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**TEXAS BOARD OF NURSING**

Retreat

Wednesday, October 17, 2012

9:00 a.m. - 2:00 p.m.

Hahn Group Offices

1105 N. Lamar

Austin, Texas 78701

Present:

Kristin Benton, President

Richard Gibbs, Vice-President

Deborah Bell

Tami Cowen

Sheri Crosby

Kathy Leader-Horn

Josefina Lujan

Marilyn Davis

Beverley Nutall

Kathy Shipp

Mary LeBeck

Patti Clapp

Staff present:

Katherine A. Thomas, Executive Director

James "Dusty" Johnston, General Counsel

AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 9:00 a.m, Wednesday, October 17, 2012.	
<b>ROLL CALL</b>	All members were present. A quorum was established.	
<b>ACCEPTANCE OF AGENDA</b>	The Board reviewed the agenda.	The Board approved the agenda.
Board Retreat: Training Conducted by Russ Rhea, Hahn Group, Related to spokesperson Training and Conducting Board Meetings.	<p>Russ Rhea and Julia Hilder conducted training on communications; open government; and effective presentation skills during board meetings.</p> <p>Board members were given an opportunity to participate in mock scenarios and given feedback on their individual presentations.</p>	No action.
<b>ADJOURNMENT</b>	<p>Having completed all business the meeting adjourned at 2:00 p.m.</p> <hr/> <p>Kristin K. Benton, MSN, RN, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, FAAN Executive Director</p>	

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**TEXAS BOARD OF NURSING**

## Regular Meeting

Thursday, October 18, 2012  
8:37 a.m. - 5:54 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  
Patti Clapp  
Tamara Cowen  
Sheri Crosby  
Marilyn Davis  
Kathy Leader-Horn  
Mary LeBeck  
Josefina Lujan  
Beverley Nutall  
Kathy Shipp

