabeth Sjoberg, RN - Texas Hospital Association*</p> <p>Elizabeth Skelton, RN – Department of Aging and Disability Services</p> <p>Julie Withaeger, RN – Texas Nurses Association*</p> <p>Kathy Griffin, RN – Department of State Health Services*</p> <p>Laura Miller, RN – Texas Organization of Nurse Executives*</p> <p>Pam Brashears, LVN – Texas League of Vocational Nurses*</p> <p>Vicky Ragsdale, RN – Texas Association of Homes and Services*</p> <p>Mike Jones, RN - Correctional Health, TTUHSC</p> <p>Mary Noel, RN - School for the Blind</p> <p>Amanda Fredriksen - AARP Consumer</p> <p>Jim Willmann, JD – Texas Nurses Association</p> <p>TBA Director of Practice – Texas Nurses Association</p> <p><b>Chapter 225 Candidates</b></p> <p>Julie Lindley, RN – Texas School Nurses Organization*</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>5.3. Collaboration with Outside Agencies / Stakeholders</b></p> <p>5.3.2. Texas Higher Education Coordinating Board Updates</p> <p>5.3.3. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)</p> <p>5.3.4. Texas Team Report, Robert Wood Johnson Nursing Education Capacity Expansion</p> <p>5.3.5. National Council of State Boards of Nursing</p> <p>5.3.5.a. Report of the NCSBN 2011 Delegate Assembly</p>	<p>Mary Beth Thomas reported that the THECB has funded a Perkins grant to investigate changing THECB requirements for associate degree RN programs.</p> <p>Mary Beth Thomas gave a verbal summary of the written report on TERCAP.</p> <p>Mary Beth Thomas reported that the Texas Team has been designated as a Regional Action Coalition to assist in implementing strategies from the IOM Future for Nursing Campaign for Nursing.</p> <p>No report.</p> <p>Katherine Thomas reported on the Highlights of some of the significant actions approved by the member boards of nursing</p>	<p>Daneen Machicek, RN - Department of Aging and Disability Services  Rachel Hammon, RN – Texas Association for Home Care &amp; Hospice*  Julie Withaeger, RN – Texas Nurses Association*  Ramona Gaston-McNutt, RN – Department of Aging and Disability Services  Diane Moore, RN – Developmental Disabilities Nurses Association  Bob Kafka – ADAPT of Texas  Ron Cranston – ADAPT of Texas  Susan Murphree – Advocacy, Inc.  Roger Webb – Texas Council for Developmental Disabilities  Michelle Jeffers, RN – Hospice of Austin  Jim Willmann, JD – Texas Nurses Association  TBA Director of Practice – Texas Nurses Association  Amanda Fredriksen - AARP Consumer</p> <p>No action.</p> <p>No action.</p> <p>No action.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
and Annual Meeting	<p>at the 2011 Delegate Assembly and Annual Meeting:            Adoption of revisions to the Uniform Licensure Requirements;            Election of officers for the NCSBN Board of Directors and Leadership Succession Committee; and            Acceptance of the Singapore Nursing Board and College of Registered Nurses of Nova Scotia as associate members of NCSBN.</p>	
<b>OPEN FORUM:</b>	<p>Kristin Benton announced the format and invited participation from the audience.</p> <p>Dr. Wanda Sparks, Our Lady of the Lake, RN to BSN Program spoke to request directives from the board on clinical components for online programs.</p> <p>No other speakers came forward and the Open Forum was closed at 1:37 p.m.</p>	No action.
<b>6. OLD BUSINESS</b> 6.5. Report on Implementation of the Department of Aging and Disability and Texas Board of Nursing Memorandum of Understanding Pertaining to SB 1857, 82 <sup>ND</sup> Texas Legislature	Melinda Hester provided a summary of the written report on the Implementation of the Department of Aging and Disability and Texas Board of Nursing Memorandum of Understanding Pertaining to SB 1857, 82 <sup>ND</sup> Texas Legislature.	No action.
6.6. Review of Frequently Asked Questions on Position Statement 15.27, The LVN Scope of Practice and 15.28, The RN Scope of Practice	Melinda Hester provided a summary of the written report on the Frequently Asked Questions on Position Statement 15.27, The LVN Scope of Practice and 15.28, The RN Scope of Practice.	No action.
6.7. Consideration of Findings and Implications of the Commitment to Ongoing Regulation	Katherine Thomas provided a summary of the written report on the Consideration of Findings and Implications of the Commitment to Ongoing Regulation Excellence Report (CORE) for 2010,	No action.

