
TEXAS BOARD OF NURSING

Regular Meeting
July 17, 2014
8:34 am- 5:30 pm
333 Guadalupe, Tower II, Room 225
Austin, Texas

Present:

Kathy Shipp, MSN, RN, FNP, Board President, Representing APN Practice
Nina Almasy, BSN, RN, MSN, Representing LVN Education
Deborah Hughes Bell, CLU, ChFC, Representing Consumers
Patti Clapp, BA, Representing Consumers
Tamara Cowen, MSN, RN, Representing RN Practice
Sheri Denise Crosby, JD, SPHR, Representing Consumers
Marilyn J. Davis, BSN, RN, MPA, Representing RN Practice
Monica Hamby, LVN, Representing LVN Practice
Josefina Lujan, PhD, RN, Representing BSN Education
Mary LeBeck, MSN, RN, Representing ADN Education

Absent:

Shelby Ellzey, Representing Consumers
Kathy Leader-Horn, LVN, Representing LVN Practice
Beverly Jean Nutall, LVN, Representing LVN Practice

Staff present:

Katherine A. Thomas, Executive Director
Patricia Vianes-Cabrera, Executive Assistant
Anthony Diggs, Director of Enforcement
Mark Majek, Director of Operations
Kristin Benton, Director of Nursing
James "Dusty" Johnston, General Counsel
Jena Abel, Assistant General Counsel
Melinda Hester, Nursing Consultant
Jan Hooper, Nursing Consultant
Virginia Ayars, Nursing Consultant
Sandi Emerson, Nursing Consultant
Bonnie Cone, Nursing Consultant
Linda Laws, Nursing Consultant
Christina Stelly, Nursing Consultant
Gayle Varnell, Nursing Consultant
Jolene Zych, Nursing Consultant
Bruce Holter, Information Specialist
Jeremy Bruker, Information Technology
Bill Ray, Information Technology