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  
Nikki Hopkins, Assistant General Counsel  
Laura Lewis, Administrative Assistant  
Jan Hooper, Nursing Consultant  
Jolene Zych, Nursing Consultant  
Denise Benbow, Nursing Consultant  
Bonnie Cone, Nursing Consultant  
Virginia Ayars, Nursing Consultant  
Linda Laws, Nursing Consultant  
Ramona Gaston-McNutt, Nursing Consultant  
Sandi Emerson, Nursing Consultant  
Bruce Holter, Information 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 8:37 a.m., Thursday, October 18, 2012.	
<b>ROLL CALL</b>	A quorum was established with all members in attendance.	
<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 19-20, 2012 Board Meeting.	The Board approved the minutes from the July 19-20, 2012, Board Meeting.
<b>CONSENT AGENDA</b>		<p>The Consent agenda was reviewed and approved with the following amendments:</p> <p>Board Member Mary LeBeck recused herself from the consideration and vote on Agenda Item 3.2.6. Consideration of Approval for Replication of An Innovative Pilot Project-Tarleton University Baccalaureate Degree Nursing Program in Stephenville, Texas, in Collaboration with Weatherford College Associate Degree Nursing Education Program in Weatherford, Texas.</p> <p>Deborah Bell recused herself from the consideration and vote on Agenda Item 8.1., Agreed Orders of:  Eva Trevino Canche, RN #703042 / LVN #149245  John Michael McKenna, RN #628404  Victor Hugo Perez, RN #685670  Tina Ann Rudd, RN #729430  Mary Elizabeth White, RN #661578  Sammatha Pauline Williams, RN #725152</p>
<p><b>CONSENT AGENDA ITEMS</b></p> <p><i>1.2.1. Update of Pending Litigation: Executive Session pursuant to §551.071(1), Texas Government Code, to discuss pending or contemplated litigation in</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>the Matters of: Amy Bagley Krenek, RN, vs. Texas Board of Nursing, Cause No. D-1- GN-09-001195, In the 419<sup>TH</sup> Judicial District, Travis County, Texas; Texas Board of Nursing v. Greg Abbott, Attorney General of Texas, Cause No. D-1-GN-09-003960, In the 353<sup>RD</sup> Judicial District, Travis County, Texas; Ex Parte Brian Zalesky, Cause No. D-1-EX-09- 000516, 427<sup>TH</sup> Judicial District Court, Travis County, Texas; Bonafacio Espinoza vs. Texas Board of Nursing, Cause No. 219-05095- 2009, In the 219<sup>TH</sup> Judicial District, Collin County, Texas; Bernardino Pedraza, Jr., vs. Texas State Board of Nursing, Cause No. C- 2541-10-B; In the 93<sup>RD</sup> Judicial District, Hidalgo County, Texas; Paula Jo Davis vs. Texas Board of Nursing, Cause No. 12- 05-05516-CV, In the 9<sup>TH</sup> Judicial District, Montgomery County, Texas; and Sylvia Peterson vs. the Board of Nurses, Cause No. D- 1-GN-12-001541, In the 345<sup>TH</sup> Judicial District, Travis County, Texas.</i></p> <p><i>2.2. Continuing Education Pre-Renewal Audit Report - 4<sup>TH</sup> Quarter, Fiscal Year 2012</i></p> <p><i>3.2.1. Status Report on Inquiries, Proposals, and Approval Status of New Nursing Education Programs</i></p>		<p><i>Approved on Consent.</i></p> <p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
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>Report of Regular Survey Visits to Vocational Nursing Education Programs</i>		
3.2.4.a. <i>Kilgore College in Longview, Texas</i>		<i>Approved on Consent.</i>
3.2.4.b. <i>Trinity Valley Community College in Kaufman, Texas</i>		<i>Approved on Consent.</i>
3.2.4.c. <i>Trinity Valley Community College in Palestine, Texas</i>		<i>Approved on Consent.</i>
3.2.5. <i>Consideration for Change in Approval Status from Conditional to Full Approval</i>		
3.2.5.a. <i>University of Houston - Victoria in Sugar Land, Texas - Baccalaureate Degree Nursing Education Program</i>		<i>Approved on Consent.</i>
3.2.5.b. <i>Del Mar College in Corpus Christi, Texas - Associate Degree Nursing Education Program</i>		<i>Approved on Consent.</i>
3.2.6. <i>Consideration of Approval for Replication of An Innovative Pilot Project - Tarleton University Baccalaureate Degree Nursing Program in Stephenville, Texas, in Collaboration with Weatherford College Associate Degree Nursing Education Program in Weatherford, Texas</i>		<p><b><i>Board Member Mary LeBeck recused herself from the vote on this consent agenda item.</i></b></p> <p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
3.2.7. Notification of Closure of Nursing Education Program - Houston Baptist University in Houston - Associate Degree Nursing Education Program		<i>Approved on Consent.</i>
4.1. Criminal Background Check Update		<i>Approved on Consent.</i>
4.2. Report on Enforcement's Initiative to Address Complaint Backlog		<i>Approved on Consent.</i>
5.1.1. Eligibility and Disciplinary Committee		<i>Approved on Consent.</i>
5.1.2. Quarterly Statistical Report - 4 <sup>TH</sup> Quarter, Fiscal Year 2012		<i>Approved on Consent.</i>
6.1. Nurse Licensure Compact Update		<i>Approved on Consent.</i>
6.2. Adoption of Amendments to 22 Tex. Admin. Code Chapter 214, Pertaining to Vocational Nursing Education		<i>Approved on Consent.</i>
6.3. Adoption of Amendments to 22 Tex. Admin. Code Chapter 215, Pertaining to Professional Nursing Education		<i>Approved on Consent.</i>
6.4. Adoption of Amendments to 22 Tex. Admin. Code §213.23, Pertaining to Decision of the Board		<i>Approved on Consent.</i>
7.1. Texas Peer Assistant Program for Nurses 7.1.1. Quarterly Report		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
7.1.3. Texas Peer Assistance Program for Nurses Third Party Referral Report		Approved on Consent.
<b>8.1. AGREED ORDERS</b>		
	<i>Ahmadi, Ryan Mohommad, RN# 664441</i>	<i>Reprimand with Stipulations</i>
	<i>Bartholomew, Laura Rena, RN# 653212</i>	<i>Limited License</i>
	<i>Bishop, Karen Sue, LVN# 173741</i>	<i>Suspend/Probate</i>
	<i>Blaylock, Kenda Leigh, LVN# 206418</i>	<i>Reprimand with Stipulations</i>
	<i>Brackens, Cheryl, RN# 637929</i>	<i>Suspend/Probate</i>
	<i>Brown, Jerrell Russ, LVN# 135078</i>	<i>Warning with Stipulations</i>
	<i>Brown, Kameron Rene, RN# 773845</i>	<i>Warning with Stipulations</i>
	<i>Bujanos, Ruben, RN# 697159 / 174302</i>	<i>Warning with Stipulations</i>
	<i>Canche, Eva Trevino, RN# 703042 / LVN# 149245</i>	<i>Board Member Deborah Bell recused herself from the consideration and vote on this Agreed Order. Warning with Stipulations</i>
	<i>Carr, Deborah, RN# 646348</i>	<i>Suspend Probate</i>
	<i>Carrier, Valenda Denise, RN# 693975</i>	<i>Reprimand with Stipulations</i>
	<i>Carroll, Patricia Ellen, RN# 463406</i>	<i>Suspend Probate</i>
	<i>Carter, Linda Kay, RN# 567435 / LVN# 38399</i>	<i>Warning with Stipulations</i>
	<i>Catron, Lise Catherine, RN# 708910</i>	<i>Enforced Suspension</i>
	<i>Cayetano, Lilibeth Oruga, RN# 578126</i>	<i>Warning with Stipulations</i>
	<i>Collins, Kristin, RN# 702513 / LVN# 154467</i>	<i>Suspend Probate</i>
	<i>Collums, Christina Michelle, LVN# 194602</i>	<i>Reprimand with Stipulations</i>
	<i>Conant, Cynthia Ann, LVN# 211906</i>	<i>Reprimand with Stipulations</i>
	<i>Conkelton, Debra Ann, RN# 712755</i>	<i>Warning with Stipulations</i>
	<i>Coronado, Stacia Lanette, LVN# 173366 / MSR Iowa PN P54378</i>	<i>Warning with Stipulations</i>
	<i>Cotton, Chalonda, RN# 637947</i>	<i>Reprimand with Stipulations</i>
	<i>Darling, Trisha, RN# 596915 / LVN# 38804</i>	<i>Warning with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Davis, Valencia Renita, LVN# 164698</i>	<i>Warning with Stipulations</i>
	<i>Decker, Kevin Lee, RN# 703393</i>	<i>Suspend Probate</i>
	<i>Downing, Melissa K., RN# 652007</i>	<i>Warning with Stipulations</i>
	<i>Duncan, Mark Howard, RN# 594422/LVN# 138401</i>	<i>Enforced Suspension</i>