AGENDA ITEM	DISCUSSION	ACTION
Excellence Report (CORE) for 2010	including increase in communication with employers, completing criminal background check renewal audits, reducing time to issue licenses by endorsement, improving telephone response time, planning additional educational offerings, and improving complaint resolution times.	
<b>7. NEW BUSINESS</b>		
7.1. Texas Peer Assistance Program for Nurses (TPAPN)		
7.1.2. Texas Peer Assistance Program for Nurses Advisory Committee	Denise Benbow reported that the Texas Peer Assistance Program for Nurses (TPAPN) Advisory Committee met on September 2, 2011. The newly revised TPAPN participant handbook, forms and brochure were shared with the advisory committee. As a result of the long standing issues with the case management software, TPAPN has decided to change to a different software company. There was discussion on gaps identified and potential next steps between NCSBN program guidelines and the TPAPN program. Next meeting will be December 2, 2011.	No action.
7.1.3. Texas Peer Assistance Program for Nurses Third Party Referral Report	Tony Diggs reviewed the written report with the board.	No action.
7.2. Consideration of Request to Establish a Task Force to Study Implications of the Growth of Texas Nursing Education Programs	The Board considered Staff's Request to Establish a Task Force to Study Implications of the Growth of Texas Nursing Education Programs.	The Board voted to establish a task force to study implications of the growth of Texas nursing programs with members representing nursing practice and education constituents.
7.3. Consideration of Developmental Disability Nurses Certification Approval	The Board considered the Developmental Disabilities Nurses Association (DDNA) certification in Developmental Disabilities for LVNs and for RNs and Staff's request for board approval to add the two certifications offered by this organization to the list of approved certifications to increase the options for LVNs and to add an approved	The Board voted to approve the addition of the two certifications offered by the DDNA to the approved certifications for demonstrating continuing competency.

AGENDA ITEM	DISCUSSION	ACTION
<p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.5, Pertaining to <i>Temporary License and Endorsement</i> and §217.6, Pertaining to <i>Failure to Renew License</i></p>	<p>certification in a specialty not addressed by any of the currently approved certifications.</p> <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.5, Pertaining to <i>Temporary License and Endorsement</i> and §217.6, Pertaining to <i>Failure to Renew License</i>.</p>	<p>The Board voted to approve the proposed amendments to §217.6, pertaining to <i>Failure to Renew License</i>, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code §217.6, pertaining to <i>Failure to Renew License</i>, as proposed.</p>
<p>7.5. Consideration of New 22 Tex. Admin. Code §217.22, Pertaining to <i>Special Accommodations</i></p>	<p>The Board considered proposed New 22 Tex. Admin. Code §217.22, Pertaining to <i>Special Accommodations</i>.</p>	<p>The Board voted to approve proposed new §217.22, pertaining to <i>Special Accommodations</i>, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, move to adopt proposed new 22 Tex. Admin. Code §217.22, pertaining to <i>Special Accommodations</i>, as proposed.</p>
<p>7.6. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.9, Pertaining to <i>Inactive Status</i></p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.9, Pertaining to <i>Inactive Status</i>.</p>	<p>The Board voted to approve the proposed amendments to §217.9, pertaining to <i>Inactive Status</i>, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the <i>Texas Register</i>. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code §217.9, pertaining to <i>Inactive Status</i>, as proposed.</p>
<p>7.7. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.19, Pertaining to <i>Incident-Based Nursing Peer Review and Whistleblower Protections</i> and §217.20, Pertaining to <i>Safe Harbor Peer</i></p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.19, Pertaining to <i>Incident-Based Nursing Peer Review and Whistleblower Protections</i> and §217.20, Pertaining to <i>Safe Harbor Peer Review and Whistleblower Protections</i>.</p>	<p>The Board voted to approve the proposed amendments to 22 Tex. Admin. Code §217.19, pertaining to <i>Incident-Based Nursing Peer Review and Whistleblower Protections</i> and §217.20, pertaining to <i>Safe Harbor Peer Review and Whistleblower Protections</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,</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Review and Whistleblower Protections</i></p>		<p>move to adopt the proposed amendments to 22 Tex. Admin. Code §217.19, pertaining to <i>Incident-Based Nursing Peer Review and Whistleblower Protections</i> and §217.20, pertaining to <i>Safe Harbor Peer Review and Whistleblower Protections</i>, as proposed.</p>
<p>7.9. Status Report on Providers for Continuing Nurse Education Offerings for LVNs</p>	<p>Bonnie Cone reported that Staff was asked to provide information related to providers who approve continuing education for LVNs to count towards licensure renewal, the Board recognizes the National Federation of Licensed Practical Nurses (NFLPN) to approve programs and CNE offerings. In addition, the Board also recognizes the Licensed Vocational Nurses Association of Texas (LVNAT) and the Texas League of Vocational Nurses (TLVN) as providers of CE for LVNs. This information is available to all nurses on our website and is available in "Continuing Competency: Lifelong Learning Understanding and Complying with the Continuing Competency Requirements, including Continuing Education, for Nurses in Texas".</p>	<p>No action.</p>
<p><b>ADJOURNMENT</b></p>	<p>Having completed this day's business the meeting adjourned at 5:26 p.m.</p>	

