
BOARD OF NURSE EXAMINERS

Regular Meeting

Thursday, July 22, 2004

8:30 a.m. - 6:00 p.m.

Friday, July 23, 2004

8:35 a.m. - 3:15 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds, President

Joyce Adams

Thomas Barton

Deborah Bell

Virginia Campbell

Phyllis Caves Rawley

Blanca Rosa Garcia

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Anita Palmer

Frank D. Sandoval

Staff present:

Katherine A. Thomas, Executive Director

Mark Majek, Director of Operations

Anthony Diggs, Director of Enforcement

James "Dusty" Johnston, General Counsel

Joy Sparks, Assistant General Counsel

Liz Higginbotham, Assistant General Counsel

Mary Beth Thomas, Director of Nursing

Jolene Zych, Nursing Consultant

Virginia Holmes, Nursing Consultant

Betty Sims, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Janice Hooper, Nursing Consultant

Dorothy Joy, Nursing Consultant

Karen Malloy, Nursing Consultant

Patricia Vianes-Cabrera, Executive Assistant

Bruce Holter, Information Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:30 a.m, Thursday, July 22, 2004.	
ROLL CALL	All members were present and a quorum was established.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The board reviewed the agenda.	The board approved the agenda.
ACCEPTANCE OF MINUTES	The board reviewed the minutes from the April 22-23, 2004 meeting.	The Board approved the minutes from the April 22-23, 2004 meeting.
CONSENT AGENDA ITEMS		<p>The Consent agenda was approved with the following changes: Item 2.1 Financial Statements was removed from the consent agenda for discussion; Item 8.2 Agreed Orders: The following orders of: Lori Lee McCann, RN #601534; James L. McCurdy, RN #534075; Brenda S. Schaefer, RN #541280; Karen Elizabeth Higman, RN #623365; Melissa Lesley Laabs, Eligibility Agreed Order; and Magdalena Ramirez, Eligibility Agreed Order were removed from the consent agenda for discussion. Linda Rounds recused herself from the consideration and vote on Item 8.2. Agreed Order of: Jeanette C. Hartshorn, RN #512105.</p> <p><i>Approved on Consent.</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent.</i></p> <p><i>Approved on Consent.</i></p>
2.3 CE Compliance Report		<i>Approved on Consent.</i>
3.1.1. Workshop Report		<i>Approved on Consent</i>
5.1.1. Eligibility and Disciplinary Committee Report		<i>Approved on Consent.</i>
5.1.2. Strategic Planning/2 ND Quarter Report		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
<p>5.2.2. Nursing Practice Advisory Committee Report</p>		<p>Approved on Consent.</p>
<p>7.3.1. TPAPN Quarterly Report</p>		<p>Approved on Consent.</p>
<p>8.2. AGREED ORDERS Proposed Agreed Orders were considered by the members of the board for the following:</p>	<p>Brenda Lee Abshire, RN #577801</p>	<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent 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 45 days of the stay of the suspension Respondent shall pay a monetary fine in the amount of \$250; 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 indirect supervision with employment restrictions for the remainder of the</p>

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	<p>Rhonda Gerette Albus, LVN #147500</p>	<p><i>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 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. It is further agreed and ordered that if during the period of probation an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.</i></p> <p>Enforced Suspension. <i>Respondent's license is hereby suspended with said suspension enforced until Respondent 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 LVN in Texas, Respondent will</i></p>

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	<p>Lydia A. Baptiste-Prime, RN #460569</p>	<p><i>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, 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 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. It is further agreed and ordered that if during the period of probation an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.</i></p> <p>Warning with Stipulations. <i>Within 90 days of entry of this order Respondent shall pay a monetary fine in the amount of \$1,000. 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.</i></p>

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	<p data-bbox="418 409 813 436">Jason Lee Greene, RN #601013</p> <p data-bbox="418 1077 833 1104">Floyd Newton Hand, RN #661983</p> <p data-bbox="418 1745 862 1772">Jeanette C. Hartshorn, RN #512105</p>	<p data-bbox="1008 195 1474 373"><i>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 data-bbox="1008 409 1474 1035">Warning with Stipulations. <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 nursing physical assessment; and a board approved course in nursing documentation. 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 data-bbox="1008 1071 1474 1696">Warning with Stipulations. <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 administration; and a board approved course in nursing documentation. 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 data-bbox="1008 1732 1474 2001">Warning with Stipulations. <i>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,</i></p>