	<i>Ekwenugo, Ebelechukwu Lilian, RN# 778621</i>	<i>Warning with Stipulations</i>
	<i>Fenske, Lorraine Dorthia, LVN# 164325</i>	<i>Warning with Stipulations</i>
	<i>Frey, Phillip David, RN# 756520</i>	<i>Warning with Stipulations</i>
	<i>Gee, Kimberly, RN# 625283</i>	<i>Enforced Suspension</i>
	<i>Gonzales, Maria Aurora, RN# 254398 / LVN# 35602</i>	<i>Warning with Stipulations</i>
	<i>Gonzalez, Marisol, LVN# 304088</i>	<i>Warning with Stipulations</i>
	<i>Granada, Emille Olivares, LVN# 231595</i>	<i>Warning with Stipulations</i>
	<i>Graves, Sue Ann, LVN# 65388</i>	<i>Warning with Stipulations</i>
	<i>Gray, Meredith Neal, RN# 786229</i>	<i>Warning with Stipulations</i>
	<i>Gregg, Erin Christopher, LVN# 190244</i>	<i>Enforced Suspension</i>
	<i>Hagar, Thad Gregory, LVN# 165876</i>	<i>Warning with Stipulations</i>
	<i>Hawthorne, Linda Nicole, LVN# 187348</i>	<i>Warning with Stipulations</i>
	<i>Henderson, Creaster J., LVN# 117487</i>	<i>Warning with Stipulations</i>
	<i>Henry, Christina Leilani, LVN# 159784</i>	<i>Warning with Stipulations</i>
	<i>Ignacio, Mar Phil L., RN# 712017</i>	<i>Warning with Stipulations</i>
	<i>Irby, Tammy L., RN# 517339 / LVN #103578</i>	<i>Suspend/Probate</i>
	<i>Ivey, Elysia Ray, LVN# 206323</i>	<i>Suspend/Probate</i>
	<i>Jackson, Charlene Kathy, LVN# 182079</i>	<i>Suspend/Probate</i>
	<i>Joines, Frances Kathleen, RN# 566179</i>	<i>Warning with Stipulations</i>
	<i>Jones, Laura Danielle, RN# 718932</i>	<i>Enforced Suspension</i>
	<i>King, James, APN Authorization #1939 / MSR New Mexico RN R28228</i>	<i>Warning with Stipulations</i>
	<i>Kovar, Patricia Holloway, LVN# 130384</i>	<i>Warning with Stipulations</i>
	<i>Lafleur, Paula Ann, LVN# 208980</i>	<i>Warning with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Lescelius, Celeste, RN# 638609</i>	<i>Warning with Stipulations</i>
	<i>Lockhart, Alva Lyndale, LVN# 225912</i>	<i>Suspend Probate</i>
	<i>Lopez, Socorro Adriana, RN# 741396</i>	<i>Warning with Stipulations</i>
	<i>Lowe, Julia Yvonne (Cook), RN# 687589 / LVN# 112639</i>	<i>Warning with Stipulations</i>
	<i>Lucas, Tracee, RN# 668263</i>	<i>Warning with Stipulations</i>
	<i>Martinez, Amanda Louise, RN# 719570</i>	<i>Reprimand with Stipulations</i>
	<i>Mason (Bilbo), Linda Maynette, RN# 557238 / LVN# 68972</i>	<i>Limited License</i>
	<i>McCort, Margery Ellen P., LVN# 68026</i>	<i>Warning with Stipulations</i>
	<i>McKenna, John Michael, RN# 628404</i>	<i>Board Member Deborah Bell recused herself from the consideration and vote on this Agreed Order. Enforced Suspension</i>
	<i>Mireles, Melody Ann, LVN# 174572</i>	<i>Reprimand with Stipulations</i>
	<i>Moore, Ashley Ruth, LVN# 205502</i>	<i>Enforced Suspension</i>
	<i>Nichols, Patti Anne, LVN# 138697</i>	<i>Warning with Stipulations</i>
	<i>Palma, Robert Joseph, LVN# 126862</i>	<i>Suspend/Probate</i>
	<i>Perales, Belinda, LVN# 161147</i>	<i>Reprimand with Stipulations</i>
	<i>Perez, Victor Hugo, RN# 685670</i>	<b><i>Board Member Deborah Bell recused herself from the consideration and vote on this Agreed Order. Enforced Suspension</i></b>
	<i>Phu, Jimmy Thi, RN# 664284</i>	<i>Warning with Stipulations</i>
	<i>Plaza, Randell Anthony, LVN# 232498</i>	<i>Warning with Stipulations</i>
	<i>Poyson, Jeanne Lee, LVN# 210891</i>	<i>Suspend/Probate</i>
	<i>Rocha, Esther, LVN# 225173</i>	<i>Warning with Stipulations</i>
	<i>Rodriguez, Blanca E., RN# 584261</i>	<i>Warning with Stipulations</i>
	<i>Rowan, Joy Bernice, LVN# 212574</i>	<i>Reprimand with Stipulations</i>
	<i>Rudd, Tina Ann, RN# 729430</i>	<b><i>Board Member Deborah Bell recused herself from the consideration and vote on this Agreed Order. Warning with Stipulations</i></b>
	<i>Rutherford, Garyl D., RN# 250567</i>	<i>Warning with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Sanders, Tajanna Megale, LVN# 230160</i>	<i>Suspend/Probate</i>
	<i>Shores, Claire, RN# 502195 / LVN# 84374</i>	<i>Suspend/Probate</i>
	<i>Soto, Jesse Junior, RN# 741482 / LVN# 164580</i>	<i>Reprimand with Stipulations</i>
	<i>Sparks, Kevin Michael, LVN# 212284</i>	<i>Warning with Stipulations</i>
	<i>Theriault, Steven Michael, LVN# 185462</i>	<i>Reprimand with Stipulations</i>
	<i>Turner, Donna Eileen, RN# 730082</i>	<i>Warning with Stipulations</i>
	<i>Warden, Elizabeth Louise, LVN# 219592</i>	<i>Warning with Stipulations</i>
	<i>Wheeler, Marcella, RN# 563686</i>	<i>Warning with Stipulations</i>
	<i>White, Denise M, RN# 743475</i>	<i>Reprimand with Stipulations</i>
	<i>White, Mary Elizabeth, RN# 661578</i>	<b><i>Board Member Deborah Bell recused herself from the consideration and vote on this Agreed Order.</i></b> <i>Suspend/Probate</i>
	<i>Wilhite, Michelle Renae, RN# 646878</i>	<i>Enforced Suspension</i>
	<i>Williams, Sammatha Pauline, RN# 725152</i>	<b><i>Board Member Deborah Bell recused herself from the consideration and vote on this Agreed Order.</i></b> <i>Suspend/Probate</i>
	<i>Wood, John Robert, RN# 678736</i>	<i>Enforced Suspension</i>
<b><i>8.2. DEFERRED AGREED ORDERS</i></b>	<i>None</i>	
<b><i>8.3. REINSTATEMENT AGREED ORDERS</i></b>	<i>Hines, Glenola Joseph, LVN# 55440</i>	<i>Reinstated with Stipulations</i>
	<i>Hitchcock, Kathleen S., RN# 559352</i>	<i>Reinstated with Stipulations</i>
	<i>Peveto, Deric, RN# 651283</i>	<i>Reinstated with Stipulations</i>
<b><i>8.4. ELIGIBILITY AGREED ORDERS</i></b>	<i>Delgado, Veronica Marie, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Eudy, Amanda Lou, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Evans, Crystal Lynn, LVN #228762 / RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Garcia, Elena, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Gonzalez, George Michael, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Hernandez, Esteban, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Jackson, Tchelinda Delmarsha, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Longoria, Roxanna Marie, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Martin, Claudis Andrew, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>McLennan, Maurica Camille, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Miller, Teresa Lee, LVN #224122 / RN Petitioner</i>	<i>Reprimand with Stipulations and Eligibility for Licensure with Stipulations</i>
	<i>Mooney, Candy Diana, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Moreno, Peter, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Pena, Adrian, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Perez, Lindsey De'ette, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Rodriguez, Elizabeth, LVN# 223567 / RN Petitioner</i>	<i>Suspend Probate and Eligibility for Licensure with Stipulations</i>
	<i>Sevilla, Angela Pepita, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Ugorji, Veronica, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Venza, Dawn Michelle, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Wright, Rosie Marie, LVN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
	<i>Yager, Korrin Dee, RN Petitioner</i>	<i>Eligibility for Licensure with Stipulations</i>
<b>1. ADMINISTRATION</b>		
1.1 Executive Director's Report	Katherine Thomas reviewed her written report to the board. Board Member Josefina Lujan reported on the newly released Institute of Medicine's Report on the Future of Nursing.	No action.
1.3. Presentation of Fiscal Year 2012 Trend Data	Katherine Thomas presented the 2012 Trend Data.	No action.
<b>2. OPERATIONS</b>		
2.1. Financial Statement – 4 <sup>TH</sup> Quarter, Fiscal Year 2012	Mark Majek reviewed the monthly revenue and expenditure budget reports for June, July and August, 2012, informing the Board of the agency's financial standing through August 31, 2012.	No action.