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**TEXAS BOARD OF NURSING**

## Regular Meeting

Friday, October 28, 2011

8:35 a.m. - 1:00 p.m.

William Hobby Building

333 Guadalupe, Tower II, Room 225

Austin, Texas 78704

Present:

Kristin K. Benton, President

Richard R. Gibbs, Vice-President

Deborah Bell

Sheri Crosby

Marilyn Davis

Kathy Leader-Horn

Mary LeBeck

Beverley Nutall

Verna Kathleen Shipp

Josefina Lujan

Mary Jane Salgado

Absent:

Patti Clapp

Tamara Cowen

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

Lance Brenton, Assistant General Counsel

Nikki Hopkins, Assistant General Counsel

Allison Hassinger, Administrative Assistant

Mary Beth Thomas, Director of Nursing

Jan Hooper, Nursing Consultant

Jolene Zych, Nursing Consultant

Denise Benbow, Nursing Consultant

Melinda Hester, Nursing Consultant

Linda Laws, 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

Amanda Crider, Information Technology Specialist

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AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 8:35 a.m, Friday, October 28, 2011.	
<b>ROLL CALL</b>	A quorum was established with eleven members in attendance, Board Members Tamara Cowen and Patti Clapp were absent.	
<b>5. COMMITTEE REPORTS</b>		
<b>5.1. Board Committees</b>		
5.1.3. Development and Evaluation	Richard Gibbs discussed having the TPAPN Drug Testing training at the January board meeting. Information regarding the BON drug testing practices will also be provided at the January board meeting.	No action.
<b>5.2. Advisory Committees/Task Forces</b>		
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	No report.	No action.
<b>5.3. Collaboration with Outside Agencies / Stakeholders</b>		
5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee	Richard Beard, Co-Chair, for the Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee reported that the most recent meeting was held by telephone conference. During that meeting new committee members were appointed, an operating plan was adopted and they now have three staff members. It was also approved that the committee would have three meetings per year with two of three meeting to be held by telephone conference due to budget constraints.	No action.
<b>7. NEW BUSINESS</b>		
7.8. Consideration of Changing Board Policy Permitting Individuals to Appear Before the	The Board considered and discussed Changing Board Policy Permitting Individuals to Appear Before the Board Prior to a Decision on a Proposal For Decision and Consideration of Related Proposed	<b>Board Members Kathy Leader Horn and Marilyn Davis voted to oppose this agenda item.</b> The Board voted to make no changes to the Board's current policy and continue to permit

