

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

NCSBN e-Notify Service: This service delivers real-time notification to employers about nurses in their employ. The system provides licensure and publicly available discipline data directly as the information is entered into the Nursys database by boards of nursing. Employers can chose the types and frequency of notifications such as expiration of license and discipline on a license. Currently there are 600 Texas nursing employers with 86,408 nurses enrolled in e-Notify. NCSBN is now permitting individual nurses to enroll.

Supreme Court Rules against State Dental Board: The U.S. Supreme Court ruled that the North Carolina State Board of Dental Examiners does not have the authority to regulate teeth-whitening services. The Court, in a 6-3 decision, ruled that the dental board, comprised primarily of dentists, acted in violation of federal anti-trust laws by telling non-dentists they could no longer offer teeth-whitening services. The case was brought by the Federal Trade Commission (FTC), which charged the dental board with illegal suppression of competition for its members' personal benefit . The board issued cease-and-desist letters to non-dentists who offered teeth whitening services. The FTC also held that the dental board could not claim exemption from federal antitrust law in this instance.

The Court agreed with the FTC's claim that although state entities are typically exempt from federal antitrust laws, the exemption did not apply in this case because the dental board appeared to be suppressing a competitor without showing a legitimate state interest. "Teeth whitening," was not clearly articulated in the state's dental practice act, and thus was not an exercise of the state's sovereign power.

The question for the Court was "whether the State's review mechanisms provide 'realistic assurance' that a nonsovereign actor's anti-competitive conduct 'promotes state policy, rather than merely the party's individual interests.'" The Court concluded that active supervision requirements depend on all the circumstances of the case and an analysis of whether the supervisor (1) reviewed the substance of the anti-competitive decision, (2) has the power to veto or modify particular decisions to ensure they accord with state policy, and (3) was an active market participant. The mere potential for state supervision is not an adequate substitute for a decision by the state. Since the dental board did not claim that the state exercised active supervision over its decision to tell non-dentists they could no longer offer teeth-whitening services, no specific supervisory systems were reviewed by the Court.

The Supreme Court affirmed the Court of Appeals of the Fourth Circuit which had affirmed the FTC's findings that the dental board should (1) stop sending cease-and-desist letters that stated non dentists may not offer teeth whitening services and products, and (2) issue notices to all earlier recipients of cease-and-desist orders advising them of the dental board's proper sphere of authority, and that the notice recipients had a right to seek declaratory rulings in state court.

<http://www.modernhealthcare.com/article/20150225/NEWS/150229950>

New Data Shows Enrollment Increases in Schools of Nursing: New data released by the American Association of Colleges of Nursing (AACN) shows that enrollment in baccalaureate, master's and doctoral nursing programs increased last year. This increase helps to answer the Institute of Medicine's call in their 2010 *The Future of Nursing* report for nurses to achieve higher levels of education. Data from AACN's fall 2014 survey shows a 4.2 percent increase in entry-level baccalaureate program enrollment and a 10.4 percent increase in registered nurse (RN) to bachelors of science in nursing (BSN) programs for RNs. Graduate school enrollment increased 6.6 percent in master's programs, 3.2 percent in research-focused doctoral programs and 26.2 percent in practice-focused doctoral programs.

Of particular importance is the significant increase in RN to BSN program enrollment, a 69 percent increase in the number of students enrolled from 2010 to 2014. Complete survey results will be available in the AACN *2014-2015 Enrollment and Graduations in Baccalaureate and Graduate Programs in Nursing* report.

<http://view.email.aarp.org/?j=fec811707c63057c&m=fe9815707d6504797c&ls=fe5116737063027b7d1d&l=ff9c1671&s=fe5c1576756d077b7112&jb=ffcd16&ju=fe6715757c60077c7515&r=0>

Interprofessional Collaboration and Education: A March 2015 article highlights the *Campaign for Action's* efforts to increase education and interprofessional collaboration among health care providers. The IOM report, *The Future of Nursing: Leading Change, Advancing Health*, identified interprofessional collaboration among health care providers as an essential part of improving health care's accessibility, quality and value. The article emphasizes the imperative to increase interprofessional collaboration in these areas and highlights current state initiatives that foster interprofessional collaboration and education.

The article concludes with three steps that will lead to advancement in health and health care through interprofessional collaboration. First, practicing nurses, administrators, educators and the public should advocate for more interprofessional education (IPE) in health professions at schools by asking educational institutions whether they support IPE and what classes they offer. Second, nurses and nurse champions can advocate for a model of collaborative care in their workplace by sharing their ideas and taking leadership roles. Finally, health care providers can advocate for the removal of barriers to practice and care by encouraging team members to practice to the fullest extent of their education.

http://journals.lww.com/ajnonline/Fulltext/2015/03000/Interprofessional_Collaboration_and_Education.26.aspx#<http://journals.lww.com/ajnonline/Fulltext/2015/03000/Interprofessional_Collaboration_and_Education.26.aspx

States Pass Criminal Background Check Bills into Law: Nebraska and Virginia have each passed bills into law requiring criminal background checks for nurses. The Nebraska bill requires all applicants for an initial license to practice as a registered nurse (RN) or a licensed practical nurse (LPN) be subject to a criminal background check. An applicant must submit with the application a full set of fingerprints which will undergo a national criminal history record information check by the Federal Bureau of Investigation (FBI). The cost of the fingerprinting and criminal background check will be paid by the applicant.

The Virginia bill establishes state and federal criminal history background check requirements for LPN and RN nurse licensure applicants. The bill requires each applicant to submit fingerprints and

provide personal descriptive information that will be forwarded through the Central Criminal Records Exchange to the FBI. The cost of the fingerprinting and the criminal history record search will be paid by the applicant.

Infographic Released to Help Users Identify Fake Online Pharmacies: The Partnership for Safe Medicines released a new resource to help consumers identify the characteristics of fake online pharmacies. The infographic resource highlights five tactics commonly used by rogue online drug sellers that may make their websites appear legal and safe. The resource also explains how the rogue websites may attempt to appear official. For example, many illegal websites that claim to be Canadian companies, by displaying a Canadian maple leaf logo, are in fact not Canadian and are manufacturing counterfeit drugs elsewhere in unlicensed, unregulated labs without proper ingredients and safety measures.

Other characteristics of rogue online drug seller websites include links to an international drug list, claims to be certified, claim to employ licensed pharmacists and offer an option to chat live with a doctor. To help consumers locate safe sources for purchasing medication online, the National Association of Boards of Pharmacy has developed the Verified Internet Pharmacy Practice Sites program which accredits online pharmacies that dispense prescription drugs.

<http://www.nabp.net/news/partnership-for-safe-medicines-releases-infographic-to-help-users-identify-fake-online-pharmacies>

Study Looks at Graduate Clinical Nurse Preceptors and the Implications for Improved Intra-professional Collaboration: Data from a study examining the graduate clinical nurse preceptor role suggest that the role needs to be more visible and better integrated into schools of nursing and health care organizational structures. The researchers reviewed literature on clinical preceptor experiences with graduate-level students, and performed a research study of 91 graduate student clinical preceptors on factors influencing their commitment to their role. A key finding of the study was that role commitment is enhanced when the preceptors experience benefits and rewards associated with the preceptor role. These findings suggest the need to examine how schools of nursing and health care organizations can develop more formal and meaningful reward and benefit systems that facilitate professional development and career mobility.

Another factor found to enhance role commitment was when preceptors felt supported in their preceptor role, but data suggest that the preceptors perceived limited organizational support for the preceptor role. This indicates there is room for improvement in empowering and providing support to the graduate clinical nurse preceptor.

Based on their findings, the researchers suggest a complementary need for intra-professional collaboration among nursing faculty, administrators and clinicians to facilitate the recruitment, cultivation and retention of graduate student clinical nurse preceptors. The researchers suggest that successful collaboration between schools of nursing and health care agencies around benefits, rewards and support has the potential to make graduate student clinical precepting more inviting and rewarding to future preceptors and will strengthen their role commitment.