AGENDA ITEM	DISCUSSION	ACTION
2.3. Post Payment Audit	Mark Majek reviewed the post payment audit with the Board. Board Staff Kizzie Gonzales, Diana Hernandez and Keith LaSalle were recognized for their outstanding work in the area of travel, purchasing and accounting.	No action.
2.4. Annual Internal Audit Report for Fiscal Year 2012	Mark Majek and Jaye Stepp presented the Annual Internal Audit Report for FY 2012.	The Board voted to accept the Annual Internal Audit report as prepared by Rupert & Associates for fiscal year 2012.
2.5. Internal Audit Plan for Fiscal Year 2012	Mark Majek and Jaye Stepp presented the Internal Audit Plan for FY 2013. The Board considered the Internal Audit Plan for FY 2013.	The Board voted to accept the Internal Audit Plan as prepared by Rupert & Associates for fiscal year 2013.
<b>3. NURSING</b>		
<b>3.1. Practice</b>		
3.1.1. Promoting Competency Report	Bonnie Cone provided a summary of the written report on promoting competencies.	No action.
3.1.2. Report on Implementation of the Department of Aging and Disability and Texas Board of Nursing Memorandum of Understanding Pertaining to SB1857, 82 <sup>ND</sup> Texas Legislature	Bonnie Cone reported that the Advisory Committee met on August 17, 2012. Discussion took place regarding DADS-HCS draft rules that pertain to nursing service changes as a result of SB 1857. The Advisory Committee reached consensus and recommended to DADS that the draft rule use the term RN Assessment instead of comprehensive nursing assessment. In addition, the rule directs LVNs and RNs that they are to follow their nursing licensure laws and specifically mentions the NPA and Chapters 217, 224 and 225. DADS-HCS proposed rules have been posted on the Texas Register and are available for public comment until November 11, 2012. DADS and the BON staff are working on providing written guidance to providers and nurses on how to record LVN On-call Pilot information. Forms and an online database have been created for nurses to enter this information. SB 1857 requires a Legislative Report detailing the findings of the LVN On-call Pilot Program. DADS and BON staff are currently working on the draft which is due on December 1, 2012 to the Senate Committee on Health and Human Services and the House Committee on Public Health.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p><b>3.2. Education</b> 3.2.8. Consideration for Change in Approval Status from Conditional to Initial Approval – Texas State Technical College West Texas in Brownwood, Texas – Associate Degree Nursing Education Program</p>	<p>The Board considered a change in program approval status for Texas State Technical College (TSTC) West Texas Associate Degree Nursing Education Program in Brownwood, Texas, from Conditional to Initial Approval based on review of the NCLEX-RN® examination pass rate, implementation of corrective measures, and compliance with Rule 215. Donalyn Alexander, MSN, RNC, CLNC, Director; Shawntay Sparks-Hubbard and Hannah Love, were present to answer questions</p>	<p>The Board voted to change the approval status for Texas State Technical College West Texas Associate Degree Nursing Education Program in Brownwood, Texas, from Conditional to Initial Approval, continue to monitor the performance of the graduates, and allow the program to enroll new students</p>
<p>3.2.9. Consideration of Change in Approval Status from Initial with Warning to Initial Approval – Fortis Institute in Grand Prairie, Texas – Vocational Nursing Education Program</p>	<p>The Board considered a change of approval status for Fortis Institute in Grand Prairie, Texas, Vocational Nursing Education Program from Initial with Warning to Initial Approval based upon the reports indicating adherence to Board requirements, and allow the program to resume enrolling students into the program. Stephanie Wingate, RN, Interim Director and Vicki L. Dominguez, RN, MSN, MBA/HCM were present and available to answer questions.</p>	<p><b>Board Member Mary LeBeck recused herself prior to the consideration and vote on this agenda item.</b> The Board voted to accept reports from Fortis Institute in Grand Prairie, Texas, Vocational Nursing Education Program, that indicate compliance with Board requirements; change the approval status from Initial with Warning to Initial Approval; allow enrollment of twenty (20) students per quarter; and authorize a follow-up survey visit in Fall 2013.</p>
<p>3.2.10. Update on Status of American Medical Institute in Houston, Texas – Vocational Nursing Education Program</p>	<p>The Board considered the status of American Medical Institute in Houston, Texas Vocational Nursing Education program resultant to actions at the July 19-20, 2012 meeting. Dr. Curry, Campus President; Ify Emenaha, Program Director; and Jonathan Wu, Attorney, were present and available to answer questions.</p>	<p>The Board voted to continue to restrict the enrollment of new students in the American Medical Institute in Houston, Texas Vocational Nursing Education Program until a decision is reached by TWC and Board Staff have an opportunity to reevaluate the program's compliance with Board rules.</p>
<p>3.2.11. Public Hearing on Proposals to Establish New Nursing Educational Program 3.2.11.a. Texas A&amp;M University Commerce in Commerce, Texas – Baccalaureate Degree Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - Texas A&amp;M University Commerce in Commerce, Texas - Baccalaureate Degree Nursing Education Program . Barbara Tucker, PhD, RN, FAANP; Dan R. Jones, PhD, President; and Brent Mangus, EdD, Dean, College of Education and Human Services were present to answer questions.</p>	<p>The Board voted to grant initial approval to Texas A&amp;M University Commerce to establish a new Baccalaureate Degree Nursing Education Program in Commerce, Texas, with an initial cohort of 30 students, and a continuing annual enrollment of one cohort of 30 students, to begin in Spring 2013, based upon the proposal and survey visit.</p>

