

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

International Nurses Learn English-language Skills to Work as LVNs in the U.S.: Many internationally educated nurses are finding that their English language skills aren't adequate for nursing practice in the US. As a result, many enroll in a program designed to prepare foreign nurses to pass the national licensing examination for practical/vocational nurses at Workplace Language Programs Career College in Centennial, Colorado. The company works with the Commission on Graduates of Foreign Nursing Schools (CGFNS) to determine what type of education nurses had in their home countries and how that compares to United States requirements. About a dozen students are now enrolled in the nursing school, all sponsored by county workforce centers, which pay the \$5,000 tuition and other fees. The school checks to make sure students are in the country legally. Upon graduation, they may apply for licensure as licensed practical/vocational nurses. Similar schools are springing up all over the country as the United States struggles with a nursing shortage that is expected to get worse as baby boomers retire. For more information, see: http://www.denverpost.com/business/ci_6352611

PricewaterhouseCoopers Calls the Current Medical Workforce Model Broken in New Report on Health Care Staffing Shortage: There are more doctors and nurses today than ever before, but they are not being trained, distributed or deployed efficiently, according to PricewaterhouseCoopers' Health Research Institute in an analysis released dealing with the changing medical workforce and how it will affect the quality and delivery of health care in coming years. According to PricewaterhouseCoopers, a majority of doctors and nurses are nearing retirement just as the American public will need them most, and health care organizations are left with a diminishing pipeline of primary care physicians, new competition for nurses and a generation of young clinicians who have different expectations about work-life balance than their predecessors. A full copy of the report is available at <http://www.pwc.com/hri>.

Nursing Shortage Article Available from OJIN : A new update has been posted to the Online Journal of Issues in Nursing's (OJIN) Nursing Shortage Web page. *Why Emotions Matter: Age, Agitation, and Burnout among Registered Nurses* considers how the experience of burnout relates to the nursing shortage and examines the scope of nurses' emotional experiences. Authors of the article contend that these experiences may be particularly consequential for understanding higher levels of burnout reported by younger nurses. Their study demonstrated that nurses younger than 30 years of age were more likely to experience feelings of agitation and less likely to engage in techniques to manage these feelings. The authors also discuss the need for awareness of emotional demands facing today's nursing workforce and the need for experienced nurses to serve as emotional mentors to those entering the profession. For more information, see : <http://www.nursingworld.org/MainMenuCategories/ANAMarketplace/ANAPeriodicals/OJIN/TableofContents/Volume62001/Number1January2001/WhyEmotionsMatterAgeAgitationandBurnoutAmongRegisteredNurses.aspx>

Las Vegas, NV Uses Grant Money to Support New Nurses: A new residency program in Las Vegas is attempting to reduce the nursing shortage by keeping new nurses on their career path.

New nurses are teamed with mentors, who help make the transition to the workforce easier. University of Nevada Las Vegas. will fund the program for three years with a \$600,000 federal grant and will monitor the program closely to gauge its impact on the nursing profession. Two Las Vegas area hospitals, Valley and Desert Springs, are testing the new residency program. For more information, see: <http://www.klas-tv.com/Global/story.asp?S=7287861>

Wisconsin Nursing Schools to Replace Master's Program with Doctorate Degrees:

Nursing schools at The University of Wisconsin at Madison and Edgewood College are planning to replace their master's degree programs for specialty nurses with doctorate degrees. This is part of a national trend requiring professional doctorates as part of certification for nurse practitioners, other specialty nurses and some other health-care workers. The move aims to better prepare students for the increasingly complex health-care system, but could curb staff shortages in nursing and other fields. Three years ago, the American Association of Colleges of Nursing called for the doctorates, known as doctor of nursing practice degrees. The association said all schools should offer the degrees by 2015. The shift affects nurse practitioners, nurse midwives, nurse anesthetists and clinical nurse specialists. Bachelor's or associate degrees will continue to be sufficient for staff nurses. Those already working, who have master's degrees, won't immediately have to return to school, but transitional programs will be offered, and eventually could be required. For more information, see: <http://www.madison.com/wsj/topstories/index.php?ntid=263867>