AGENDA ITEM	DISCUSSION	ACTION
<p>Board Prior to a Decision on a Proposal For Decision and Consideration of Related Proposed Amendments to 22 Tex. Admin. Code §213.23(d), Pertaining to <i>Decisions of the Board</i></p> <p><b>8. PROPOSED BOARD ORDERS</b></p> <p><b>8.5. ALJ Proposals for Decision</b></p> <p>8.5.1. Docket No. 507-11-3807, In the Matter of Petition for Declaratory Order and Application for Initial Licensure Made By <b>BRENDA ANN BARRAZA</b></p> <p>8.5.1.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3807</p> <p>8.5.1.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-3807, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.1.c. Consideration of Recommendation by <b>BRENDA ANN BARRAZA</b>, Docket No. 507-11-3807</p>	<p>Amendments to 22 Tex. Admin. Code §213.23(d), Pertaining to <i>Decisions of the Board</i>.</p> <p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No.507-11-3807, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modification.</p>	<p>Respondents to make oral presentations regarding PFDs to the Board at its quarterly meetings, in accordance with the Board's rules. In addition the Board directed Staff to do a study on the amount of time invested by Staff in the preparation of Respondents for presentation at board meetings be studied over the next six months and a report with those findings be brought back to the board at the July, 2012 meeting.</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 deny the Petitioner's request for licensure.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.1.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 and Application for Initial Licensure Made By <b>BRENDA ANN BARRAZA</b></p> <p>8.5.1.e. Convene in Open Session to consider recommendations and take action: In the Matter of Petition for Declaratory Order and Application for Initial Licensure Made By <b>BRENDA ANN BARRAZA</b></p> <p>8.5.2. Docket No. 507-11-2565, In the Matter of Permanent Certificate RN# 534457 and LVN#105866, Issued to <b>THERESSIA L. (RADWAY) BUFFORD</b></p> <p>8.5.2.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2565</p> <p>8.5.2.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2565, Including Adoption of the Proposal for Decision's Findings</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Disposition of Docket No.507-11-2565, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modification.</p>	<p>The Board voted to Modify Conclusion of Law Number Five (5) to correctly reference the Board's unprofessional conduct rule; adopt the remaining Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number Six (6), which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license and pay restitution before being eligible for reinstatement.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>of Fact and Conclusions of Law With Modifications 8.5.2.c. Consideration of Recommendation by <b>THERESSIA L. (RADWAY) BUFFORD</b>, Docket No. 507-11-2565 8.5.2.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN# 534457 and LVN#105866, Issued to <b>THERESSIA L. (RADWAY) BUFFORD</b> 8.5.2.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN# 534457 and LVN#105866, Issued to <b>THERESSIA L. (RADWAY) BUFFORD</b></p> <p>8.5.3. Docket No. 507-11-3799, In the Matter of Permanent Certificate LVN#133636, Issued to <b>BELEN COLORADO</b> 8.5.3.a. Consideration of the Administrative Law Judge's Proposal for</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-3799, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 6, which should be re-designated as a recommendation, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Decision in Docket No. 507-11-3799</p> <p>8.5.3.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-3799, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.3.c. Consideration of Recommendation by <b>BELEN COLORADO</b>, Docket No. 507-11-3799</p> <p>8.5.3.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#133636, Issued to <b>BELEN COLORADO</b></p> <p>8.5.3.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#133636, Issued to <b>BELEN COLORADO</b></p> <p>8.5.4. Docket No. 507-11-3806, In the Matter of Petition for Declaratory Order Made By <b>JUAN CHAVEZ DOMINGUEZ</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-3806, Including Remanding the Matter to the State Office of Administrative Hearings for Further Proceedings.</p>	<p>The Board voted to Remand the case to SOAH for additional proceedings to re-consider the Petitioner's eligibility for licensure under applicable law and Board policy.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.4.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3806</p> <p>8.5.4.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-3806, Including Remanding the Matter to the State Office of Administrative Hearings for Further Proceedings</p> <p>8.5.4.c. Consideration of Recommendation by <b>JUAN CHAVEZ DOMINGUEZ</b>, Docket No. 507-11-3806</p> <p>8.5.4.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 <b>JUAN CHAVEZ DOMINGUEZ</b></p> <p>8.5.4.e. Convene in Open Session to consider recommendations and take action: In the Matter of Petition for Declaratory Order Made By <b>JUAN CHAVEZ DOMINGUEZ</b></p> <p>8.5.5. Docket No. 507-11-5905, In the Matter of</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the ALJ's</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Permanent Certificate LVN#170394, Issued to <b>FLOYD JOSEPH DETIVEAUX</b></p> <p>8.5.5.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-5905</p> <p>8.5.5.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-5905, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.5.c. Consideration of Recommendation by <b>FLOYD JOSEPH DETIVEAUX</b>, Docket No. 507-11-5905</p> <p>8.5.5.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#170394, Issued to <b>FLOYD JOSEPH DETIVEAUX</b></p> <p>8.5.5.e. Convene in Open Session to consider recommendations and take action: In the Matter of</p>	<p>Docket No. 507-11-5905, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>recommendation to revoke the Respondent's license, as is set out in the attached proposed order.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Permanent Certificate LVN#170394, Issued to <b>FLOYD JOSEPH DETIVEAUX</b></p> <p>8.5.6. Docket No. 507-11-6588, In the Matter of Permanent Certificate LVN#120339, Issued to <b>GLEND SUE DUNN</b></p> <p>8.5.6.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-6588</p> <p>8.5.6.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-6588, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.6.c. Consideration of Recommendation by <b>GLEND SUE DUNN</b>, Docket No. 507-11-6588</p> <p>8.5.6.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#120339, Issued to <b>GLEND SUE DUNN</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-6588, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.6.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#120339, Issued to <b>GLENDA SUE DUNN</b></p> <p>8.5.7. Docket No. 507-11-4371, In the Matter of Petition for Reinstatement Made By <b>BONIFACIO ESPINOSA</b></p> <p>8.5.7.