<http://www.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TablesOfContents/Vol-19-2014/No3-Sept-2014/Articles-Previous-Topics/Graduate-Clinical-Nurse-Preceptors.html>

Nurse Diagnosis Aided by Mobile Application (App) : According to a Columbia University School of Nursing study, mobile devices with a custom health app that prompts clinicians to follow evidence-based guidelines to make treatment decisions and document care plans makes nurses significantly more likely to identify health issues during routine exams. Researchers evaluated diagnosis rates for tobacco use, adult and pediatric depression and obesity during 34,349 patient exams conducted by 363 nurses in nurse practitioner (NP) programs. The NP students were randomly assigned to use mobile apps either with or without decision support for guideline-based care.

The mobile apps with decision support resulted in significantly higher diagnosis rates than apps without decision support for each of the health issues studied. The rate of diagnosis when using the app with decision support increased seven times (33.9 percent vs. 4.8 percent) for obesity and five times (11.9 percent vs. 2.3 percent) for tobacco use. Additionally, the diagnosis rate with mobile app decision support was 44 times more (8.8 percent vs. 0.2 percent) for adult depression and four times more for pediatric

Suzanne Bakken, lead study researcher, states that the app may have worked so well because it prompted the NP students to follow evidence-based clinical guidelines to screen, diagnose and manage specific conditions and encouraged detailed conversations with patients about their health.

[depression.http://nursing.columbia.edu/mobile-app-evidence-based-decision-support-diagnoses-more-obesity-smoking-and-depression-columbia](http://nursing.columbia.edu/mobile-app-evidence-based-decision-support-diagnoses-more-obesity-smoking-and-depression-columbia)

New App Aims to Assist Nurses in Making House Calls: A new app, Go2Nurse, provides people in need with a registered nurse (RN) in urgent and non-emergency situations. The app is designed for individuals to have immediate access to a RN who will serve as a case manager and be the central point of contact for those enrolled in Medicare, Medicaid and Affordable Care Act health care organizations. Go2Nurse provides health care services in prenatal and postnatal care, wound care, pain management, physical therapy, as well as medication and disease education.

Included in the app are concierge care services using private duty nurses aimed at adults taking care of seniors and children. Go2Nurse CEO Meg Kubiak, an RN, stated that the app's service is designed to respond to the shift in health care where nurses are taking on additional responsibilities.

<http://medcitynews.com/2015/03/mobile-health-startup-go2nurse-wants-nurses-make-housecalls/>

STATE ISSUES

Health Professions Council: The Health Professions Council (HPC) met on December 1, 2014 for its regular quarterly meeting. The Council heard a representative from the Department of Information Resources (DIR) concerning the Legacy Project which identified the life cycle of hardware and software that are obsolete technology, difficult or expensive to support, lack of agility to adopt to new requirements, and/or whose functionality no longer matches business need. The BON Nurse database is legacy and will be replaced by ORBS by 2016. Reports from several committees were presented with discussion of opportunities for sharing information on best practices, resources and training,

84th Legislative Session: The 140 day session of the 84th Legislature convenes on January 13th and adjourns on June 1st. Friday, March 13th was the deadline for filing bills and joint resolutions other than local bills, emergency appropriations, and bills that have been declared as an emergency by the Governor. Following the session the Governor has 20 days to sign or veto bills passed during the regular session. Bills that pass that are not vetoed or signed will go into effect. If a bill does not contain an effective date it will become law on August 31, 2015. The House passed HB 1 on second reading on March 31st. We anticipate a joint conference committee of Senate Finance and House Appropriations will be appointed. Updated report on all tracked bills will be discussed under item 1.3. For update on the Budget Committees' decisions, please see **Attachment A**.

BOARD ISSUES

BON Bulletin Articles : The April issue of the *Board of Nursing Bulletin* contains articles on: 1.) Nursing Fatigue: Avoiding Patient Safety Risks; 2.) An invitation to our customers to fill out a satisfaction survey; 3.) Updated Position Statements; 4.) Infectious Disease and Your Duty as a Nurse; 5.); and 6.) Update on Task Force to Study the Implications of Growth of Nursing Education Programs in Texas.

Board Development: According to direction from the Evaluation and Development Committee consisting of Board members Kathy Leader Horn and Patti Clapp and input from the Board, there will be a Board Development session on Friday of the April Board meeting on the DSM V Diagnostic Criteria by John M. Lehman, PhD.

AGENCY ISSUES

Nursing Jurisprudence Examination: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented in September 2008. 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 second quarter of Fiscal Year 2015. (**See Attachment B**).

Staff continue working with a psychometrician to update the Jurisprudence Examination.

Business Continuity/Continuity of Government Planning (COOP): The State of Texas must be prepared to ensure the continuing performance of critical government functions under all conditions, including emergencies that disrupt normal operations. This capability depends on effective continuity planning that identifies critical functions; identifies the personnel, facilities, and other resources required to continue delivery of those functions; and ensures those resources will be available when needed through coordination with partners and stakeholders. Requirements for state agency continuity planning are established in the Texas Labor Code (Section 412.054), with additional information on information security rules related to information security standards in Rule §202.24 of the Texas Administrative Code. The Texas BON is required to have an employee

that has been certified and would serve as the agency continuity coordinator. Then, we are to have our continuity coordinator review the agency's current plan, compare it to the Federal Emergency Management Agency COOP standards and revise our plan as needed to meet these new standards. We must submit to the State Office of Risk Management (SORM) at least two things: (1) our agency's revised plan; and, (2) a form created by SORM, called a cross-walk, where next to each standard we must list where that information is located in our plan. Other documents may be required, such as an Memorandum Of Understanding with another agency, depending upon the content of our plan. Once our information is submitted, SORM will evaluate the plan based on the standards in the cross-walk and tell us if we are in compliance and provide feedback on how our plan could be improved. The first deadline for submitting initial information was October 31, 2014. We submitted part of the requirements on that date and received the initial response from SORM at this time. (**See Attachment C**). The Texas Board of Nursing, The Texas Medical Board and the Texas State Board of Pharmacy partnered to hire a part-time staff member with the sole essential function of completing this process. She is completing the required training and documenting the requirements for each agency.

National Council of State Boards of Nursing (NCSBN) Projects: Staff continues the BON on boarding process for the new NCSBN data base system, Optimal Regulatory Board System, ORBS, (formally known as ROMs) system. The Business analyst completed mapping of all the BON business processes.

Information Technology Updates:

This quarter the IT department has been focusing on security; maintaining equipment, software and functions; and testing.

- Completed the installation of new antivirus software all computers
- Created a draft for the TBON intranet
- Setup the new fee structure on all systems, implementing the \$10.00 reductions in licensure fees
- Completed the Fiber run from Tower 2 to Tower 3 to support data and video
- Set up new managed Switches to move the network traffic from Tower 2 to Tower 3
- Completed the Fiber run from Tower 3 4th floor to TMB floor for video infrastructure
- Added prescriptive authority number to the Case Log Screens for Enforcement
- Updated the daily uploads to NCSBN for APRN licensures to include a date range
- Removed all older hardware off of the network infrastructure
- Added new Department of Public Safety criminal history tracking capabilities to the NURSE database program
- Added new APRN six-month Permit revenue breakout in NURSE
- Updated the Quarterly statistics programs to accommodate some of the newer codes
- Added several new codes to the case management system enforcement
- Met with Time Warner and Microsoft to discuss long term contracting for our Disaster Recovery site

Website: The following are changes that have been made to the website for the second quarter of the fiscal year

- New Education Guideline 3.8.7a
- Updated Approved Nursing Programs RN (weekly)
- Updated Approved Nursing Programs LVN(weekly)
- Changed the license verification program
- Update 2014 Providers List that meet board requirements
- Updated the Courses and Compliance Resources page
- Facebook Launch announcement
- Notice of Disciplinary Actions
- Updated Rule 223.1
- Updated all renewal applications to reflect changed fees
- Updated 3.2 Education Guidelines
- Posted the 1st quarter Web Statistics
- Posted Rules and Regulations 2015(pdf) on the website
- Added information for Kennedy Global School of Nursing in Philippines on the website
- Updated Website Fee pages
- Posted updated NCLEX RN pass rate report
- Updated Provider 2015 Providers List that meet board requirements
- Posted new FAQ for New and Perspective Students (School & Students)
- Posted information regarding new APRN 6-month License verification

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

Executive Director

Meeting: with Monica Hughes, RN, BSN, new Director of Public Health Nursing, Department of State Health Services, January 26, 2015, Austin

