

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

NCSBN Launches a New Online Course for Member Boards: NCSBN Interactive announces the latest addition to its interactive catalog of self-paced, online courses for continuing education: Governing Responsibly. This course was developed to provide member boards with an introduction to the purpose and work of a BON, and an overview of the responsibilities of a board member. The material was written to assist the new board member transition into his/her role as a BON regulator.

Accredited Schools of Nursing to Receive Federal Funding to Support Veterans with Nursing Education: Last week, Health and Human Services (HHS) Secretary Kathleen Sebelius announced a new program to help military veterans with health care training to build on their skills and abilities, and earn a bachelor's degree in nursing. The program, which will be overseen by the Health Resources and Services Administration (HRSA), is set for \$3 million in funding by the end of fiscal year 2013.

http://www.fiercehealthcare.com/story/hhs-fund-soldiers-nurses-program/2013-04-30?utm_source=rss&utm_medium=rss

Health Resources and Services Administration (HRSA) Report on U.S. Nursing Workforce Identifies Key Trends: A new report released last week by HRSA regarding the U.S. nursing workforce analyzes the supply, distribution, and educational pipeline of nurses. Data indicate that the nursing workforce grew substantially over the past decade, the percentage of registered nurses holding a bachelor's degree or higher increased and the workforce is gradually becoming more diverse.

<http://bhpr.hrsa.gov/healthworkforce/reports/nursingworkforce/index.html>

Nurses Enrolling in Nursing Programs in Record Numbers : A recent article in the Chicago Tribune reports that in the last five years, the number of students enrolled in baccalaureate nursing programs (BSN) rose by 88 percent across the country. Many attribute this increase to an employer-driven demand for a BSN-educated workforce. To assist in this transition, community colleges and universities are working together to make it easier to transfer college credits and hold remote university-level classes in rural areas, inside hospitals and at community colleges.

http://articles.chicagotribune.com/2013-05-01/health/ct-met-nursing-degrees-20130501_1_nursing-program-nursing-leaders-associate-degree.

Additionally, Fierce Healthcare reports that enrollment in master's programs rose 67 percent over a five-year period and admissions to practice-focused doctorate programs rose a dramatic 955 percent.

<http://www.fiercehealthcare.com/story/admission-practice-focused-doctorate-nursing-programs-955/2013-05-07>

Council on State Governments Working Toward Distance Education Compact: The Council of State Governments continues is working with various stakeholders to facilitate the adoption of the State Authorization Reciprocity Agreement, a document that will provide the foundation for a multistate distance education reciprocity compact. Citing a need for more consistent regulatory processes for distance education institutions seeking approval to operate

in multiple states, the agreement lays out a common set of accreditation and regulatory standards and calls for reasonable processes for monitoring authorized institutions and handling complaints.

Doctors and Nurses Charged in Medicare Fraud Bust: In May 2013, federal authorities arrested 89 individuals, including 14 doctors and nurses, suspected of separate Medicare scams that collectively billed approximately \$223 million in fraudulent charges. This massive sting, spanning eight cities, is the latest in a string of federal crack downs on this type of fraud. In recent years, Medicare scams have grown increasingly complex, typically involving recruiters paid to find patients, while doctors, nurses, and other individuals coordinate to appear to deliver medical services to these patients. Federal authorities are in the beginning stages of utilizing an emerging technology that quickly flags suspicious claims before they are paid. <http://www.hhs.gov/news/press/2013pres/05/20130514a.html>

California Supreme Court Considers Whether Unlicensed Personnel Can Give Insulin to Students: The California Supreme Court recently heard arguments in a case arising from a class-action lawsuit against the state of California schools. The plaintiffs, parents of students with diabetes and the American Diabetes Association, brought this action regarding the requirement for administration of insulin to a student by a licensed nurse within the public school setting to court. The plaintiffs argue that the current shortage of school nurses in the state makes this requirement untenable and puts children at risk. The California Nurses Association argues that, under the existing California Nurse Practice Act, unlicensed persons cannot perform the functions of a nurse, including treatments that require substantial scientific knowledge and technical skill. The law lists administration of medication as a nursing function. The California Court of Appeals previously held that, while school personnel are permitted to assist students with medication according to the state education code, this assistance shall not include administering the medication. The Supreme Court now must reconcile the nursing law with the state education code. <http://articles.latimes.com/2013/may/30/local/la-me-diabetic-students-20130530>

Office of Inspector General (OIG) Releases Study of Prescribers with Questionable Patterns in Medicare Part D: This month, the OIG released a study based on an analysis of Prescription Drug Event records to identify prescribers that may warrant further scrutiny based on questionable prescribing patterns. While many of the findings focused exclusively on the prescribing patterns of general-care physicians, the study also looked, to an extent, at nurse practitioners (NPs). NPs represented 6.5 percent of prescribers and were responsible for 3.4 percent of all Part D prescriptions. The OIG concluded that study findings indicated a need for increased oversight of Part D, prompting them to make recommendations for further steps to be taken by Centers for Medicare & Medicaid Services (CMS). CMS concurred with these recommendations and demonstrated a commitment to addressing the issue, including support of active monitoring of prescribing patterns; education for prescribers about overutilization of prescription drugs; and a willingness to follow up on prescribing patterns likely of fraud and abuse. <http://oig.hhs.gov/oei/reports/oei-02-09-00603.pdf>

STATE ISSUES

Health Professions Council: The Health Professions Council (HPC) met on June 10, 2013 for its regular quarterly meeting. The Council discussed various legislation that passed in the 83rd Legislative Session and impact on health professions boards. Members received reports on the budget and information technology services provided to agencies by HPC staff.