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-4371</p> <p>8.5.7.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-4371, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.7.c. Consideration of Recommendation by <b>BONIFACIO ESPINOSA</b>, Docket No. 507-11-4371</p> <p>8.5.7.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Petition for Reinstatement Made By</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-1937, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p><b>Board Member Deborah Bell recused herself from the discussion and vote on this agenda item.</b></p> <p><b>Board Member Kathy Leader-Horn recused herself from the discussion and vote on this agenda item.</b></p> <p>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's request for licensure reinstatement.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>BONIFACIO ESPINOSA</b> 8.5.7.e. Convene in Open Session to consider recommendations and take action: In the Matter of Petition for Reinstatement Made By <b>BONIFACIO ESPINOSA</b></p> <p>8.5.8. Docket No. 507-11-4710, In the Matter of Permanent Certificate RN#703920, Issued to <b>KELLY MICHELLE FREEMAN</b></p> <p>8.5.8.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-4710</p> <p>8.5.8.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-4710, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.8.c. Consideration of Recommendation by <b>KELLY MICHELLE FREEMAN</b>, Docket No. 507-11-4710</p> <p>8.5.8.d. Executive Session pursuant to 551.071(1), Texas Government Code,</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-4710, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#703920, Issued to <b>KELLY MICHELLE FREEMAN</b></p> <p>8.5.8.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#703920, Issued to <b>KELLY MICHELLE FREEMAN</b></p> <p>8.5.9. Docket No. 507-11-6952, In the Matter of Permanent Certificate RN#664308, Issued to <b>LEATTJA JEAN GUILLORY</b></p> <p>8.5.9.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-6952</p> <p>8.5.9.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-6952, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.9.c. Consideration of Recommendation</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-6952, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>by <b>LEATTTA JEAN GUILLORY</b>, Docket No. 507-11-6952</p> <p>8.5.9.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#664308, Issued to <b>LEATTTA JEAN GUILLORY</b></p> <p>8.5.9.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#664308, Issued to <b>LEATTTA JEAN GUILLORY</b></p> <p>8.5.10. Docket No. 507-11-5123, In the Matter of Permanent Certificate LVN#170015, Issued to <b>KEVIN TODD JORDAN</b></p> <p>8.5.10.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-5123</p> <p>8.5.10.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-5123, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5123, 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 10, 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>With Modifications            8.5.10.c.            Consideration of Recommendation by <b>KEVIN TODD JORDAN</b>, Docket No. 507-11-5123            8.5.10.d.            Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#170015, Issued to <b>KEVIN TODD JORDAN</b>            8.5.10.e.            Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#170015, Issued to <b>KEVIN TODD JORDAN</b></p> <p>8.5.11. Docket No. 507-11-5514, In the Matter of Application for Initial Licensure Made By <b>CRAIG SCOTT LEWIS</b>            8.5.11.a.            Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-5514            8.5.11.b.            Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-5514, Including Remanding the</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5123, Including Remanding the Matter to the State Office of Administrative Hearings for Further Proceedings.</p>	<p>The Board voted to Remand the case to SOAH for additional proceedings to reconsider the Petitioner's eligibility for licensure under applicable law and Board policy.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter to the State Office of Administrative Hearings for Further Proceedings 8.5.11.c. Consideration of Recommendation by <b>CRAIG SCOTT LEWIS</b>, Docket No. 507-11-5514 8.5.11.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Application for Initial Licensure Made By <b>CRAIG SCOTT LEWIS</b> 8.5.11.e. Convene in Open Session to consider recommendations and take action: In the Matter of Application for Initial Licensure Made By <b>CRAIG SCOTT LEWIS</b></p>		
<p>8.5.12. Docket No. 507-11-3081, In the Matter of Permanent Certificate RN#780328, Issued to <b>WINNIE EBELE OBIGBO</b> 8.5.12.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3081 8.5.12.b. Consideration of Staff's Recommendations</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5123, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications. Winnie Ebele Obigbo, Respondent was present and was given full opportunity to address the board.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 9, 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>for Disposition of Docket No. 507-11-3081, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications 8.5.12.c. Consideration of Recommendation by <b>WINNIE EBELE OBIGBO</b>, Docket No. 507-11-3081 8.5.12.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#780328, Issued to <b>WINNIE EBELE OBIGBO</b> 8.5.12.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#780328, Issued to <b>WINNIE EBELE OBIGBO</b></p> <p>8.5.13. Docket No. 507-11-5125, In the Matter of Permanent Certificate RN#720476, Issued to <b>RICHARD ARLEN OLIVEIRA</b> 8.5.13.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. 507-11-5125, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to Modify Finding of Fact Number One (1) to correctly reference the Respondent's nursing license number; adopt the remaining Findings of Fact and Conclusions of Law in the PFD without modification, and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>No. 507-11-5125 8.5.13.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-5125, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.13.c. Consideration of Recommendation by <b>RICHARD ARLEN OLIVEIRA</b>, Docket No. 507-11-5125</p> <p>8.5.13.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#720476, Issued to <b>RICHARD ARLEN OLIVEIRA</b></p> <p>8.5.13.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN#720476, Issued to <b>RICHARD ARLEN OLIVEIRA</b></p>		