Conference Call: Texas Team Advancing Education Committee Meeting, January 26, 2015

Meeting: Compact Revision Meeting with Executive Officers, January 30, 2015, Chicago

Meeting: with Isabel Casas, MSSW, Legislative Aide, Office of Senator Judith Zaffirini, Re: LVN On-call Pilot Program, February 2, 2015, Austin

Meeting: with Senator Juan Hinojosa, regarding Budget and State Office of Administrative Hearings, February 2, 2015, Austin

Meeting: with Texas Organization of Baccalaureate and Graduate Nursing Education (TOBGNE), February 5, 2015, Austin

Meeting: with Texas Organization for Associate Degree Nursing Education (TOADN), February 5, 2015, Austin

Meeting: with Texas Association of Deans and Directors of Texas Professional Nursing Programs (TADDPNP), February 6, 2015, Austin

Meeting: with State Office of Administrative Hearings, regarding Docketing Issues, February 9, 2015, Austin

Conference Call: with Belinda West, Investigator, Texas Medical Board, regarding Joint Investigations into Pill Mill Activity, February 9, 2015

Meeting: NCSBN Board of Directors, February 11-13, 2015, Chicago

Hearing: House Appropriations Committee, February 17, 2015, Austin

Conference Call: Nurse Licensure Compact Administrators, February 17, 2015

Meeting: Texas Center for Nursing Workforce Studies, February 18, 2015, Austin

Meeting: Tri-Regulator Leadership Meeting, February 19, 2015, Chicago

Conference Call: Compact Review Team, February 23, 2015

Conference Call: Texas Team Advancing Education Committee Meeting, February 23, 2015

Meeting: Nurse Licensure Compact Administrators Executive Committee, February 27, 2015, San Antonio

Meeting: Texas Facilities Commission regarding space in the Hobby Building, March 3, 2015, Austin

Conference Call: Compact Revision Team, March 3, 2015

Meeting: Governor's Office staff, March 6, 2015

Meeting: Nurse Licensure Compact Administrators, March 15, 2015, Louisville, KY

Meeting: NCSBN Mid Year meeting, March 16-18, 2015, Louisville, KY

Conference Call: Texas Team Practice Committee, March 20, 2015

Conference Call: Texas Team Advancing Education Committee Meeting, March 23, 2015

Meeting: with Texas Nurses Association (TNA), regarding bills impacting the agency, March 24, 2015, Austin

Meeting: with Jettie Eddleman, BSN, RN, and Robert Steele, MD, Rural Community & Health Institute, Re: KSTAR Nursing Program Reports, March 25, 2015, Austin

Meeting: with Cindy Zolnierok, Texas Nurses Association, April 8, 2015

General Counsel

Presentation: 39th Annual Federation of Associations of Regulatory Boards (FARB) Forum, Department of Justice and Americans with Disabilities Act: Recent Developments on What Can be Asked, January 23, 2015, Tucson, AZ

Conference Call: KSTAR Weekly Update, January 28, 2015

Meeting: with Isabel Casas, MSSW, Legislative Aide, Office of Senator Judith Zaffirini, Re: LVN On-call Pilot Program, February 2, 2015, Austin

Conference Call: KSTAR Weekly Update, February 4, 2015

Meeting: with Senator Juan Hinojosa, regarding Budget and State Office of Administrative Hearings, February 2, 2015, Austin

Meeting: SB 1857 Advisory Committee, February 6, 2015, Austin

Meeting: with State Office of Administrative Hearings, regarding Docketing Issues, February 9, 2015, Austin

Conference Call: with Belinda West, Investigator, Texas Medical Board, regarding Joint Investigations into Pill Mill Activity, February 9, 2015

Conference Call: KSTAR Weekly Update, February 18, 2015

Conference Call: KSTAR Weekly Update, February 25, 2015

Conference Call: KSTAR Weekly Update, March 4, 2015

Meeting: with Richard Ingram, MD, and Tim Reynolds, Attorney, March 17, 2015, Grand Saline, TX

Meeting: Enforcement Stakeholder Meeting, March 18, 2015, Austin

Conference Call: KSTAR Weekly Update, March 18, 2014

Conference Call: with Texas Department of Juvenile Justice (TDJJ), regarding Memorandum of Understanding between BON and TDJJ, March 20, 2015

Meeting: with Texas Nurses Association (TNA), regarding bills impacting the agency, March 24, 2015, Austin

Meeting: with Jettie Eddleman, BSN, RN, and Robert Steele, MD, Rural Community & Health Institute, Re: KSTAR Nursing Program Reports, March 25, 2015, Austin

Conference Call: KSTAR Weekly Update, March 25, 2015

Director of Operations

Meeting: Small State Agency Task Force, December 2, 2014

Meeting: NCSBN Leadership Succession Committee, December 9-10, Chicago

Conference: NCSBN Institute of Regulatory Excellence, January 13-15, Charleston, SC

Meeting: TNA Nursing Legislation Agenda Coalition, January 17, 2015

Presentation: Deans, Directors and Coordinators Orientation, January 30, 2015, Austin

Meeting: Legislative Budget Board, February 3, 2015

Meeting: Department of Information Resources, February 4, 2015

Meeting: with Texas Association of Deans and Directors of Texas Professional Nursing Programs (TADDPNP), February 6, 2015, Austin

Meeting: Governor's Office staff, March 6, 2015

Conference Call: Texas Epilepsy Foundation, March 9, 2015

Conference: NCSBN Mid-Year Meeting, March 15-18, Louisville, KY

Director of Enforcement

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, January 29, 2015, Austin

Presentation: Deans, Directors and Coordinators Orientation, January 30, 2015, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, February 5, 2015, Austin

Conference Call: KSTAR Meeting, February 18, 2015

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, February 19, 2015, Austin

Conference Call: KSTAR Meeting, February 25, 2015

Conference Call: KSTAR Meeting, March 4, 2015

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, March 12, 2015, Austin

Meeting: KSTAR Meeting, March 25, 2015, Austin

Meeting: TPAPN 3rd Party Referral Reviews with TPAPN staff, March 26, 2015, Austin

Director of Nursing and Nursing Consultants

Conference Call: National Council of State Boards of Nursing (NCSBN), APRN Knowledge Network, January 22, 2015

Conference Call: The Higher Education Coordinating Board, January 23, 2015

Conference Call: Texas Team Advancing Education Committee, January 26, 2015

Meeting: DADs/BON SB 1857 LVN On-Call Pilot, Deceased Individuals Reviews, January 28, 2015, Austin

Conference Call: KSTAR Weekly Update, January 28, 2015

Presentation: Nursing in Community IDD Programs, Part I- Texas Board of Nursing: Requirements for Scope of Practice, Documentation and BON Rules, January 28, 2015, Webinar

Presentation: Deans, Directors, and Coordinators Orientation, January 30, 2015, Austin

Meeting: The Higher Education Coordinating Board, February 02, 2015, Austin

Meeting: Area Health Education Center, February 02, 2015, Austin

Meeting: Nursing Innovation Grant Program, February 02, 2015, Austin

Meeting: with Isabel Casas, MSSW, Legislative Aide, Office of Senator Judith Zaffirini, Re: LVN On-call Pilot Program, February 2, 2015, Austin

Meeting: Choosing Wisely Grant, February 03, 2015, Austin

Conference Call: KSTAR Weekly Update, February 04, 2015

Meeting: Texas Organization of Baccalaureate and Graduate Nursing Education, February 05, 2015, Austin

Meeting: Texas Organization of Associate Degree Nursing, February 05, 2015, Austin

Presentation: Texas Association of Deans and Directors of Professional Nursing Programs, February 06, 2015, Austin

Meeting: DADs Senate Bill 1857 Advisory Committee, February 06, 2015, Austin

Meeting: DADs/BON SB 1857 LVN On-Call Pilot, Deceased Individuals Reviews, February 11, 2015, Austin

Presentation: Protecting Your Patients and Your Practice, February 17, 2015, El Paso

Meeting: Texas Center for Nursing Workforce Studies Advisory Committee, February 18, 2015, Austin

Conference Call: KSTAR Weekly Update, February 18, 2015

Presentation: Protecting Your Patients and Your Practice, February 19, 2015, Brownsville