BOARD ISSUES

BON Bulletin Articles : The April issue of the *Board of Nursing Bulletin* contains: 1.) article on nursing legislation that passed in the 83rd Legislative Session affecting nursing regulation; 2.) article on the Academic Progression in Nursing (APIN) initiative; 3.) FAQs on RN Delegation in Independent Living Environments; and 4.) TPAPN Advocates.

Board Development: Board Development at the July Board meeting will be on the Robert Wood Johnson Foundation (RWJF) Academic Progression in Nursing (APIN) initiative. APIN's purpose is to support state and regional strategies to develop higher levels of education among the nursing workforce. Texas is a recipient of one of the nine state grants that will focus on advancing the recommendation in the Institute of Medicine report, *The Future of Nursing: Leading Change, Advancing Health*, that 80 percent of the nursing workforce be prepared at the baccalaureate level by 2020.

Former Board President to Receive NCSBN Award: Dr. Linda Rounds, former Board Member and President of the Texas Board of Nursing, has been selected to receive the NCSBN Elaine Ellibee Award. This is a new award that is named in honor of the first President of NCSBN. Ms. Ellibee passed away November 17, 2012. The award will be presented to Dr. Rounds at the August 2013 Delegate Assembly and Annual Meeting in Providence, R.I.

AGENCY ISSUES

Staff: An article by Jolene Zych, PhD, RN and Linda Rounds, PhD, RN was recently published in the online version of *the Journal of the American Academy of Nurse Practitioners* titled: "The Consensus Model for APRN Regulation: Implications for Nurse Practitioners."

Nursing Jurisprudence Examination: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented in September 2008. Access to the Board's examination is available through the website, <http://www.bon.state.tx.us/olv/je.html>. Those applying for initial licensure by exam or endorsement **after** September 1, 2008 must pass the Jurisprudence Exam in order to be eligible for licensure. Also, pursuant to recent rule amendments, nurses who have not been current in Texas for four or more years, must complete the Jurisprudence Examination prior to reinstatement. Attached are statistics for Jurisprudence exam takers for past 3 fiscal years including through the third quarter of Fiscal Year 2013. **(See Attachment A).**

Staff continue to study the issue of increasing security of the examination. Staff is exploring adding security validation questions to the exam and are evaluating associated costs with vendors.

National Council of State Boards of Nursing (NCSBN) Projects: Phase Two of the Data Integrity Project began in June 2012. This phase includes uploading disciplinary orders to Nursys, making these orders readily available to other Boards of Nursing. This project will be completed by July 31, 2013. Staff will seek approval for a new project to scan all declaratory orders into our laserfiche electronic storage system.

Information Technology Updates: Staff are currently addressing several recommendations made in the Roadmap recommended by the IT Security Assessment performed by Gartner, Inc. (reported to the Board, April 2012). In addition, staff are implementing a three phase Disaster Recovery / Virtualization Project (DRVP). Development of a secondary site for disaster recovery will ensure that our mission critical services can be seamlessly continued in the event of a disaster. A new IT infrastructure will be needed to adapt to this new model. Phase I will

include changing the current IT infrastructure to a virtualized system. Servers will be consolidated into smaller servers; and the secondary server will mirror the main server so that if one fails, the other can immediately be brought up and avoid any interruption in service. In Phase II, the remote disaster recovery site will be set up with back up of all BON data files, enabling activation of services to our constituents in the event of any natural or man-made disaster. Implementation of Phase III will be virtualization of all BON desktop computers. This will allow users to have access to all programs from any device or location and management of security and group policies will be more efficient. Phase I will be implemented in the current fiscal year. Phases II and III will be implemented in FY 2014 as funds permit. Finally, staff are reviewing the current website and planning a complete redesign of the site.

Website: The following are changes that have been made to the website since the last Board Report.

- Addition of New Military page on website.
- Addition of Advanced Practice page on website.
- Updated TERCAP Pilot Project section on website.
- Addition of FAQ page, Nurses Performing Radiology Procedures FAQ and registration form page on website.
- Updated Board Rules and Regulations on Website; April 2013
- Addition of new 90 day Compact Rule Change to website.
- Updated Active School code lists for RN/LVN.
- Updated Remedial Ed Contact information form on Education page.
- Updated Comprehensive Request for Safe Harbor Nursing Peer Review form on website.
- Created new FAQ page for Doctoral Degrees in Nursing and Using the Title “Dr”.
- Placed updated quarterly BON Bulletin on website.
- Posting of Courses approved to Meet SON Stipulations on website.
- Updated Board Member appointments for Nina Almasy, Patti Clapp, and Marilyn Davis.
- Updated Nursing Education Guidelines.
- Posting of new Hosted Workshop for Advanced Practice Registered Nurse Jurisprudence.
- Updated Position Statements 15.8 and 15.9 according to Board Rule.
- Posted Proposed Amendments to 211.4, concerning Officers.
- Posted Proposed Amendments to 213.27, concerning Good Professional Character.
- Posted Proposed Amendments to 213.28, concerning Licensure of Persons with Criminal Offenses.
- Posted Proposed Amendments to 213.29, concerning Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters.
- Posted Proposed Amendments to 213.30, concerning Declaratory Order of Eligibility for Licensure.
- Posted Proposed Amendments to 217.14, concerning Registered Nurses Performing Radiologic Procedures.