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kathy Shipp called the meeting to order at 8:34 am, Thursday, July 17, 2014.	
ROLL CALL	Katherine Thomas did the roll call. A quorum was established with ten members in attendance, Board Members Kathy Leader-Horn, Beverley Nutall and Shelby Eilzey were absent.	
INTRODUCTIONS	Board Members and Staff introduced themselves to the audience and attendees.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	<p>The following items were removed from the agenda for consideration:</p> <p>Agreed Orders Ford, Donna M. RN #648217 / LVN #117329 Taylor, Quincy RN #760667</p> <p>The Board voted to Approve the Agenda.</p>
ACCEPTANCE OF MINUTES	<p>The Board reviewed the minutes from the April 15, 2014 Board Training.</p> <p>The Board reviewed the minutes from the April 16-17, 2014 Board Meeting.</p>	<p>The Board voted to Approve the Minutes from the April 15, 2014 Board Training.</p> <p>Motion by Patricia Clapp, Second by Tamara Cowen.</p> <p>For: Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Sheri Crosby</p> <p>Recuse: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>The Board voted to Approve the Minutes from the April 16-17, 2014 Board Meeting.</p> <p>Motion by Patricia Clapp, Second by Tamara Cowen.</p> <p>For: Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Sheri Crosby</p> <p>Recuse: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
CONSENT AGENDA ITEMS	The Board Reviewed the Consent Agenda Items.	<p>The following Recusals were made on Consent Agenda Items:</p> <p>8.1. Agreed Orders Board Member Deborah Bell recused herself from the consideration and vote on the Agreed Orders of: Houston, Melissa L., RN #761741 Miksch, Sarah Whitney, LVN #230138</p> <p>8.6. Default ALJ Proposals for Decision Board Members Deborah Bell and Tamara Cowen recused themselves prior to the consideration and vote on:</p> <p>8.6.1. In the Matter of Permanent Certificate LVN #205944, Issued to CARRIE ANN BEARD, SOAH Docket No. 507-14-1923</p> <p>8.6.2. In the Matter of Permanent Certificate LVN #68021, Issued to EVELYN S. BOGAN, SOAH Docket No. 507-14-1713</p> <p>8.6.4. In the Matter of Permanent Certificate LVN #179080, Issued to ANGELA LOUISE BROWN, SOAH Docket No. 507-14-1714</p> <p>8.6.16. In the Matter of Permanent Certificate RN#703599, Issued to FRANK ANTHONY TAMARIZ, SOAH Docket No. 507-14-1715</p> <p>8.6.17. In the Matter of Permanent Certificate RN#573946, Issued to CHEVETTE LISA TUCKER, SOAH Docket No. 507-14-2664</p> <p>Board Member Tamara Cowen recused herself prior to the consideration and vote on:</p> <p>8.6.3. In the Matter of Permanent Certificates RN #827743 & LVN #195187, Issued to JESSICA ANNE BRILEY, SOAH Docket No. 507-14-3247</p> <p>8.6.19. In the Matter of Permanent Certificate RN#777102, Issued to TANNA NICOLE VIGUE-DRY, SOAH Docket No. 507-14-3250</p> <p>Board Members Deborah Bell and Marilyn Davis recused themselves prior to the consideration and vote on:</p> <p>8.6.13. In the Matter of Permanent Certificate RN#742527, Issued to AMBER NICOLE HANEY, SOAH Docket No. 507-14-1614</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>1.2.1. Update of Pending Litigation in the Matters of: Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas; Bernardino Pedraza, Jr. vs. Texas State Board of Nursing, Cause No. C-2541-10-B; In the 93rd Judicial District, Hidalgo County; Texas; Rodney Wayne Hicks vs. Texas Board of Nursing, and in their official capacities only, Katherine Thomas, Executive Director, and Kristin K. Benton, President of the Board, Cause No. Cause No. D-1-GN-12-003118, in the 353rd Judicial District Court, Travis County, Texas; Stanley Payne, Plaintiff, vs. Texas Board of Nurse Examiners a/k/a Texas Board of Nursing, Defendant, Cause No. D-1-GN-12-003072, in the 126th Judicial District Court, Travis County, Texas; Valerie Green vs. Texas Board of Nurses, Katherine</p>		<p>8.6.21. In the Matter of Permanent Certificates RN#510466 & LVN #63561, Issued to ROBERT E. WITTMAYER, SOAH Docket No. 507-14-1613</p> <p>The Consent Agenda was approved.</p> <p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Thomas, Executive Director, James W. Johnston, General Counsel, and Anthony L. Diggs, Director Enforcement, Cause No. 2013-07-0473, In the 2nd Judicial District, Cherokee County, Texas; and Jane Otieno vs. Texas Board of Nursing, Cause No. D-1-GN-13-002487 In the 201st District Court, Travis County, Texas. The Board Reserves the Right to Convene in Executive Session, if Necessary, Pursuant to §551.071(1), Texas Government Code, to Discuss Pending or Contemplated Litigation in these Matters.</i></p>		
<p><i>2.2. Continuing Education Pre-Renewal Audit Report-3RD Quarter, Fiscal Year 2014</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.1.1. Promoting Competency Report</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.1. Status Report on New Nursing Education Programs and Active and Potential Proposals</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.2. Status Report on Programs with Sanctions</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.3. Report on Communication Activities with Nursing Education Programs</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.4. <i>Consideration of Follow-Up Survey Visit Report for New Nursing Education Program - Clarendon College in Pampa, Texas - Associate Degree Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.5. <i>Consideration of Reports of Routine Survey Visits to Nursing Education Programs</i> 3.2.5.a. <i>Victoria College in Victoria, Texas - Vocational Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.5.b. <i>Wharton County Junior College in Wharton, Texas - Associate Degree Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>4.1. <i>Criminal Background Check Update</i></p>		<p><i>Approved on Consent.</i></p>
<p>4.2. <i>Report on Enforcement's Initiative to Address Complaint Backlog</i></p>		<p><i>Approved on Consent.</i></p>
<p>5.1.1. <i>Eligibility and Disciplinary Committee</i></p>		<p><i>Approved on Consent.</i></p>
<p>5.1.2. <i>Quarterly Statistical Report - 3RD Quarter, Fiscal Year 2014</i></p>		<p><i>Approved on Consent.</i></p>
<p>6.1. <i>Nurse Licensure Compact Update</i></p>		<p><i>Approved on Consent.</i></p>
<p>6.2. <i>Adoption of Proposed Amendments to 22 Tex. Admin. Code</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>§213.32, Pertaining to Corrective Action Proceedings and Schedule of Administrative Fines</p>		
<p>6.3. Adoption of Proposed Amendments to 22 Tex. Admin. Code §213.34, Pertaining to Deferred Disciplinary Action Pilot Program</p>		<p>Approved on Consent.</p>
<p>7.1.1. TPAPN Quarterly Report</p>		<p>Approved on Consent.</p>
<p>7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report</p>		<p>Approved on Consent.</p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1. Agreed Orders</p>		<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p>
	<p>Ashley, Chantel Latresa AP# AP114308/ RN# 626367 / LVN# 153215</p>	<p>Warning with Stipulations</p>
	<p>Austin, Melissa Sue LVN# 191377</p>	<p>Limited License</p>
	<p>Balde, Myrna N. RN# 710986</p>	<p>Reprimand with Stipulations</p>
	<p>Bern, Tami Lee LVN# 226589</p>	<p>Warning with Stipulations</p>
	<p>Boyd, Tammie Ruth LVN# 177574 / RN Exam Petitioner</p>	<p>Warning with Stipulations</p>
	<p>Camat, Orlando Anies RN# 569529</p>	<p>Reprimand with Stipulations</p>
	<p>Carter, Linda Kay RN# 567435 / LVN# 38399</p>	<p>Reprimand with Stipulations</p>
	<p>Castaneda (Gonzales), Laura LVN# 182373</p>	<p>Enforced Suspension</p>
	<p>Cavazos, Arlene D. LVN# 89131</p>	<p>Warning with Stipulations</p>
	<p>Clark, Connie Ann RN# 602650</p>	<p>Warning with Stipulations</p>
	<p>Crawford, Wendy S. RN# 543029</p>	<p>Warning with Stipulations</p>
	<p>Davis, Philma Noreen RN# 525149</p>	<p>Limited License</p>
	<p>Evans, Shannon Marie LVN# 203656</p>	<p>Warning with Stipulations</p>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Eyer, Mary Margurita</i> LVN# 302866	<i>Warning with Stipulations</i>
	<i>Flores, Jessie Gilbert</i> RN# 606299	<i>Suspend/Probate</i>
	<i>Francis, Lauretta</i> LVN# 309525	<i>Warning with Stipulations</i>
	<i>Gillilan, Kathleen Fay</i> LVN# 215743	<i>Warning with Stipulations</i>
	<i>Gomez, Vickie Garlene</i> LVN# 132039	<i>Warning with Stipulations</i>
	<i>Guilbeau, Myra Yvette</i> LVN# 141552	<i>Reprimand with Stipulations</i>
	<i>Gundaya, Amor Maria Z.</i> LVN# 165879	<i>Reprimand with Stipulations</i>
	<i>Han, Joyce K. Davis</i> RN# 242056	<i>Limited License</i>
	<i>Hicks, Tori Jane</i> AP# AP117407 / RN# 597617	<i>Suspend/Probate</i>
	<i>Hogue, Jami McGuire</i> RN# 715399 / LVN# 159831	<i>Warning with Stipulations</i>
	<i>Holley, Wesley W.</i> RN# 533599	<i>Warning with Stipulations</i>
	<i>Hood, Leonila R.</i> RN# 663771	<i>Warning with Stipulations</i>
	<i>Hollingsworth, Linda June</i> RN# 524812	<i>Enforced Suspension</i>
	<i>Houston, Melissa L.</i> RN# 761741	<i>Board Member Deborah Bell recused herself from the consideration and vote on this board order.</i> <i>Warning with Stipulations</i>
	<i>Hughes, Lisa Michelle</i> RN# 571671	<i>Suspend/Probate</i>
	<i>Karanja, Michelle Njeri</i> LVN# 306101	<i>Warning with Stipulations</i>
	<i>Kraft, Angela Kirsten</i> RN# 779415	<i>Warning with Stipulations</i>
	<i>Lopez, Cynthia Lee</i> LVN# 182069	<i>Reprimand with Stipulations</i>
	<i>Martin, Karen E.</i> LVN# 44247	<i>Warning with Stipulations</i>
	<i>Michael, Michelle R.</i> RN# 620082	<i>Reprimand with Stipulations</i>
	<i>Miksch, Sarah Whitney</i> LVN# 230138	<i>Board Member Deborah Bell recused herself from the consideration and vote on this board order.</i> <i>Warning with Stipulations</i>
	<i>Mills, Lacey Renee</i> LVN# 307164/ RN Exam Petitioner	<i>Warning with Stipulations</i>
	<i>Minshew, Joshua Wayne</i> LVN# 223180	<i>Warning with Stipulations</i>
	<i>Mitchell, Lakeisha Denise</i> LVN# 193131	<i>Warning with Stipulations</i>
	<i>Morgan, Jadon Allen</i> RN# 804486 / NC PTP RN# 265349	<i>Warning with Stipulations</i>
	<i>Neba, Eric Suh</i> LVN# 300768	<i>Warning with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Ochoa, Pamela Miller RN# 756635</i>	<i>Warning with Stipulations</i>
	<i>Olisaeke, Callistus E. RN# 690631</i>	<i>Warning with Stipulations</i>
	<i>O'Neal, Kaci J. RN# 738190</i>	<i>Reprimand with Stipulations</i>
	<i>Onwumbiko, Adeline Ogechukwu RN# 715599</i>	<i>Warning with Stipulations</i>
	<i>Ostermann, Floyetta Kay LVN# 103587</i>	<i>Warning with Stipulations</i>
	<i>Quietson, Mario Lumucso RN# 613351</i>	<i>Warning with Stipulations</i>
	<i>Rice, Monica Roxanne RN# 794133 / LVN# 215227</i>	<i>Warning with Stipulations</i>
	<i>Ross, Darlene Ann RN# 789125</i>	<i>Warning with Stipulations</i>
	<i>Rush, Terresa RN# 648685 / LVN# 145545</i>	<i>Warning with Stipulations</i>
	<i>Sarmiento, Rubi RN# 717871</i>	<i>Reprimand with Stipulations</i>
	<i>Shain, Brandon RN# 809523</i>	<i>Reprimand with Stipulations</i>
	<i>Sickler, Tonya Diane LVN# 129727</i>	<i>Reprimand with Stipulations</i>
	<i>Sterling, Cynthia Mae RN# 642149</i>	<i>Reprimand with Stipulations</i>
	<i>Tankeng, Sophie Aroke RN# 650010 / LVN# 156658</i>	<i>Warning with Stipulations</i>
	<i>Teriba, Segun Adenrele RN# 816857</i>	<i>Reprimand with Stipulations</i>
	<i>Walters, Sandra Lynn RN# 721161</i>	<i>Warning with Stipulations</i>
	<i>Woods, Monica Antionette LVN# 201792</i>	<i>Suspend/Probate</i>
	<i>Yim, Sang Hyon RN# 787581</i>	<i>Warning with Stipulations</i>
	<i>Yoes, Stacy RN# 787067</i>	<i>Reprimand with Stipulations</i>
8.2. DEFERRED AGREED ORDERS		
	<i>Anthony, Leena T. RN# 766576</i>	<i>Warning with Stipulations -Deferred</i>
	<i>Jones, Haysal Juvene RN# 554082</i>	<i>Warning with Stipulations - Deferred</i>
	<i>Neugebauer, Ashley Ann LVN# 315330</i>	<i>Warning with Stipulations - Deferred</i>
8.3. REINSTATEMENT AGREED ORDERS		
	<i>Belcher, Benjamin Alva, RN# 670126</i>	<i>Reinstated with Stipulations</i>
	<i>Carruth, Marla Jo, RN# 588647</i>	<i>Reinstated with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION	
<p>8.4 ELIGIBILITY AGREED ORDERS</p>	<p><i>Forgy, David Eugene, RN# 540246</i></p>	<p><i>Reinstated with Stipulations</i></p>	
	<p><i>Hale, Marie Elnor, RN# 243892</i></p>	<p><i>Reinstated with Stipulations</i></p>	
	<p><i>Barnett, Cody Dane LVN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Bavar, Sarah Josal RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Carlisle, Tiara M. RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Chambers (Redmon), Heather Michelle RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Chavarria (Lozano), Janie Navarro LVN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Elbekraoui, Samira Amale LVN Endorsement Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Harris, Chamesta Camile LVN Endorsement Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Nunez, Michelle RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Pierce, Jason Dean LVN Endorsement Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Poley (Ellerman), Angela Marie LVN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Rohde, Robyn Denise RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p><i>Sanford, Larry RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p>	
	<p>8.6. DEFAULT ALJ PROPOSALS FOR DECISION</p> <p>8.6.1. Consideration of Order of Dismissal and Remand,</p>	<p><i>Shaffer, Mark Douglas RN Exam Petitioner</i></p> <p><i>Sims, Theresa Rene RN Exam Petitioner</i></p> <p><i>Williams (Smith Cunnif), Priscilla LVN Exam Petitioner</i></p> <p><i>York (Hubbard), Mattie Louise LVN Exam Petitioner</i></p> <p><i>Zapata, Dorian Andrea RN Exam Petitioner</i></p>	<p><i>Eligibility Agreed Order with Stipulations</i></p> <p>Board Members Deborah Bell and Tamara Cowen recused themselves from the consideration and vote on this agenda item.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Recommendations, and Board action: In the Matter of Permanent Certificate LVN #205944, Issued to CARRIE ANN BEARD, SOAH Docket No. 507-14-1923</p>		<p>Revoked by Default.</p>
<p>8.6.2. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #68021, Issued to EVELYN S. BOGAN, SOAH Docket No. 507-14-1713</p>		<p>Board Members Deborah Bell and Tamara Cowen recused themselves from the consideration and vote on this agenda item. Revoked by Default.</p>
<p>8.6.3. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificates RN #827743 & LVN #195187, Issued to JESSICA ANNE BRILEY, SOAH Docket No. 507-14-3247</p>		<p>Board Member Tamara Cowen recused herself from the consideration and vote on this agenda item. Revoked by Default.</p>
<p>8.6.4. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #179080, Issued to ANGELA LOUISE BROWN, SOAH Docket No. 507-14-1714</p>		<p>Board Members Deborah Bell and Tamara Cowen recused themselves from the consideration and vote on this agenda item. Revoked by Default.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.6.5. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #696306, Issued to DEJA RAE CAIN, SOAH Docket No. 507-14-1307</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.6. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #613011, Issued to TOMAS I. COSME, SOAH Docket No. 507-14-2040</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.7. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #774413, Issued to KAREN NOELLE CREECY, SOAH Docket No. 507-14-2657</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.8. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #227442, Issued to CAROLYN HUCKABY DENNEY, SOAH Docket No. 507-14-2041</i></p>		<p><i>Revoked by Default.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.6.9. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #48968, Issued to RUTH J. DRAPER, SOAH Docket No. 507-14-2360</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.10. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #218903, Issued to MISTY BRIANNE FLOWERS, SOAH Docket No. 507-14-2658</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.11. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #214460, Issued to VANESSA MARIE GARCIA, SOAH Docket No. 507-14-2045</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.12. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN#791468, Issued to MIA MARIE GATICA, SOAH Docket No. 507-14-1272</i></p>		<p><i>Revoked by Default.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.6.13. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN#742527, Issued to AMBER NICOLE HANEY, SOAH Docket No. 507-14-1614</i></p>		<p><i>Board Members Deborah Bell and Marilyn Davis recused themselves from the consideration and vote on this agenda item.</i> <i>Revoked by Default.</i></p>
<p>8.6.14. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #166115, Issued to RHONDA LYNN KUYKENDALL, SOAH Docket No. 507-14-2037</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.15. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN#186022, Issued to IRMA JEAN RUSSELL, SOAH Docket No. 507-14-2572</i></p>		<p><i>Revoked by Default.</i></p>
<p>8.6.16. <i>Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN#703599, Issued to FRANK ANTHONY TAMARIZ, SOAH</i></p>		<p><i>Board Members Deborah Bell and Tamara Cowen recused themselves from the consideration and vote on this agenda item.</i> <i>Revoked by Default.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Docket No. 507-14-1715</p>		
<p>8.6.17. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN#573946, Issued to CHEVETTE LISA TUCKER, SOAH Docket No. 507-14-2664</p>		<p>Board Members Deborah Bell and Tamara Cowen recused themselves from the consideration and vote on this agenda item. Revoked by Default.</p>
<p>8.6.18. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN#181276, Issued to BRANDI JEAN TURNEY, SOAH Docket No. 507-14-2088</p>		<p>Revoked by Default.</p>
<p>8.6.19. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN#777102, Issued to TANNA NICOLE VIGUE-DRY, SOAH Docket No. 507-14-3250</p>		<p>Board Member Tamara Cowen recused herself from the consideration and vote on this agenda item. Revoked by Default.</p>
<p>8.6.20. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN#724924, Issued</p>		<p>Revoked by Default.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>to JASON GLYNN WELLS, SOAH Docket No. 507-14-2043</p> <p>8.6.21. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificates RN#510466 & LVN #63561, Issued to ROBERT E. WITTMAYER, SOAH Docket No. 507-14-1613</p>		<p>Board Members Deborah Bell and Marilyn Davis recused themselves from the consideration and vote on this agenda item. <i>Revoked by Default.</i></p>
<p>1. ADMINISTRATION</p>		
<p>1.1. Executive Director's Report</p>	<p>Katherine Thomas reviewed her written report to the board.</p>	<p>No action.</p>
<p>1.3. Report on Final Strategic Plan for Fiscal Years 2015-2019</p>	<p>The Board reviewed the Final Strategic Plan for Fiscal Years 2015-2019.</p>	<p>No action.</p>
<p>1.4. Review of Legislative Appropriation Request Exceptional Items Fiscal Years 2016-2017</p>	<p>The Board considered the Legislative Appropriation Request Exceptional Items Fiscal Years 2016-2017.</p>	<p>Motion by Tamara Cowen, Second by Deborah Bell.</p> <p>Move to accept the staff recommendations for the list of LAR prioritized exceptional issues with costs associated for the 2016 and 2017 Legislative Appropriations Request including the addition of the CAPPS FTE which includes the current 2014/2015 base funding.</p>
<p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p>		<p>Abstain: Kathy Shipp</p>
<p>Final Resolution: Motion Carries</p>		
<p>1.5. Report on the Results of the</p>	<p>The Board reviewed the Report on the Results of the Texas Board of Nursing</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Texas Board of Nursing Employee Engagement Survey performed by Dr. Noel Landuyt, The University of Texas School of Social Work	Employee Engagement Survey performed by Dr. Noel Landuyt, The University of Texas School of Social Work.	
2. OPERATIONS 2.1. Financial Statements- 3RD Quarter, Fiscal Year 2014	The Board reviewed the Financial Statements- 3RD Quarter, Fiscal Year 2014 .	No action.
3. NURSING 3.1. PRACTICE 3.1.2. Report on Implementation of SB 1857, 82nd Texas Legislature and the LVN On-Call Pilot Program	Melinda Hester provided an update regarding the implementation of the LVN On-Call Pilot Program required by Senate Bill (SB) 1857.	No action.
3.1.3. Report on Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) Pilot	Kristin Benton provided an update to the Board regarding the implementation of the KSTAR Pilot Program.	No action.
3.2. EDUCATION 3.2.6. Public Hearings on Proposals to Establish New Nursing Education Programs 3.2.6.a. LeTourneau University in Longview, Texas - Baccalaureate Degree Nursing Education Program	The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - LeTourneau University in Longview, Texas - Baccalaureate Degree Nursing Education Program. The Board considered the LeTourneau University proposal to establish a new Baccalaureate Degree Nursing (BSN) Education Program in Longview, Texas , and the report of the survey visit. Dale Lunsford, University President; Philip	Motion by Josefina Lujan, Second by Deborah Bell. Move to grant initial approval to LeTourneau University Baccalaureate Degree Nursing Education Program in Longview, Texas, and impose the conditions/requirements in the attached Board Order. Against: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck,