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	<p>Kathleen Anne Ludlow, RN #564884</p>	<p><i>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 Should Respondent choose to work as a Clinical Nurse Specialist Respondent's practice of professional nursing will be monitored for one year by a CNS or Physician proficient in Respondent's area of nursing who has been approved by the Board.</i></p> <p><i>Board member Linda Rounds recused herself from consideration and voting on this order.</i></p> <p>Warning with Stipulations. <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; a board approved course in nursing documentation; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas, Respondent's employment as a RN shall be limited to A Plus Family Care (LLC), San Antonio, Texas, as the patient care coordinator under the following stipulations for one year of employment: Respondent shall notify A Plus Family Care (LLC), San Antonio, Texas of the board order; Respondent shall cause A Plus Family Care (LLC), San Antonio, Texas to provide notification of employment; Respondent shall cause A Plus Family Care (LLC), San Antonio, Texas to submit employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period. In the Alternative it is further agreed should Respondent's employment with A Plus Family Care (LLC), San Antonio, Texas cease 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>

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	<p>Sandra Kay Monroe, RN #249361</p>	<p>Warning with Stipulations. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in physical assessment; and a board approved course in nursing documentation. 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.</p>
	<p>Carolyn Ann Payton, RN #245488</p>	<p>Warning with Stipulations. 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 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 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.</p>
	<p>Johnnie M. Perkins, RN #245865</p>	<p>Reprimand with Stipulations. Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$250. Within 60 days of entry of this order Respondent shall undergo a pain management evaluation by a board approved medical doctor and Respondent shall comply with any recommendations for pain management and/or other follow ups. Within one year of the entry of this order Respondent shall successfully complete a board approved course in nursing</p>

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	<p data-bbox="418 1129 850 1159">Nicki L. Warren Potts, RN #423725</p>	<p data-bbox="1008 195 1474 1094"><i>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 two 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 in-direct supervision with employment restrictions for the duration of the stipulation period; 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.</i></p> <p data-bbox="1008 1129 1474 1997">Enforced Suspension. 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 documented verifiable 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 ordered that Respondent's authority to practice as a CNS is hereby removed and voluntarily surrendered by Respondent. Respondent shall not be eligible to petition the board for authority to practice as a CNS until such time as Respondent fulfills all stipulations outlined in this agreed order. Upon verification of successful completion of the approved inpatient treatment, and 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</p>

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		<p><i>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 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, 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. It is further agreed that should Respondent be convicted of the offenses as outlined in finding of fact number 6 said conviction will result in further disciplinary action. It is further agreed and ordered that if during the period of probation an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has</i></p>

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	<p>Dana Dee Sanchez, LVN #166544</p>	<p><i>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 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. It is further agreed and ordered that if during the period of probation an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.</i></p> <p>Reprimand with Stipulations. <i>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 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 two 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 in-direct supervision with employment restrictions for the duration of the stipulation period; 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="418 436 837 464">Scott Andrew Smith, RN #684239</p> <p data-bbox="418 1066 829 1094">Sharon M. Springer, RN #604393</p> <p data-bbox="418 1759 805 1787">Glen E. Tullous, II, RN #249961</p>	<p data-bbox="1008 197 1474 373"><i>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</i></p> <p data-bbox="1008 407 1474 1003">Warning with Stipulations. <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 physical assessment; and a board approved course in nursing documentation. 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 indirect supervision with employment restrictions.</i></p> <p data-bbox="1008 1037 1474 1726">Warning with Stipulations. <i>Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$500. 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 administration; a board approved course in nursing ethics; and a board approved course in nursing documentation. 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 indirect supervision with employment restrictions.</i></p> <p data-bbox="1008 1759 1474 1999">Reprimand with Stipulations. <i>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 medication administration. Should Respondent choose to practice as a RN in Texas, Respondent will</i></p>