AGENDA ITEM	DISCUSSION	ACTION
<b>5. COMMITTEE REPORTS</b>		
<b>5.1. Board Committees</b>		
5.1.3. Development and Evaluation	Richard Gibbs asked Board members to send him any requests for future Board development. Suggestions included Legislative process and protocols; "Rap Back" program for criminal background checks; and Assisted Living.	No action.
<b>5.2. Advisory Committees/Task Forces</b>		
5.2.1. Advanced Practice Nurses Advisory Committee	Jolene Zych and Linda Laws reviewed the report of the July 27, 2012 and October 8, 2012 meetings of the Advanced Practice Nursing Advisory Committee (APNAC).	No action.
5.2.2. Nursing Practice Advisory Committee	No report.	No action.
5.2.3. Advisory Committee on Education	No report.	No action.
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	Jena Abel reported that the Committee will meet on November 30, 2012.	No action.
5.2.5. Advisory Committee on Deferred Disciplinary Action Pilot Program	Jena Abel provided a synopsis on the Advisory Committee's meetings and ongoing work.	No action.
5.2.5.a. Review of Recommendations and Continuation of the Deferred Disciplinary Action Pilot Program	The Board considered the report on efficiency and efficacy of deferred disciplinary actions, and the recommendations and continuation of the Deferred Disciplinary Action Pilot Program.	The Board voted to approve the proposed report and recommendations regarding the Deferred Disciplinary Action Pilot Program and authorize the submission of the report and recommendations to the Legislature.
5.2.6. Task Force on Delegation	Bonnie Cone reported that the Delegation Task Force has met four times since receiving their charge in 2011 to review and make recommendations to the Board concerning revisions to Chapter 225, RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions. The most recent meetings include a teleconference held on October 3, 2012 and a meeting on October 16, 2012. Julie Lindley RN, representing the Texas School Nurse Organization chaired the	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>5.2.7. Task Force to Study Implications of the Growth of Texas Nursing Education Programs</p>	<p>teleconference and in her absence Diane Moore, RN representing the Texas Chapter of the Developmental Disabilities Nurses Association chaired the meeting. Task Force discussions have been focused on defining nursing tasks, activities of daily living and health maintenance activities and expanding the list of tasks considered to be Health Maintenance Activities. The Task Force will meet again on November 28, 2012.</p> <p>Jan Hooper reported that the task force has met twice and has identified four major themes currently challenging nursing education programs because of the growth in nursing education in the state. Four subgroups from the task force have been studying the four issues, seeking to provide current data and to suggest strategies to assist programs in handling the issues. The task force will present a report at the January Board meeting with recommendations for future consideration.</p>	<p>No action.</p>
<p><b>5.3. Collaboration with Outside Agencies / Stakeholders</b></p> <p>5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee</p>	<p>Katherine Thomas provided background information that over the summer all of the staff resigned thus leaving the center without employees. Currently most of the positions are not filled: Joann Delk has been hired and is the sole employee at this point in time. The Board of Nursing is asking for additional funding for the Center.</p> <p>Richard Beard Co-Chair of the Center, reported that the positions should be posted sometime between mid to late October. The nursing workforce RN demographics and trends report should be completed and provided to the legislature. Ms. Delk has undertaken the responsibility of completing the report by the deadline. Their office location has also moved to within two blocks of the capitol. The Center has approval for four full time staff, the increased funding should assist with filling the open positions with qualified candidates.</p>	<p>No action.</p>
<p>5.3.2. Texas Higher Education Coordinating Board Updates</p>	<p>No report.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
5.3.3. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)	Bonnie Cone reported on Melinda Hester's behalf: The Texas TERCAP Pilot Project was launched the end of August. Pilot participants are very interested in using the TERCAP Instrument and Protocol during Nurse Peer Review proceedings. They believe it will provide structure to their Peer Review proceedings. Participants requested during the trainings that nurse managers be allowed to use the instrument as a tool to document and subsequently track minor incidents that may occur in a nurse's practice. Board staff conducted three trainings on: July 13th at the Clinical Education Center at Brackenridge Hospital of Member of Seton Hospitals in Austin; July 27th at the Memorial Hermann-The Woodlands Hospital in the Woodlands; and July 30th at the Texas Health Resources Corporate Offices in Arlington. There were a total of 180 participants that attended the training. They represented 49 hospital systems and 95 individual hospitals. To date no information has been entered into the online database.	No action.
5.3.4. Texas Team Report – Robert Wood Johnson Initiative	Katherine Thomas reported that there are nursing practice and nursing education sub-committees that board staff serve on. These committees are meeting to carry out the Texas Team strategic plan. Texas has received an Academic Progress in Nursing grant that will facilitate progression from ADN to BSN.	No action.
5.3.5. National Council of State Boards of Nursing 5.3.5.a. Report on Annual NCSBN Delegate Assembly, August 8-10, 2012, Dallas, Texas	Katherine Thomas provided a summary of actions that took place at the Annual NCSBN Delegate Assembly.	No action.
<b>OPEN FORUM:</b>	<p>Kristin Benton announced the format and invited participation from the audience.</p> <p>Rebecca Zalinskey expressed appreciation for the presentation by Dr. Virginia Ayars at the Career Colleges and Schools of Texas meeting.</p> <p>Jim Willmann, and Ellarene Sanders with Texas Nurses Association discussed the upcoming 2013 Legislative Session.</p>	