Key Meetings and Presentations: by the Executive Director and Staff since the last Board meeting. (Does not include internal meetings with staff) .

Executive Director

Hearing: House Public Health Committee, SB 1058, May 1, 2013.

Conference Call: Executive Officer Leadership Forum Planning Meeting, May 2, 2013.

Conference: Annual International Meeting of the American Telemedicine Association, May 6-8, 2013, Austin.

Webinar: Health Workforce–US Nursing Workforce Trends in Supply and Education, Presented by the National Center for Health Workforce Analysis, May 14, 2013.

Conference Call: Nurse Licensure Compact Administrators Meeting, May 14, 2013.

Conference Call: Division of Practitioner Data Banks, May 16, 2013.

Conference Call: Quarterly Meeting of Texas Team Practice Committee, May 17, 2013.

Conference Call: Executive Officer Leadership Council Meeting, May 20, 2013.

Conference Call: Quarterly Meeting of Texas Team Education Committee, May 20, 2013.

Conference Call: With Board Development and Evaluation Liaisons to discuss development priorities, May 24, 2013.

Conference Call: NCSBN Leadership Development Network, Barbara Morvant, Executive Officer of Louisiana BON Presenting, May 29, 2013.

Webinar: Future of Nursing: Campaign for Action, An Update on NCSBN's Campaign for APRN Consensus, Legislation and Maps, June 3, 2013.

Conference Call: With Leadership at Department of State Health Services to discuss Changes in Appropriations and Contract for the Center for Nursing Workforce Studies, June 5, 2013.

Meeting: Health Professions Council Quarterly Meeting, June 10, 2013.

Meeting: To Plan Training and Other Compliance with Federal and State Privacy Law covering Sensitive Personal Information (SPI) and Personal Health Information (PHI) (Texas House Bill 300), June 17, 2013.

Conference and Meeting: Executive Officer Summit, June 18-19, 2013, Lake Geneva, WI.

Meeting: With Staff of Governor's Office to discuss constituent complaint, June 21, 2013, Austin.

Meeting: Executive Officer Leadership Council to discuss licensure models, July 15-16, 2013, Chicago.

Director of Operations:

Conference: Annual International Meeting of the American Telemedicine Association, May 6-8, 2013, Austin.

Meeting: NCSBN – Regulatory Office Management System Meeting May 13-14, Chicago.

Presentation: Tarrant County Public Health System – BON update May 15, 2013

Director of Nursing and Nursing Consultants:

Meeting: HHSC Office of the Health Policy and Clinical Services (HPCS) Medical Director for the Medically Dependent Children's Program, April 22, Austin

Meeting: DADS SB 1857 Advisory Committee, April 24, Austin

Meeting: DDNA Telephone Triage Conference, Philadelphia PA, April 25

Presentation: TNP Primary Care and Pharmacology Update Conference, San Antonio, April 26

Meeting: DADS SB 1857 Internal Workgroup, April 30, Austin

Meeting: TCNWS NEPIS Meeting, May 6, Austin

Presentation: Professional Boundaries Webinar, May 8

Meeting: DADS SB 1857 Advisory Committee, Austin, May 24

Presentation: Nursing Peer Review, Minor Incidents and Safe Harbor Webinar, May 24

Meeting: APNAC Advisory Committee Meeting, Austin, May 31

Meeting: Management Development Program at the Governor's Center for Management Development, Austin, June 4-6.

Meeting: Governor's Center Training - "Conscious Leadership", Austin, June 5

Meeting: DADS SB 1857 Internal Workgroup, Austin, June 5

Meeting: TPAPN Advisory Committee Meeting, Austin, June 7

Meeting: THECB and TWC Meeting, Austin, June 10

Presentation: RN Delegation in School Health at Scott & White Summer School Conference, Temple, TX, June 12

Presentation: Nursing Jurisprudence Workshop, Houston, TX, June 12-13

Meeting: DADS Center for Policy and Innovation Meeting, CDS, Austin, June 13

Presentation: TOBGNE Meeting, Houston, June 14

Meeting: Conference by the Forum of State Nursing Workforce Centers, Scottsdale, AZ, June 19-20

Presentation: Texas TERCAP Pilot Project Webinar, June 21

Meeting: NCSBN NCLEX Item Review Subcommittee Meeting, Chicago IL, June 24-26

Meeting: DADS SB 1857 Internal Workgroup, June 26, Austin

Presentation: APRN Application Process Webinar, June 27

Presentation: Medication Dispensing and Diversion, June 27

Meeting: APNAC Advisory Committee Meeting, Austin, July 1

Presentation: Nursing Peer Review Webinar, July 10

Presentation: Presentation at Mary Hardin Baylor, July 17

Quarterly Statistics Where Executive Director Closed Cases in Compliance with Board Policy:

Case Resolution Report
March 1, 2013 through May 31, 2013

Type of Action	Total
No Jurisdiction	4
No Violation	2
No Action	1,162
Insufficient Evidence	121
Admonish	57
Without Prejudice	873
TPAPN Referrals	124
EEP Referrals	13
Corrective Actions	82
Totals	2,438