Nursing Education Plan Would Change Admissions: The University of Iowa nursing program presented a new plan that is designed to do more with less. At the state Board of Regents' meeting, UI interim Provost Lola Lopes announced a new program in the UI College of Nursing that will cut admissions to the Bachelor of Science in nursing program from 150 annually to 80. Citing the need for nursing education faculty, the college will redeploy faculty to teach more graduate-level courses and educate the nurses needed as supervisors, faculty, and administrators. The college now has two degree paths for undergraduates and four for graduate students, but 75 percent of students graduating from the College of Nursing are being trained for bedside care. For more information see: <http://media.www.dailyiowan.com/media/storage/paper599/news/2007/12/05/Metro/Nursing.Plan.Would.Change.Admissions-3133595.shtml>

Effort to Cut Down on Medical Errors Gets Nearly \$5 Million Boost: A program to seek ways to reduce preventable medical errors will have an extra \$4.7 million to further study efforts. The research department at Arizona State University received the grant from the James S. McDonnell Foundation. The private St. Louis-based company donates about \$25 million annually to support neuroscience, psychology and complex systems research. ASU will share the grant with researchers from Phoenix-based Banner Health, the University of Texas-Houston and Washington University in St. Louis. Between 44,000 and 98,000 people die from medical errors every year in the United States, a higher death rate than breast cancer, HIV or motor vehicle accidents. Researchers hope to study the processes underlying critical care decision making to determine their weaknesses and how they can be corrected, according to ASU officials.

For complete story, visit http://asunews.asu.edu/20071204_mcdonnellgrant

APRN Joint Dialogue Group: Two professional groups, the National Council of State Boards of Nursing (NCSBN) Advanced Practice Registered Nurse (APRN) Committee and the APRN Consensus Group, separately identified the need to move to a future model for regulation and worked concurrently to develop an effective and efficient APRN regulatory model for public protection. As these groups continued their work in a parallel fashion, concerns regarding the need for collaboration and congruent outcomes between the two groups were expressed by both groups. A subgroup of the APRN Consensus Group and of the NCSBN APRN Committee

was convened in January, 2007. The group called itself the APRN Joint Dialogue Group and the agenda consisted of discussing areas of agreement and disagreement between the two groups. I serve on this group, representing the National Council of State Boards of Nursing. This group continues to meet to discuss and resolve issues of concern. It is expected that a final joint report will be issued by August 2008.

STATE ISSUES

Health Professions Council: At its last meeting HPC received a report from Chris Fowler from the Texas Higher Education Coordinating Board on implementation of SB 141 relating to a feasibility study regarding joint health science courses at public and private institutions of higher education. The study will examine sharing basic science curricula among various health care disciplines at the baccalaureate, masters, and doctoral levels. A survey of selected academic institutions is ongoing and will be followed by a meeting of respondents in the spring of 2008. A report will be released no later than September 30, 2008.

The Governor's Office is conducting a Business Process Review of administrative functions for HPC agencies with the goal of recommending consolidation of some functions under HPC and will be considered at a future HPC meeting.

House Interim Legislative Committee Charges have been issued: Standing Committees of the Texas House have been issued charges for the interim between Legislative Sessions to study and make recommendations on numerous policy issues. Note House Committee on Public Health and Appropriations committee charges to study nursing and other health care provider workforce needs; House Committee on Government Reform charge to study "decriminalization of license related violations." . House Committee charges can be found at <http://www.house.state.tx.us/committees/charges/welcome.htm>

BOARD ISSUES

BNE Bulletin Articles: The January issue of the *Board of Nursing Bulletin* contains an article announcing Beverly Nutall's election as Vice President, an article on appropriate professional boundaries, and an article on prevention of medication errors.

Board Development: Generally, at each board meeting, a board development session is held. At this Board meeting new members will be oriented to the Studio 361 Paperless Board meeting software.

January Board Meeting: New Board Member orientation will be held on Wednesday, January 16, 2008. This training is required for new board members to participate in their first board meeting.

New Board Members: New Board members will be welcomed at this first meeting of 2008. We are expecting that all new appointments will be made soon but as of this printing, we have not received notice of two of the appointments. Thus far, these appointments have been made:

- Mary Jane Salgado, Eagle Pass, Texas; Public Member, replacing Phyllis Rawley of El Paso who resigned; Ms. Salgado's term will expire January 31, 2009.
- Sheri Crosby, Mesquite, Texas; Public Member, replacing Anita Palmer of Olney who resigned; Ms. Crosby's term will expire January 31, 2009.