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.6.b. National American University in Austin, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>Coyle, Provost; and Kimberly Quiett, Nurse Educator were present to answer questions.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - National American University in Austin, Texas - Baccalaureate Degree Nursing Education Program. The Board considered the National American University proposal to establish a new Baccalaureate Degree Nursing (BSN) Education Program in Austin, Texas, and the report of the survey visit. Lynn Priddy, Provost; Dodie Serafini, Dean; and Jere Hammer, RN, Program Chair were present and available to answer questions.</p>	<p>Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Fails</p> <p>Motion by Josefina Lujan, Second by Deborah Bell.</p> <p>Move to grant initial approval to LeTourneau University Baccalaureate Degree Nursing Education Program in Longview, Texas, and impose the following condition: The program shall not admit more than one cohort of twenty (20) students in the first year and one cohort of thirty (30) students in subsequent years until the program achieves Full Approval from the Board.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Josefina Lujan, Second by Mary Lebeck.</p> <p>Move to grant initial approval to National American University to establish a new Baccalaureate Degree Nursing Education Program in Austin, Texas, and impose the following conditions: The program shall not admit more than one (1) cohort of twenty-four (24) students in the first year and one (1) cohort of twenty-four (24) students in subsequent years until the program achieves Full Approval from the Board.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
3.2.6.c. South University in Austin, Texas - Baccalaureate Degree Nursing Education Program	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - South University in Austin, Texas - Baccalaureate Degree Nursing Education Program. The Board considered the South University proposal to establish a new Baccalaureate Degree Nursing (BSN) Education Program in Austin, Texas, and the report of the survey visit. Linda S. Dune, PhD, RN, CNL, Proposed Director; John T. South, III, Chancellor; and Shelby Frutchey, Austin Campus President were present and available to answer questions.</p>	<p>Motion by Josefina Lujan, Second by Mary Lebeck.</p> <p>Move to grant initial approval to South University Baccalaureate Degree Nursing Education Program in Austin, Texas, and impose the following condition: The program shall not admit more than one cohort of twenty-four (24) students in the first year and one cohort of twenty-four (24) students in subsequent years until the program achieves Full Approval from the Board.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
3.2.6.d. The College of Health Care Professions in Houston, Texas - Associate Degree Nursing Education Program	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Educational Program - The College of Health Care Professions in Houston, Texas - Associate Degree Nursing Education Program. The Board considered the College of Health Care Professions proposal to establish a new Associate Degree Nursing (ADN) Education Program in Houston, Texas, and the report of the survey visit. Wendy Cockron, MSN, RN, CNE; Terri Lowery, Campus President; and Jon D. Emerald, CEO were present and available to answer questions.</p>	<p>Motion by Patricia Clapp, Second by Deborah Bell.</p> <p>Move to grant Initial Approval to The College of Health Care Professions to establish a new Associate Degree Nursing Education Program in Houston, Texas, and to impose the following conditions: The program shall not admit more than one cohort of twenty (20) students in the first year and two cohorts of twenty (20) students in subsequent years, totaling not more than forty (40) students annually until the program is on Full Approval; The program shall provide evidence of completion of all educational facilities and offices (faculty offices, simulation laboratory) not later than November 1, 2014.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5. COMMITTEE REPORTS</p>		
<p>5.1. Board Committees</p>		
<p>5.1.3. Development and Evaluation</p>	<p>The Board reviewed the past Board Development topics and discussed future Board Development topics, including the Criminal DPS Rap Back Program and Tele-Health.</p>	<p>No action.</p>
<p>5.2. Advisory Committees/Task Forces</p>		
<p>5.2.1. Advanced Practice Nursing Advisory Committee</p>		<p>No report.</p>
<p>5.2.2. Nursing Practice Advisory Committee</p>	<p>Christina Stelly reported on the May 19, 2014 meeting.</p>	<p>No action.</p>
<p>5.2.2.a. Consideration of Appointment of New Nursing Practice Advisory Committee Members</p>	<p>The Board considered the Appointment of New Nursing Practice Advisory Committee Members.</p>	<p>Motion by Patricia Clapp, Second by Deborah Bell.</p> <p>Move to accept and approve the nomination of Dr. Donna Richardson to represent the Texas Nurses Association and Michelle Dionne-Vahalik to represent the Department of Aging and Disability Services on the Nursing Practice Advisory Committee.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>5.2.2.b. Request for Charge to Review Rule 217.16 Minor Incidents</p>	<p>The Board considered the Request for Charge to Review Rule 217.16 Minor Incidents.</p>	<p>Motion by Deborah Bell, Second by Mary Lebeck.</p> <p>Move to charge the Nursing Practice Advisory Committee to review and make recommendations regarding Board Rule 217.16, Minor Incidents. The committees recommendations will be presented for the Boards consideration at a future Board meeting.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina</p>

