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**BOARD OF NURSE EXAMINERS**

## Regular Meeting

Thursday, April 21, 2005

8:05 a.m. - 5:20 p.m.

Friday, April 22, 2005

8:08 a.m. - 1:55 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds, President

Joyce Adams

Deborah Bell

George Buchenau, Jr.

Virginia Campbell

Blanca Rosa Garcia

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Anita Palmer

Frank Sandoval

Staff present:

Katherine A. Thomas, Executive Director

Anthony Diggs, Director of Enforcement

Mark Majek, Director of Operations

Mary Beth Thomas, Director of Nursing

James "Dusty" Johnston, General Counsel

Liz Higginbotham, Assistant General Counsel

Joy Sparks, Assistant General Counsel

Patricia Vianes-Cabrera, Executive Assistant

Melinda Hester, Nursing Consultant

Virginia Holmes, Nursing Consultant

Bruce Holter, Information Specialist

Janice Hooper, Nursing Consultant

Dorothy Joy, Nursing Consultant

Karen Malloy, Nursing Consultant

Carol Marshall, Nursing Consultant

Betty Sims, Nursing Consultant

Robbin Wilson, Nursing Consultant

Jolene Zych, Nursing Consultant

| AGENDA ITEM                  | DISCUSSION  | ACTION   |
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| <b>CALL TO ORDER</b>         | Linda Rounds called the meeting to order at 8:05 a.m, Thursday, April 21, 2005.                   |  |
| <b>ROLL CALL</b>             | All members were present with the exception of Phyllis Caves Rawley and a quorum was established. |  |
| <b>INTRODUCTIONS</b>         | Board members and staff introduced themselves to the audience.                                    |  |
| <b>ACCEPTANCE OF AGENDA</b>  | The board reviewed the agenda.  | The agenda was approved.   |
| <b>ACCEPTANCE OF MINUTES</b> | The board reviewed the minutes from the January 20-21, 2005 meeting.                              | The Board approved the minutes from the January 20-21, 2005 meeting.   |
| <b>CONSENT AGENDA ITEMS</b>  |   | <p>The Consent agenda was approved with the following changes:</p> <p>Item 8.1. ALJ Proposal for Decision:<br/>The following Proposal for Decision was removed from the consent agenda for discussion:<br/>Donna Marie Legler, RN #652050</p> <p>Item 8.2 Agreed Orders:<br/>The following orders were removed from the consent agenda for discussion:<br/>Katherine Ann Branson-McLure, RN #248183;<br/>Star Marie Caesar, RN #700811;<br/>Toni Diane Compton, RN #564008;<br/>Aron Linn Salazar, LVN #174655;</p> <p>Item 8.3. Reinstatement Agreed Orders:<br/>The following order was removed from the consent agenda for discussion:<br/>Tammy Cox, RN #651532</p> <p>Linda Rounds recused herself from the consideration and vote on Item 8.2. Agreed Order of Brenda Louise Holbert-Fernandez, RN #581785.</p> <p>Richard Gibbs recused himself from the consideration and vote on Item 8.1 ALJ Proposal for Decision of Margaret Jeanette Singleton, LVN #162816.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.1. Confirmation of Approval Status Based on 2004 NCLEX-PN Examination Pass Rates</p> |

| AGENDA ITEM  | DISCUSSION  | ACTION  |
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|  |   | <p>and Review of 2004 Annual Reports of Del Mar College.</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.2. Agreed Orders of:<br/>Alicia Faith Boucher, RN #604206; and<br/>Toni Diane Compton, RN #564008/LVN #67165.</p> <p>Deborah Bell recused herself from the consideration and vote on Item 8.2. Agreed Orders of:<br/>Alicia Faith Boucher, RN #604206;<br/>Toni Diane Compton, RN #564008/LVN #67165; and<br/>Ursula Trynette Magee, RN #659852.</p> <p>Deborah Bell recused herself from the consideration and vote on Item 8.3. Reinstatement Agreed Order of Sandra Sue Lewis, LVN #102133.</p> |
| 2.1. Financial Statements  |   | Approved on Consent.  |
| 2.2 CE Compliance Report   |   | Approved on Consent   |
| <p><b>3.2.1.</b><br/><b>Confirmation of Approval Status Based on 2004 NCLEX-PN® Examination Pass Rates and Review of 2004 Annual Reports</b><br/>3.2.1.a. Full Approval with Commendations<br/><b>Vocational Nursing Programs</b><br/>Alvin Community College<br/>Amarillo College<br/>Angelina College at Crockett<br/>Angelina College at Lufkin-MEEP Program<br/>Angelina College at Lufkin-Traditional Program</p> | <p>The Board considered the 2004 NCLEX-PN examination pass rates and review of 2004 Annual Reports.</p> | <p>Board member Blanca Rosa Garcia recused herself from consideration and voting on this agenda item.</p> <p>The board voted to continue full approval for the vocational nursing education programs listed, including the commendations suggested by staff.</p>  |

| AGENDA ITEM   | DISCUSSION | ACTION |
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| <p> <i>Army Practical Nurse Program</i><br/> <i>Army Practical Nurse Detachment</i><br/> <i>Austin Community College at Austin</i><br/> <i>Baptist Health System School of Health Professions</i><br/> <i>Blinn College at Brenham</i><br/> <i>Blinn College at Bryan</i><br/> <i>Brazosport Community College at Lake Jackson</i><br/> <i>Central Texas College at Brady</i><br/> <i>Central Texas College at Killeen</i><br/> <i>Childress Regional Medical Center</i><br/> <i>Cisco Junior College at Abilene</i><br/> <i>Coastal Bend College at Alice</i><br/> <i>Coastal Bend College at Beeville</i><br/> <i>Del Mar College</i><br/> <i>El Centro College</i><br/> <i>El Paso Community College-MEEP</i><br/> <i>Frank Phillips College</i><br/> <i>Galen Health Institute at San Antonio</i><br/> <i>Hill College at Cleburne</i><br/> <i>Hill College at Clifton-Day Program</i><br/> <i>Hill College at Hillsboro</i><br/> <i>Houston Community College</i><br/> <i>Howard College at Big Spring</i><br/> <i>Howard College at San Angelo</i><br/> <i>Institute for Health Careers Development - Ft. Worth</i><br/> <i>Joe G. Davis Hospital</i><br/> <i>Kilgore College at</i> </p> |            |        |

| AGENDA ITEM   | DISCUSSION | ACTION |
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| <p> <i>Longview<br/> Kingwood College<br/> Lamar State<br/> College at Orange-<br/> Day Program<br/> Laredo Community<br/> College<br/> Lee College<br/> McLennan<br/> Community<br/> College-MEEP<br/> McLennan<br/> Community<br/> College-Traditional<br/> Midland College-<br/> A.M. Program<br/> Midland College at<br/> Ft. Stockton<br/> Navarro College at<br/> Corsicana<br/> Navarro College at<br/> Mexia<br/> Navarro College at<br/> Waxahachie<br/> North Central<br/> Texas College at<br/> Gainesville<br/> Northeast Texas<br/> Community<br/> College-Mt.<br/> Pleasant<br/> North Harris County<br/> Community College<br/> District at<br/> Montgomery<br/> College<br/> North Harris County<br/> Community College<br/> District at North<br/> Harris College<br/> North Harris<br/> Montgomery<br/> Community College<br/> District at Tomball<br/> College<br/> North Texas<br/> Professional Career<br/> Institute<br/> Odessa College at<br/> Andrews<br/> Paris Junior<br/> College<br/> Ranger Junior<br/> College at Graham<br/> San Jacinto College<br/> South<br/> Schreiner</i> </p> |            |        |