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	<p data-bbox="418 464 870 495">Uchenna Cecilia Umeh, RN #564565</p> <p data-bbox="418 1094 906 1125">Linda Denise Vanderburg, RN #699486</p> <p data-bbox="418 1850 813 1881">Rodney Williams, LVN #145714</p>	<p data-bbox="1008 197 1474 436"><i>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; and shall provide employer reports.</i></p> <p data-bbox="1008 468 1474 1066">Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in medication administration; a board approved course in physical assessment; and a board approved course in nursing documentation. 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 shall have indirect supervision with employment restrictions.</i></p> <p data-bbox="1008 1098 1474 1791">Reprimand with Stipulations. <i>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 medication administration. 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 two 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; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p data-bbox="1008 1822 1474 2001">Warning with Stipulations. <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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Lillie Marie Long, LVN #125999</p> <p>Carla Raye Powell, RN #559390</p>	<p><i>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 in-direct 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; 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>Reinstated with Stipulations. <i>Petitioner shall successfully complete a nursing refresher course. Upon successful completion of the nurse refresher course Petitioner shall be issued a coded license with the following stipulations: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence.</i></p> <p>Reinstated with Stipulations. <i>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 two years of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4 ELIGIBILITY AGREED ORDERS</p>	<p><i>Marilyn Kay Stevens, RN #573770</i></p> <p>Martin Antonio Castellanos, Petitioner for Initial Licensure as a Registered Nurse</p>	<p><i>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 in-direct 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; and 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.</i></p> <p>Reinstated with Limited License. <i>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. Petitioner shall receive a Limited License with the following Stipulations: Petitioner shall not provide direct patient care. For the purposes of this order, direct patient care involves a personal relationship between the RN and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care. Should Petitioner desire to return to a clinical practice setting, which would require her to provide direct patient care, Petitioner shall petition the board for such approval; 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,</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Christina Michelle Collums, Petitioner for Initial Licensure as a Licensed Vocational Nurse</p>	<p><i>Petitioner is hereby Conditionally Eligible to sit for the NCLEX 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 and Petitioners license shall be subject to the following conditions. 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 two years 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; 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; 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 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Gia La'shon Solomon, Petitioner for Initial Licensure as a Registered Nurse</i></p>	<p><i>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 Petitioner shall have indirect supervision with employment restrictions.</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 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 initial licensure Petitioner shall successfully complete a board approved course in nursing jurisprudence. 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 Petitioner shall have indirect supervision with employment restrictions.</i></p>
<p>1. ADMINISTRATION 1.1. Executive Director's Report</p>	<p>Katherine Thomas reviewed her written report to the board including providing information regarding Visa Screens; Strategic Plan; and the LAR.</p>	<p>No action.</p>
<p>1.3. Strategic Plan</p>	<p>Katherine Thomas reviewed the Strategic Plan with the board that was filed on June 16, 2004.</p>	<p>No action.</p>
<p>2. OPERATIONS 2.1. Financial Statements</p>	<p>Mark Majek reviewed the monthly revenue and expenditure budget reports for March, April and May, 2004, which indicated the board's financial standing through May 31, 2004.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3. NURSING 3.2. EDUCATION 3.2.1. Application for Initial Approval and Report of Survey Visit - Brookhaven College, Associate Degree Nursing Program.</p>	<p>The Board considered the Application for Initial Approval and Report of Survey Visit. Dr. Alice Villadern, Juanita Flint, MS, RN, Sue McClelland, MSN, RN, Brenda Routh, MSN, RN and Justine Schmitt, MSN, RN were present to answer questions.</p>	<p>The board voted to grant initial approval for Brookhaven College to implement a generic fast track associate degree nursing program based upon the Application for Initial Approval and findings from the survey visit and issue the commendations, recommendations and amended requirements as outlined in the letter of approval.</p>
<p>3.2.2. Application for Initial Approval - Texas A&M International University, Family Nurse Practitioner Program</p>	<p>The Board considered the Application for Initial Approval. Susan Baker, PhD, RN, CS, Louise Autio, PhD, FNP, BC, RN, and Dr. Dan Jones were present to answer questions.</p>	<p>The board voted to grant initial approval to Canseco School of Nursing at Texas A&M International University with the enrollment of students to begin in Fall 2004 and issue the recommendations as outlined in the letter of approval.</p>
<p>3.2.3 Proposal to Establish a new Vocational Nursing Education Program and Report of Site Visit - Computer Career Center, Vocational Nursing Program</p>	<p>The board considered the Proposal to Establish a new Vocational Nursing Education Program and the Report of Site Visit of Computer Career Center. Amber Borrego, Whitney Hradek, RN, Lee Chayse and James Baird were present to answer questions.</p>	<p>The board voted to grant approval to establish a new Vocational Education Program at Computer Career Center on condition that items A through G as listed on the proposal submitted to the Board be completed prior to enrollment; That verification of completion of items A through G be approved by Staff; and that a follow up report be presented to the Board at its October meeting.</p>
<p>3.2.4. Proposal to Establish a new Vocational Nursing Program and Report of Site Visit - American Medical Institute, Vocational Nursing Program</p>	<p>The board considered the Proposal by American Medical Institute to establish a new Vocational Nursing Program in Houston, Texas and the results of the site visit by Board Staff. Dr. Ify Emenaha, RN, Pharm D, and Joanna Scott, RN were present to answer questions.</p>	<p>The board voted to deny approval of a vocational nursing education program operated by American Medical Institute until such time that the Board determines that a comprehensive proposal which reflects the Minimum Standards/Guidelines is submitted, reviewed by board staff and approved by the Board and findings from a survey visit reflect that the requirements of the Minimum Standards/Guidelines have been met.</p>
<p>3.2.5. Report of Site Visit - Temple College at Taylor, Vocational Nursing Program</p>	<p>The board considered the report of the site visit at Temple College at Taylor Vocational Nursing Program.</p>	<p>The board voted to accept the findings of the site visit and issued recommendations and requirements.</p>
<p>3.2.6. Consideration of Approval Status and Report of Self Study - Lee College, Vocational Nursing Program</p>	<p>The board reviewed the request to consider the approval status and requirements/stipulations to be met for the Lee College Vocational Nurse Education Program based on the 2003 NCLEX-PN® pass rate, 2003 Annual Report and Self Study.</p>	<p>The board voted to change approval status from full to conditional and issue the requirements as stated.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.7. Memorandum of Understanding-Cooperative Agreement between the Board of Nurse Examiners and the Texas State Board of Pharmacy-Nursing Students' Access to Automated Medication Supply Systems</p>	<p>The board considered the Memorandum of Understanding-Cooperative Agreement between the Board of Nurse Examiners and the Texas State Board of Pharmacy regarding Nursing Students' Access to Automated Medication Supply Systems.</p>	<p>The board voted to approve the Memorandum of Understanding-Cooperative Agreement between the Board of Nurse Examiners and the Texas State Board of Pharmacy regarding Nursing Students' Access to Automated Medication Supply Systems.</p>
<p>3.2.8. Report of Intent to Close Vocational Nursing Education Program, JPS Institute for Health Career Development School of Vocational Nursing</p>	<p>The board reviewed the report of intent to close the Vocational Nursing Education Program, JPS Institute for Health Career Development School of Vocational Nursing.</p>	<p>The board voted to accept the report of the intent to close the Vocational Nursing Education Program, JPS Institute for Health Career Development School of Vocational Nursing</p>
<p>3.2.9. Petitions for Waiver of Dean/Director Qualifications 3.2.9.a. San Jacinto College South, Associate Degree Nursing Program</p>	<p>The board considered the recommendation from the Education Liaison Committee to approve appointment of Linda Roberts, MSN, RN, as Department Chair of the Associate Degree Nursing Program at San Jacinto College South. Linda Roberts was present to answer questions.</p>	<p>The board voted to approve the recommendation from the Education Liaison Committee to approve appointment of Linda Roberts, MSN, RN as Department Chair of the Associate Degree Nursing Program at San Jacinto College South, with the requirement to be met.</p>
<p>3.2.9.b. Kilgore College, Associate Degree Nursing Program</p>	<p>The board considered the recommendation from the Education Liaison Committee to approve appointment of Kathleen Bredberg, MSN, RN, as Director of the Associate Degree Nursing Program at Kilgore College.</p>	<p>Board Member Joyce Adams, PhD, RN, recused herself from voting on this item.</p> <p>The board voted to approve the recommendation from the Education Liaison Committee to approve appointment of Kathleen Bredberg, MSN, RN, as Director of the Associate Degree Nursing Program at Kilgore College, with the requirement to be met.</p>
<p>4. ENFORCEMENT 4.1. Criminal Background Check Update</p>	<p>The board reviewed the statistics provided regarding the criminal background checks.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
5. COMMITTEE REPORTS		
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	<p>Linda Rounds reported that the APN Advisory Committee met in May to continue working on their current charges. They continued to discuss the advanced practice titles currently recognized by the Board and a recommendation regarding whether each new title should be recognized will be presented to the Board under New Business. New APN titles that may be developed in the future are part of that discussion. They are also discussing scope of practice related to each of the advanced practice titles. In addition the committee is beginning to review the national certification examinations currently recognized by the board. They will continue this discussion at their meeting in September.</p>	<p>No action.</p>
5.2.3. Advisory Committee on Education	<p>Brenda Jackson reported that the Committee's first meeting is scheduled for August, 2004.</p>	<p>No action.</p>
5.3. Outside Agency Committees		
5.3.1. Texas Peer Assistance Program for Nurses Advisory Committee	<p>Mary Beth Thomas gave a verbal report regarding TPAPN's request for the LVN participation fee and regarding the appropriation request for the 2006-07 biennium.</p>	<p>No action.</p>
5.3.2. Texas Nurses Association Task Forces on Nursing Practice and Nursing Education Redesign	<p>Katherine Thomas gave a verbal report on the Nursing Practice Redesign Task Force and on the Nursing Education Redesign Task Force.</p>	<p>No action.</p>
5.3.3. Texas Higher Education Coordinating Board Professional Nursing Advisory Committee	<p>No report.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	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.
OPEN FORUM:	Dr. Rounds announced the format and invited participation from the audience. No one came forward and the open forum was closed.	No action.
6. OLD BUSINESS		
6.1. Nurse Licensure Compact Update	Katherine Thomas gave a verbal report on the compact which now includes twenty states.	No action.
6.2. Status of Proposal by M.D. Anderson Medical Center for Patient Safety Pilot Program on Nursing Reporting Systems	Mary Beth Thomas gave a verbal report on the proposal. Ms. Thomas presented that the proposal has not been implemented yet and that we are in the process of drafting a contract to implement the project.	No action.
7. NEW BUSINESS		
7.1.3. Proposed repeal of 22 TAC §§ 217.11, 217.12	The Board reviewed the proposed repeal of 22 TAC §§ 217.11, 217.12 and the proposed new rules 22 TAC §§ 217.11, 217.12, and the proposed repeal of 22 TAC §239.11.	The board voted to: Propose the repeal of the existing BNE rule 217.11, Standards of Professional Nursing Practice, BNE rule 217.12, Unprofessional Conduct, and BVNE rule 239.11, Unprofessional Conduct, and propose the adoption of new rules 217.11, Standards of Nursing Practice, and 217.12, Unprofessional Conduct, with the alternate language contained in Amended Supplement to Agenda Items #7.1.3; 7.1.4; and 7.1.5. The board voted to publish all in the Texas Register for a 30 day comment period and if no substantive or negative comments are received during the period, move to adopt the repeal of existing rules 217.11; 217.12; and 239.11, and adopt the new rules 217.11 and 217.12 as proposed.
7.1.4. Proposed new rules 22 TAC §§ 217.11, 217.12		
7.1.5. Proposed repeal of 22 TAC §§239.11		
7.1.6 Proposed amendment to 22 TAC §§ 221.2 and 221.7	The Board reviewed the proposed amendment to 22 TAC §§221.2 and 221.7. Jeanette McNeil and Laurie John addressed the Board on oncology as a specialty and requested that the Board not eliminate this title in Rule 221.	The board voted to propose amendments to §§221.2 and 221.7 and publish them in the Texas Register for a 30 day comment period. If no negative comments are received, adopt the amendments as proposed.