AGENDA ITEM	DISCUSSION	ACTION
5.2.3. Advisory Committee on Education		<p>Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>No report.</p>
<p>5.2.4. Advisory Committee on Licensure, Eligibility and Discipline</p> <p>5.2.4.a. Consideration of Appointment of Replacement Members to the Advisory Committee on Licensure, Eligibility, and Discipline</p>	<p>The Board considered the Appointment of Replacement Members to the Advisory Committee on Licensure, Eligibility, and Discipline.</p>	<p>Motion by Deborah Bell, Second by Tamara Cowen.</p> <p>Move to approve the appointment of Ms. Lockhart to the Advisory Committee on Licensure, Eligibility, and Discipline as a representative of TNA, effective immediately.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
5.2.5. Task Force on Delegation	<p>Melinda Hester reported that the Delegation Task Force (DTF) for Chapter 224 met on June 20, 2014 to begin discussions regarding any potential revisions to the RN delegation rules. Laura Miller, RN MSN, representing the Texas Organization for Nurse Executives was elected to Chair the DTF for Chapter 224. Dr. MaryBeth Thomas provided a brief historical overview of the delegation rules. Dusty Johnston provided guidance to the DTF regarding their charge to review Chapter 224 and determine whether revisions are necessary and if so, to make recommendations for the Board's consideration. The general consensus of the DTF was the rules were "not broken" and required only a few changes. The DTF identified several concepts for Board staff to incorporate into draft rule language for the task force to consider at their next meeting on July 30th The DTF recommended</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5.2.5.a. Consideration of Appointment of New Members to Task Force on Delegation</p>	<p>statewide education for all nurses regarding the RN delegation rules. Board's staff would like to take this opportunity to thank Board Member, Deborah Bell for attending and participating in the Delegation Task Force, Chapter 224 subcommittee.</p> <p>The Board considered the Appointment of New Members to Task Force on Delegation.</p>	<p>Motion by Deborah Bell, Second by Tamara Cowen.</p> <p>Move to accept and approve the nominations of Monte Chambers to represent the Texas School for the Blind and Visually Impaired; Ramona Gaston-McNutt to represent the Prescribed Pediatric Extended Care Centers at the Department of Aging and Disability Services; and Gary Eubanks to represent the University of Texas Medical Branch Correctional Managed Care to serve on the Delegation Task Force for Chapter 224.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>5.3. Collaboration with Outside Agencies / Stakeholders</p> <p>5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee</p> <p>5.3.1.a. Consideration of Report on the Oversight of the Texas Center for Nursing Workforce Studies</p> <p>5.3.2. Updates Related to the</p>	<p>Katherine Thomas reported on the July 16, 2014 teleconference meeting of the Advisory Committee. The 2013 Nursing Demographics and Trends Report was reviewed and approved.</p> <p>The Board considered the Report on the Oversight of the Texas Center for Nursing Workforce Studies.</p> <p>Kristin Benton reported that Board staff met with representatives from THECB and TWC</p>	<p>No action.</p> <p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
Texas Higher Education Coordinating Board and the Texas Workforce Commission	on June 23, 2014. These regular meetings have been focused on learning more about each agency's role in approving pre-licensure nursing education programs. At the June 23rd meeting, Gary Tommerlin, TWC Deputy Assistant Commissioner for Community and Technical Colleges provided an overview of the Workforce Education Course Manual updating process. The next meeting will be held on November 3 rd .	
5.3.4. Texas Team Report - Robert Wood Johnson Initiative	Katherine Thomas reported that the Education Committee has focused on strategies to achieve 80% BSN prepared RNs by 2020, implementation of the APIN grant and determining nursing knowledge of the IOM Future of Nursing Report recommendations a survey is under development to ascertain nursing knowledge of this report. The Practice Committee has worked jointly on the survey of nurse knowledge of the IOM report and recommendations. This committee is also surveying nurses to determine their knowledge of health information technology.	No action.
5.3.5. National Council of State Boards of Nursing 5.3.5.a. Report on Annual NCSBN Delegate Assembly, to be held August 13-15, 2014, in Chicago, IL	The Board considered the Report on the Annual NCSBN Delegate Assembly, to be held August 13-15, 2014, in Chicago, IL.	<p>Motion by Tamara Cowen, Second by Patricia Clapp.</p> <p>Move to direct the Delegates to vote on these issues after hearing and considering the discussion on the issues.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
OPEN FORUM:	<p>Kathy Shipp announced the format and invited participation from the audience.</p> <p>Rebecca Zielinski, RN, Director of Health Care Programs, Vista College. Ms. Zielinski spoke to the Board regarding</p>	No action.