- Richard Gibbs, Mesquite, Texas; LVN Member, reappointed; Mr. Gibb's term will expire January 31, 2013.
- Marilyn Davis, Sugar Land, Texas; RN member, replacing Virginia Campbell of Fort Worth who's term expired; Ms. Davis's term will expire January 31, 2013.

Welcome new members!

AGENCY ISSUES

Staff: Melinda Hester, Consultant for Nursing Practice, submitted her resignation to accept a position at the Health and Human Services Commission to coordinate an exciting new public health program. We wish her well in this new position.

Staff Training: Staff have received training on Communication and Listening in two separate day long sessions to improve customer service, both internal and external.

Website: The website has been updated to add a new feature to the website. A "Site Map" can be found at the bottom of the home page. This feature highlights specific topic areas of interest with direct links to these pages.

Key Meetings and Presentations: I have attended/presented at the following meetings since the last Board meeting:

- *Meeting:* Advanced Practice Registered Nurse (APRN) Joint Dialogue Group, October 22-23, 2007, Washington, D.C.
- *Presentation:* Texas BON Update; Licensed Vocational Nurses of Texas (LVNAT) Meeting, October 27, 2007, Austin.
- *Meeting:* State Agency Nursing Leadership, October 29, 2007, Austin.
- *Meeting:* with representatives of University of Texas Medical Branch (UTMB) Managed Care concerning Proposed On Call Procedures, November 1, 2007, Austin.
- *Conference Call:* with Dr. Brenda Jackson and staff concerning the Board's Jurisprudence Examination, November 1, 2007.
- *Presentation:* The Board of Nursing's Perspective on the History and Future Directions of Peer Assistance, TPAPN Conference and Celebration of 20th Anniversary, November 2, 2007, Austin.
- *Conference Call:* Nurse Licensure Compact Administrators (NLCA) Subcommittee regarding Licensing of Individuals Revoked in Other States, November 5, 2007.
- *Conference Call:* Advanced Practice Registered Nurse (APRN) Joint Dialogue Group, November 8, 2007.
- *Meeting:* with representatives of University of Texas Health Science Center Houston faculty to discuss the future of Advanced Practice Nursing regulation, November 12, 2007, Austin.

- *Conference Call:* Nurse Licensure Compact Administrator (NLCA) Executive Committee, November 13, 2007.
- *Meeting:* with Tony Gilman from the Office of the Governor to discuss Business Process Review of the Health Professions Council agencies, November 19, 2007, Austin.
- *Meeting:* State Agency Nursing Leadership, November 26, 2007, Austin.
- *Meeting:* with constituents regarding Licensing of Individuals with Criminal and Mental Health issues, December 5, 2007, Austin.
- *Conference Call:* with National Council of State Boards of Nursing (NCSBN) Board of Directors, December 7, 2007.
- *Conference Call:* with National Council of State Boards of Nursing (NCSBN) Executive Officers, December 10, 2007.
- *Conference Call:* Nurse Licensure Compact Administrators (NLCA), December 10, 2007.
- *Meeting:* Health Professions Council (HPC), December 17, 2007.
- *Meeting:* State Agency Nursing Leadership, December 17, 2007, Austin.
- *Meeting:* Advanced Practice Registered Nurse (APRN) Joint Dialogue Group, December 18-19, 2007, Chicago.
- *Conference Call:* Advanced Practice Registered Nurse (APRN) Joint Dialogue Group, January 7, 2007.
- *Meeting:* with Irene Krill regarding the University of Texas Survey of Organizational Excellence, January 11, 2007, Austin.
- *Conference Call:* Nurse Licensure Compact Administrators (NLCA) Executive Committee, January 14, 2007.