<p>8.5.14. Docket No. 507-11-2456, In the Matter of Permanent Certificate RN# 584035 and LVN#112356, Issued to <b>VALERIE</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-2456, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications. Louis Leichter, Attorney for Respondent and</p>	<p><b>Board Member Deborah Bell recused herself prior to the discussion and vote on this proposal for decision. Board Members Sheri Crosby and Mary Jane Salgado opposed the ratification of this proposal for decision and order. The Board voted to Modify Finding of Fact</b></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>GALE PORTER</b>            8.5.14.a.            Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2456            8.5.14.b.            Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2456, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications            8.5.14.c.            Consideration of Recommendation by <b>VALERIE GALE PORTER</b>, Docket No. 507-11-2456            8.5.14.d.            Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN# 584035 and LVN#112356, Issued to <b>VALERIE GALE PORTER</b>            8.5.14.e.            Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate RN# 584035 and LVN#112356, Issued to <b>VALERIE GALE PORTER</b></p>	<p>Respondent were present and were given full opportunity to address the board.</p>	<p>Number 1 to correctly reference the Respondent's nursing license number; modify Finding of Fact Number 19 to correctly reflect the Board's rules and Guidelines for Criminal Conduct; adopt the remaining Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 7, which is not adopted by the Board; and modify the ALJ's recommendation to include additional stipulations designed to monitor the Respondent's practice.  <b>Warning with Stipulations.</b> Within forty five days of entry of this order Respondent shall pay an administrative fine in the amount of \$101.40. 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.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.15. Docket No. 507-11-5126, In the Matter of Permanent Certificate LVN#120653, Issued to <b>GRACIELA RODRIGUEZ</b></p> <p>8.5.15.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-5126</p> <p>8.5.15.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-5126, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.15.c. Consideration of Recommendation by <b>GRACIELA RODRIGUEZ</b>, Docket No. 507-11-5126</p> <p>8.5.15.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#120653, Issued to <b>GRACIELA RODRIGUEZ</b></p> <p>8.5.15.e. Convene in Open Session to consider recommendations and take action: In</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5126, 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 of the Findings of Fact and Conclusions of Law in the PFD without modification, including amended Conclusion of Law Number 5, but excepting Conclusion of Law Number 6, 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>the Matter of Permanent Certificate LVN#120653, Issued to <b>GRACIELA RODRIGUEZ</b></p> <p>8.5.16. Docket No. 507-11-2200, In the Matter of Application for Initial Licensure Made By <b>CHRISTOPHER EBERE RUBEN</b></p> <p>8.5.16.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2200</p> <p>8.5.16.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2200, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.16.c. Consideration of Recommendation by <b>CHRISTOPHER EBERE RUBEN</b>, Docket No. 507-11-2200</p> <p>8.5.16.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Application for Initial Licensure Made By</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-2200, 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 of the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 14, 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><b>CHRISTOPHER EBERE RUBEN</b> 8.5.16.e. Convene in Open Session to consider recommendations and take action: In the Matter of Application for Initial Licensure Made By <b>CHRISTOPHER EBERE RUBEN</b></p> <p>8.5.17. Docket No. 507-11-3752, In the Matter of Permanent Certificate LVN#126539, Issued to <b>EVELYN EUGENE SCALES</b></p> <p>8.5.17.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-3752</p> <p>8.5.17.b. Consideration of Staff's Recommendations for Disposition of Docket No.507-11-3752, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p>8.5.17.c. Consideration of Recommendation by <b>EVELYN EUGENE SCALES</b>, Docket No. 507-11-3752</p> <p>8.5.17.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-3752, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with Modifications.</p>	<p>The Board voted to Modify Findings of Fact Numbers Two (2) and Three (3) to reflect the Respondent's correct probationary period; adopt the remaining Findings of Fact and Conclusions of Law in the PFD without modification; and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>or contemplated litigation: In the Matter of Permanent Certificate LVN#126539, Issued to <b>EVELYN EUGENE SCALES</b></p> <p>8.5.17.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#126539, Issued to <b>EVELYN EUGENE SCALES</b></p> <p>8.5.18. Docket No. 507-11-2062, In the Matter of Permanent Certificate LVN#175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to <b>SANDY KAY THOMAS</b></p> <p>8.5.18.a. Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-2062</p> <p>8.5.18.b. Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-2062, Including Discussion and Consideration of Settlement Offer Made By <b>SANDY KAY THOMAS</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5123, Including Discussion and Consideration of Settlement Offer Made By <b>SANDY KAY THOMAS</b>.</p>	<p>The Board voted to Ratify the Agreed Order signed by the Respondent and take no action on the PFD issued in SOAH Docket Number 507-11-2062.</p> <p><b>Warning with Stipulations.</b> Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; and a board approved course in nursing documentation. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.18.c. Consideration of Recommendation by <b>SANDY KAY THOMAS</b>, Docket No. 507-11-2062</p> <p>8.5.18.d. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to <b>SANDY KAY THOMAS</b></p> <p>8.5.18.e. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#175744 and Multistate Compact Privilege Associated with Arkansas Vocational Nurse License Number L38977, Issued to <b>SANDY KAY THOMAS</b></p> <p>8.5.19. Docket No. 507-11-4265, In the Matter of Permanent Certificate LVN#169393, Issued to <b>PAUL ZAVALA</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5123, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law without Modifications.</p>	<p>The Board voted to Adopt all the Findings of Fact and Conclusions of Law in the PFD without modification and adopt the ALJ's recommendation to revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5.19.a.            Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 507-11-4265</p> <p>8.5.19.b.            Consideration of Staff's Recommendations for Disposition of Docket No. 507-11-4265, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p>8.5.19.c.            Consideration of Recommendation by <b>PAUL ZAVALA</b>, Docket No. 507-11-4265</p> <p>8.5.19.d.            Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#169393, Issued to <b>PAUL ZAVALA</b></p> <p>8.5.19.e.            Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate LVN#169393, Issued to <b>PAUL ZAVALA</b></p>		