AGENDA ITEM	DISCUSSION	ACTION
	<p>the Vista College interest in assisting with the students that have been dropped by the unexpected program closure of AnaMarc College LVN program in El Paso, Texas.</p> <p>No other speakers came forward and the Open Forum was closed at 1:46 pm.</p>	
<p>6. OLD BUSINESS 6.4. Proposed Adoption of Repeal of 22 Tex. Admin. Code Chapter 221, Pertaining to Advanced Practice Nurses, and Proposed New 22 Tex. Admin. Code Chapter 221, Pertaining to Advanced Practice Registered Nurses, Written Comments Received, Oral Comments Received at Public Hearing, if any, and Board Responses to Comments</p>	<p>The Board considered the Proposed Adoption of Repeal of 22 Tex. Admin. Code Chapter 221, Pertaining to Advanced Practice Nurses, and Proposed New 22 Tex. Admin. Code Chapter 221, Pertaining to Advanced Practice Registered Nurses, Written Comments Received, Oral Comments Received at Public Hearing, if any, and Board Responses to Comments.</p>	<p>Motion by Deborah Bell, Second by Mary Lebeck.</p> <p>Move to withdraw the proposed repeal of 22 Tex. Admin. Code Chapter 221, Pertaining to Advanced Practice Nurses, and proposed new 22 Tex. Admin. Code Chapter 221, Pertaining to Advanced Practice Registered Nurses, as were published in the Texas Register on May 30, 2014.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell</p> <p>Against: Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>6.5. Proposed Adoption of Amendments to 22 Tex. Admin. Code §214.9, Pertaining to Program of Study</p>	<p>The Board considered the Proposed Adoption of Amendments to 22 Tex. Admin. Code §214.9, Pertaining to Program of Study.</p>	<p>No action.</p>
<p>6.6. Proposed Adoption of Amendments to 22 Tex. Admin. Code §215.9, Pertaining to Program of Study, Written Comments Received, and Board Responses to Comments</p>	<p>The Board considered the Proposed Adoption of Amendments to 22 Tex. Admin. Code §215.9, Pertaining to Program of Study, Written Comments Received, and Board Responses to Comments.</p>	<p>Motion by Patricia Clapp, Second by Marilyn Davis.</p> <p>Move to adopt the proposed amendments to §215.9 without changes, as published in the Texas Register on May 23, 2014. Further, authorize Staff to publish the summary of the comment and response to the comment.</p> <p>For: Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Against: Sheri Crosby</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>6.7. Proposed Adoption of Amendments to 22 Tex. Admin. Code 213.35, Pertaining to Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program, Written Comments Received, if any, and Board Responses to Comments</p>	<p>The Board considered the Proposed Adoption of Amendments to 22 Tex. Admin. Code 213.35, Pertaining to Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program, Written Comments Received, if any, and Board Responses to Comments.</p>	<p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>No action.</p>
<p>7. NEW BUSINESS 7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee</p>	<p>Bonnie Cone reported that a meeting was held June 6, 2014 is for information purposes only; no action is required. I'm sharing this report on behalf of Denise Benbow.</p> <p>A report was provided to the Committee on the financial status for TPAPN. While the report appeared to indicate excess funding due to vacant positions, it was explained as the result of staff vacancies and length of time to fill the position. Although a budget discrepancy is noted, the discrepancy is explained as the difference in TPAPNs calendar year (July 1st-June 20th) and BON's calendar year (September 1st - August 31st).</p> <p>The draft for the strategic plan was shared. Highlights of the plan include:</p> <ul style="list-style-type: none"> A website redesign to facilitate nurses' accessing support and information; Implementing NCSBN's guidelines for alternative to discipline programs; Deciding what mental health disorders TPAPN should accept; and Ensure policies and procedures align with parent organization's policies and procedures <p>While TPAPN has been trailing in referrals, it was reported that as of June 6th, every referral had been opened and assigned a case manager.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>7.1.4. Consideration of Report on Oversight of Texas Peer Assistance Program for Nurses</p>	<p>The Board considered the Report on Oversight of Texas Peer Assistance Program for Nurses. Staff will continue to monitor the program.</p>	<p>No action.</p>
<p>7.2. Consideration of Adela Hunt, Applicant for Advanced Practice Registered Nurse Licensure, Request for Exception to Rule 221.3(e)(1)</p>	<p>The Board considered the Request for Exception to Rule 221.3(e)(1) of Adela Hunt, Applicant for Advanced Practice Registered Nurse Licensure.</p>	<p>Motion by Deborah Bell, Second by Mary Lebeck.</p> <p>Move to deny the request from Adela Hunt to waive the requirement for a separate, dedicated, graduate level course in advanced health assessment as set forth in Rule 221.3(e)(1).</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>7.3. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.1, Pertaining to Definitions</p>	<p>The Board considered Proposed Amendments to 22 Tex. Admin. Code §217.1, Pertaining to Definitions.</p>	<p>Motion by Deborah Bell, Second by Patricia Clapp.</p> <p>Move to approve the proposed amendments to 22 Tex. Admin. Code §217.1, Pertaining to Definitions, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code §217.1, Pertaining to Definitions, as proposed.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code</p>	<p>The Board considered Proposed Amendments to 22 Tex. Admin. Code §215.5, Pertaining to Philosophy/Mission and Objectives/Outcomes.</p>	<p>Motion by Patricia Clapp, Second by Tamara Cowen.</p> <p>Move to approve the proposed amendment</p>