LVN DISCIPLINARY ORDERS

Time frame: March 1, 2013, through May 31, 2013

DISCIPLINARY	
49	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 42 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Failed to properly document patient vital signs. 6 Practiced nursing without a valid license
12	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to respect patient's right to privacy by disclosing confidential medical information 1 Downloaded more than 36,000 documents containing confidential patient information to personal device 2 Disciplinary action taken by another licensing authority 1 Failed to document seizure activity in a patient 1 Provided bilateral lower extremity dressing changes without a valid physician's order 1 Failed to completely and accurately document an assessment 1 Violated patient confidentiality by receiving confidential records and disclosing the patient information without patient's permission 1 Was involved in a report of child abuse 1 Called in medication without the physician's approval 1 Inaccurately documented the Documentation of Services Provided Forms for a patient 1 Deferred judgment for the misdemeanor offense of Cruelty to Livestock Animals
13	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriation of Hydrocodone and Intemperate use of Opiates 1 Presented to hospital for depression and a suicide attempt 1 Misappropriation of Hydrocodone; submitted multiple fraudulent prescriptions 1 Admitted to outpatient treatment for Sedative, Hypnotic and Anxiolytic Dependence; intemperate use of Alcohol, Amphetamines and Methamphetamines 1 Convicted of Possession of Dangerous Drug and three counts of Driving While Intoxicated 1 Attempted suicide by taking a bottle of over the counter sleep medication 1 Intemperate use of amphetamine and Methamphetamine 1 Deferred judgment for Possession of a Controlled Substance PG 3 < 28g 1 Intemperate use of Hydrocodone and Tramadol 1 Intemperate use of "Spice" a synthetic Marijuana 1 Completed treatment to rehabilitate, restore, and improve the lives of drug and alcohol addicted people 1 Diagnosed with Depression, Polysubstance abuse and MDD single episode severe without psychosis 1 Convicted of two counts of Driving While Intoxicated

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VOLUNTARY SURRENDER

- 13 Submitted a statement voluntarily surrendering their license to practice nursing
- 1 Deferred judgment for the third degree felony Poss/Att Poss CS by Fraud
- 1 Deferred judgment for second degree felony offense of Possession of Controlled Substance PG 1>=4G <200G, and the misdemeanor offenses of Obstructing Highway Passageway and Assault
- 1 Failed to ensure staff assessed and intervened regarding the decline in condition of an inmate
- 1 Misappropriation of Hydrocodone and Intemperate use of Opiates; deferred judgment for third degree felony offense of Possession of a Controlled Substance by Fraud
- 1 Convicted of third degree felony offense of Driving While Intoxicated
- 2 Deferred judgment for felony offense of Possession of a Controlled Substance
- 1 Deferred judgment for third degree felony offense of Possession of a Controlled Substance or Prescription
- 1 Physically and emotionally abused a patient
- 1 Failed to assess and evaluate the status of a patient; failed to notify physician that patient status was getting worse
- 1 Pled Guilty to felony offenses of Attempted Arson and Solicitation of Murder for Hire
- 1 Convicted of felony offense of Possession of Pornography
- 1 Intemperate use of Hydrocodone, Hydromorphone and Oxymorphone
- 1 Misappropriated money belonging to place of employment
- 1 Passed unauthorized prescriptions for Hydrocodone/Norco, Xanax, Promethazine-Codeine, Ambien, Soma, and Stadol
- 1 Convicted of felony offense of Theft of Government Property
- 1 Deferred judgment for third degree felony offense of Accident Involving SBI/Death
- 1 Deferred judgment for state jail felony offense of Possession of a Controlled Substance - Oxycotin or Oxycodone and two counts of Heroin
- 1 Deferred judgement for third degree felony offense of Assault - Family - Choking/Strangulation
- 1 Convicted of state jail felony offense of Misapplication of Fiduciary Property \$1500 to \$20,000 - Medicaid
- 1 Intemperate use of Cannabis and Opiates; misappropriation of Dilaudid and Xanax
- 2 Disciplinary action taken by another licensing authority
- 6 Non-compliance with previous Board Order

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: March 1, 2013, through May 31, 2013