Meeting: Texas Organization for Nurse Executives, February 19-20, 2015, Dallas

Conference Call: Texas Team Practice Committee, February 20, 2015

Conference Call: Texas Team Advancing Education Committee, February 23, 2015

Meeting: Texas Nurses Association Practice Advisory Committee, February 24, 2015, Austin

Meeting: Nursing Innovation Grant Program, February 24, 2015, Austin

Conference Call: KSTAR Weekly Update, February 25, 2015

Presentation: Nursing in Community IDD Programs, Part II- Texas Board of Nursing: RN Delegation and BON Rules, February 26, 2015, Webinar

Conference: Nursing Grand Rounds, St. Davids, March 04, 2015, Austin

Conference Call: KSTAR Weekly Update, March 04, 2015

Conference Call: NCSBN Practice Knowledge Network, March 05, 2015

Meeting: Texas Peer Assistance Program for Nurses (TPAPN) Advisory Committee Meeting, March 06, 2015, Austin

Presentation/Conference: Excellence in Clinical Instruction in Pre-Licensure Nursing Education, March 06, 2015, Austin

Conference: National Association of Pediatric Nurse Practitioners, March 10-15, 2015

Meeting: NCSBN, APRN Consensus Policy Call, March 11, 2015, Interactive Webinar

Meeting: The Higher Education Coordinating Board, Texas Education Agency, Texas Workforce Commission, March 13, 2015, Austin

Meeting: National Council of State Boards of Nursing Mid-Year Meeting, March 16-18, 2015, Louisville, KY

Conference Call: KSTAR Weekly Update, March 18, 2015

Conference Call: Texas Team Practice Committee, March 20, 2015

Conference Call: with Texas Department of Juvenile Justice (TDJJ), regarding Memorandum of Understanding between BON and TDJJ, March 20, 2015

Meeting: NCLEX Item Review Sub-Committee, March 23-25, 2015, Chicago, IL

Conference Call: Texas Team Advancing Education Committee, March 23, 2015

Meeting: KSTAR Review of Nursing Program Reports, March 25, 2015
Austin

Conference Call: Texas TERCAP Participants, March 26, 2015

Meeting: DADs/BON SB 1857 LVN On-Call Pilot, Deceased Individuals Reviews, March 30, 2015, Austin

Presentation: Academic Progression in Nursing for RN to BSN Programs, March 31, 2015, Webinar

Conference Call: KSTAR Weekly Update , April 01, 2015

Conference Call: KSTAR Weekly Update , April 08, 2015

Presentation: APRN Application Process, April 09, 2015, Webinar

Conference: TPAPN Advocate and Faculty Liaison, April 10-11, 2015, Austin

Meeting: Perinatal Advisory Council, April 13, 2015, Austin

Conference: APRN Round Table, April 14-15, 2015, Rosemont, IL

Conference Call: KSTAR Weekly Update, April 15, 2015

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

**Case Resolution Report
December 1, 2014 through February 28, 2015**

Type of Action	Total
No Jurisdiction	6
No Violation	4
No Action	684
Insufficient Evidence	174
Admonish	54
Without Prejudice	1329
TPAPN Referrals	86
EEP Referrals	16
Corrective Actions	63
Totals	2,416

Quarterly Statistics Where Executive Director Ratified Temporary Suspension Cases in Compliance with Board Policy:

**Temporary Suspension Case Resolution Report
December 1, 2014, through February 28, 2015**

Ratified by Executive Director

Type of Action	Total
Voluntary Surrender	6
Enforced Suspension	3
Suspend/Probate	4
Reprimand with Stipulations	1
Limited License	1
No Action	1
Totals	16

Quarterly Statistics Where Executive Director Ratified Requests for Exception in Compliance with Board Policy:

**REQUESTS FOR EXCEPTION TO A PREVIOUSLY ISSUED AGREED ORDER
December 1, 2014 through February 28, 2015**

Total Number of Requests Received	26
Number of Requests Resolved	27*
Number of Requests Granted by Executive Director	4
Number of Requests Granted by Eligibility and Disciplinary Committee	9**
Number of Requests Denied by Eligibility and Disciplinary Committee	6***
Number of Requests Denied Pursuant to Board's Guidelines for Exceptions to Existing Board Orders	6
Number of Requests Pending	17

*Three (3) requests were withdrawn prior to being placed on an Agenda.

** One (1) request was continued.

***One (1) request was withdrawn after being placed on an Agenda .

LVN DISCIPLINARY ORDERS

Time frame: December 1, 2014, through February 28, 2015

DISCIPLINARY	
14	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 9 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 ensure a Plan of Care was developed and signed by the physician 4 Practiced professional nursing without a valid nursing license
16	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Dispensed her personal prescription of pain medication to a co-worker 1 Failed to maintain continuing education hours as required; failed to manage the daily operations of the agency 1 Violated the professional boundaries by inappropriately contacting the mother of the patient and was verbally hostile and aggressive 1 Gave Lidocaine to another nurse who injected the medication into the back of a patient without a physician's order 1 Inappropriately documented that a skilled nurse visit was made 1 Failed to timely document the administration of a tuberculin skin test and corresponding results 1 Failed to ensure a patient received a comprehensive physical assessment 1 Convicted of Theft \$50 - \$500, a Class B misdemeanor offense 1 Signed out Lorazepam but failed to document the administration or follow wastage procedures 1 Signed a drug disposal form indicating witnessing the disposal of medication when she was no present 1 Performed a blood glucose finger stick by using a single-patient lancing devise that had been used by other residents 1 Failed to document the delivery and/or the refill of patient's medication 1 Failed to take precautions to secure 50 Tramadol, 20 Methadone and 30 Tylenol in the medication room 1 Administered two stun-gun shocks to the left hand of a patient who was being treated for a snake bite 1 Failed to assess a patient or document an assessment of the presumptive and conclusive signs of death prior to announcing the patient deceased 1 Left assignment without notifying supervisor or appropriate personnel
10	<p>TPAPN CONFIDENTIAL BOARD ORDER</p> <ul style="list-style-type: none"> 1 Convicted of misdemeanor Driving While Intoxicated 1 Convicted of two counts of Public Intoxication 1 Misappropriation of Xanax 1 Falsely documented the administration of medications to multiple patients; misappropriated multiple medications 1 Intemperate use of Opiates and Morphine 1 Convicted of two counts of Driving While Intoxicated <p>TPAPN ENFORCED SUSPENSION BOARD ORDER</p> <ul style="list-style-type: none"> 1 Convicted of misdemeanor DWI W/BAC 0.15 or Higher and Driving While Intoxicated 1 Pending charge of felony Abandon/Endanger Child w/Intent to Return 1 Convicted of Driving Under the Influence and two counts of Driving While Intoxicated 1 Misappropriation of Hydrocodone and Norco; intemperate use of Opiates

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VOLUNTARY SURRENDER

- 3 Submitted a statement voluntarily surrendering their license to practice nursing
- 1 Submitted statement of surrender in lieu of complying with Board Order
- 1 Violated professional boundaries by socializing in person and through social media with current clients
- 1 Misappropriated Hydrocodone for personal use; Pre-Trial agreement for Diversion of Controlled Substance
- 1 Convicted of Assault Bodily Injury - Family Member; Driving While Intoxicated and Assault/Contact
- 1 Convicted of two counts of felony Intoxication Assault
- 1 Submitted and obtained/attempted to obtain controlled substances from multiple pharmacies; misappropriated prescription pads
- 1 Exposed his genitals several times and placed her hand on his penis; placed a catheter without a female present telling the patient she was clean "down there" several times
- 1 Deferred judgment for felony Tampering with a Governmental Record
- 1 Convicted of felony Possession of a Controlled Substance and Manufacturing Controlled Substance
- 1 Intemperate use of Benzodiazepines resulting in positive drug screen
- 1 Engaged in non-therapeutic prescribing practices by issuing prescriptions for controlled substances to patients without conducting appropriate assessments
- 1 Misappropriated Hydromorphone and Morphine
- 2 Disciplinary action taken by another Licensing Authority
- 6 Non-compliance with previous Board Order

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2014, through February 28, 2015