AGENDA ITEM	DISCUSSION	ACTION
§215.5, Pertaining to Philosophy / Mission and Objectives / Outcomes		<p>to 22 Tex. Admin. Code §215.5, Pertaining to Philosophy / Mission and Objectives / Outcomes, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendment to 22 Tex. Admin. Code §215.5, Pertaining to Philosophy / Mission and Objectives / Outcomes, as proposed.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
7.5. Consideration of Proposed Amendments to 22 Tex. Admin. Code §223.1, Pertaining to Fees	The Board considered Proposed Amendments to 22 Tex. Admin. Code §223.1, Pertaining to Fees.	<p>Motion by Patricia Clapp, Second by Deborah Bell.</p> <p>Move to approve the proposed amendments to 22 Tex. Admin. Code §223.1, Pertaining to Fees, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code §223.1, Pertaining to Fees, as proposed.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
7.6. Consideration of Proposed Amendments to 22 Tex. Admin. Code §216.1, Pertaining to Definitions; §216.5, Pertaining to Additional	The Board considered Proposed Amendments to 22 Tex. Admin. Code §216.1, Pertaining to Definitions; §216.5, Pertaining to Additional Criteria for Specific Continuing Education Programs; and §216.6, Pertaining to Activities That are not Acceptable as Continuing Education.	<p>Motion by Tamara Cowen, Second by Deborah Bell.</p> <p>Move to approve the proposed amendments to 22 Tex. Admin. Code §216.1, Pertaining to Definitions; §216.5, Pertaining to Additional Criteria for Specific Continuing Education Programs; and §216.6, Pertaining to</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Criteria for Specific Continuing Education Programs; and §216.6, Pertaining to Activities That are not Acceptable as Continuing Education</p>		<p>Activities That are not Acceptable as Continuing Education, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Tex. Admin. Code §216.1, Pertaining to Definitions; §216.5, Pertaining to Additional Criteria for Specific Continuing Education Programs; and §216.6, Pertaining to Activities That are not Acceptable as Continuing Education, as proposed.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>8. Proposed Board Orders 8.5. ALJ Proposals for Decision</p> <p>8.5.6. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Privilege to Practice From Utah PN Number 6993026-3101 & RN Number 6993026-3102, Issued to TIFFANY LYNNE PICKETT, SOAH Docket No. 507-13-5439</p> <p>8.5.6.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-13-5439. Marc Meyer, Attorney for Respondent was present and was given full opportunity to address the board.</p>	<p>Motion by Deborah Bell, Second by Mary Lebeck.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and impose a Reprimand with Stipulations and a Fine against the Respondent's license for two years, to include the stipulations set out in the attached proposed order, including the assessment of administrative costs.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Marilyn Davis, Josefina Lujan, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Matter of Privilege to Practice From Utah PN Number 6993026-3101 & RN Number 6993026-3102, Issued to TIFFANY LYNNE PICKETT, SOAH Docket No. 507-13-5439</p> <p>8.5.7. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificates RN 596550 & LVN #139605, Issued to AMY NANETTE REYNOLDS, SOAH Docket No. 507-14-1418</p> <p>8.5.7.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificates RN 596550 & LVN #139605, Issued to AMY NANETTE REYNOLDS, SOAH Docket No. 507-14-1418</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-14-1418.</p> <p>Marc Meyer, Attorney for Respondent and Amy Nanette Reynolds, Respondent were present and were given full opportunity to address the board.</p>	<p>Board Members Deborah Bell and Kathy Shipp recused themselves prior to the discussion and vote on this agenda item.</p> <p>Motion by Mary Lebeck, Second by Nina Almasy.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, except for proposed Conclusion of Law Number 7, which is not adopted by the Board, and impose a Reprimand with Stipulations against the Respondent's licenses for 2 years, to include remedial education courses, employer notifications, quarterly reports, abstention and random drug screening, and indirect supervision for the duration of the Order, as set out in the attached proposed Order.</p> <p>For: Nina Almasy, Mary Lebeck</p> <p>Against: Sheri Crosby, Patricia Clapp, Monica Hamby, Marilyn Davis, Josefina Lujan, Tamara Cowen</p> <p>Recuse: Kathy Shipp, Deborah Bell</p> <p>Final Resolution: Motion Fails</p> <p>Motion by Patricia Clapp, Second by Josefina Lujan.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, except for proposed Conclusion of Law Number 7, which is not adopted by the Board, and impose a Reprimand with Stipulations against the Respondent's licenses for 2 years, to include remedial education courses, employer notifications, quarterly reports, abstention and random drug screening, and incident</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>reporting for the duration of the Order.</p> <p>For: Sheri Crosby, Patricia Clapp, Monica Hamby, Marilyn Davis, Josefina Lujan, Tamara Cowen</p> <p>Against: Nina Almasy, Mary Lebeck</p> <p>Recuse: Deborah Bell, Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>9. MISCELLANEOUS 9.9. Review of Emergency Evacuation Plan of Tower II, Room 225, William P. Hobby Building for Board Members, Staff and Visitors</p>	<p>The Board reviewed the Emergency Evacuation Plan of Tower II, Room 225, William P. Hobby Building for Board Members, Staff and Visitors.</p>	<p>No action.</p>
<p>ADJOURNMENT</p>	<p>Having completed this day's business the meeting adjourned at 5:30 p.m.</p>	