AGENDA ITEM	DISCUSSION	ACTION
7.1.7. Proposed amendment to TAC §§ 223.1	The Board reviewed the proposed amendment to TAC §223.1.	The board voted to propose the amendments to § 223.1 and publish in the Texas Register for the 30 day comment period. If no substantive or negative comments are received, adopt the amendments to section 223.1 as proposed.
7.3. Texas Peer Assistance Program for Nurses 7.3.2. TPAPN Appropriation request for 2006-07 Biennium	The board reviewed TPAPN's proposed appropriation request for the 2006-07 biennium. Mike Van Doren was present to answer questions.	The Board requested that TPAPN furnish additional information to support its appropriations request.
7.5. APN Petitioner Kathryn Lenio, RN #694804	The board considered Kathryn Lenio's request to that the board grant her authorization to practice as an advanced practice nurse in the role and specialty of Palliative Care Nurse Practitioner. Kathryn Lenio was present to answer questions.	The board voted to deny the request from Kathryn Lenio for authorization to practice as an advanced practice nurse in the role and specialty of Palliative Care Nurse Practitioner.
ADJOURNMENT	Having completed this day's business the meeting adjourned at 6:00 p.m.	
RECONVENE	The board reconvened at 8:35 am on Friday, July 23, 2004.	
1. ADMINISTRATION 1.2. Legal 1.2.1. Board Approval for Delegation of	The board reviewed staff's request for approval for delegation of authority to sign suspension	The board voted to grant authority to the Executive Director to sign orders of