359	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination 2 Entered treatment for Substance Abuse 1 Convicted of misdemeanor Popping/Possession Fireworks in City Limits; Public Intoxication and Driving Under the Influence 1 Deferred judgment for misdemeanor Theft of Property >=\$50<\$500; convicted for Fail to ID Fugitive 1 Convicted of two counts of Prostitution 1 Deferred judgment for misdemeanor Possession of Dangerous Drug 1 Deferred judgment for misdemeanor Assault, Fail to Give Info; convicted of DWI; convicted of felony Assault Public Servant and deferred judgment for two counts felony Forged Commercial Instrument 1 Deferred judgment for misdemeanor Public Lewdness 1 Convicted of misdemeanor Assault and Trespass 1 Convicted of felony Forgery 1 Deferred judgment for misdemeanor Knowingly Conceal Stolen Property; convicted of felony Possession of a Controlled Substance 1 Convicted of misdemeanor Criminal Trespass and Hindering Apprehension 1 Convicted of felony Unauthorized Use of a Vehicle and misdemeanor Theft of Property 1 Deferred judgment for felony Poss W/Intent to Deliver Controlled Substance 1 Convicted of felony Wire Fraud and Aiding and Abetting; Burglary of Vehicle and misdemeanor Worthless Check 1 Deferred judgment for felony Theft in the Amount of 1,500.00 or More But Less Than 20,000.00 1 Pre-Trial Diversion for misdemeanor Forgery to Defraud or Harm of Another 1 Pre-Trial Diversion for felony Driving While Intoxicated W/Child; deferred judgment for Fail to Perform Duty Upon Striking Vehicle 1 Deferred judgment for misdemeanor Criminal Trespass; convicted of misdemeanor DWI 1 Convicted of misdemeanor False Report to a Peace Officer 1 Convicted of misdemeanor Assault Causes Bodily Injury and Resist Arrest Search 1 Deferred judgment for misdemeanor Poss Marijuana, Interfere w/Duties of Public Servant and Resist Arrest/Search/Transportation 1 Deferred judgment for misdemeanor of Abuse of Office \$20 - \$500 1 Deferred judgment for misdemeanor Assault 1 Deferred judgment for felony Possession of a Controlled Substance PG 1<1g 1 Convicted of misdemeanor Theft of Property >\$50 <\$500; deferred judgment for misdemeanor Theft of Property >\$50 <\$500 1 Deferred judgment for misdemeanor Criminal Mischief >=\$500 , \$1,500 1 Deferred judgment for felony Credit/Debit Card Abuse, forgery of financial Instrument and Credit Card Abuse; convicted of two counts of Theft by Check 1 Deferred judgment for misdemeanor Possession of Marijuana; convicted misdemeanor Driving While License Suspended, Theft by Check, and Public Intoxication 1 Deferred judgment for misdemeanor Possession of Controlled Substance - Cocaine and Theft by Check; convicted of Theft and False Rep PO 1 Convicted of Public Intoxication and two counts of Possession of Drug Paraphernalia 1 Deferred judgment for felony Forgery Government Financial Instrument 1 Deferred judgment for felony Endangering a Child 1 Deferred judgment for misdemeanor Resist Arrest-Transportation 1 Deferred judgment for felony Credit/Debit Card Abuse; convicted of misdemeanor Disorderly Conduct 1 Deferred judgment for felony Attempted Forgery and misdemeanor Theft by Check 3 Prior disciplinary action issued that is currently still active 6 Denial of Licensure 312 No Grounds for Denial/Youthful Indiscretion
46	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Disciplinary action taken by another Licensing Authority 1 Convicted of misdemeanor Welfare Fraud 1 Convicted of misdemeanor Driving While License Suspended and felony Welfare Fraud Over \$500 1 Convicted of felony Possession of Marijuana, four counts misdemeanor Theft by Check 42 No Grounds for Denial

LVN CORRECTIVE ACTION

Time frame: December 1, 2014, through February 28, 2015

27	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Theft 3 Non disclosure of misdemeanor Theft by Check 1 Non disclosure of misdemeanor Driving While License Invalid 1 Non disclosure of misdemeanor Prostitution 1 Non disclosure of misdemeanor Harassment 1 Failed to disclose a malpractice action on an employment application 6 Non disclosure of misdemeanor Driving While Intoxicated 1 Failed to obtain physician's authorization prior to ordering a liver function laboratory test 1 Inaccurately documented a patient's vital signs, and seizure activity for a period not present for 1 Non disclosure of misdemeanor Possession of Drug Paraphernalia 1 Administered Tobramycin eye drops to an inmate for complaints of pink eye without physician's order 1 Transported a patient in her private vehicle to pick up movies without permission from an authorized care giver and without a car seat as required by law 1 Inappropriately allowed her 12 year old daughter to crush medications so they could be prepared and administered to three patients 1 Non disclosure of misdemeanor Assault Causes Bodily Injury 1 Assisted a faculty physician in placing a central line but failed to remove the guide wire 1 Failed to ensure that nursing staff were using appropriate single-patient lacing devices to test the blood glucose of each resident 4 Practiced Nursing without a valid license
4	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Driving While License Suspended 1 Non disclosure of misdemeanor Failure to Appear 1 Non disclosure of misdemeanor Theft by Check 1 Non disclosure of misdemeanor Illegal Firearm Discharge w/Negligence
4	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Theft of Property 1 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Theft by Check 1 Non disclosure of misdemeanor Assault

LVN DEFERRED DISCIPLINE

Time frame: December 1, 2014, through February 28, 2015

2	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Failed to ensure that blood sugar testing was performed as ordered and ensure long acting insulin was administered as ordered 1 Failed to ensure gastrostomy button was secure
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RN DISCIPLINARY ORDERS

Time frame: December 1, 2014, through February 28, 2015

DISCIPLINARY	
19	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 8 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 document in the medical record 1 Provided dialysis without obtaining the appropriate Home and Community Support Service Agency licensing; failed to ensure that unlicensed staff was employable 1 Failed to follow policy and procedure regarding physical holds 1 Did not meet minimum hours of current practice during the renewal period, despite attesting to that 1 Failed to clarify the blood pressure parameters in the physician's order; failed to waste an unmarked amount of Fentanyl 1 Inappropriately used Acetaminophen and intravenous supplies belonging to the facility for a headache 5 Practiced professional nursing without a valid nursing license
21	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 3 Disciplinary action taken by another licensing authority 1 Failed to maintain continuing education hours as required; failed to manage the daily operations of the agency 1 Failed to properly document medication administration 1 Failed to assess a patient or document an assessment of the presumptive and conclusive signs of death prior to announcing the patient deceased 1 Failed to ensure that Staff assigned to a patient implemented a "stat" chest computed tomography scan 1 Administered medication for eight patients but failed to document, or completely document the administration 1 Failed to document the refusal of an insulin injection 1 Violated patient confidentiality by posting information on Facebook page regarding a patient 1 Violated the professional boundaries by inappropriately contacting the mother of the patient and was verbally hostile and aggressive 1 Misappropriated Benadryl or failed to take precautions to prevent the misappropriations of medication 1 Gave Lidocaine to another nurse who injected the medication into the back of a patient without a physician's order 1 Failed to perform oral care on a ventilator dependent patient, every two hours as ordered 1 Failed to correctly reconstitute and draw up an antibiotic for intramuscular injection for a patient; asked a co-worker to administer the antibiotic 1 Administered two stun-gun shocks to the left hand of a patient who was being treated for a snake bite 1 Failed to document assessments and interventions performed throughout the shift 1 Participated in the removal of a tattoo of a co-worker by inappropriately utilizing hospital supplies 1 Failed to correctly reconcile the medication administration record for a newly administered transfer patient 1 Inappropriately utilized intravenous supplies to administer solution to nursing supervisor 1 Administered a friend's Daytrana patch to her daughter instead of piking up the prescribed patch