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APPLICANTS/ PETITIONERS

- 6 Non-disclosure of Criminal History
 - 8 Denial of Licensure
 - 1 Entered a six months inpatient rehabilitation center
 - 1 Deferred judgment for first degree felony Man/Del Controlled Substance w/ completion of Dallas County Treatment Center
 - 4 Disciplinary action taken by another licensing authority
 - 1 Deferred judgement for second degree felony offense of Conspiracy Aggravated Robbery
 - 1 Convicted of two counts of Driving While Intoxicated
 - 1 Convicted of Possession of Marijuana, Failure to Identify, Criminal Mischief and Failure to Appear
 - 1 Convicted of Fail to identify Oneself to Police Officer and two counts of Driving While license Invalid
 - 1 Convicted of Possession of Marijuana and Criminal Trespass
 - 1 Convicted of Leaving the Scene of an Accident, three counts of Driving Under the Influence; five counts of Failure to Maintain Lane and four counts of Under Possession of Alcohol
 - 1 Convicted of Minor in Possession of Alcohol and diagnosed with Mood Disorder
 - 1 Convicted of thirty-five counts of Possession with Intent to Distribute Phencyclidine
 - 1 Convicted of Theft of Property and two counts of Criminal Trespass
 - 1 Deferred judgment for felony Theft >=\$1,500 <\$20K
 - 1 Deferred judgment for state jail felony Possession of a Controlled Substance
 - 1 Pre-Trial Diversion for state jail felony offense of Unauthorized use of a Vehicle
 - 1 Diagnosed with Bipolar Disorder
 - 1 Convicted of Careless Prohibited Driving, Obstructing Government Property; four counts of Driving While Intoxicated; three counts of Disorder Conduct; four counts of Public Intoxication; two counts of Minor in Possession of Alcohol
 - 2 Deferred judgment for state jail felony Possession of a Controlled Substance PG 1<1g
 - 1 Convicted of felony Conspiracy to Make, Utter and Possess Counterfeited Securities of an Organization
 - 1 Deferred judgment for state jail felony Criminal Negligent Homicide
 - 1 Convicted of third degree felony Unlawful Possession of a Controlled Substance - Methamphetamine; misdemeanor Reckless Conduct - Driving; two counts of Theft by Check
 - 1 Deferred judgment for the misdemeanor offense of Assault
 - 1 Attended a drug/alcohol abuse educational program
 - 1 Deferred judgement for felony Burglary Habitation Intent Theft
 - 1 Intemperate use of Cocaine
 - 1 Convicted of two counts Driving While Intoxicated and deferred judgment for state jail felony Possession of Cocaine
 - 1 Deferred judgment for Credit Card Abuse
 - 1 Deferred judgment for misdemeanor Possession of a Controlled Substance
 - 1 Convicted of felony Bank Larceny
 - 1 Deferred judgment for state jail felony Criminal Mischief >=\$1500 <\$20K
 - 1 Deferred judgment for felony Forgery, a Commercial Instrument
 - 1 Convicted of state jail felony Forgery Financial Instrument; deferred judgment for Theft of Property and Prostitution
 - 1 Deferred judgment for state jail felony Fraud Use/Poss Indent Info.
 - 1 Arrested for state jail felony Welfare Fraud, which was dismissed after restitution was paid in full
 - 1 Convicted of Possession of Marijuana; Possession of Dangerous Drug; Fail to Identify; Driving While License Suspended
 - 1 Convicted of state jail felony Driving While Intoxicated w/ Child Passenger Under 15 Years of Age
 - 1 Entered into the Four Winds Ranch Recovery Center; convicted of Consumption of Alcohol by a Minor, Driving While Intoxicated and Intentionally and Knowingly Consumed Alcohol under age 21
 - 1 Convicted of Obstruction of Highway Intoxicated and two counts of Driving While License Suspended
 - 1 Convicted of second degree felony Unlawful Possession of a Controlled Substance - Methamphetamine
 - 1 Deferred judgment for Possession of Marijuana; convicted of Duty on Striking Fixture/Hwy Landscape, Assault Family Violence, Possession of Marijuana and two counts of Public Intoxication
- 325 No Grounds for Denial/Youthful Indiscretion

25	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Denial of Licensure 1 Deferred judgment for state jail felony offense of Possession of a Controlled Substance - Cocaine 1 Convicted of felony offense of Attempt to Possess Forged Instrument 1 Entered treatment for substance abuse treatment 1 Deferred judgment for felony Robbery 1 Convicted of two counts of Driving While Intoxicated 1 Convicted of Class D felony offense of Attempted Robbery Aided by Another 1 Convicted of felony offense of Aggravated Battery 3 Disciplinary action taken by another Licensing Authority 1 Convicted of ten counts of felony Access Device Fraud and two counts of felony Forgery 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 11 No Grounds for Denial
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LVN CORRECTIVE ACTION

Time frame: March 1, 2013, through May 31, 2013

37	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Soliciting for Prostitution 4 Non disclosure of misdemeanor Theft 1 Non disclosure of misdemeanor Fail to Stop and Give Information 1 Non disclosure of misdemeanor Reckless Driving 1 Non disclosure of misdemeanor Arrest-Resisting 1 Non disclosure of misdemeanor Silent Abusive Calls to 911 2 Non disclosure of misdemeanor Evading Arrest and Detention 2 Non disclosure of misdemeanor Deadly Conduct 1 Non disclosure of misdemeanor Interfere with Duties of Public Servant 1 Non disclosure of state jail felony Theft/Secure Execution of Document by Deception 3 Non disclosure of misdemeanor Driving While License Suspended 1 Non disclosure of misdemeanor Reckless Conduct 3 Non disclosure of misdemeanor Assault Causing Bodily Injury 5 Non disclosure of misdemeanor Driving While Intoxicated 9 Non disclosure of misdemeanor Theft by Check 1 Practiced Nursing without a valid license
1	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Harassing Communications
11	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Driving While Intoxicated/Open Alcohol Container 1 Non disclosure of misdemeanor Minor in Possession of Alcohol 2 Non disclosure of misdemeanor Driving Without License 1 Non disclosure of misdemeanor Sell Alcoholic Beverage to a Minor 1 Non disclosure of misdemeanor Operating While Intoxicated 4 Non disclosure of misdemeanor Theft 1 Non disclosure of misdemeanor Issuance of a Bad Check