TEXAS BOARD OF NURSING

Regular Meeting

Friday, July 18, 2013

8:30 a.m. - 12:30 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Kathy Shipp, MSN, RN, FNP, Board President, Representing APN Practice

Nina Almasy, BSN, RN, MSN, Representing LVN Education

Deborah Hughes Bell, CLU, ChFC, Representing Consumers

Patti Clapp, BA, Representing Consumers

Tamara Cowen, MSN, RN, Representing RN Practice, Departed meeting at

Sheri Denise Crosby, JD, SPHR, Representing Consumers

Marilyn J. Davis, BSN, RN, MPA, Representing RN Practice

Monica Hamby, LVN, Representing LVN Practice

Josefina Lujan, PhD, RN, Representing BSN Education

Mary LeBeck, MSN, RN, Representing ADN Education

Absent:

Shelby Ellzey, Representing Consumers

Kathy Leader-Horn, LVN, Representing LVN Practice

Beverly Jean Nutall, LVN, Representing LVN Practice

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

Mark Majek, Director of Operations

Kristin Benton, Director of Nursing

James "Dusty" Johnston, General Counsel

Jena Abel, Assistant General Counsel

Melinda Hester, Nursing Consultant

Jan Hooper, Nursing Consultant

Virginia Ayars, Nursing Consultant

Denise Benbow, Nursing Consultant

Sandi Emerson, Nursing Consultant

Bonnie Cone, Nursing Consultant

Linda Laws, Nursing Consultant

Christina Stelly, Nursing Consultant

Gayle Varnell, Nursing Consultant

Jolene Zych, Nursing Consultant

Bruce Holter, Information Specialist

Jeremy Bruker, Information Technology

Bill Ray, Information Technology

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kathy Shipp called the meeting to order at 8:30 am, Friday, July 18, 2014.	
ROLL CALL	Katherine Thomas did the roll call. A quorum was established with ten members in attendance, Board Members Kathy Leader-Horn, Beverley Nutall and Shelby Ellzey were absent.	
5. COMMITTEE REPORTS		
5.2. Advisory Committees / Task Forces		
5.2.6. Task Force to Study Implications of the Growth of Texas Nursing Education Programs	<p>Kristin Benton reported the Task Force to Study Implications of Growth of Nursing Education Programs in Texas is currently working on 2 current charges;</p> <p>1-Produce a guideline for Optimal Clinical Instruction</p> <p>2-Analyze the 2013 NEPIS (Nursing Education Program Information Survey) results with regard to use of clinical hours</p> <p>The Task Force last met face-to-face in Austin on June 13th to continue work on the education guideline and discuss preliminary trends from the Clinical Instruction Survey launched in April of this year. This Survey was routed by program directors of pre-licensure education programs to faculty, students and clinical affiliates. Task Force members provided input and direction to staff to continue development of the guideline using the review of the literature, survey results, and pending results from the NCSBN Simulation Study. It is anticipated that the Guideline will be presented to the Board in October.</p> <p>The Task Force directed staff to plan a statewide faculty workshop in Austin next spring. This workshop is tentatively planned for March, 2015.</p>	
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.3.National Council of State Boards of Nursing - Taxonomy of Error Root Cause Analysis of Practice (TERCAP)		No report.