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| <p>University<br/>South Plains<br/>College at<br/>Levelland<br/>South Plains<br/>College at Lubbock<br/>South Plains<br/>College at<br/>Plainview<br/>South Texas<br/>College at Weslaco<br/>Southwest Texas<br/>Junior College at<br/>Del Rio<br/>Southwest Texas<br/>Junior College at<br/>Uvalde<br/>St. Philip's College<br/>at Seguin<br/>Sul Ross University<br/>Temple College at<br/>Temple<br/>Texas Careers<br/>Texas State<br/>Technical College<br/>at Breckenridge<br/>Texas State<br/>Technical College<br/>at Sweetwater<br/>Trinity Valley<br/>College at Kaufman<br/>Tyler Junior College<br/>at Jacksonville-A.M.<br/>Program<br/>Tyler Junior College<br/>at Jacksonville-P.M.<br/>Program<br/>Vernon College at<br/>Vernon- Day and<br/>Evening Programs<br/>Vernon College at<br/>Wichita Falls-Day<br/>Program<br/>Victoria College at<br/>Hallettsville<br/>Weatherford<br/>College<br/>Wharton Junior<br/>College at<br/>Richmond<br/>Wharton Junior<br/>College at Wharton</p> |   |  |
| <p>3.2.1.b. Full<br/>Approval with</p>  | <p>The Board considered the 2004 NCLEX-PN<br/>examination pass rates and review of 2004</p> | <p>The Board voted to continue full approval for<br/>the vocational nursing education programs</p> |

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| <p>Commendations,<br/>Recommendations<br/>and Requirements<br/>Grayson County<br/>College</p>  | <p>annual reports.</p>  | <p>listed with requirements to be met as suggested by staff.</p>   |
| <p>3.2.1.c.<br/>Full Approval with<br/>No<br/>Recommendations<br/>and No<br/>Requirements.<br/><b>Vocational<br/>Nursing Programs</b><br/>Angelina College at<br/>Jasper<br/>Austin Community<br/>College at<br/>Fredericksburg<br/>Coastal Bend<br/>College at<br/>Kingsville<br/>Concord Career<br/>Institute<br/>El Paso Community<br/>College at Mission<br/>Del Paso<br/>Galveston College<br/>Lamar State<br/>College at Orange-<br/>Evening Program<br/>Lamar State<br/>College at Port<br/>Arthur<br/>Memorial Hermann<br/>Memorial City<br/>Hospital<br/>Odessa College at<br/>Monahans<br/>Ranger Junior<br/>College at Early<br/>San Jacinto College<br/>North<br/>South Texas<br/>College at McAllen-<br/>A.M. Program<br/>St. Philip's College<br/>at San Antonio<br/>Texarkana College<br/>Texas State<br/>Technical College<br/>at Sweetwater-P.M.<br/>Program<br/>Trinity Valley<br/>College at Palestine<br/>Tyler Junior College</p> | <p>The Board considered the 2004 NCLEX-PN examination pass rates and review of 2004 annual reports.</p> | <p>The Board voted to continue full approval for the vocational nursing education programs listed with no recommendations and no requirements to be met as suggested by staff.</p> |

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| <p>at Tyler-Day Program<br/>Tyler Junior College<br/>at Tyler-Evening Program<br/>Tyler County Hospital<br/>University of Texas at<br/>Brownsville/Texas<br/>Southmost College<br/>Valley Baptist Medical Center<br/>Valley Grande Institute for<br/>Academic Studies<br/>Vernon College at<br/>Wichita Falls-Evening Program<br/>Victoria College at Cuero<br/>Victoria College at Gonzales<br/>Victoria College at Victoria-A.M. Program<br/>Victoria College at Victoria-P.M. Program</p> |   |   |
| <p><b>3.2.2. Confirmation of Approval Status Pending Evidence of NCLEX-PN Examination Pass Rates</b></p>   |   |   |
| <p>3.2.2.a. Initial Approval<br/><b>Vocational Nursing Programs</b><br/>College of the Mainland<br/>Computer Career Center<br/>South Texas College at Rio Grande City<br/>Temple College at Taylor</p>   | <p>The Board considered the 2004 NCLEX-PN examination pass rates and review of 2004 Annual Reports.</p> | <p>The Board voted to continue initial approval for the vocational nursing education programs listed.</p>     |
| <p>3.2.2.b. Conditional Approval<br/><b>Vocational Nursing Program</b></p>   | <p>The Board considered the 2004 NCLEX-PN examination pass rates and review of 2004 Annual Reports.</p> | <p>The Board voted to continue conditional approval for the vocational nursing education programs listed.</p> |

| AGENDA ITEM  | DISCUSSION   | ACTION   |
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| <p><i>Institute for Health Careers Development - Grand Prairie ISD</i></p>                                   |  |  |
| <p><i>5.1.1. Eligibility and Disciplinary Committee Report</i></p>   |  | <p><i>Approved on Consent.</i></p>   |
| <p><i>5.1.2. Strategic Planning/2<sup>ND</sup> Quarter Report</i></p>  |  | <p><i>Approved on Consent.</i></p>   |
| <p><i>5.3.1. Texas Peer Assistance Program for Nurses Advisory Committee</i></p>                             |  | <p><i>Approved on Consent.</i></p>   |
| <p><b>7.3. Texas Peer Assistance Program for Nurses (TPAPN)</b><br/><i>7.3.1. TPAPN Quarterly Report</i></p> |  | <p><i>Approved on Consent.</i></p>   |
| <p><b>8. PROPOSED BOARD ORDERS</b></p>   |  | <p><i>The board voted to ratify the ALJ Proposals for Decision on Consent with the following results:</i></p>  |
| <p><b>8.1. ALJ Proposals for Decision</b></p>  | <p><b><i>Kimberly Ann Richardson, LVN#119712</i></b></p>       | <p><b><i>License Revoked.</i></b> <i>The proposal for decision and the findings of fact and conclusions of the law of the ALJ were adopted by the board.</i></p>   |
|  | <p><b><i>Margaret Jeannette Singleton, LVN #162816</i></b></p> | <p><i>Board member Richard Gibbs recused himself from consideration and voting on this proposal for decision and order.</i></p> <p><b><i>License Revoked.</i></b> <i>The proposal for decision and the findings of fact and conclusions of the law of the ALJ were adopted by the board.</i></p> |
| <p><b>8.2. AGREED ORDERS</b></p>   |  | <p><i>The board voted to ratify the Agreed Orders on Consent with the following results:</i></p>   |
|  | <p><b><i>Melody Walker Barbary, LVN #61071</i></b></p>         | <p><b><i>Warning with Stipulations.</i></b> <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in medication</i></p>   |

| AGENDA ITEM | DISCUSSION                                     | ACTION   |
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|             | <p><b>Alicia Faith Boucher, RN #604206</b></p> | <p><i>administration; a board approved course in nursing documentation; and a board approved course in nursing ethics. Should Respondent choose to practice as a LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Board members Deborah Bell and Rosa Blanca Garcia recused themselves from consideration and voting on this Agreed Order.</i></p> <p><b>Suspend Probate.</b> <i>Respondent's license is hereby suspended with said suspension stayed and Respondent is hereby placed on probation for three years with the following agreed terms of probation: Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent</i></p> |