AGENDA ITEM	DISCUSSION	ACTION
<p>Authority to Sign Suspension Orders Based on Attorney General Non-Payment of Child Support Orders</p>	<p>orders based on Attorney General non-payment of Child Support Orders</p>	<p>suspension immediately upon Attorney General's notification to the Board of an Order Suspending a License pursuant to Chapter 232, Texas Family Code.</p>
<p>1.2.1.a Order of Suspension of LVN License #129262 issued to Oscar Benavides, for Non-Payment of Court Ordered Child Support</p>		<p>The board voted to ratify the Executive Director's action taken on June 11, 2004, entering an order of suspension of LVN license #129282 issued to Oscar Renee Benavides.</p>
<p>1.2.2. Status of Attorney General Opinion on the Administration of Drugs on the Orders of a Therapeutic Optometrist</p>	<p>Dusty Johnston gave a verbal report on the status of the Attorney General Opinion.</p>	<p>No action.</p>
<p>1.2.3. Differences of Practice Acts versus Title Acts</p>	<p>Dusty Johnston gave a verbal explanation of the differences between Practice Acts and Title Acts.</p>	<p>No action.</p>
<p>1.2.4. Discipline and its effect on persons who are licensed both as an RN and LVN</p>	<p>The board discussed the effects of discipline on individuals who hold dual licensure as a RN and LVN.</p>	<p>No action.</p>
<p>2. OPERATIONS 2.2. Report of the Internal Auditor</p>	<p>Mark Majek gave a verbal explanation of the Comptroller's Audit.</p>	<p>No action.</p>
<p>2.4. Legislative Appropriations Request</p>	<p>Mark Majek gave a verbal summary and explanation of the Legislative Appropriations Request.</p>	<p>The board voted to seek the following exceptional items for the Legislative Appropriations Request for Fiscal years 2006 and 2007, listed in order of priority: 1) Executive Director Salary Increase; 2) Reinstate the 5% reduction of fiscal years 2004 and 2005 baseline budget; 3) Criminal Background Check-LVNs</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2.5. Adoption of Policy 9.0 regarding Temporary License Extension</p>	<p>The board reviewed policy 9.0 regarding temporary license extension due to FBI name search.</p>	<p>Initial Licensure; 4) Texas Peer Assistance Program (TPAPN) funding; 5) Criminal Background Check for License Renewal.</p> <p>The board voted to approve Policy 9.0.</p>
<p>5. COMMITTEE REPORTS</p> <p>5.1. Board Committees: 5.1.3. Development and Evaluation</p>	<p>The board discussed having training in the following areas: LVN Education; APN Regulation; and Disciplinary process. Additionally the board discussed the upcoming board retreat.</p>	<p>No action.</p>
<p>7. NEW BUSINESS</p> <p>7.1. Proposed Rules</p> <p>7.1.1. Proposed amendments to 22 TAC §§ 217.2, 217.4, 217.5</p> <p>7.1.2. Proposed repeal of 22 TAC §§ 235.2-235.9, 235.11, 235.12, 235.15, 235.16, 235.18</p>	<p>The board reviewed the proposed amendments to 22 TAC §§ 217.2, 217.4, 217.5 and the proposed repeal of 22 TAC §§ 235.2-235.9, 235.11, 235.12, 235.15, 235.16, 235.18</p>	<p>The board voted to propose amendments to §§ 217.2, 217.4, and 217.5 and publish them in the Texas Register for a 30 day comment period and if no negative comments are received, move to adopt amendments as proposed.</p> <p>The board voted to propose the repeal of 22 Texas Administrative Code §§ 235.2-235.9, 235.11, 235.12, 235.15, 235.16, 235.18 and to publish in the Texas Register for a 30 day comment period and if no substantive or negative comments are received, adopt their repeal as proposed.</p>
<p>7.2. Board review of BVNE position statements: The Board will Consider the Current Position Statements and determine whether to Reaffirm until changed</p>	<p>The board reviewed the nine existing LVN Position Statements</p>	<p>The board voted to continue the recognition of the existing nine LVN Position Statements and fourteen LVN Frequently Asked Questions until further notice of revision, and to authorize board staff to post notice of the Board's action on the BNE web page.</p>