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

Case Resolution Report
September 1, 2007 through November 30, 2007

Type of Action	RN	LVN	Total
No Jurisdiction	4	0	4
No Violation	17	6	23
No Action	369	248	617
Insufficient Evidence	72	26	98
Admonish	24	38	62
Without Prejudice	93	52	145
TPAPN Referrals	69	36	105
Totals	648	406	1054

Cases Where Executive Director Offered and Entered Orders in Compliance with Board Policy:

LVN DISCIPLINARY ORDERS AND ENDORSEMENTS
 Time frame: October 1, 2007, through December 31, 2007

DISCIPLINARY	
27	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 3 Practiced without a valid nursing license 1 Failed to follow physician instructions for wound care and non disclosure of criminal history on Renewal 19 Non disclosure/disclosures of Criminal History on Renewal Application or positive Random Audit 1 Exceeded her scope of practice, not obtaining credentials necessary for authorization of SANE exams 1 Dispensed personal prescription to someone who did not have a prescription or a valid physicians order 1 Exceeded her scope of practice as a Certified mid wife without authorization 1 Provided answers for the facility's annual competency medication test to another nurse <hr style="width: 10%; margin-left: 0;"/> <p>27</p>
19	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 4 Non disclosure/disclosures of Criminal History on Renewal Application pr positive Random audit 1 Failed to accurately assess unresponsive patient, and failed to document her entries were late entries 1 Failed to protect confidential patient information by failing to validating patients first and last name 1 Failed to transcribe medications, during the admit process in the patients medical records 1 Failed to properly administer medications per facility policy and by administering in excess 1 Dispensed prescription medications from the supply of discontinued and/or expired medications 1 Exceeded her scope of practice by inserting an IV catheter on a staff RN, at the RN's request 1 Misappropriated narcotics from place of employment 3 Failed to correctly administer medications as ordered by the physician 1 Failed to complete an incident report when patient fell 2 Disciplinary action taken by another Licensing Authority 1 Failed to verify accurate count and verify count of controlled substances 1 Failed to document administration of medications in the MAR's, nurse notes and patient records <hr style="width: 10%; margin-left: 0;"/> <p>19</p>
24	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 14 Submitted a statement of Voluntary Surrender 4 Non compliance with previous Board order 1 State jail felony offense of Violation-Civil Rights Person in Custody-Sexual Contact 1 Failed to obtain vital signs and perform neurological checks on a patient 1 Intemperate use of Alcohol 1 Felony offense of Engaging in Organized Criminal Activity and False Statement to Obtain Property/Credit 1 Felony offense of Fraud 1 Felony offense of Forgery of a Financial Instrument <hr style="width: 10%; margin-left: 0;"/> <p>24</p>
9	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Intemperate use of Lortab and Phenergan 1 Charged with Public Intoxication and 2 counts of Assault 1 Intemperate use of Alcohol 1 Took patient's medication 1 Misappropriated Ambien 1 Entered and completed a residential rehabilitation program 3 Lacked fitness to practice nursing safely <hr style="width: 10%; margin-left: 0;"/> <p>9</p>

237	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 3 Denial of Licensure 1 State jail felony offense of Unlawful Possession of a Fraudulent ID 1 Felony offense of Manufacture/Deliver a Controlled Substance 1 Diagnosed with Bipolar Disorder 1 Felony offense of Welfare Fraud 1 State jail felony offense of Theft of Property 1 Misdemeanor offenses of Corporal Injury Upon Spouse, Battery, Threat to Terrorize, and Exhibiting Deadly Conduct 1 State jail felony offense of Forgery of a Financial Instrument 1 Felony offense of Injury - Child/Elderly/ Disabled Person 1 Felony offense of Possession of Marijuana 1 State jail felony offense of Possession of a Controlled Substance, to wit, Methamphetamine 2 Completed treatment for Alcohol Abuse 1 Felony offense of Forgery by Possession of a Check with Intent to Pass 4 Disciplinary action taken by another licensing authority 1 Felony offense of Burglary 1 Charged with 2 counts of Possession of Marijuana 1 Charged with Possession of a Controlled Substance 3 Two counts of the misdemeanor offense of Driving While Intoxicated 1 Felony offense of Forgery 15 Non disclosure of criminal history <u>195</u> No Grounds for Denial/Youthful Indiscretion 237
50	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Denial of Licensure 1 Possession of a Schedule IV Controlled Substance and Possession of Marijuana 7 Disciplinary action taken by another licensing authority 1 Misdemeanor offenses of False Report to a Police Officer, Driving While Intoxicated, Assault; and Theft by Check 1 State jail felony offense of Uttering a Forged Instrument 6 Non disclosure of criminal history <u>33</u> No Grounds for Denial 50

RN DISCIPLINARY ORDERS AND ENDORSEMENTS
 Time frame: October 1, 2007, through December 31, 2007