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|             | <p><b>Christine Childree, RN #659053/LVN #164093</b></p> | <p><i>shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</i></p> <p><b>Enforced Suspension.</b> Respondent's license is hereby suspended with said suspension enforced until Respondent completes an inpatient treatment program approved by the Board, provides documentation of successful completion and has obtained 12 consecutive months of sobriety. Any relapse prior to the completion of the 12 consecutive months of sobriety will result in an extension of the enforced suspension until such 12 consecutive months of sobriety and additional treatment have been attained. Upon verification of successful completion of twelve consecutive months of sobriety as set out in this order, the Suspension will be stayed and Respondent will be placed on probation for three years with the following agreed terms of probation: Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN or LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol,</p> |



| AGENDA ITEM | DISCUSSION | ACTION   |
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|             |            | <p><i>sobriety. Any relapse prior to the completion of the 12 consecutive months of sobriety will result in an extension of the enforced suspension until such 12 consecutive months of sobriety and additional treatment have been attained. It is further agreed and ordered that Respondent hereby Voluntarily Surrenders her prescriptive authority and her authorization to practice as a Family Nurse Practitioner. It is further agreed that Respondent shall not practice as a FNP or use the title FNP, should Respondent desire to return to the practice as a Family Nurse Practitioner in Texas, Respondent shall petition the Board for such authorization. It is further agreed should Respondent be convicted of the offense(s) or receive a judicial order for the offense outlined in finding of fact number seven, said conviction or judicial action may result in further disciplinary action including Revocation of Respondent's license to practice professional nursing in the State of Texas. Upon verification of successful completion of twelve consecutive months of sobriety as set out in this order, the Suspension will be stayed and Respondent will be placed on probation for three years with the following agreed terms of probation: Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN or APN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; If Respondent chooses to be employed as a RN not utilizing her FNP credentials, Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; If Respondent chooses to be employed as a RN not utilizing her FNP credentials, Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Should Respondent choose to work as a FNP, Respondent's practice will be monitored for three years by an Internal Medicine, Family Practice, OB/GYN physician or FNP who has been approved by the board; Respondent shall have</i></p> |

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|             | <p><b>William Jackson, RN #641311</b></p> | <p><i>employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy; and if Respondent is placed on probation for the offense outlined in Finding of Fact number seven, Respondent shall cause her probation officer to submit written reports regarding Respondent's compliance with the court ordered probation until Respondent is released from probation.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$100. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in nursing ethics; and a board approved course in nursing documentation. It is further agreed that should Respondent practice as a RN in the State of Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> |



| AGENDA ITEM | DISCUSSION   | ACTION  |
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|             | <p><i>Lillian Marie McCuiston, LVN #188336</i></p> | <p><i>correspondence letter from Respondent's probation officer. Upon receipt of the documents as set out in this order, the Suspension will be stayed and Respondent will be placed on probation for three years with the following agreed terms of probation: Within one year of the stay of the suspension Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall cause her probation officer to submit written reports regarding Respondent's compliance with her court ordered probation until Respondent is released from probation.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing</i></p> |





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|             | <p><i>Patricia Ann Williamson, RN #257620</i></p> <p><i>Dedra C. Wilson-Ingram, RN #500847</i></p> | <p><i>of employment under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 45 days of entry of this order Respondent shall pay a fine in the amount of \$100. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Within 60 days of entry of this order Respondent shall successfully complete a board approved course in Advanced Cardiac Life Support. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><b>Warning with Stipulations.</b> <i>Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$750. Within one year of entry of this order Respondent shall successfully complete a board</i></p> |







| AGENDA ITEM | DISCUSSION   | ACTION   |
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|             | <p><b>Robin Duanne Fielder, Petitioner for Initial Licensure (LVN)</b></p> | <p><i>practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation and Petitioner shall be subject to the following conditions. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall cause employer to submit periodic reports; Petitioner shall have indirect supervision with employment restrictions for the duration of the stipulation period; and Petitioner shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Petitioner's progress in therapy until released from therapy.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; and shall cause employer(s) to submit periodic reports.</i></p> |

| AGENDA ITEM | DISCUSSION   | ACTION   |
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|             | <p><b><i>Ronda Kaye Hughes, Petitioner for Initial Licensure (RN)</i></b></p> <p><b><i>Margaret Angela James, Petitioner for Initial Licensure (RN)</i></b></p> <p><b><i>Stephanie Elyse Kelsey, Petitioner for Initial Licensure (RN)</i></b></p> | <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of entry of this order, Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics; and Petitioner shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Petitioner's progress in therapy until released from therapy.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-RN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of entry of this order, Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics; It is further agreed at the time of initial licensure should Petitioner practice as a RN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; shall cause employer(s) to submit periodic reports; and shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-</i></p> |





| AGENDA ITEM  | DISCUSSION   | ACTION   |
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|  | <p><b>Petra Lashun Telford, Petitioner for Initial Licensure (LVN)</b></p> | <p><i>period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-PN examination with conditions. Petitioner shall not be eligible for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-PN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation. Within one year of initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. It is further agreed at the time of initial licensure should Petitioner practice as a LVN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall cause each employer to submit notification of employment forms; and shall cause employer(s) to submit periodic reports.</i></p> |
| <p><b>1. ADMINISTRATION</b><br/>1.1. Executive Director's Report</p> | <p>Katherine Thomas reviewed her written report to the board.</p>          | <p>No action.</p>  |