LVN DEFERRED DISCIPLINE

Time frame: March 1, 2013, through May 31, 2013

9	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none">1 Offered client whose diet called for ground good, a potato chip1 Failed to ensure the assessment done by a LVN was accurate1 Inappropriately discussed private and confidential information with family members in lobby1 Delegated the injection of insulin to a volunteer who was not a licensed nurse1 Failed to completely document nursing care1 Provided nursing care without a physician's order1 Failed to document a verbal order to administer Depo Provera1 Failed to document the administration of medications or administration of tube feeding1 Provided skilled nursing care without physician's order
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RN DISCIPLINARY ORDERS

Time frame: March 1, 2013, through May 31, 2013

DISCIPLINARY	
36	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 31 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 1 Inappropriately documented a physician's order 1 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a diagnosis and/or treatment within te past five (5) years. 3 Practiced nursing without a valid license
10	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to verify with another employee that patient identifiers on a lab specimen 1 Failed to assess and complete an accident/incident report after a patient fell 1 Withdrew Hydromorphone but failed to document the administration or waste the unused portion correctly 1 Failed to respect patient's right to privacy by disclosing confidential medical information 1 Downloaded more than 36,000 documents containing confidential patient information to personal device 1 Convicted of the misdemeanor offense of Theft Under \$50.00 and Failure to Appear 1 Convicted of the felony offense of Theft \$750-\$20,000 Check and Unlawfully, Intentionally and Knowingly Possess a Controlled Substance - Cocaine, and the misdemeanor offense of Petit Theft and Theft 1 Deferred judgment for the misdemeanor offense of Cruelty to Livestock Animals 2 Disciplinary action taken by another licensing authority
40	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 6 Submitted a statement voluntarily surrendering license to practice nursing. 9 Disciplinary action taken by another Licensing Authority 1 Intemperate use of Xanax 1 Deferred judgment for the second degree felony offense of Aggravated Assault w/ a Deadly Weapon and state jail felony offense of Possession of a Controlled Substance - Heroin 1 Exceeded scope of practice by administering Hydrocodone to a patient without a physician's order and administering Tylenol to a patient from own personal supply 1 Deferred judgment for second degree felony offense of Indecency - Fondling 1 Intemperate use of Cannabis and Opiates; misappropriation of Dilaudid and Xanax 1 Convicted of the felony offense of Conspiracy to Commit Health Care Fraud 1 Intemperate use of Oxazepam, Alprazolam Metabolites, Cocaine Metabolites and Morphine 1 Misappropriation of narcotics and intemperate use of Opiates 1 Misappropriated Dilaudid; Student Loan in default 1 Misappropriation of Hydrocodone; admitted relapse on alcohol; submitted fraudulent prescription for Vicodin; deferred judgment for third degree felony offense of Fraud Poss CS Prescription SCH III/V 1 Engaged in unprofessional conduct, including sexual misconduct and making threatening comments 1 Convicted of second degree felony offense of Aggravated Assault and misdemeanor Driving While Intoxicated; deferred judgment for two counts of Theft of Property 1 Failed to ensure staff assessed and intervened regarding the decline in condition of an inmate 1 Intemperate use of Hydrocodone, Hydromorphone and Meperidine; misappropriation of Demerol 1 Deferred judgment for third degree felony offense of Poss/Att Poss Controlled Substance by Fraud 1 Deferred judgment for third degree felony offense of Fraud Possession of a Controlled Substance 9 Non-compliance with previous Board Order

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TPAPN BOARD ORDER

- 1 Misappropriation of Fentanyl; intemperate use of Propoxyphene, Alcohol and Hydrocodone
- 1 Diagnosed with Bipolar Disorder
- 1 Lacked fitness to practice and acknowledge her use of alcohol has had negative impact on her life
- 1 Admitted to a co-worker that she was nauseated and had taken 12 mg of Zofran prior to her shift;
Intemperate use of Morphine
- 2 Convicted of two counts of Driving While Intoxicated
- 1 Misappropriation of hydrocodone; intemperate use of Tramadol
- 1 Misappropriation of Demerol and intemperate use of Hydromorphone, Hydrocodone and Tramadol
- 1 Misappropriated or failed to take precautions to prevent the misappropriation of medications; attempted to obtain Hydrocodone through a forged prescription
- 1 Hospitalized for a suicide attempt
- 1 Misappropriated Dilaudid and Morphine; intemperate use of Opiates and Meperidine
- 1 Voluntarily checked herself into La Hacienda treatment facility
- 1 Misappropriated 4 packages of Prozac, 2 package of Antivert, 1 package of Acetaminophen, 2 packages of Ropinirole Hydrochloride, 1 bottle of Ondansetron, 1 bottle of Midazolam and 2 bottles of Lorazepam
- 1 Submitted negative results of a 10-panel drug screen
- 1 Convicted of Driving While Intoxicated and entered treatment for alcohol use
- 1 Started attending AA once she realized she had a problem
- 1 Requested an exception to a previous Board Order
- 1 Diagnosed with Depression, Polysubstance abuse and MDD single episode severe without psychosis

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: March 1, 2013, through May 31, 2013