VOLUNTARY SURRENDER

- 3 Submitted a statement voluntarily surrendering license to practice nursing
- 5 Disciplinary action taken by another Licensing Authority
- 1 Intemperate use of Benzodiazepines resulting in positive drug screen
- 1 Misappropriated Hydromorphone and Morphine
- 1 Failed to administer the morning dose of Insulin; failed to effectively communicate the status of a patient
- 1 Engaged in non-therapeutic prescribing practices by issuing prescriptions for controlled substances to patients without conducting appropriate assessments
- 1 Deferred judgment for felony Theft of Material Alum/Brnze/Copper/Brass <\$20K
- 1 Failed to notify the physician when a patient's vital signs became unstable
- 1 Failed to perform a rapid assessment when patient admitted with possible drug overdose; failed to document the triage rapid assessment within first five minutes of identifying a possible overdose
- 1 Misappropriation of Ativan from a patient's stored home medications
- 1 Convicted of Driving While Intoxicated 2nd
- 1 Exhibited signs of impairment, including a change in physical appearance, sweating profusely, and poor skin color; admitted to the abuse of Fentanyl
- 1 Convicted of felony Driving While Intoxicated w/Child Under 15 YOA
- 1 Intemperate use of Cocaine
- 1 Intemperate use of Alcohol; tested positive for alcohol while in a treatment program³
- 1 Observed on security video using a needle and syringe to access Dilaudid, Morphine, and Ketamine in the narcotic cabinet by puncturing the vials through the top of the cap
- 1 Convicted of felony Intoxication Manslaughter with a Vehicle
- 1 Administered oral medication using un-gloved hands; left a used insulin syringe on a try near a mildly confused patient; unsafely transferred a patient from the commode; failed to mediate a patient for pain
- 1 Convicted of Fail to Obey General Order : Sexual Harassment
- 1 Failed to have and maintain signed and annually reviewed practice protocols or other written authorization
- 1 Deferred judgment for felony Fraud Use/Possession ID<10 items, Possession of Controlled Substance and Possession Controlled Substance Methamphetamine
- 3 Submitted statement of surrender in lieu of complying with Board Order
- 8 Non-compliance with previous Board Order

TPAPN CONFIDENTIAL BOARD ORDER

- 1 Misappropriation of Fentanyl
- 1 Was admitted multiple times for substance abuse and psychiatric treatment; positive drug screen for Hydrocodone and Tramadol
- 1 Misappropriation and intemperate use of Propofol
- 2 Convicted of Operating a Vehicle Under the Influence of Alcohol
- 1 Misappropriation of Dilaudid; intemperate use of Hydromorphone
- 1 Non compliance with prior Board Order - Confidential TPAPN Order
- 1 Misappropriation of Morphine Sulfate, Lorazepam, Hydromorphone, Hydrocodone/Acetaminophen, Zolpidem Tartrate, Alprazolam, Clonazepam, Lunesta, and Temazepam
- 1 Convicted of two counts of Driving While Intoxicated
- 1 Intemperate use of Cocaine; falsified documentation on the Narcotic and Controlled Substance Record
- 1 Diagnosed with a mental health condition; found sleeping at the nurses station
- 1 Misappropriation and intemperate use of Hydrocodone/Acetaminophen; pending charge of third degree felony Fraud Poss CS/Prescription SCH III/IV
- 1 Exhibited impaired behavior; admitted for a substance abuse treatment after an overdose
- 1 Convicted of Driving While Intoxicated and Public Intoxication
- 1 Misappropriated Dilaudid and Fentanyl
- 1 Intemperate use of Temazepam and Hydroxy-Alprazolam

TPAPN ENFORCED SUSPENSION BOARD ORDER

- 1 Convicted of two counts of Driving While Intoxicated and two counts of Possession of Marijuana
- 1 Disciplinary action taken by another Licensing Authority
- 1 Misappropriation of Ativan; intemperate use of Morphine and Hydromorphone; convicted of driving while intoxicated; left nursing assignment without notifying supervisor
- 1 Convicted of Operating a Vehicle Under the Influence of Alcohol
- 1 Pending charge of state jail felony Divert CS for Personal Use
- 1 Convicted of misdemeanor Driving While Intoxicated; suffered from suicidal ideation, insomnia, syncope, panic attacks, self mutilation, isolation and self destructive paralyzing behaviors
- 1 Accessed Dilaudid and excessively entered a "cancelled remove" of the vials of Dilaudid

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2014, through February 28, 2015

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APPLICANTS/ PETITIONERS

- 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination
- 3 Disciplinary action taken by another licensing authority
- 1 Convicted of misdemeanor Driving Under the Influence and three counts of Public Intoxication
- 1 Convicted of felony Conspiracy to make a False Statement of a Firearms Dealer
- 1 Deferred judgment for misdemeanor Marijuana - Possess and Reckless Driving
- 1 Deferred judgment for misdemeanor Failure to Stop and Leave Information; convicted of three counts of Issuance of a Bad Check
- 1 Convicted of misdemeanor Theft and two counts of Possession of Drug Paraphernalia
- 1 Convicted of misdemeanor DWI and three counts of Theft by Check
- 1 Deferred judgment for felony of Welfare Fraud \$1,500 - \$20,000
- 1 Deferred judgment for misdemeanor Assault Family Violence and Reckless Driving
- 1 Deferred judgment for felony Possession of Prohibited Weapon and two counts misdemeanor Criminal Mischief
- 1 Convicted of misdemeanor Driving While Intoxicated; deferred judgment for Assault Causes Injury
- 6 Convicted of two counts misdemeanor Driving While Intoxicated
- 1 Deferred judgment for felony Burglary of a Building
- 1 Deferred judgment for felony Forgery by Passing; convicted misdemeanor Driving While License Invalid
- 1 Convicted of misdemeanor Possession of Instruments of a Crime
- 1 Convicted of misdemeanor Theft >=\$50 <\$500 and Assault Causes Bodily Injury
- 1 Convicted of two counts of misdemeanor Theft of Property
- 1 Convicted of misdemeanor Driving While Intoxicated; Pre-Trial Diversion for Possession of Marijuana
- 1 Convicted of felony Sell & Deliver Cocaine
- 1 Convicted of felony Misprision of a Felony: Possession with Intent to Distribute Cocaine
- 1 Deferred judgment for misdemeanor Disorderly Conduct and three counts of Theft of Property
- 1 Convicted of misdemeanor ACBI and Driving While Intoxicated
- 1 Deferred judgment for misdemeanor Poss Drug Paraphernalia, Theft and Criminal Mischief
- 1 Deferred judgment for four counts of misdemeanor Theft by Check and two counts of DWLS
- 1 Convicted of misdemeanor felony Driving While Intoxicated and two counts of misdemeanor Driving While Intoxicated
- 2 Convicted of three counts misdemeanor Driving While Intoxicated
- 1 Convicted of misdemeanor Possession of Marijuana, five counts Driving While License Suspended, three counts misdemeanor DWI, and three counts of felony Driving While Intoxicated
- 1 Deferred judgment for Theft; convicted of Failure to ID and Driving While License Suspended
- 1 Convicted of misdemeanor Assault Non Family Violence TPC
- 1 Deferred judgment for misdemeanor Criminal Mischief and Theft; Pre-Trial for misdemeanor Possession of Marijuana
- 1 Deferred judgment for misdemeanor Driving While License Suspended; convicted of Fail to ID
- 1 Convicted of misdemeanor Driving While Intoxicated; deferred judgment for misdemeanor Theft
- 2 Deferred judgment for felony Possession of a Controlled Substance
- 1 Convicted of misdemeanor Driving Under the Influence of Alcohol - Minor; pending DWI
- 1 Convicted of misdemeanor Possession of Marijuana; deferred judgment for misdemeanor Purchase Furnish Alcohol to a Minor
- 1 Deferred judgment for felony Forgery by Making
- 1 Deferred judgment of felony Aggravated MTR Vehicle Theft; misdemeanor Criminal Mischief, DWAI and Driving Under the Influence
- 2 Deferred judgment for misdemeanor Theft of Property >\$50 <\$500
- 1 Convicted of misdemeanor Resist Arrest-Search, DWI and Driving under the Influence
- 1 Convicted of felony Theft Over \$1,500 Under \$20,000; deferred judgment for felony Theft Aggregated
- 2 Deferred judgment for felony Theft - 1500 - 20,000
- 1 Diagnosed with Schizophrenia
- 5 Denial of Licensure