| AGENDA ITEM   | DISCUSSION   | ACTION   |
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| <b>2. OPERATIONS</b><br>2.3. Internal Audit   | Larry Vineyard and Mark Majek discussed the results of the risk assessment. This audit was conducted by allowing all BNE employees the opportunity to email Larry Vineyard directly regarding any perceived risks within the agency. The Board's Internal Audit Committee, Phyllis Caves Rawley and Deborah Bell also had the opportunity to provide direction and feedback during this process. | No action.   |
| <b>3. NURSING</b><br><b>3.2. EDUCATION</b><br>3.2.3.<br>Continuation of Approval Status Based on 2004 NCLEX-RN Examination Pass Rates, Review of 2004 Annual Report and Status Report - Weatherford College, Associate Degree Nursing Program | The board considered the continuation of the Full Approval with Warning status based on review of the 2004 NCLEX-RN pass rate, 2004 Annual Report and Progress Report. Cheryl Livengood was present to answer questions.   | The Board voted to continue the Full with Warning approval status and issue requirements to be met based on staff recommendation.  |
| 3.2.4.<br>Continuation of Approval Status Based on 2004 NCLEX-RN Examination Pass Rates, Review of 2004 Annual Report and Review of Self Study  | The Board considered the approval status and requirements to be met for Angelina College Associate Degree Nursing Program based on review of the NCLEX-RN exam pass rate for 2004, review of the 2004 Annual Report, and review of the self study report.  | The Board voted to continue full approval status of Angelina College Associate Degree Nursing Education Program, accept the Self-Study Report, and issue the requirements to be met.   |
| 3.2.4.b. Blinn College, Associate Degree Nursing Program  | The Board considered the approval status and requirements to be met for Blinn College Associate Degree Nursing Education Program based on review of the NCLEX-RN exam pass rate for 2004, review of the 2004 Annual Report and   | The Board voted to continue the full approval status of Blinn College Associate Degree Nursing Program, accept the Self-Study Report, authorize board staff to conduct a survey visit, issue the requirements to be met, and require the |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
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|  | <p>review of the Self-Study Report.<br/>Dr. Thena Parrott was present to answer any questions.</p>  | <p>Program Director to submit a progress report as indicated in the NLNAC report.</p>  |
| <p>3.2.4.d. Lamar University at Beaumont, Associate Degree Nursing Program</p>       | <p>The Board considered the approval status of Lamar University at Beaumont Associate Degree Nursing Program based on review of the 2004 NCLEX-RN pass rate, Annual Report, and Self-Study report.<br/>Dr. Eileen Deges Curl and Dr. Iva Hall were present to answer any questions.</p>                             | <p>The Board voted to continue full approval status of Lamar University at Beaumont and issue the commendation, recommendations and requirement.</p>   |
| <p>3.2.4.e. San Jacinto College South, Associate Degree Nursing Program</p>          | <p>The Board considered the approval status of San Jacinto South, Associate Degree Nursing Program based on the 2004 NCLEX-RN pass rate, review of the Annual report and the Self Study report.<br/>Linda Roberts, MSN, RN, was present to answer questions.</p>  | <p>Board member Joyce Adams, Phd, RN, recused herself from consideration and voting on this matter.<br/>The Board voted to continue full approval status for San Jacinto College South Associate Degree Nursing Program, accept the Self Study report, and authorize board staff to conduct a survey visit and issue the requirement to be met.</p>  |
| <p>3.2.4.f. St. Philip's College, Associate Degree Nursing Program</p>               | <p>The Board considered the approval status and requirements to be met for St. Philip's College Associate Degree Nursing Education Program based on review of the NCLEX-RN examination pass rate for 2004, review of the 2004 Annual Report, and review of the self-study report.</p>                               | <p>The Board voted to continue full approval status for the St. Philip's College Associate Degree Nursing Education Program, accept the Self-Study Report, and issue the requirements.</p>   |
| <p>3.2.4.g. East Texas Baptist University, Baccalaureate Degree Nursing Program</p>  | <p>The Board considered the approval status and requirements to be met for East Texas Baptist University Baccalaureate Degree Nursing Education Program based on review of the NCLEX-RN examination pass rate for 2004, review of the 2004 Annual Report, and review of the February 4, 2005 self study report.</p> | <p>The Board voted to continue full approval status for East Texas Baptist University Baccalaureate Degree Nursing Education Program, accept the self study report, require that a progress report be submitted at the July board meeting, commission a site visit by staff at time of CCNE visit, and require a copy of the report from the fall 2005 site visit be submitted to the Board.</p> |
| <p>3.2.4.h. University of Texas at El Paso, Baccalaureate Degree Nursing Program</p> | <p>The Board considered the approval status and requirements to be met for the University of Texas at El Paso Baccalaureate Degree Nursing Program based on review of the NCLEX-RN examination pass rate for 2004 Annual Report, and review of the February 4, 2005 self study report.</p>                          | <p>The Board voted to continue full approval status for the University of Texas at El Paso Baccalaureate Degree Nursing Education Program, accept the Self Study Report, and issue the requirements.</p>   |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
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| <p>3.2.4.i.<br/>University of Texas-Pan American, Baccalaureate Degree Nursing Program</p>   | <p>The Board considered the approval status and requirements to be met for the University of Texas-Pan American Baccalaureate Degree Nursing Program based on review of the NCLEX-RN examination pass rate for 2004, review of the 2004 Annual Report, and review of the February 4, 2005, self-study report.</p> | <p>The Board voted to continue full approval status for the University of Texas-Pan American Baccalaureate Degree Nursing Education Program, accept the Self-Study Report, and issue the requirements.</p> |
| <p>3.2.5.<br/>Continuation of Approval Status Based on 2004 NCLEX-PN Examination Pass Rates, Review of 2004 Annual Report and Review of Self Study Western Texas College at Snyder, Vocation Nursing Program</p> | <p>The Board considered the approval status and requirements to be met for the Western Texas College Vocational Nursing Education Program based on the 2004 NCLEX-PN pass rate, the 2004 Annual Report and Self Study.</p>  | <p>The Board voted to continue the full approval status of Western Texas College Vocational Nursing Program and accept the Self-Study Report and issue recommendations and requirements.</p>               |
| <p>3.2.6.<br/>Continuation of Approval Status Based on NCLEX-PN Examination Pass Rates, Review of 2004 Annual Report and Report of Survey Visit</p>  | <p>The Board considered the approval status of the Panola College Vocational Nursing Program located at Carthage based on survey visit, review of Annual Report and evaluation of annual NCLEX-PN Pass Rates.<br/>Mary Johannessen, RN, BSN, and Kay Williams Shaw, RN, BSN were present to answer questions.</p> | <p>The Board voted to continue the full approval status of Panola College Vocational Nursing Programs located at Carthage and issue the requirements and recommendations.</p>                              |
| <p>3.2.6.b. Panola College at Center, Vocational Nursing Program</p>   | <p>The Board considered the approval status of the Panola College at Center Vocational Nursing Program based on survey visit, review of Annual Report and evaluation of annual NCLEX-PN Pass Rates.<br/>Mary Johannessen, RN, BSN, and Kay Williams Shaw, RN, BSN were present to answer questions.</p>           | <p>The Board voted to continue the full approval status for Panola College Vocational Nursing Programs located at Center and issue the requirements and recommendations.</p>                               |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
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| <p>3.2.7.<br/>Consideration of Proposed Change in Approval Status Based on NCLEX-PN Examination Pass Rates, Review of 2004 Annual Report, and Review of Progress Reports</p> <p>3.2.7.a.<br/>Clarendon College, Vocational Nursing Program</p> | <p>The Board considered a proposed change in approval status from conditional to full for the Clarendon College Vocational Nursing Education Program based on the 2004 NCLEX-PN examination pass rate, 2004 Annual Report and quarterly progress reports during 2004.<br/>Tex Buckhaults was present to answer questions.</p>     | <p>The Board voted to change the approval status of Clarendon Vocational Nursing Education Program from conditional to full based on the NCLEX-PN examination pass rate for 2004, review of the 2004 Annual Report, review of quarterly Progress Reports and Program having met all previous requirements.</p> |
| <p>3.2.7.b.<br/>Southwest Texas Junior College at Eagle Pass, Vocational Nursing Program</p>   | <p>The Board considered a change in approval status from conditional to full for the Southwest Texas Junior College at Eagle Pass Vocational Nursing Education Program based on the 2004 NCLEX-PN examination Pass rate, 2004 Annual Report and progress reports.<br/>Amanda Hadley, BSN, RN was present to answer questions.</p> | <p>The Board voted to change the approval status of the Southwest Texas Junior College Vocational Nursing Education Program at Eagle Pass from conditional to full based on the NCLEX-PN examination pass rate for 2004, review of the 2004 Annual Report, and review of progress reports.</p>                 |
| <p>3.2.8.<br/>Consideration of Proposed Change in Approval Status Based on NCLEX-PN Examination Pass Rates and Review of 2004 Annual Report</p> <p>3.2.8.a. Coastal Bend College at Pleasanton, Vocational Nursing Program</p>                 | <p>The Board considered a change in approval status from Initial to full for the Coastal Bend College at Pleasanton Vocational Nursing Education Program based on the 2004 NCLEX-PN examination pass rate and 2004 Annual Report.</p>   | <p>The Board voted to change the approval status of the Coastal Bend College at Pleasanton Vocational Nursing Education Program from Initial to Full based on the 2004 NCLEX-PN examination pass rate and review of the 2004 Annual Report and issue a commendation.</p>                                       |
| <p>3.2.8.b. Hill College at Glen Rose</p>  | <p>The Board considered a change in approval status from Initial to Full for the Hill College at Glen Rose Vocational Nursing Education Program based on the 2004 NCLEX-PN examination pass rate</p>  | <p>The Board voted to change the approval status of the Hill College Vocational Nursing Education Program at Glen Rose to full based on the NCLEX-PN examination pass rate for 2004, review of</p>   |