AGENDA ITEM	DISCUSSION	ACTION
	<p>They reported that there will be changes in the legislative membership with approximately 50% of the house of representatives serving as new members. Nursing will be seeking special appropriations for nursing education. There will also likely be a bill on Advanced Practice Registered Nurse practice.</p> <p>No other speakers came forward and the Open Forum was closed.</p>	
<p><b>6. OLD BUSINESS</b> 6.5. Review of Ability of Advanced Practice Registered Nurses to Conduct Physical and Psychological Evaluations under Texas Occupations Code §301.45212 and Board Rules and Guidelines</p>	<p>The Board considered the Advanced Practice Nursing Advisory Committee's (APNAC'S) review of the ability of advanced practice registered nurses (APRNs) to conduct physical and psychological evaluations under the <i>Occupations Code §301.4521</i> and Board rules and guidelines.</p>	<p>The Board voted to accept the report of the Advanced Practice Nursing Advisory Committee regarding the ability of advanced practice registered nurses (APRNs) to conduct physical and psychological evaluations under the <i>Occupations Code §301.4521</i> and Board rules and guidelines; and make no change to the Board's rules or Guidelines for Physical and Psychological Examinations at this time.</p>
<p><b>7. NEW BUSINESS</b> 7.2. Consideration of Request for Exception to Rule 217.2(c) of Vyola Laws, Examination Applicant</p>	<p>The Board considered the Request for Exception to Rule 217.2(c) of Vyola Laws, Examination Applicant. Vyola Laws was present and was given an opportunity to address the Board.</p>	<p>The Board voted to deny the request of RN Examination Applicant Vyola Laws for an exception to Board Rule 217.2(c). <b>Board Member Sheri Crosby voted to oppose the motion to deny the request for exception.</b></p>
<p>7.3. Review of Responses to Request for Proposal to Procure Drug Screening Administration Services</p>	<p>Dusty Johnston and John Griffith presented the Responses to the Request for Proposal to Procure Drug Screening Administration Services. The Board considered the Request for Proposal (RFP) to procure drug screening administration services and the responses to the request for proposal.</p>	<p>The Board voted to approve Recovery Trek, LLC, as the successful bidder of RFP No. 507-12-239 and authorize the Executive Director of the Board to prepare and execute a new one (1) year contract, with the option to renew for three, one-year renewals, with Recovery Trek, LLC, for the drug screening services.</p>
<p><b>8. PROPOSED BOARD ORDERS</b> <b>8.5. ALJ Proposals for Decision</b> <b>8.5.3. Docket No. 507-12-5478, In the Matter of Permanent Certificate LVN#188368 Issued to KIMBERLY ANN</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-5478, Including Adoption of the Proposal for Decision's</p>	<p>The Board voted to adopt all of the Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>ESCAMILLA, a/k/a KIMBERLY A. CUELLAR</b>  <b>8.5.3.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-5478</b>  <b>8.5.3.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-5478</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications  <b>8.5.3.c.</b> Consideration of Recommendation by <b>KIMBERLY ANN ESCAMILLA, a/k/a KIMBERLY A. CUELLAR</b>, Docket No. <b>507-12-5478</b>  <b>8.5.3.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>LVN#188368</b> , Issued to <b>KIMBERLY ANN ESCAMILLA, a/k/a KIMBERLY A. CUELLAR</b>  <b>8.5.3.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>LVN#188368</b> , Issued to <b>KIMBERLY ANN ESCAMILLA, a/k/a KIMBERLY A. CUELLAR</b></p> <p><b>8.5.4.</b> Docket No. <b>507-12-5763</b>, In the Matter of Permanent Certificate <b>LVN#200382</b>, Issued to <b>CHRISTINA LYNN GONZALEZ</b>  <b>8.5.4.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-5763</b>  <b>8.5.4.b.</b> Consideration of Staff's Recommendations for Disposition of Docket</p>	<p>Findings of Fact and Conclusions of Law without Modifications.</p> <p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-5763, 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 of the Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>No. <b>507-12-5763</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p><b>8.5.4.c.</b> Consideration of Recommendation by <b>CHRISTINA LYNN GONZALEZ</b>, Docket No. <b>507-12-5763</b></p> <p><b>8.5.4.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>LVN#200382</b>, Issued to <b>CHRISTINA LYNN GONZALEZ</b></p> <p><b>8.5.4.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>LVN#200382</b>, Issued to <b>CHRISTINA LYNN GONZALEZ</b></p> <p><b>8.5.6.</b> Docket No. <b>507-12-4381</b>, In the Matter of Permanent Certificate <b>RN#532611</b>, Issued to <b>LAURIE JO (BALCOM) HESTER</b></p> <p><b>8.5.6.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-4381</b></p> <p><b>8.5.6.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-4381</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p><b>8.5.6.c.</b> Consideration of Recommendation by <b>LAURIE JO (BALCOM) HESTER</b>, Docket No. <b>507-12-4381</b></p> <p><b>8.5.6.d.</b> Executive Session pursuant to</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-4381, 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 of the Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's license.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#532611</b>, Issued to <b>LAURIE JO (BALCOM) HESTER</b></p> <p><b>8.5.6.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#532611</b>, Issued to <b>LAURIE JO (BALCOM) HESTER</b></p> <p><b>8.5.11.</b> Docket No. <b>507-12-1667</b>, In the Matter of Permanent Certificate <b>RN#742361</b>, Issued to <b>JASON SCOTT WALDVOGEL</b></p> <p><b>8.5.11.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-1667</b></p> <p><b>8.5.11.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-1667</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p><b>8.5.11.c.</b> Consideration of Recommendation by <b>JASON SCOTT WALDVOGEL</b>, Docket No. <b>507-12-1667</b></p> <p><b>8.5.11.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#742361</b>, Issued to <b>JASON SCOTT WALDVOGEL</b></p> <p><b>8.5.11.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-5763, 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 of the Findings of Fact and Conclusions of Law in the PFD, including Conclusions of Law Numbers 7 and 8, as amended by the ALJ in her final letter ruling of July 18, 2012, without modification and suspend the Respondent's license for 2 years, and probate the suspension.</p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and Respondent is placed on Probation with the following terms of probation: 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. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>RN#742361</b>, Issued to <b>JASON SCOTT WALDVOGEL</b></p> <p><b>8.6. Default Proposals for Decision – Remands</b></p> <p><b>8.6.1.</b> Docket No. <b>507-12-6070</b>, In the Matter of Permanent Certificate <b>LVN#150850</b>, Issued to <b>MICHELLE R. BOGUE</b></p> <p><b>8.6.1.a.</b> Consideration of the Administrative Law Judge's Order No. 1, <i>Order Dismissing Case</i></p> <p><b>8.6.1.b.</b> Consideration of Staff's Recommendation to Revoke Permanent Certificate <b>LVN#150850</b> by Default, in Conjunction with Order No. 1, Docket No. <b>507-12-6070</b></p> <p><b>8.6.1.c.</b> Consideration of Recommendation by <b>MICHELLE R. BOGUE</b>, Docket No. <b>507-12-6070</b></p> <p><b>8.6.1.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>LVN#150850</b>, Issued to <b>MICHELLE R. BOGUE</b></p> <p><b>8.6.1.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>LVN#150850</b>, Issued to <b>MICHELLE R. BOGUE</b></p> <p><b>8.6.2.</b> Docket No. <b>507-12-5762</b>, In the Matter of Permanent Certificate <b>RN#669797 &amp; LVN#149569</b>, Issued to <b>SANDRA LYNEL (FRESCHSCOTT) BURTON</b></p> <p><b>8.6.2.a.</b> Consideration of the Administrative Law Judge's Order No.4,</p>	<p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificate <b>LVN #150850</b> by Default, in Conjunction with the Administrative Law Judge's Order No. 1, Docket No. 507-12-6070.</p> <p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificates <b>RN #669797 &amp; LVN #149569</b> by Default, in Conjunction with the Administrative Law Judge Orders No. 4 and 5, Docket No. 507-12-5762.</p>	<p>The Board voted to adopt the proposed order and revoke the Respondent's nursing license by default.</p> <p><b>Board Members Kristin Benton, Kathy Leader-Horn and Deborah Bell recused themselves prior to the consideration, discussion and vote on this agenda item.</b></p> <p>The Board voted to adopt the proposed order and revoke the Respondent's nursing licenses by default.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Notice to Parties of Default</i> and Order Number 5, <i>Order Dismissing Case</i></p> <p><b>8.6.2.b.</b> Consideration of Staff's Recommendation to Revoke Permanent Certificate <b>RN#669797 &amp; LVN#149569</b> by Default, in Conjunction with Order Nos. 4 and 5, Docket No. <b>507-12-5762</b></p> <p><b>8.6.2.c.</b> Consideration of Recommendation by <b>SANDRA LYNEL (FRESHSCOTT) BURTON</b>, Docket No. <b>507-12-5762</b></p> <p><b>8.6.2.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#669797 &amp; LVN#149569</b>, Issued to <b>SANDRA LYNEL (FRESHSCOTT) BURTON</b></p> <p><b>8.6.2.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#669797 &amp; LVN#149569</b>, Issued to <b>SANDRA LYNEL (FRESHSCOTT) BURTON</b></p> <p><b>8.6.3.</b> Docket No. <b>507-12-4348</b>, In the Matter of Permanent Certificate <b>LVN#51234</b>, Issued to <b>ROBERT ARTHUR CORNELIUS</b></p> <p><b>8.6.3.a.</b> Consideration of the Administrative Law Judge's Order Number 1, <i>Order Dismissing Case</i></p> <p><b>8.6.3.b.</b> Consideration of Staff's Recommendation to Revoke Permanent Certificate <b>LVN#51234</b> by Default, in Conjunction with Order No. 1, Docket No. <b>507-12-4348</b></p>	<p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificate <b>LVN #51234</b> by Default, in Conjunction with the Administrative Law Judge's Order No. 1, Docket No. 507-12-4348.</p>	<p><b>Board Member Sheri Crosby abstained from the vote on this agenda item.</b></p> <p>The Board voted to adopt the proposed order and revoke the Respondent's nursing license by default.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>8.6.3.c.</b> Consideration of Recommendation by <b>ROBERT ARTHUR CORNELIUS</b>, Docket No. <b>507-12-4348</b></p> <p><b>8.6.3.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>LVN#51234</b>, Issued to <b>SANDRA ROBERT ARTHUR CORNELIUS</b></p> <p><b>8.6.3.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>LVN#51234</b>, Issued to <b>ROBERT ARTHUR CORNELIUS</b></p> <p><b>8.6.4.</b> Docket No. <b>507-12-6094</b>, In the Matter of Permanent Certificate <b>RN#685421 &amp; LVN#160688</b>, Issued to <b>LISA ELAINE JOHNSON</b></p> <p><b>8.6.4.a.</b> Consideration of the Administrative Law Judge's Order Number 2, <i>Order Dismissing Case</i></p> <p><b>8.6.4.b.</b> Consideration of Staff's Recommendation to Revoke Permanent Certificate <b>RN#685421 &amp; LVN#160688</b> by Default, in Conjunction with Order No. 2, Docket No. <b>507-12-6094</b></p> <p><b>8.6.4.c.</b> Consideration of Recommendation by <b>LISA ELAINE JOHNSON</b>, Docket No. <b>507-12-6094</b></p> <p><b>8.6.4.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#685421 &amp; LVN#160688</b>, Issued to <b>LISA ELAINE JOHNSON</b></p>	<p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificates <b>RN #685421 &amp; LVN #160688</b> by Default, in Conjunction with the Administrative Law Judge's Order No. 2, Docket No. 507-12-6094.</p>	<p><b>Board Member Sheri Crosby abstained from the vote on this agenda item.</b></p> <p>The Board voted to adopt the proposed order and revoke the Respondent's nursing licenses by default.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>8.6.4.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#685421 &amp; LVN#160688</b>, Issued to <b>LISA ELAINE JOHNSON</b></p>		
<p><b>8.6.5.</b> Docket No. <b>507-12-5807</b>, In the Matter of Permanent Certificate <b>RN#596144</b>, Issued to <b>LORA L. NELSON</b></p> <p><b>8.6.5.a.</b> Consideration of the Administrative Law Judge's Order Number 1, <i>Order Dismissing Case</i></p> <p><b>8.6.5.b.</b> Consideration of Staff's Recommendation to Revoke Permanent Certificate <b>RN#596144</b> by Default, in Conjunction with Order No. 1, Docket No. <b>507-12-5807</b></p> <p><b>8.6.5.c.</b> Consideration of Recommendation by <b>LORA L. NELSON</b>, Docket No. <b>507-12-5807</b></p> <p><b>8.6.5.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#596144</b>, Issued to <b>LORA L. NELSON</b></p> <p><b>8.6.5.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#596144</b>, Issued to <b>LORA L. NELSON</b></p>	<p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificate <b>RN #596144</b> by Default, in Conjunction with the Administrative Law Judge's Order No. 1, Docket No. 507-12-5807.</p>	<p>The Board voted to adopt the proposed order and revoke the Respondent's nursing license by default.</p>
<p><b>8.6.6.</b> Docket No. <b>507-12-5880</b>, In the Matter of Permanent Certificate <b>LVN#116652</b>, Issued to <b>BEVERLY JEAN WARD</b></p> <p><b>8.6.6.a.</b> Consideration of the Administrative Law Judge's Order Number 2, <i>Order Dismissing Case</i></p> <p><b>8.6.6.b.</b> Consideration of</p>	<p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificate <b>LVN #116652</b> by Default, in Conjunction with the Administrative Law Judge's Order No. 2, Docket No. 507-12-5880.</p>	<p><b>Board Members Kristin Benton, Kathy Leader-Horn and Deborah Bell recused themselves prior to the consideration, discussion and vote on this agenda item.</b></p> <p>The Board voted to adopt the proposed order and revoke the Respondent's nursing license by default.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Staff's Recommendation to Revoke Permanent Certificate <b>LVN#116652</b> by Default, in Conjunction with Order No. 2, Docket No. <b>507-12-5880</b></p> <p><b>8.6.6.c.</b> Consideration of Recommendation by <b>BEVERLY JEAN WARD</b>, Docket No. <b>507-12-5880</b></p> <p><b>8.6.6.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>LVN#116652</b>, Issued to <b>BEVERLY JEAN WARD</b></p> <p><b>8.6.6.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>LVN#116652</b>, Issued to <b>BEVERLY JEAN WARD</b></p> <p><b>8.6.7.</b> Docket No.<b>507-12-3911</b>, In the Matter of Permanent Certificate <b>LVN#172993</b>, Issued to <b>DEBBIE DENESE WHITEHORN</b></p> <p><b>8.6.7.a.</b> Consideration of the Administrative Law Judge's Order Number 2, <i>Dismissing Case</i></p> <p><b>8.6.7.b.</b> Consideration of Staff's Recommendation to Revoke Permanent Certificate <b>LVN#172993</b> by Default, in Conjunction with Order No. 2, Docket No. <b>507-12-3911</b></p> <p><b>8.6.7.c.</b> Consideration of Recommendation by <b>DEBBIE DENESE WHITEHORN</b>, Docket No. <b>507-12-3911</b></p> <p><b>8.6.7.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent</p>	<p>The Board considered the Administrative Law Judge's Order, Dismissing Case From Docket and Staff's Recommendation to Revoke Permanent Certificate <b>LVN #172993</b> by Default, in Conjunction with the Administrative Law Judge's Order No. 2, Docket No. 507-12-3911.</p>	<p><b>Board Member Sheri Crosby voted to oppose the approval of this agenda item.</b></p> <p>The Board voted to adopt the proposed order and revoke the Respondent's nursing license by default.</p>