	<p>APPLICANTS/ PETITIONERS - CONTINUED</p> <ul style="list-style-type: none"> 1 Convicted for felony Possession of Marijuana <= 50lbs > 5lbs 1 Deferred judgment for misdemeanor Tamper with Government Record and Fail to Identify Giving False/ Fictitious Info 1 Deferred judgment for felony Theft from Person 1 Deferred judgment for misdemeanor Assault Causes Bodily Injury and Resist Arrest Search or Transport 1 Diagnosed with Bipolar Disorder 1 Deferred judgment for misdemeanor Minor in Possession and Theft 1 Deferred judgment for felony Possession of Cocaine; convicted of Conspiracy to Commit Wire Fraud 1 Deferred judgment for two counts of felony Unlawful Possession with Intent to Deliver a Controlled Substance; convicted of two counts of Theft 1 Entered treatment for Substance Abuse 1 Convicted of misdemeanor Evading and DWI; deferred judgment for Possession of Marijuana 1 Convicted of misdemeanor Driving While Intoxicated 1 Convicted of misdemeanor Possession of Drug Paraphernalia, Minor in Possession of Alcohol and two counts Possession of Marijuana 1 Convicted of misdemeanor DUI; and two counts of Possession of Marijuana 1 Deferred judgment for misdemeanor Liquor Violation and two counts of Public Intoxication; pending DWI 4 Prior disciplinary action issued that is currently still active <p>589 No Grounds for Denial/Youthful Indiscretion</p>
185	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 12 Disciplinary action taken by another licensing authority 1 Diagnosed with Bipolar NOS 1 Convicted of felony Harassment 1 Practiced professional nursing without a valid license 1 Convicted of felony Facilitating of Trafficking & Stolen Property, felony Possession of Drug Paraphernalia, felony Attempted Possession of Dangerous Drugs and four counts of misdemeanor Prostitution 1 Convicted twelve counts of felony Unlawfully Carrying a Controlled Substance 1 Convicted of felony Causing Death by Dangerous Driving 1 Deferred judgment for felony Possession of a Controlled Substance, namely Cocaine 1 Convicted of felony Burglary 1 Entered residential treatment for addiction 1 Denial of Licensure 1 Convicted of felony Attempted Hindering Prosecution in the 1st Degree 6 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement <p>156 No Grounds for Denial</p>

RN CORRECTIVE ACTION

Time frame: December 1, 2014, through February 28, 2015

30	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 9 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Interfere w/Child Custody 1 Failed to ensure he had adequate supplies for his patient on an outing 1 Improperly managed client record in that she failed to secure her computer password 1 Failed to assess vital signs during a blood transfusion 1 Assisted a faculty physician in placing a central line but failed to remove the guide wire 1 Failed to administer Ativan as ordered by a physician 1 Wasted Morphine from the patient controlled analgesia pump without a witness to verify how much morphine the patient received 1 Failed to obtain physician's authorization prior to ordering a liver function laboratory test 1 Erroneously documented a patient had been transferred to the Intensive Care Unit 1 Failed to disclose a malpractice action on an employment application 1 Non disclosure of misdemeanor Resist Arrest Search or Transportation 1 Documented the discontinuation of a patient's Peripherally Inserted Central Catheter, but the PICC was found to still be in place 7 days later 1 Non disclosure of misdemeanor Obstruct Highway - Intoxication 3 Non disclosure of misdemeanor Theft 1 Allowed a Staff Member to practice and misrepresent herself as a Family Nurse Practitioner without authorization 1 Non disclosure of misdemeanor Public Intoxication 3 Practiced Nursing without a valid license
12	<p>ENDORSEMENT</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Reckless Driving 1 Non disclosure of misdemeanor Theft of Property by Check 2 Non disclosure of misdemeanor Driving While License Invalid/Suspended 1 Non disclosure of misdemeanor Received Stolen Goods 6 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Passing Bad Check
7	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of misdemeanor Driving While Intoxicated 1 Non disclosure of misdemeanor Public Intoxication 2 Non disclosure of misdemeanor Driving While License Invalid 1 Non disclosure of misdemeanor Assault Causes Bodily Injury 2 Non disclosure of misdemeanor Theft

RN DEFERRED DISCIPLINE

Time frame: December 1, 2014, through February 28, 2015

5	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none"> 1 Inappropriately administered a total of 14mg of Morphine, Zosyn through IV; attempted to improperly dilute Diuril 1 Failed to assess and assign APGAR score to newborn infant 1 Documented in error that Norco was administered when the medication was left at the patient's bedside 1 Failed to ensure that blood sugar testing was performed as ordered and ensure long acting insulin was administered as ordered 1 Failed to notify supervisor and patients that she would not be providing nursing visits as scheduled
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Article VIII, Regulatory Board of Nursing (507) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Workgroup Decisions			
	Items Not Included in SB 2 2016-17 Biennial Total		Pended Items 2016-17 Biennial Total		Adopted 2016-17 Biennial Total		Article XI 2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Cost-Out Adjustments:								
1. None.								
Technical Adjustments:								
1. None.								
Performance Review & Other Budget Recommendations								
1. None.								
Agency Requests:								
1. General Revenue funding and increase of the FTE cap for 23.0 FTE each fiscal year for additional staff in the operations, enforcement, legal, and nursing divisions. Request includes \$876,482 in General Revenue each year and \$213,961 in Appropriated Receipts each year. (Adopted with authority and funding for 19.0 FTEs)	\$ 1,752,964	\$ 2,180,886			\$ 1,449,840	\$ 1,794,010		
2. General Revenue funding for expert witness costs incurred in cooperation with pending Federal drug investigations.	\$ 100,000	\$ 100,000			\$ 100,000	\$ 100,000		
3. General Revenue funding for merit-based salary increases.	\$ 272,000	\$ 272,000		Pend				
4. Provide authority and funding for workspace remodeling in the Hobby Building. Agency estimates \$194,544 in General Revenue funding for 2016-2017.								

Article VIII, Regulatory Board of Nursing (507) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Workgroup Decisions			
	Items Not Included in SB 2 2016-17 Biennial Total		Pended Items 2016-17 Biennial Total		Adopted 2016-17 Biennial Total		Article XI 2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
5. Authority only to increase the Executive Director position salary from \$120,000 to \$152,583 per fiscal year, from the current Group 3 classification to Group 4.	-	-						Adopt
Workgroup Revisions and Additions:								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ 2,124,964	\$ 2,552,886	\$ -	\$ -	\$ 1,549,840	\$ 1,894,010	\$ -	\$ -
	FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017
Total, Full-time Equivalents / Tentative Decisions	23.0	23.0	0.0	0.0	19.0	19.0	0.0	0.0

Article VIII, Regulatory Board of Nursing (507) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2016-17 Biennial Total		Pended Items 2016-17 Biennial Total		Adopted 2016-17 Biennial Total		Article XI 2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Cost-Out Adjustments:								
1. None.								
Technical Adjustments:								
1. None.								
Performance Review & Other Budget Recommendations								
1. None.								
Agency Requests:								
1. General Revenue funding and increase of the FTE cap for 23.0 FTE each fiscal year for additional staff in the operations, enforcement, legal, and nursing divisions. Request includes \$876,482 in General Revenue each year and \$213,961 in Appropriated Receipts each year. (12.0 FTEs adopted to Article XI)	\$ 1,752,964	\$ 2,180,886					\$ 887,816	\$ 1,315,738
2. General Revenue funding for expert witness costs incurred in cooperation with pending Federal drug investigations.	\$ 100,000	\$ 100,000			\$ 100,000	\$ 100,000		
3. General Revenue funding for merit-based salary increases.	\$ 272,000	\$ 272,000	\$ 272,000	\$ 272,000				
4. New Capital Budget Rider or New Contingent Revenue Rider - Provide authority and funding for workspace remodeling or to secure additional workspace outside of the Hobby Building. Agency estimates this cost could range from \$76,608 to \$250,000 in General Revenue funding for 2016-2017.	\$ -	\$ -						Adopt