| AGENDA ITEM  | DISCUSSION   | ACTION   |
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| 3.2.8.c. Hill College at Clifton-PM Program  | <p>and 2004 Annual Report.<br/>Lori Moseley was present to answer questions.</p> <p>The Board considered a change in approval status from Initial to Full for the Hill College at Clifton-Evening Vocational Nursing Education Program based on the 2004 NCLEX-PN examination pass rate and 2004 Annual Report.<br/>Janis Grimland, RN was present to answer questions.</p>  | <p>the 2004 Annual Report and meeting requirement.</p> <p>The Board voted to change the approval status of the Hill College at Clifton-Evening Vocational Nursing Education Program to full based on the NCLEX-PN examination pass rate for 2004 and review of the 2004 Annual Report.</p>   |
| 3.2.8.d. South Texas College at McAllen-PM Program   | <p>The Board considered a change in the approval status from Initial to Full for the South Texas College at McAllen-16 month Vocational Nursing Education Program based on the 2004 NCLEX-PN examination pass rate and 2004 Annual Report.</p>   | <p>The Board voted to change the approval status of the South Texas College at McAllen-16 month Vocational Nursing Education Program to full based on the 2004 NCLEX-PN examination pass rate and 2004 Annual Report.</p>  |
| 3.2.9. Consideration of Proposed Change in Approval Status Based on 2004 NCLEX-PN Examination Pass Rates, Review of 2004 Annual Report, and Report of Survey Visit Cy-Fair College, Vocational Nursing Education Program | <p>The Board considered a change in the approval status from Initial to Full for the Cy-Fair Vocational Nursing Education Program based on the 2004 NCLEX-PN examination pass rate, review of the 2004 Annual Report, review of the survey visit report, and the staff recommendation concerning commendations, recommendations and requirements to be met based on the outcome of the survey visit.<br/>Kathleen Emmitte and Marion Goodman were present to answer questions.</p> | <p>The Board voted to change the approval status from Initial to Full for the Cy-Fair College Vocational Nursing Education Program based on review of the 2004 NCLEX-PN examination pass rates, the 2004 Annual Report and the report of the survey visit, accept the survey visit report, and issue the commendations, recommendations and requirements to be met based on the outcome of the survey visit.</p> |
| 3.2.10. Continuation of Approval Status Based on Review of 2004 Annual Report and Report of Survey Visit Cy-Fair College, Associate Degree Nursing Program   | <p>The Board considered the continuation of Initial approval status for the Cy-Fair College Associate Degree Nursing Education Program based on review of the 2004 Annual Report, review of the survey visit report, and the staff recommendation concerning commendations, recommendations and requirements to be met based on the outcome of the survey visit.<br/>Kathleen Emmitte was present to answer questions.</p>   | <p>The Board voted to continue the Initial approval status for the CY-Fair College Associate Degree Nursing Education Program based on review of the 2004 Annual Report and the report of the survey visit, accept the survey visit report and issue the commendations, recommendations and requirements to be met based on the outcome of the survey visit.</p>   |

| AGENDA ITEM  | DISCUSSION   | ACTION  |
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| 3.2.11. Report of Survey Visit-Texas A&M International University, FNP Program   | The Board considered the report of the March 29-30, 2005, survey visit and the staff recommendation concerning commendations, recommendations and requirements to be met based on the outcome of the survey visit. Louise A. Autio, PhD, FNP, BC, RN, was present to answer questions.                         | The Board voted to accept the report of the March 29-30, 2005, survey visit, authorize a follow-up survey visit in Spring 2006, and issue the commendations, recommendations and requirements to be met.  |
| 3.2.12. Public Hearing for Proposal to Establish a New Vocational Nursing Program - Career Academy of Texas Incorporated | The Board held a public hearing to consider Career Academy of Texas, Inc. Proposal to establish a new vocational nursing education program and the report of a survey visit to the proposed vocational nursing education program. Dr. Nosa Evbuomwan and Mrs. Anne Evbuomwan were present to answer questions. | At the close of the public hearing, the Board voted to deny approval of the Career Academy of Texas, Inc. proposal to establish a new vocational nursing education program in Grapevine, Texas until such time that the Board determines that a comprehensive proposal which reflects the requirements of Rule 214 and Board Guidelines is submitted and reviewed by board staff and approved by the Board and findings from a survey visit reflect that the requirements of Rule 214 and Board Guidelines have been met. |
| 3.2.13. Public Hearing for Proposal to Establish a New Professional Nursing Program<br>3.2.13.a. Cisco Junior College    | The Board held a public hearing to consider the Cisco Junior College proposal to establish a New Professional Associate Degree Nursing Education Program in Abilene, Texas. Donna Burleson, MSN, RN; Jackolyn Morgan, MSN, RN; and Janice Walsh, MSN, RN were present to answer questions.                     | At the close of the public hearing the Board voted to grant initial approval for Cisco Junior College to establish a new professional associate degree nursing education program contingent on a satisfactory site visit and the program meeting the requirements.  |
| 3.2.13.b. Kingwood College   | The Board held a public hearing to consider the proposal of Kingwood College in the North Harris Montgomery Community College District to establish a new associate degree nursing program. Peggy Aalund, MSN, RN; Dr. Bill Coppola; Dr. Katherine Persson; and Pam Mason were present to answer questions.    | At the close of the public hearing the Board voted to approve the proposal to establish a new associate degree nursing program at Kingwood College contingent upon a satisfactory survey visit and meeting the requirements.  |
| 3.2.13.c. Montgomery College   | The Board held a public hearing to consider the proposal of Montgomery College in the North Harris Montgomery Community College District to establish a generic associate degree nursing   | At the close of the public hearing the Board voted to approve the proposal to establish a new associate degree nursing program at Montgomery College contingent upon a satisfactory survey visit  |