AGENDA ITEM	DISCUSSION	ACTION
<b>9. MISCELLANEOUS</b> 9.1. Board Items of Interest for Future Board Meetings	No discussion.	No action.
9.2. Board Development: Staff Presentation of Doctor of Nursing Practice Capstone Project: <i>Data Analysis of Texas RNs with Multiple Disciplinary Actions</i>	Melinda Hester did a presentation on her Doctor of Nursing Practice Capstone Project: <i>Data Analysis of Texas RNs with Multiple Disciplinary Actions</i> .	No action.
9.3. Review of the Board Quarterly Meeting Evaluation	The Board members discussed the results of the July board meeting quarterly evaluation including the need for enforcing the time limit for school proposals and discussion on the importance of attending board meetings.	No action.
9.4. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2012	The Board discussed the Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2012.	The Board voted to approve the following meeting dates: <b>Board Meeting Dates 2012:</b> January 19-20 April 19-20 July 19-20 October 18-19  <b>Eligibility &amp; Disciplinary Committee Meeting Dates 2012:</b> February 14 March 20 May 8 June 12 August 7 September 11 November 13 December 11  <b>Informal Conference Dates 2012:</b> January 3, 10, 24, 31 February 7, 21, 28 March 6, 27 April 3, 10, 24 May 1, 15, 22, 29 June 5, 19, 26 July 3, 10, 24, 31 August 7, 21, 28 September 4, 18, 25