AGENDA ITEM	DISCUSSION	ACTION
<p>5.3.3.a. Texas - Taxonomy of Error Root Cause Analysis of Practice (TERCAP) Update</p>	<p>Mary Beth Thomas provided updates to the Board. The pilot will end August 31, 2014 and staff will provide a Pilot Evaluation Report with recommendations for the future of the pilot to the October 2014 Board meeting.</p>	<p>No action.</p>
<p>7. NEW BUSINESS 7.7. Consideration of Proposed Recommendations for a Policy for Board Member Excused Absences at Board Meetings under Texas Occupations Code, Sec. 301.055(a)(5)</p>	<p>The Board considered the Proposed Recommendations for a Policy for Board Member Excused Absences at Board Meetings under Texas Occupations Code, Sec. 301.055(a)(5).</p>	<p>Motion by Tamara Cowen, Second by Patricia Clapp.</p> <p>Motion to table this item for later discussion at the October meeting.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Tamara Cowen</p> <p>Abstain: Deborah Bell, Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>8. BOARD ORDERS 8.5. ALJ Proposals for Decision 8.5.1. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate RN #647399, Issued to TAMMY CAMPOS, SOAH Docket No. 507-13-5023 8.5.1.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #647399, Issued to TAMMY CAMPOS,</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-13-5023.</p>	<p>Motion by Patricia Clapp, Second by Deborah Bell.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, take no action against the Respondent's registered nursing license; and dismiss the amended formal charges pending against the Respondent's nursing license.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>SOAH Docket No. 507-13-5023</p> <p>8.5.2. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate RN #778048, Issued to THOMAS NEAL COMBS JR., SOAH Docket No. 507-13-5850</p> <p>8.5.2.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #778048, Issued to THOMAS NEAL COMBS JR., SOAH Docket No. 507-13-5850</p> <p>8.5.3. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Advanced Practice Registered Nurse License Number AP116188 with Prescription Authorization Number 7971 and Permanent Certificate RN #688501, Issued to IESHA ISHEA GRANT, SOAH Docket No. 507-13-2793</p> <p>8.5.3.a. Executive</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-13-5850.</p> <p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-13-2793.</p>	<p>Motion by Tamara Cowen, Second by Mary Lebeck.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, including Finding of Fact Number 38, as amended by the ALJ in her final letter ruling of April 2, 2014; take no action against the Respondent's registered nursing license; and dismiss the formal charges pending against the Respondent's nursing license.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Deborah Bell, Second by Patricia Clapp.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, except for Conclusion of Law Number 18, which is not adopted but is re-designated as part of the ALJ's recommendation, and revoke the Respondent's nursing licenses and prescriptive authority and assess administrative costs.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Advanced Practice Registered Nurse License Number AP116188 with Prescription Authorization Number 7971 and Permanent Certificate RN #688501, Issued to IESHA ISHEA GRANT, SOAH Docket No. 507-13-2793</p>		
<p>8.5.5. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate RN #597758, Issued to DAVID CHARLES MATTHEWS, SOAH Docket No. 507-14-1063</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-14-1063.</p>	<p>Motion by Patricia Clapp, Second by Mary Lebeck.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and impose a Warning with Stipulations against the Respondent's license, to include stipulations.</p> <p>For: Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Deborah Bell, Tamara Cowen</p> <p>Against: Sheri Crosby</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>8.5.5.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN #597758, Issued to DAVID CHARLES MATTHEWS, SOAH Docket No. 507-14-1063</p>		
<p>8.5.8. Consideration of Proposal For Decision, Recommendations,</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision and Staff's Recommendations for Disposition of Docket No. 507-13-4349.</p>	<p>Motion by Mary Lebeck, Second by Deborah Bell.</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>and Board action: In the Matter of Permanent Certificate LVN #199652, Issued to MISTY LENEA SMITH, SOAH Docket No. 507-13-4349 8.5.8.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #199652, Issued to MISTY LENEA SMITH, SOAH Docket No. 507-13-4349</p>		<p>without modification, including Finding of Fact Number 6, as revised by the ALJ in his final letter ruling of May 28, 2014, but excluding Conclusion of Law Number 7, which is modified and adopted; Revoke the Respondent's nursing license; and assess administrative costs in the amount of \$2,224.78.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Deborah Bell, Tamara Cowen</p> <p>Abstain: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
<p>9. MISCELLANEOUS</p>		
<p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>The Board discussed items of interest for future board meetings.</p>	<p>Items to be scheduled for future board meetings will be Sunset process; Rapback; Telehealth; and Space for students.</p>
<p>9.2. Board Development: Nursing Education Program Information Survey Presentation by Pam Lauer, MPH, Program Director, Texas Center for Nursing Workforce Studies</p>	<p>Pam Lauer, MPH, Program Director, Texas Center for Nursing Workforce Studies presented on the Nursing Education Program Information Survey.</p>	<p>No action.</p>
<p>9.3. Review of the Board Quarterly Meeting Evaluation</p>	<p>The Board reviewed and discussed the Board Quarterly Meeting Evaluation of the April, 2014 meeting.</p>	<p>No action.</p>
<p>9.4. Consideration of Proposed Date and Topics for October, 2014 Board Retreat</p>	<p>The Board discussed proposed dates and topics for the October, 2014 Board Retreat.</p>	<p>The Board scheduled the October retreat for Wednesday, October 22, 2014 from 2pm-6pm and the topics to be discussed will be Sunset/Legislative Overview, and having a TNA Representative discuss the TNA 2015 Legislative Agenda.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.5. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine A. Thomas, MN, RN, FAAN, Executive Director - Convene in Open Session to consider recommendations and take action</p>	<p>The Board went into Executive Session at 8:40 a.m. Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine A. Thomas, MN, RN, FAAN, Executive Director.</p> <p>The Board Convened in Open Session to consider recommendations and take action on the Performance Evaluation of Katherine A. Thomas, MN, RN, FAAN, Executive Director.</p>	<p>Motion by Kathy Shipp, Second by Deborah Bell.</p> <p>Move to award fifteen days paid administrative leave to Katherine A. Thomas, MN, RN, FAAN, Executive Director for excellent job performance.</p> <p>For: Sheri Crosby, Patricia Clapp, Nina Almasy, Monica Hamby, Mary Lebeck, Deborah Bell, Kathy Shipp, Tamara Cowen</p> <p>Final Resolution: Motion Carries</p>
<p>9.6. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Board Self-Evaluation</p>	<p>The Board met in Executive Session Regarding Personnel Matters: Annual Board Self-Evaluation.</p>	<p>No action.</p>
<p>9.7. Nominations for Board Vice-President</p>	<p>Kathy Shipp opened the floor for Nominations for Board Vice-President.</p>	<p>Board Member Deborah Bell nominated herself for Board Vice-President; Board Member Patti Clapp nominated herself for Board Vice-President.</p> <p>The Board will hold a vote on the Board Vice-President seat at the October, 2014 Board Meeting.</p>
<p>9.8. Consideration of Appointment of a Board Sub-Committee to Review Governance Audit by the Internal Auditor</p>	<p>The Board considered the Appointment of a Board Sub-Committee to Review Governance Audit by the Internal Auditor.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
ADJOURNMENT	Having completed all business as listed on the agenda, the meeting adjourned at 12:30 p.m. _____ Kathy Shipp, MSN, RN, FNP Board President _____ Katherine A. Thomas, MN, RN, FAAN Executive Director	