AGENDA ITEM	DISCUSSION	ACTION
7.3. Texas Peer Assistance Program for Nurses 7.3.3. TPAPN Audit	The board reviewed the Audit of the Texas Peer Assistance Program for Nurses.	The board voted to accept the audit of TPAPN and to explore options to implement the audit recommendations and report back to the Board at the October meeting.
7.4. Report on Excelsior College	The board reviewed a report to update the board on Excelsior College, formerly known as Regents College, and the status of the action of the California Board of Registered Nursing in relation to Excelsior College.	No action.
7.6. IELTS Exam: English Proficiency Exam for Foreign Nurses	The board discussed the proposal to accept the IELTS exam.	The board voted to delay the acceptance of the IELTS examination until the NCSBN completes research on this examination.
7.7. Eric Nava, Petitioner for Exception to Rule 217.2(d)	The board reviewed Mr. Nava's request for exception to Rule 217.2(d).	The board voted to deny Mr. Nava's request for exception.
8. Proposed Board Orders	The board discussed Agreed Orders pulled from the consent agenda.	The board voted to ratify the Agreed Orders with the following results:
8.2. Agreed Orders	Lori Lee McCann, RN #601534	The board voted to accept and ratify the following order: Reprimand with Stipulations. 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 two years of employment: Respondent shall notify present/future employers of the board order; shall provide notification 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 have indirect supervision with employment restrictions.