Article VIII, Regulatory Board of Nursing (507) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2016-17 Biennial Total		Pended Items 2016-17 Biennial Total		Adopted 2016-17 Biennial Total		Article XI 2016-17 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5. Authority only to increase the Executive Director position salary from \$120,000 to \$152,583 per fiscal year, from the current Group 3 classification to Group 4.	\$ -	\$ -		Pend				
Subcommittee Revisions and Additions:								
1. Agency Request #1 adopted with modification. Funding and increase in the FTE cap for 11.0 FTEs each fiscal year. a. Salaries and Wages - \$865,148 for the biennium - 1.0 Admin Asst V (\$40,000 per year) - 1.0 Clerk IV (\$33,000 per year) - 2.0 Lic & Permit Specialist (\$40,000 per year/ per FTE) - 1.0 Customer Service Rep (\$36,000 per year) - 1.0 Admin Asst III (\$36,000 per year) - 3.0 Admin Asst IV (\$38,000 per year / per FTE) - 1.0 Database Admin IV (\$59,574 per year) - 1.0 Investigator III (\$38,000 per year) - 2.0 Admin Asst III (\$36,000 per year / per FTE)					\$ 865,148	\$ 865,148		
Total, Outstanding Items / Tentative Decisions	\$ 2,124,964	\$ 2,552,886	\$ 272,000	\$ 272,000	\$ 965,148	\$ 965,148	\$ 887,816	\$ 1,315,738
	FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017
Total, Full-time Equivalents / Tentative Decisions	23.0	23.0	0.0	0.0	11.0	11.0	12.0	12.0

House Appropriations Committee
 Representative Gonzales, Subcommittee Chair on Article VIII
 Members: Representatives Munoz, Bell, Capriglione, Koop, Rodriguez
 Decision Document

Decisions as of (3/2/15 @ 4pm)

LBB Analyst: Trevor Whitney

Article VIII, Regulatory Board of Nursing (507) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2016-17 Biennial Total		Pended Items 2016-17 Biennial Total		Adopted 2016-17 Biennial Total		Article XI 2016-17 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
Agency Requests:								
3. General Revenue funding for merit-based salary increases.	\$ 272,000	\$ 272,000					\$ 272,000	\$ 272,000
5. Authority only to increase the Executive Director position salary from \$120,000 to \$152,583 per fiscal year, from the current Group 3 classification to Group 4.	\$ -	\$ -						Adopt
Total, Outstanding Items / Tentative Decisions	\$ 272,000	\$ 272,000	\$ -	\$ -	\$ -	\$ -	\$ 272,000	\$ 272,000
	FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017	FY 2016	FY 2017
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Texas Board of Nursing Statistical Report: FY 2015

v2.1

Measure ID	Measure Description	Totals FY'12	Totals FY'13	Totals FY'14	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Running FY 2015 Total
5 Education Statistics									
5.1 Nursing Jurisprudence Exam Statistics									
5.1.1	Total Nursing Jurisprudence Exam taken	29,414	30,816	46,193	11754	9,515			21269
5.1.1.1	Exam Not Completed (total)	1,248	1,715	14,324	3082	2,353			5435
5.1.1.2	Percentage Not Completed	4.27	5.57	27.66	26.22	24.73			25.48
5.1.1.3	Did Not Pass the Exam (total)	2,509	2,384	3,910	1421	1088			2509
5.1.1.4	Percentage Did Not Pass Exam	8.62	7.74	7.45	12.09	11.43			11.76
5.1.1.5	Exam Passed (Total)	25,657	26,717	27,960	7251	6,074			13325
5.1.1.6	Percentage Exam Passed	87.11	86.69	64.89	61.69	63.84			62.77
5.1.2	LVN-Candidate	7,653	6,630	8,632	2023	1,783			3806
5.1.2.1	Exam Not Completed	411	382	2,217	481	412			893
5.1.2.2	Did Not Pass the Exam	1,051	735	1,201	369	324			693
5.1.2.3	Exam passed	6,191	5,513	5,214	1173	1047			2220
5.1.3	LVN-Endorsement	1,657	1,612	2,604	686	545			1231
5.1.3.1	Exam Not Completed	73	113	958	207	155			362
5.1.3.2	Did Not Pass the Exam	370	346	415	161	108			269
5.1.3.3	Exam passed	1,214	1,153	1,231	318	282			600
5.1.4	RN-Candidate	11,982	12,470	18,694	4173	3,355			7528
5.1.4.1	Exam Not Completed	447	634	5,459	947	765			1712
5.1.4.2	Did Not Pass the Exam	430	488	1,108	355	265			620
5.1.4.3	Exam passed	11,105	11,348	12,128	2871	2,325			5196
5.1.5	RN-Endorsement	7,599	9,256	15,000	4555	3,572			8127
5.1.5.1	Exam Not Completed	298	535	5,220	1348	955			2303
5.1.5.2	Did Not Pass the Exam	633	783	1,138	523	379			902
5.1.5.3	Exam passed	6,668	7,938	8,642	2684	2,238			4922
5.1.6	Refresher Course/Renewal Requirements	523	848	1,262	317	260			577
5.1.6.1	Exam Not Completed	19	51	470	99	66			165
5.1.6.2	Did Not Pass the Exam	25	32	48	13	12			25
5.1.6.3	Exam passed	479	765	744	205	182			387



COOP Plan Evaluation Report

Texas Board of Nursing

March 19, 2015

Conducted By:
Maureen Clement, Statewide Continuity Planner/Consultant





STATE OFFICE OF RISK MANAGEMENT

WILLIAM P. CLEMENTS, JR. BUILDING, 6TH FLOOR
P.O. BOX 13777, AUSTIN, TEXAS 78711
(512) 475-1440

March 19, 2015

Ms. Katherine A. Thomas, MN, RN
Executive Director
Texas Board of Nursing
333 Guadalupe Street, Ste. 3-460
W. P. Hobby Building
Austin, TX 78701

Agency #A507

RE: COOP Plan Evaluation

Dear Ms. Thomas,

An evaluation of your entity's Continuity of Operations Plan was conducted under the authority of Chapter 412, Texas Labor Code, and the joint Texas Continuity Policy Letter dated October 24, 2013. This evaluation is designed to assist state agencies with the development and implementation of viable, actionable continuity plans.

Your entity has submitted initial continuity planning documents with major deficiencies.

Continuity planning is an ongoing process of refinement. The following recommendations are made to help maintain or improve the effectiveness of your Continuity of Operations Program:

COOP-15-01 Continuity Plan

The Board of Nursing (BON) submitted a comparison of BON's existing Business Continuity Plan to the October 2013 Policy Letter. This document refers to an existing Business Continuity Plan and identifies areas to be developed or revised in a future plan. Therefore there is no information for me to evaluate.

SORM received the February 27, 2015 Status Report conveying how the agency is progressing in obtaining information to satisfy the FEMA COOP requirements; however, once again, there was nothing to evaluate.

From the Status Report, it appears BON is on the right track and I look forward to reviewing the completed COOP Plan.

COOP-15-02 Property Schedule

BON did not submit its property schedule to SORM. Please complete the attached property schedule for all property that BON has an insurable interest in, and submit it to our offices. Upon receipt of the completed property schedule, SORM will provide you with a natural hazard exposure assessment for all BON locations.

Reference: Texas Labor Code § 412.053

The appropriate staff should review this document, consider any actions the entity plans to take, and target an estimated date of completion for each recommendation. Based on base standards conformance, no formal response is required for this initial submission. Additional elements or improvements may be submitted at the next plan submission.

Please convey my sincere appreciation to your continuity staff and all who assisted in completing your agency's plan. If you have any questions or concerns regarding the information detailed in this report, please call me at (512) 936-1477.

Sincerely,



Maureen Clement
Statewide Continuity Planner/Consultant
State Office of Risk Management

Cc: Ann Berasley, Business Continuity Planner
Jeremy Bruker, Business Continuity Planner
Mark Majek, Primary Risk Manager



Important Dates & Resources

Statewide Property Insurance Program – Renews April 30, 2015

- www.sorm.state.tx.us/statewide-property-insurance-program

SORM Training Calendar

- <http://www.sorm.state.tx.us/sorm-cms/Calndr07.php>

SORM Safety Videos

- www.youtube.com/user/SormTX

Workers’ Compensation Healthcare Network

- www.sorm.state.tx.us/workers-compensation/health-care-network

State Risk Management Employment Opportunities

- <http://www.sorm.state.tx.us/about-us/employment>

SORM Contact Information

www.sorm.state.tx.us

(512) 475-1440

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