AGENDA ITEM	DISCUSSION	ACTION
9.5. Appointment of Board Members for Informal Conferences for 2012	The Board discussed the appointment of board members to attend the informal conferences for 2012.	<p>October 2, 9, 23, 30 November 6, 27 December 4, 18</p> <p>The Board approved the following board members to attend Informal Conferences: January 3 - Sheri Crosby April 3 - Richard Gibbs July 10 - Deborah Bell October 9 - Kathy Leader Horn</p>
9.6. Appointment of Board Members to BON Committees for 2012	The Board discussed the appointment of Board Members to BON Committees for 2012.	<p>The Board approved the following board member appointments to BON Committees:</p> <p><b>Eligibility and Disciplinary Committee:</b></p> <p><b>January - June</b> Deborah Bell, Chair Kristin Benton Kathy Leader-Horn Richard Gibbs (February in lieu of Kathy Leader Horn)</p> <p><b>July - December</b> Beverley Nutall, Chair Tami Cowen Sheri Crosby (August, September) Mary Jane Salgado (November, December)</p> <p><b>Board Development Liaison</b> Richard Gibbs</p> <p><b>Board Budget Liaison</b> Deborah Bell</p> <p><b>Strategic Planning Liaison</b> Tami Cowen</p> <p><b>Internal Auditor Liaison</b> Deborah Bell</p> <p><b>Advanced Practice Nursing</b> Kathy Shipp</p> <p><b>Advisory Committee on Education</b> Mary LeBeck Kristin Benton Josefina Lujan</p> <p><b>APRN Liaison Committee</b> Kathy Shipp</p> <p><b>Education Liaison Committee</b> Mary LeBeck Kristin Benton Josefina Lujan</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p><b>Nursing Practice Advisory Committee</b> Kathy Leader-Horn Marilyn Davis</p> <p><b>Advisory Committee on Licensure, Eligibility and Discipline</b> Tami Cowen Deborah Bell</p> <p><b>Advisory Committee on Deferred Disciplinary Action Pilot Program</b> Richard Gibbs</p> <p><b>Delegation Rules Task Force</b> Deborah Bell (224 Acute Care) Tami Cowen (225-Independent Living Environments)</p>
<p><b>ADJOURNMENT:</b></p>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 1:00 p.m.</p> <p>----- Kristin Benton, MSN, RN Board President</p> <p>----- Katherine A. Thomas, MN, RN, FAAN Executive Director</p>	