**TEXAS BOARD OF NURSING**

Friday, October 19, 2012  
8:34 a.m. - 1:03 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  
Patti Clapp  
Tamara Cowen  
Sheri Crosby  
Marilyn Davis  
Kathy Leader-Horn  
Mary LeBeck  
Josefina Lujan  
Beverley Nutall  
Kathy Shipp

**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  
Nikki Hopkins, Assistant General Counsel  
Laura Lewis, Administrative Assistant  
Jan Hooper, Nursing Consultant  
Jolene Zych, Nursing Consultant  
Denise Benbow, Nursing Consultant  
Bonnie Cone, Nursing Consultant  
Virginia Ayars, Nursing Consultant  
Linda Laws, Nursing Consultant  
Ramona Gaston-McNutt, Nursing Consultant  
Sandi Emerson, Nursing Consultant  
Bruce Holter, Information Specialist  
Bill Ray, Information Technology Specialist  
Amanda Crider, Information Technology Specialist

AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Kristin Benton called the meeting to order at 8:34 a.m., Friday, October 19, 2012.	
<b>ROLL CALL</b>	A quorum was established with twelve members in attendance.	
<b>7. NEW BUSINESS</b> 7.1.2. Texas Peer Assistant Program for Nurses Advisory Committee	Bonnie Cone reported that the Texas Peer Assistance Program for Nurses (TPAPN) Advisory Committee met on September 7, 2012. Items discussed included the TPAPN strategic plan, and update on the drug testing and software system (Recovery Trek). Discussion and questions answered regarding the drug testing fees and specific information regarding Recovery Trek provided by Mr. Van Doren, Program Director TPAPN. The next meeting will be December 7, 2012.	No action.
<b>8. PROPOSED BOARD ORDERS</b> <b>8.5. ALJ Proposals for Decision</b>  <b>8.5.1. Docket No. 507-12-0530</b> , In the Matter of Permanent Certificate <b>RN#540134</b> and <b>LVN#104932</b> , Issued to <b>KAREN SUE (DYKE) AMERMAN</b> <b>8.5.1.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-0530</b> <b>8.5.1.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-0530</b> , Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications <b>8.5.1.c.</b> Consideration of Recommendation by <b>KAREN SUE (DYKE) AMERMAN</b> , Docket No. <b>507-12-0530</b> <b>8.5.1.d.</b> Executive	The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-0530, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications. Karen Amerman, Respondent and Taralynn Mackay, Attorney for Respondent were present and were given full opportunity to address the board.	The Board voted to adopt all of the Findings of Fact and Conclusions of Law in the PFD without modification and impose a Warning with Stipulations against Respondent's licenses for one year. <b>Board Members Kristin Benton, Sheri Crosby, Tami Cowen, Patti Clapp and Deborah Bell voted to oppose the adoption of the proposed board order. Warning with Stipulations.</b> Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$750. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall submit notification of employment; shall provide employer reports; Respondent shall abstain from

AGENDA ITEM	DISCUSSION	ACTION
<p>Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#540134</b> and <b>LVN#104932</b>, Issued to <b>KAREN SUE (DYKE) AMERMAN</b></p> <p><b>8.5.1.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#540134</b> and <b>LVN#104932</b>, Issued to <b>KAREN SUE (DYKE) AMERMAN</b></p> <p><b>8.5.2.</b> Docket No. <b>507-12-5105</b>, In the Matter of Permanent Certificate <b>RN#581914</b>, Issued to <b>JUDITH GRIFFIN COLEMAN</b></p> <p><b>8.5.2.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-5105</b></p> <p><b>8.5.2.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-5105</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p><b>8.5.2.c.</b> Consideration of Recommendation by <b>JUDITH GRIFFIN COLEMAN</b>, Docket No. <b>507-12-5105</b></p> <p><b>8.5.2.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#581914</b>, Issued to <b>JUDITH GRIFFIN COLEMAN</b></p> <p><b>8.5.2.e.</b> Convene in Open Session to consider recommendations and</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-5105, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications.</p> <p>Marc Meyer, Attorney for Respondent was present and was given full opportunity to address the board.</p>	<p>the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p> <p>The Board voted to adopt all of the Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's license. Further, require Respondent to pay administrative reimbursement in the amount of \$130.80.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>take action: In the Matter of Permanent Certificate <b>RN#581914</b>, Issued to <b>JUDITH GRIFFIN COLEMAN</b></p> <p><b>8.5.5.</b> Docket No. <b>507-12-4866</b>, In the Matter of Permanent Certificate <b>RN#539411</b>, Issued to <b>PATRICIA RUTH HARMON</b></p> <p><b>8.5.5.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-4866</b></p> <p><b>8.5.5.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-4866</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p><b>8.5.5.c.</b> Consideration of Recommendation by <b>PATRICIA RUTH HARMON</b>, Docket No. <b>507-12-4866</b></p> <p><b>8.5.5.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#539411</b>, Issued to <b>PATRICIA RUTH HARMON</b></p> <p><b>8.5.5.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#539411</b>, Issued to <b>PATRICIA RUTH HARMON</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-4866, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications. Patricia Ruth Harmon, Respondent was present and was given full opportunity to address the board.</p>	<p>The Board voted to correct the technical/typographical errors in Findings of Fact Numbers 7 and 11; adopt all of the remaining Findings of Fact and Conclusions of Law in the PFD without modification, including new Finding of Fact Number 15A and Conclusions of Law Numbers 4 and 5, as added and amended by the ALJ in his final letter ruling of September 6, 2012; re-designate Conclusion of Law Number 6 as a recommendation; and impose a probated suspension, with probationary stipulations, against Respondent's license.</p> <p><b>Board Member Sheri Crosby voted to oppose the adoption of the proposed board order.</b></p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and probated for a period of two years with the following terms of probation: Within forty five days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics' a board approved course in sharpening critical thinking skills; and a board approved course in respecting professional boundaries. Should Respondent choose to practice as a nurse in Texas Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment as a nurse under this order; 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</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>8.5.7.</b> Docket No. <b>507-12-4189</b>, In the Matter of Permanent Certificate <b>RN#770893 and LVN#216144</b>, Issued to <b>DONALD PATRICK MAJEWSKI</b></p> <p><b>8.5.7.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No.<b>507-12-4189</b></p> <p><b>8.5.7.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-4189</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications</p> <p><b>8.5.7.c.</b> Consideration of Recommendation by <b>DONALD PATRICK MAJEWSKI</b>, Docket No. <b>507-12-4189</b></p> <p><b>8.5.7.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#770893 and LVN#216144</b>, Issued to <b>DONALD PATRICK MAJEWSKI</b></p> <p><b>8.5.7.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#770893 and LVN#216144</b>, Issued to <b>DONALD PATRICK MAJEWSKI</b></p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-4189, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications.</p> <p>Marc Meyer, Attorney for Respondent was present and was given full opportunity to address the board.</p>	<p>substances and alcohol.</p> <p>The Board voted to adopt all of the Findings of Fact and Conclusions of Law in the PFD, including Finding of Fact Number 9, as modified by the ALJ in his letter ruling of June 7, 2012, without modification and revoke the Respondent's licenses.</p>
<p><b>8.5.8.</b> Docket No. <b>507-12-2187</b>, In the Matter of Permanent Certificate <b>LVN#149249</b>, Issued to <b>ADELAIDE V. OCHOA</b></p> <p><b>8.5.8.a.</b> 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. 507-12-2187, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications.</p> <p>Marc Meyer, Attorney for Respondent</p>	<p>The Board voted to adopt all of the Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusions of Law Numbers 34, 38, 40, and 41, which should be re-designated as recommendations, and impose a two year probated suspension, with probationary stipulations, against Respondent's</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Decision in Docket No. <b>507-12-2187</b></p> <p><b>8.5.8.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-2187</b>, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law With Modifications</p> <p><b>8.5.8.c.</b> Consideration of Recommendation by <b>ADELAIDE V. OCHOA</b> Docket No. <b>507-12-2187</b></p> <p><b>8.5.8.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>LVN#149249</b>, Issued to <b>ADELAIDE V. OCHOA</b></p> <p><b>8.5.8.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>LVN#149249</b>, Issued to <b>ADELAIDE V. OCHOA</b></p>	<p>was present and was given full opportunity to address the board.</p>	<p>licenses, with the sole exception that Respondent be permitted to work at Meridian Professional Staffing at Sweeney Community Hospital and at the ALCOA plant in Point Comfort, Texas, and for staff to effectuate this language change in the board's written order.</p> <p><b>Suspend Probate.</b> Respondent's license is hereby suspended with said suspension STAYED and probated for a period of two years with the following 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 in-direct supervision with employment restrictions for the duration of the stipulation period with the sole exception that Respondent shall be permitted to work at Meridian Professional Staffing at Sweeney Community Hospital and at the ALCOA plant in Point Comfort, Texas; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p>
<p><b>8.5.9.</b> Docket No. <b>507-12-2227</b>, In the Matter of Permanent Certificate <b>RN#568893</b>, Issued to <b>TONYA JOYLYNN TOWNSEND</b></p> <p><b>8.5.9.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-12-2227</b></p> <p><b>8.5.9.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-12-2227</b>, Including Adoption of the Proposal for Decision's</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-12-2227, Including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law Without Modifications.</p> <p>Marc Meyer, Attorney for Respondent was present and was given full opportunity to address the board.</p>	<p><b>Board Member Tami Cowen abstained from the vote on this agenda item. Board Members Kathy Shipp and Sheri Crosby voted to oppose the adoption of the proposed board order.</b></p> <p>The Board voted to adopt all of the Findings of Fact and Conclusions of Law in the PFD without modification and suspend the Respondent's license for 5 years, with the 1<sup>st</sup> year of the suspension enforced, and the remaining 4 years of the suspension probated.</p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended with said suspension enforced for one year has elapsed from the date this Order becomes final. Upon the expiration of one year from</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Findings of Fact and Conclusions of Law Without Modifications</p> <p><b>8.5.9.c.</b> Consideration of Recommendation by <b>TONYA JOYLYNN TOWNSEND</b>, Docket No. <b>507-12-2227</b></p> <p><b>8.5.9.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate <b>RN#568893</b>, Issued to <b>TONYA JOYLYNN TOWNSEND</b></p> <p><b>8.5.9.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#568893</b>, Issued to <b>TONYA JOYLYNN TOWNSEND</b></p>		<p>the date this Order becomes final, the Suspension will be STAYED, and RESPONDENT will be placed on PROBATION for four (4) years under the following terms of probation: Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in sharpening critical thinking skills; and a board approved course in detecting and preventing abuse and neglect. 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 four 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 the stipulation period; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</p>
<p><b>8.5.10.</b> Docket No. <b>507-11-5906</b>, In the Matter of Permanent Certificate <b>RN#731241</b>, Issued to <b>GLORIA TREVINO</b></p> <p><b>8.5.10.a.</b> Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. <b>507-11-5906</b></p> <p><b>8.5.10.b.</b> Consideration of Staff's Recommendations for Disposition of Docket No. <b>507-11-5906</b>, Including Dismissing the Case With Prejudice and Taking No Action on the Proposal for Decision</p> <p><b>8.5.10.c.</b> Consideration of Recommendation by <b>GLORIA TREVINO</b>, Docket No. <b>507-11-5906</b></p> <p><b>8.5.10.d.</b> Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-11-5906, Including Dismissing the Case With Prejudice and Taking No Action on the Proposal for Decision.</p> <p>Anore S'Souza, Attorney for Respondent was present and was given full opportunity to address the board.</p>	<p><b>Board Member Deborah Bell recused herself prior to the consideration, discussion and vote on this agenda item.</b></p> <p><b>Board Member Josefina Lujan was not present for the vote on this agenda item.</b></p> <p>The Board voted to dismiss SOAH Docket No. 507-11-5906 with prejudice.</p>