| AGENDA ITEM  | DISCUSSION   | ACTION  |
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|  | <p>program.<br/>Jane Mathis, MSN, RN; Gayle LoPiccolo, MA, Dean; and Pam Mason were present to answer questions.</p>   | <p>and meeting the requirements as noted in the attached letter.</p>  |
| <p>3.2.13.d.<br/>Tomball College</p>   | <p>The Board held a public hearing to consider the proposal of Tomball College in the North Harris Montgomery Community College District to establish a generic associate degree nursing program.<br/>Mary K. Yoho, RN, MSN; Frank Willingham, PhD, Dean; Nockie Zizelmann, PhD; and Pam Mason were present to answer questions.</p> | <p>At the close of the public hearing the Board voted to approve the proposal to establish a new associate degree nursing education program at Tomball College contingent upon a satisfactory survey visit.</p>   |
| <p>3.2.14.<br/>Notification of<br/>Closure of<br/>Vocational<br/>Nursing Program-<br/>Midland College<br/>Evening Program</p>                      | <p>The Board considered the automatic closure of the inactive program, Midland College-PM Vocational Nursing Education Program if no enrollments by July, 2005.</p>  | <p>The Board voted that Midland College-PM Vocational Nursing Education Program be considered automatically closed on July 31, 2005, if no students are enrolled.</p>   |
| <p>3.2.15. Petition to<br/>Request an<br/>Emergency<br/>Faculty Waiver-<br/>Blinn College,<br/>Associate Degree<br/>Nursing Program</p>            | <p>The Board considered the recommendation from the Education Liaison Committee to approve the Blinn College Associate Degree Nursing Program petition for an emergency faculty waiver for Ms. Jaime Hardy, BSN, RN. Dr. Thena Parrott and Jaime Hardy, BSN were present to answer questions.</p>                                    | <p>The Board voted to approve the recommendation from the Education Liaison Committee to approve the Blinn College Associate Degree Nursing Program request for an emergency faculty waiver for Jaime Hardy, BSN, RN and issue requirements and recommended by the Education Liaison Committee.</p> |
| <p>3.2.16. Summary<br/>and Analysis of<br/>2004 Annual<br/>Report Data<br/>submitted by BNE<br/>Approved<br/>Professional<br/>Nursing Programs</p> | <p>The Board reviewed the Summary and Analysis of 2004 Annual Report Data submitted by BNE Approved Professional Nursing Programs.</p>   | <p>No Action.</p>   |
| <p>3.2.17. Summary<br/>of 2004 Annual<br/>Report Data<br/>submitted by BNE<br/>Approved<br/>Vocational<br/>Nursing Programs</p>                    | <p>The Board reviewed the Summary and Analysis of 2004 Annual Report Data submitted by BNE Approved Vocational Nursing Programs.</p>   | <p>No Action.</p>   |
| <p><b>OPEN FORUM:</b></p>  | <p>Dr. Rounds announced the format and</p>   | <p>No action.</p>   |

| AGENDA ITEM  | DISCUSSION   | ACTION   |
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|  | <p>invited participation from the audience.</p> <p>Olma Guerra spoke regarding Coastal Bend College Instructor issue and her concerns regarding LVN's, in that they are good role models for students. Ms. Guerra further stated that LVN instructors are very important to the college.</p> <p>Thelma Davis, LVN, immediate past President, Licensed Vocational Nurse Association of Texas. Ms. Davis spoke regarding her concerns pertaining to the definitions of nursing titles included in HB 3100 and SB 1000. Ms. Davis believes that LVN's might no longer be allowed to give medications because of confusion over the definitions in HB 3100 and SB 1000. Ms. Davis requested that the Board adopt or create a position statement correcting the error and/or more clearly defining the definition.</p> <p>No one else came forward and the Open Forum was closed at 1:40 p.m.</p> |  |
| <p><b>6. OLD BUSINESS</b><br/>6.2. Status of Proposal by M.D. Anderson Medical Center for Patient Safety Pilot Program on Nursing Reporting Systems</p>  | <p>The Board considered the status and request of the MD Anderson Patient Safety Pilot Program on Nursing Reporting Systems for an extension of the time frame for implementation of the project. Mary Beth Thomas gave a verbal report on the proposal.</p> <p>Deborah Simmons was present to answer questions.</p>   | <p>The Board voted to grant an extension of time for implementation of the project. The two year time frame for the MD Anderson Patient Safety Pilot Program will begin once the program is implemented.</p>   |
| <p><b>7. NEW BUSINESS</b><br/><b>7.1. Proposed Rules</b><br/>7.1.3. Proposed New Chapter 227, Related to Pilot Programs for Innovative Applications to Professional Nursing Education</p> <p>7.2. Proposed request for</p> | <p>The Board considered the proposed adoption of Chapter 227, Pilot Programs for Innovative Applications to Professional Nursing Education.</p> <p>The Board considered the request for proposals for BNE Innovative Professional</p>  | <p>The Board voted to propose the adoption of Chapter 227, Pilot Programs for Innovative Applications to Professional Nursing Education, and publish in the Texas Register for a 30-day comment period. If no substantive or negative comments are received during the comment period, then the new chapter shall be adopted within 20 days of filing it with the Texas Register.</p> <p>The Board voted to approve the Request for Proposal for Innovative Professional</p> |

| AGENDA ITEM  | DISCUSSION   | ACTION   |
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| Proposals for Board of Nurse Examiners Innovative Professional Nursing Education Pilot Programs  | Nursing Education Pilot Programs.  | Nursing Education Pilot Programs consistent with the proposed new chapter 227 and the Board voted to approve the Board's Education Liaison Committee and Staff to evaluate the quality of future applications and proposals received in response to the RFP for Innovative Professional Nursing Education Pilot Programs.  |
| 7.2.1. Consideration of Proposal for Pilot of Innovative Professional Nursing Education Pilot Programs-Midwestern State University, Baccalaureate Degree Nursing Education Program                       | The Board considered the Proposal for Pilot of Innovative Professional Nursing Education Pilot Programs -Midwestern State University. Deborah Garrison and Dr. Susan Sportsman were present to answer questions.   | The Board voted to approve Midwestern State University as a pilot program to the Innovative Professional Nursing Education Pilot Program and for the Board's Education Liaison Committee and Staff to monitor and evaluate Midwestern State University's pilot program and all other subsequently approved Innovative Professional Nursing Education Pilot Programs to ensure compliance with the criteria of chapter 227 and obtain evidence that research goals are being pursued. |
| 7.4. Petition to Accept Council on Occupational Education Accreditation in Lieu of Southern Association of Colleges and Schools Accreditation for Approval of New Professional Nursing Education Program | The Board considered the petition from Galen Health Institutes, School of Nursing, for the Board of Nurse Examiners to accept the Council on Occupational Education accreditation in lieu of the Southern Association of Colleges and Schools accreditation for approval of a new professional nursing education program. Mark Vogt, Dr. Nancy Maebus Bev Halter and Carol McGuire were present to answer questions. | The Board voted to delay the Board's decision until such time as the Board's Education Liaison Committee has sufficient time to research the request, evaluate the petition, and make a recommendation to the Board regarding accepting the Council on Occupational Education accreditation in lieu of the Southern Association of Colleges and Schools accreditation for approval of a new professional nursing education program.  |
| <b>8. Proposed Board Orders</b>  |  |  |
| 8.1. ALJ Proposal for Decision   | The board discussed the ALJ Proposal for Decision pulled from the consent agenda. <b>Donna Marie Legler, RN #652050/LVN #158259</b>  | The board voted to ratify the ALJ Proposal for Decision with the following results: <b>License Revoked.</b> The proposal for decision and the findings of fact and conclusions of the law of the ALJ were adopted by the board.  |
| 8.2. Agreed Orders   | The board discussed the following Agreed Orders pulled from the consent agenda.  | The board voted to ratify the Agreed Orders with the following results:  |