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APPLICANTS/ PETITIONERS

- 3 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination
- 7 Disciplinary action taken by another licensing authority
- 3 Diagnosed with Bipolar Disorder
- 1 Deferred judgment for felony Possession of Certain Chemicals with Intent to Manufacture Controlled Substance and Convicted of misdemeanor Possession of Marijuana; Failure to Identify; Trespass
- 1 Entered the Men's Intensive Residential Treatment Program
- 1 Convicted of Minor in Possession of Alcohol; Minor in Consumption of alcohol; Possession of a Controlled Substance
- 1 Deferred judgment for third degree felony Fraud/U Delivery of Prescription not Medical Schedule 3
- 1 Pre-Trial Intervention for state jail felony Criminal Mischief >=\$1,500<\$20K and misdemeanor Assault
- 1 Deferred judgment for state jail felony Unlawful Use of Motor Vehicle
- 1 Convicted of felony Possession of Methamphetamine
- 1 Convicted of Driving While Intoxicated; took prohibited item (cell phone) into NCLEX-PN test site which was found to be on the NCLEX review site
- 1 Convicted of Attempt Assault and Breaking and Entering
- 1 Deferred judgment for felony Unlawful Possession of Controlled and misdemeanor Possession of Marijuana
- 1 Pre-Trial Diversion for three counts felony Tamper with Government Record Defraud/Harm
- 1 Convicted of Theft and Possession of Marijuana
- 1 Convicted of felony Passing Forged Instrument, Driving Without Owners Consent and Credit Card Abuse
- 1 Convicted of Possession of Marijuana and Failure to Identify a Fugitive from Justice
- 1 Deferred judgment for second degree felony Aggravated Assault w/ a Deadly Weapon and misdemeanor Theft of Property
- 1 Convicted of Petit Larceny and Battery
- 1 Pre-Trial Diversion for misdemeanor Theft of Stolen Property >=\$500 <\$1500
- 1 Convicted of Theft of Property >\$500 <\$1500
- 1 Convicted of Criminal Trespass, Attempted Burglary of a Vehicle and three counts of Theft
- 1 Deferred judgment for Driving Under the Influence - Minor and convicted of Driving While Intoxicated
- 1 Convicted of misdemeanor Theft of Property; Driving While Intoxicated and two counts of Possession of Marijuana
- 1 Deferred judgment for Assault Family Violence
- 1 Deferred judgment for state jail felony Forgery Commercial Instrument
- 1 Convicted of misdemeanor Simple Assault and Theft; deferred judgment for misdemeanor Theft
- 1 Entered a forty-day program for alcohol rehabilitation
- 1 Convicted of three counts of Driving While Intoxicated
- 1 Convicted of Disturbing the Peace; two counts of Unlawfully Carrying a Weapon and four counts of Driving While Intoxicated
- 2 Represented self as a nurse without a valid license or permit
- 1 Convicted of felony Financial Transaction Card Fraud and Theft By Taking
- 1 Deferred judgment for Unlawfully Carrying a Weapon, Deadly Conduct and Obstructing Highway Passageway
- 1 Convicted of felony Bank Fraud
- 1 Convicted of Assault and Theft of Property; deferred judgment for Burglary of a Building
- 1 Deferred judgment for third degree felony Possession of a Controlled Substance - Alprazolam and convicted of misdemeanor Criminal Mischief
- 1 Deferred judgement for possession of a Controlled Substance and convicted of Driving While Intoxicated
- 1 Deferred judgement for third degree felony Possession of a Controlled Substance and convicted of Obstruct Highway Passageway
- 1 Deferred judgment for felony Burglary of Building and Pre-Trial agreement for Unlawfully Carrying a Weapon
- 1 Participated in the Ranch of Dove Tree recovery program
- 1 Convicted of Theft of Property and deferred judgment for Disorderly Conduct

	<ul style="list-style-type: none"> 1 Deferred judgment for second degree felony Aggravated Assault with a Deadly Weapon and convicted of Driving While Intoxicated 1 Convicted of five (5) counts of Theft by Check 1 Convicted of Possession of Marijuana and three counts of Driving While Intoxicated 1 Convicted of felony Grand Theft by Employee 1 Deferred judgment for Possession of Marijuana; convicted of Possession of Open Container; two counts of Driving While Intoxicated and two counts of Driving While License Suspended 1 Received an Article 134 of the Uniform Code of Military Justice 1 Deferred judgment for Criminal Trespass with Deadly Weapon and convicted of Possession of a Controlled Substance 1 Deferred judgment for state jail felony Possession of a Controlled Substance 1 Convicted of two counts of Driving While Intoxicated 1 Convicted of state jail felony Forgery and Organized Crime 1 Convicted of state jail felony Debit Card Abuse and misdemeanor Possession of Marijuana and Possession of a Controlled Substance <p>647 No Grounds for Denial/Youthful Indiscretion</p>
37	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 8 Disciplinary action taken by another licensing authority 1 Denial of Licensure 1 Convicted of fourth degree felony offense of Obstructing Justice 1 Convicted of felony Theft 2 Non disclosure of Criminal History on Application by Examination or Petition for Declaratory Order 1 Diagnosed with Bipolar Disorder 1 Convicted of felony offense of Making and Subscribing a False Tax Return <p>22 No Grounds for Denial</p>