AGENDA ITEM	DISCUSSION	ACTION
Certificate <b>RN#731241</b> , Issued to <b>GLORIA            TREVINO</b> <b>8.5.10.e.</b> Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate <b>RN#731241</b> , Issued to <b>GLORIA TREVINO</b>		
<b>9. MISCELLANEOUS</b>		
9.1. Board Items of Interest for Future Board Meetings	None	No action.
9.2. Board Development: Texas Peer Assistance Program Overview	Mike Van Doren, RN, MSN, CARN, Program Director, Texas Peer Assistance Program reviewed a power point presentation on the Texas Peer Assistance Program for Nurses.	No action.
9.3. Review of the Board Quarterly Meeting Evaluation	The Board members discussed the comments from the July board meeting quarterly evaluation.	No action.
9.4. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2013	The Board discussed the proposed dates for 2013 Board meetings; Eligibility and Disciplinary Committee Meetings and Informal Conference Dates.	The Board voted on the following dates for meetings: <b>Board Meetings 2013:</b> January 17-18 April 18-19 July 18-19 October 17-18  <b>Eligibility and Disciplinary Committee            Meetings 2013:</b> February 12 March 19 May 14 June 11 August 6 September 10 November 12 December 10  <b>Informal Conference Dates 2013:</b> January 8 January 22 January 29 February 5 February 19 February 26 March 5 March 26

AGENDA ITEM	DISCUSSION	ACTION
		<p><b>Informal Conference Dates 2013 con't.:</b>  April 2  April 9  April 23  April 30  May 7  May 21  May 28  June 4  June 18  June 25  July 2  July 9  July 23  July 30  August 20  August 27  September 3  September 17  September 24  October 1  October 8  October 22  October 29  November 5  November 19  December 3  December 17</p>
9.5. Appointment of Board Members for Informal Conferences for 2013	The Board discussed board member attendance for Informal Conferences for 2013.	<p>The following Board members were appointed to attend Informal Conferences:</p> <p>January 8, 2013 – Richard Gibbs  May 7, 2013 – Tami Cowen  July 2, 2013 – Mary LeBeck  November 5, 2013 – Patti Clapp</p>
9.6. Appointment of Board Members to BON Committees for 2013	The Board discussed Appointment of Board Members to BON Committees for 2013.	<p>The Board voted on the following committee appointments:</p> <p><b>Eligibility and Disciplinary Committee:</b>  <b>February, 2013</b>  Patti Clapp, Chair  Tami Cowen  Kathy Leader-Horn</p> <p><b>March, 2013</b>  Patti Clapp, Chair  Tami Cowen  Beverly Nutall</p> <p><b>May, 2013</b>  Patti Clapp, Chair  Mary LeBeck  Kathy Leader-Horn</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p><b>June, 2013</b> Patti Clapp, Chair Mary LeBeck Kathy Leader-Horn</p> <p><b>July-December, 2013</b> Deborah Bell, Chair Kathy Shipp Beverley Nutall</p> <p><b>Board Development Liaisons</b> Kathy Leader-Horn Patti Clapp</p> <p><b>Board Budget Liaison</b> Deborah Bell</p> <p><b>Strategic Planning Liaisons</b> Tami Cowen Patti Clapp</p> <p><b>Internal Auditor Liaison:</b> Deborah Bell</p> <p><b>Advanced Practice Nursing Committee Liaison:</b> Kathy Shipp</p> <p><b>Advisory Committee on Education Liaisons:</b> Mary LeBeck Josefina Lujan Kristin Benton</p> <p><b>APRN Committee Liaison:</b> Kathy Shipp</p> <p><b>Education Committee Liaison:</b> Mary LeBeck Josefina Lujan Kristin Benton</p> <p><b>Nursing Practice Advisory Committee Liaisons:</b> Kathy Leader-Horn Marilyn Davis</p> <p><b>Advisory Committee on Licensure, Eligibility and Discipline Liaisons:</b> Mary LeBeck Deborah Bell</p> <p><b>Advisory Committee on Deferred Disciplinary Action Pilot Program Liaison:</b> Tami Cowen</p>

AGENDA ITEM	DISCUSSION	ACTION
9.7. Election of Board Vice-President	Deborah Bell nominated Kathy Shipp for Board Vice-President; Kathy Leader-Horn nominated Tami Cowen for Board Vice-President. The Board members discussed the nominations.	<p><b>Delegation Rules Task Force</b>  <b>224-Acute Care Liaison:</b>  Deborah Bell</p> <p><b>225-Independent Living Environments Liaison:</b>  Tami Cowen</p> <p>The Board voted Kathy Shipp as the Board Vice-President.</p>
<b>ADJOURNMENT:</b>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 1:03 p.m.</p> <hr/> <p>Kristin K. Benton, MSN, RN, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, FAAN, Executive Director</p>	