| AGENDA ITEM  | DISCUSSION                          | ACTION   |
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| <p>8.3.<br/><b>REINSTATEMENT<br/>AGREED ORDERS</b></p> | <p><b>Tammy Cox, RN #651532</b></p> | <p>notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment; Respondent shall not practice in any critical care area for the first year of employment; Respondent shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a LVN; Respondent shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Respondent shall submit to periodic screens for controlled substances and alcohol; Respondent shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Respondent shall cause his probation officer to submit quarterly written reports regarding his compliance with his court ordered probation until released from probation.</p> <p><b><i>Reinstated with Stipulations.</i></b> <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall not seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions: Petitioner shall successfully complete a nursing refresher course prior to returning to the practice of nursing in the State of Texas. Upon completion of the refresher course Petitioner shall return the clinical permit and shall cause the sponsoring institution to notify the Board of Petitioner's successful completion of the refresher course. Upon verification of successful completion Petitioner shall pay all re-registration fees and be issued a coded license which shall be subject to the following</i></p> |

| AGENDA ITEM | DISCUSSION | ACTION  |
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|             |            | <p><i>agreed post-licensure stipulations: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. Should Petitioner choose to practice as a RN in the State of Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall have direct supervision with employment restrictions for the first year of employment under this order; Petitioner shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment; Petitioner shall not practice in any critical care area for the first year of employment; Petitioner shall not administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for the first year of employment as a RN; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; and Petitioner shall participate in therapy with a board approved professional counselor and shall cause quarterly written reports regarding Petitioner's progress in therapy until released.</i></p> |

| AGENDA ITEM        | DISCUSSION   | ACTION |
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| <b>ADJOURNMENT</b> | <i>Having completed this day's business the meeting adjourned at 5:20 p.m.</i> |        |

| AGENDA ITEM   | DISCUSSION   | ACTION   |
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| <b>RECONVENE</b>  | The board reconvened at 8:08 am on Friday, April 22, 2005.   |  |
| <b>1. ADMINISTRATION</b>  |  |  |
| 1.2. Legal  |  |  |
| 1.2.1. Consideration of Cease and Desist Policy withdrawal  | Dusty Johnston discussed the current Cease and Desist Policy with the Board.                               | The Board voted to withdraw the policy for the delegated authority for the executive director to enter cease and desist orders previously approved by the Board on October 21, 2004. |
| 1.3. Status of Pending Legislation  | Kathy Thomas gave a verbal summary on all the pending legislation.   | No action.   |
| 1.4. Proposal to obtain Criminal Background Checks on Student Nurses  | Kathy Thomas gave a verbal summary of the proposal to obtain Criminal Background Checks on Student Nurses. | No action.   |
| 1.5. Sunset Self-Evaluation Report  | Kathy Thomas and Dusty Johnston informed the Board of the upcoming Sunset Self-Evaluation Report.          | No action.   |
| <b>3. NURSING</b>   |  |  |
| <b>3.1. PRACTICE</b>  |  |  |
| 3.1.1. Workshop Report  | Carol Marshall gave a verbal summary of the Workshop Report.   | No action.   |
| <b>3.2. EDUCATION</b>   |  |  |
| 3.2.4. Continuation of the Approval Status Based on 2004 NCLEX-RN Examination Pass Rates, Review of 2004 Annual Report and Review of Self Study |  |  |
| 3.2.4.c. Houston Baptist University,  | The Board considered the approval status and requirements to be met for the                                | The Board voted to continue full approval status for Houston Baptist Associate   |

| AGENDA ITEM   | DISCUSSION  | ACTION   |
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| Associate Degree Nursing Program  | Houston Baptist University-Associate Degree Nursing Program based on review of the NCLEX-RN examination pass rate for 2004, review of the 2004 Annual Report, and review of the February 4, 2005, self study report. Dr. Nancy Yuill and Lisette Barton were present to answer questions. | Degree Nursing Program, accept the Self-Study Report and issue the requirements. |
| <b>4. ENFORCEMENT</b><br>4.1. Criminal Background Check Update                                    | The board reviewed the statistics provided regarding the criminal background checks.  | No action.   |
| <b>5. COMMITTEE REPORTS</b><br><b>5.1. Board Committees</b><br>5.1.3. Development and Evaluation  | No report.  | No action.   |
| <b>5.2. Advisory Committees/Task Forces</b><br>5.2.1. Advanced Practice Nurses Advisory Committee | Linda Rounds reported that the APN Advisory Committee met in February regarding the scope of practice and how to inform APN's about the scope of practice issues. The committee will meet again on May 6, 2005 and will be looking at ways APN's can expand their scope of practice.      | No action.   |
| 5.2.2. Nursing Practice Advisory Committee  | No report.  | No action.   |
| 5.2.3. Advisory Committee on Education  | Brenda Jackson reported that the committee met and looked at the charge for educational programs.   | No action.   |
| <b>5.3. Outside Agency Committees</b><br>5.3.2. Texas Nurses Association Task Forces on           | No report.  | No action.   |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
|--|---|--|
| Nursing Practice and Nursing Education Redesign  |   |  |
| 5.3.3. Texas Higher Education Coordinating Board Professional Nursing Advisory Committee               | No report.  | No action.   |
| 5.3.4. SHCC Nursing Workforce Data Advisory Committee  | Katherine Thomas gave a verbal report on the SHCC Nursing Workforce Data Center.  | No action.   |
| 5.3.5. Department of State Health Services Hospital Rules Workgroup                                    | Carol Marshall reported that the Workgroup will meet in May.  | No action.   |
| <b>6. OLD BUSINESS</b>   |   |  |
| 6.1. Nurse Licensure Compact Update  | Katherine Thomas gave a verbal report on the compact.   | No action.   |
| 6.3. NCSBN Taxonomy of Error, Root Cause Analysis and Practice (TERCAP)                                | Mary Beth Thomas informed the Board about the status of NCSBN's Taxonomy of Error, Root Cause Analysis and Practice Project.  | No action.   |
| 6.4. Adoption and consideration of comments received on Rule 221.2 and 221.7, pertaining to APN titles | <p>The Board considered the adoption of amendments to advanced practice Rules 221.2 and 221.7, relating to advanced practice titles as proposed in the February 11, 2005, Texas Register and consideration of the response to comment received.</p> <p>Barbara Blakeney testified on behalf of the American Nurses Association regarding their progress in defining the future of APN education and regulation.</p> | The Board voted to adopt the revisions to Rule 221.2 and 221.7 as proposed in the February 11, 2005, Texas Register. Staff are further authorized to publish the summary of and response to comments as indicated when notice of the rule adoption is published. |