RN CORRECTIVE ACTION

Time frame: March 1, 2013, through May 31, 2013

54	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 4 Non disclosure of misdemeanor Theft 1 Non disclosure of misdemeanor Soliciting for Prostitution 2 Non disclosure of misdemeanor Resisting Arrest 1 Non disclosure of misdemeanor Criminal Mischief 17 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Fight/Challenge Fight Public Servant 3 Non disclosure of misdemeanor Larceny 1 Non disclosure of misdemeanor Sale of Alcohol to a Minor 1 Non disclosure of misdemeanor Disorderly Conduct 5 Non disclosure of misdemeanor Theft by Check 1 Non disclosure of misdemeanor Reckless Driving 1 Non disclosure of misdemeanor Interfere with Duties of Public Servant 1 Non disclosure of misdemeanor Possession of Marijuana 1 Non disclosure of misdemeanor Fail to Stop and Give Information 1 Non disclosure of misdemeanor Reckless Conduct 1 Non disclosure of misdemeanor Evading Arrest 1 Non disclosure of state jail felony Theft/Secure Execution of Document by Deception 2 Non disclosure of misdemeanor Deadly Conduct 2 Non disclosure of misdemeanor Harassment 4 Non disclosure of misdemeanor Assault Causing Bodily Injury 3 Practiced Nursing without a valid license
5	<p>ENDORSEMENT</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Fail to Stop at a Flashing Red Light 1 Non disclosure of misdemeanor Check Law Violation 1 Non disclosure of misdemeanor Theft 1 Non disclosure of misdemeanor Driving Under the Influence 1 Non disclosure of misdemeanor Fraud - Insufficient Funds Check
10	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Assault w/ Bodily Injury 1 Non disclosure of misdemeanor Trespass 1 Non disclosure of misdemeanor Minor Consuming Alcohol 1 Non disclosure of misdemeanor Obstructing a Peace Office 1 Non disclosure of misdemeanor Theft of Service 1 Non disclosure of misdemeanor Non-sufficient Funds Check 1 Non disclosure of misdemeanor Driving Under the Influence/Minor 2 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Simple Battery

RN DEFERRED DISCIPLINE

Time frame: March 1, 2013, through May 31, 2013

14	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none">1 Failed to administer and/or document the administration of intravenous antibiotic1 Offered client whose diet called for ground good, a potato chip1 Administered an intravenous fluid bolus to a patient without documenting verbal order1 Exceeded scope of practice by suturing a patient without supervision1 Administered Vancomycin to a patient in excess of ordered dosage2 Failed to ensure the assessment done by a LVN was accurate2 Failed to initiate the bed/chair alarm despite the patient's history of recent falls1 Inappropriately discussed private and confidential information with family members in lobby1 Delegated the injection of insulin to a volunteer who was not a licensed nurse1 Administered multiple medications without a physician's order1 Failed to administer medications to assigned patients1 Failed to ensure patient received pain medication
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Board of Nursing Statistical Report

v1.0 (rev 2013-Audited)

Measure Number	Measure Description	Totals FY'10	Totals FY'11	Totals FY'12	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2013 Total
7.1	Nursing Jurisprudence Exam	27,177	27,821	29,414	7,115	6,323	9,368		22,806
7.1.1	Exam Not Completed	1,845	1,216	1,248	317	309	523		1,149
7.1.2	Percentage Not Completed	6.79%	4.37%	4.27%	4.46%	4.89%	5.58%		5.04%
7.1.3	Did Not Passed	1,602	2,468	2,509	612	493	612		1,717
7.1.4	Percentage Did Not Pass	5.89%	8.87%	8.62%	8.60%	7.80%	6.53%		7.53%
7.1.5	Exam Passed	23,730	24,137	25,657	6,186	5,521	8,233		19,940
7.1.6	Percentage Exam Passed	87.32%	86.76%	87.11%	86.94%	87.32%	87.88%		87.38%
7.7.7	NJE - Breakdown by Applicant Group								
7.7.8	LVN-Candidate	7,266	7,472	7,653	1,808	1,137	1,400		4,345
7.7.9	Exam Not Completed	835	399	411	84	64	82		230
7.7.10	Did Not Passed	723	991	1,051	220	130	143		493
7.7.11	Exam Passed	5,708	6,082	6,191	1,504	943	1,175		3,622
7.7.12	LVN-Endorsement	1,384	1,716	1,657	400	320	415		1,135
7.7.13	Exam Not Completed	94	105	73	27	22	24		73
7.7.14	Did Not Passed	193	387	370	93	60	103		256
7.7.15	Exam Passed	1,097	1,224	1,214	280	238	288		806
7.7.16	RN-Candidate	10,929	11,057	11,982	2,715	2,633	4,878		10,226
7.7.17	Exam Not Completed	569	361	447	108	120	251		479
7.7.18	Did Not Passed	250	387	430	119	116	151		386
7.7.19	Exam Passed	10,110	10,309	11,105	2,488	2,397	4,476		9,361
7.7.20	RN-Endorsement	7,598	7,576	7,599	2,021	2,049	2,442		6,512
7.7.21	Exam Not Completed	347	351	298	93	96	150		339
7.7.22	Did Not Passed	436	703	633	174	182	209		565
7.7.23	Exam Passed	6,815	6,522	6,668	1,754	1,771	2,083		5,608
7.7.24	Refresher Course/Renewal Requirements	n/a	n/a	523	171	184	233		588
7.7.25	Exam Not Completed	n/a	n/a	19	5	7	16		28
7.7.26	Did Not Passed	n/a	n/a	25	6	5	6		17
7.7.27	Exam Passed	n/a	n/a	479	160	172	211		543