DISCIPLINARY	
36	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 16 Non disclosure/disclosure of Criminal History on Renewal Application or positive Random Audit 3 Non compliance with Continuing Education Audit 1 Administered discontinued medication 2 Administered prescriptions to family members 3 Failed to document nurse visits 1 Falsely documented verification of radiology technician's certification 1 Misappropriated syringes and needles 2 Administered wrong medication 1 Falsely documented completion of continuing education hours <u>6</u> Practiced without a valid nursing license <p>36</p>
23	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 4 Administered medication without physician's order 1 Error in documented physician's order for medication 1 Provided Competency Test answers to another nurse 1 Failed to report/document use of restraint and seclusion 1 Failed to calculate dosage of medication 2 Disciplinary action taken by another licensing authority 1 Documented order to transfuse which was not authorized by physician 1 Left work assignment without arranging coverage for the patients 1 Failure to report change of patient status 1 Withdrew medication without physician's order 1 Failed to identify identities of infants/gave infant to wrong mothers 1 Failed to clarify physician's orders/administered medication incorrectly 1 Practiced as Certified Nurse Midwife without authorization 3 Non disclosure/disclosure of Criminal History on Renewal Application or positive Random Audit <u>3</u> Practiced without a valid nursing license <p>23</p>
9	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Misappropriated Percocet and Vicodin; Intemperate use of Alcohol, Percocet, and Vicodin 1 Telephonically passed a forged prescription for Hydrocodone 1 Withdrew Demerol and failed to document administration 1 Telephonically passed a forged prescription for Tranxene 1 Intemperate use of Dilaudid 1 Charged with the state jail felony offense of Fraudulent Possession of a Controlled Substance <u>3</u> Lacked fitness to practice nursing safely <p>9</p>

22	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 1 Charged with the felony offense of Armed Robbery 4 Non compliance with previous Board Order 1 Intemperate use of Amphetamine, Methamphetamine, Nordiazepam, and Oxazepam 1 Charged with Possession of Marijuana, Driving While Intoxicated, and Failure to Stop and Render Aid 1 Failed to document the assessment of breath and bowel sounds of a patient 1 Felony offense of Aggregate Theft 2 Provided false and deceptive information to the Board on a renewal application 1 Misappropriation and Intemperate use of Hydrocodone 3 Lacked fitness to practice safely <u>7</u> Submitted a statement of Voluntary Surrender <p><u>22</u></p>
87	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 13 Disciplinary action taken by another licensing authority 1 Denial of Licensure 1 Charged with the felony offense of Forgery by Passing 1 Charged with the felony offense of Possession of Cocaine 1 Charged with the felony offense of Grand Theft of Property 11 Non disclosure of Criminal History <u>59</u> No Grounds for Denial <p><u>87</u></p>
241	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 4 Denial of Licensure 9 Non disclosure of Criminal History 1 Felony offense of Theft by Check; misdemeanor offenses of Driving While Intoxicated & Theft by Check 1 Charged with 3 counts of Theft by Check; and the misdemeanor offense of Sale of Alcohol to a Minor 1 Charged with 4 counts of the felony offense of Unlawful Delivery of a Controlled Substance 1 Charged with felony offense of Tampering with Government Records; misdemeanor Criminal Trespass 1 Diagnosed with Schizoaffective Disorder 1 Charged with the felony offense of Possession of a Prohibited Weapon in Correctional Facility 1 Charged with the felony offense of Possession of a Controlled Substance 1 Charged with the felony offense of Theft of Property 1 Charged with the misdemeanor offense of Theft and 3 counts of Possession of Marijuana 4 Disciplinary action taken by another licensing authority 1 Charged with the felony offense of Theft 1 Charged with the misdemeanor offenses of Theft, Driving While Intoxicated, Minor in Possession, and Criminal Trespass 1 Charged with the felony offense of Burglary 1 Charged with the state jail felony offense of Endangering a Child 1 Charged with the state jail felony offense of Burglary of a Building 1 Charged with the felony offenses of Theft, Forgery, Burglary of a Vehicle; misdemeanor offenses of Theft, and 3 counts of Issuance of a Bad Check <u>209</u> No Grounds for Denial/Youthful Indiscretion <p><u>241</u></p>