| AGENDA ITEM   | DISCUSSION  | ACTION   |
|---|---|--|
| <b>7. NEW BUSINESS</b>  |   |  |
| 7.1. Proposed Rules   |   |  |
| 7.1.1. Proposed Amendments to Sections 214.2, 214.3 and 214.9, Vocational Nursing Education | The Board considered the Advisory Committee on Education's recommendation to amend Chapter 214 Vocational Nurse Education.  | The Board voted to amend Section 214.2, 214.3, and 214.9, Vocational Nurse Education as recommended by the Advisory Committee on Education and publish in the Texas Register for a thirty day comment period, with adoption if no substantive comments received. |
| 7.1.2. Proposed Amendments to Sections 215.6 and 215.7, Professional Nursing Education      | The Board considered the Advisory Committee on Education's recommendation to amend Sections 215.6 and 215.7, Professional Nursing Education.  | The Board voted to amend Sections 215.6 and 215.7, Professional Nurse Education as recommended by the Advisory Committee on Education and publish in the Texas Register for a thirty day comment period, with adoption if no substantive comments received.      |
| 7.1.4. Proposed Amendments to Section 217.6, Failure to Renew License                       | The Board considered the proposed amendments to Section 217.6, Failure to Renew License, addressing waiver of renewal fees for actively deployed nurses who are late in filing for license renewal.                   | The Board voted to amend Section 217.6, Failure to Renew License and publish in the Texas Register for a thirty day comment period, with adoption if no substantive comments received.   |
| <b>9. MISCELLANEOUS</b>   |   |  |
| 9.1 Board Items of Interest for Future Board Meetings                                       | Mark Majek and Tawnya Smith presented to the Board information on Studio 360 and on purchasing laptop computers for the Board Members to utilize during board meetings.<br>The Board considered future meeting dates. | No action.<br><br>The Board voted to approve the following Board Meeting Dates:  |
|   |   | <b><u>2006</u></b>   |
|   |   | January 19-20  |
|   |   | April 20-21  |
|   |   | July 20-21   |
|   |   | October 19-20  |
|   |   | <b><u>2007</u></b>   |
|   |   | January 18-19  |
|   |   | April 19-20  |
|   |   | July 19-20   |
|   |   | October 18-19  |
|   |   | <b><u>2008</u></b>   |
|   |   | January 17-18  |
|   |   | April 17-18  |
|   |   | July 17-18   |
|   |   | October 23-24  |

| AGENDA ITEM   | DISCUSSION  | ACTION   |
|---|---|--|
|   |   | <p><b>2009</b><br/>           January 22-23<br/>           April 23-24<br/>           July 23-24<br/>           October 22-23</p> <p><b>2010</b><br/>           January 21-22<br/>           April 22-23<br/>           July 22-23<br/>           October 21-22</p> <p>The Board directed Staff to respond to the article.</p> |
| <p>9.2. Board Development: Regulation of Advanced Nurse Practice</p>                | <p>Joy Sparks and Jolene Zych did a power point presentation on the history and regulation of Advanced Nurse Practice.</p>                                | <p>No action.</p>  |
| <p>9.3. Appointment of Board Members to Eligibility and Disciplinary Committee</p>  | <p>The Board President solicited volunteers for the BNE Eligibility and Disciplinary Committee.</p>   | <p>The following board members were appointed to the Eligibility and Disciplinary Committee for the June, 2005 through December, 2005 term:</p> <p>Joyce Adams; Anita Palmer and Linda Rounds</p>  |
| <p>9.4. NCSBN Annual Meeting, August 2-5, 2005 - Washington, D.C.</p>               | <p>The Board discussed the upcoming NCSBN Annual Meeting, August 2-5, 2005 in Washington, D.C.</p>  | <p>The Board voted that the following board members would attend the NCSBN Annual Meeting, August 2-5, 2005 in Washington, D.C.:<br/>           Richard Gibbs; Frank Sandoval; and Virginia Campbell</p>   |
| <p>9.5. Executive Director and Board Evaluation Planning</p>                        | <p>The Board discussed the Executive Director and Board Evaluations. Linda Rounds proposed that the evaluations be done at the October Board meeting.</p> | <p>The Board voted to approve the annual evaluations taking place at the October Board meeting.</p>  |
| <p>9.6. Planning for Board Retreat</p>  | <p>The Board discussed possible locations and dates for the Board Retreat.</p>  | <p>No action.</p>  |
| <p>9.7. Executive Session pursuant to Tex. Gov't Code Ann. §551.071 (Texas Open</p> | <p>The board convened into Executive Session to discuss pending litigation.</p>   | <p>No action.</p>  |

| AGENDA ITEM   | DISCUSSION | ACTION |
|---|------------|--------|
| <p>Meeting Act)<br/> regarding pending<br/> litigation<br/> (A) Cause No.<br/> GN-102115<br/> <i>Kathleen Davies v.<br/> Texas Board of<br/> Vocational Nurse<br/> Examiners, Terri<br/> Hairston, and Mary<br/> Strange</i>, in the<br/> 53<sup>RD</sup> Judicial<br/> District Court of<br/> Travis County,<br/> Texas;<br/> (B) Cause No.<br/> GN400204<br/> <i>Basil Brown,<br/> Yvonne Brown v.<br/> Texas State Board<br/> of Nurse<br/> Examiners, et al</i>,<br/> 261<sup>ST</sup> Judicial<br/> District Court of<br/> Travis County<br/> (C) Cause No.<br/> 03-04813-B<br/> <i>Basil Brown, et al,<br/> v. Texas Board of<br/> Nurse Examiners,<br/> et al</i>, in the 44<sup>TH</sup><br/> Judicial District<br/> Court, Dallas<br/> County, Texas<br/> (D) Cause No.<br/> BN204412<br/> <i>John Doe v. Board<br/> of Nurse Examiners<br/> et al</i>, in the 345<sup>TH</sup><br/> Judicial District<br/> Court of Travis<br/> County, Texas</p> |            |        |

| AGENDA ITEM                | DISCUSSION  | ACTION |
|----------------------------|---|--------|
| <p><b>ADJOURNMENT:</b></p> | <p>Having completed all business as listed on the agenda, the meeting adjourned at 1:55 pm.</p> <hr/> <p>Linda Rounds, PhD, RN, FNP,<br/>Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN,<br/>Executive Director</p> |        |