AGENDA ITEM	DISCUSSION	ACTION
<p>8.3. Reinstatement Agreed Order</p>	<p>James L. McCurdy, RN #534075</p>	<p>The board voted to accept and ratify the following order. Warning with Stipulations. Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$350. 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 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.</p>
	<p>Brenda S. Schaefer, RN #541280</p>	<p>Reprimand with Stipulations. Within 45 days of entry of this order Respondent shall pay a monetary fine in the amount of \$300. Within six months of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; and a course in nursing ethics. It is further agreed that the order of the board issued to Respondent on May 14, 2002, is still in effect in its entirety and Respondent shall be responsible for completing the terms of that order.</p>
	<p>Karen Elizabeth Higman (Halprin) RN #623365</p>	<p>The board voted to accept and ratify the following order. Reinstated with 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 two 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</p>

AGENDA ITEM	DISCUSSION	ACTION
8.4. Eligibility Agreed Orders	Melissa Lesley Laabs, Petitioner for Initial Licensure as Registered Nurse.	<p>supervision with employment restrictions for the first year of employment under this order; Petitioner shall have in-direct 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; Petitioner shall cause her probation officer to submit written reports regarding Petitioner's compliance with her court ordered probation until Petitioner is released from probation. It is further agreed that should Petitioner be convicted of the offenses as outlined in finding of fact number 9.1 said conviction will result in further disciplinary action.</p> <p>The board voted to accept and ratify the following order.</p> <p>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 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Magdalena Ramirez, Petitioner for Initial Licensure as a Licensed Vocational Nurse</p>	<p>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 Petitioner shall have indirect supervision with employment restrictions.</p> <p>The board voted to accept and ratify the following order. 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 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; shall cause employer(s) to submit periodic reports; Petitioner shall have indirect supervision with employment restrictions; Petitioner shall cause her probation officer to submit written reports regarding Petitioner's compliance with her court ordered probation until Petitioner is released from probation. It is further agreed that should Petitioner be</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9. MISCELLANEOUS</p>		<p>convicted of the offenses as outlined in finding of fact number 4 said conviction will result in further disciplinary action..</p>
<p>9.1 Board Items of Interest for Future Board Meetings</p>	<p>The board members discussed posting the board minutes on the web site. The board members also discussed board member attendance at informal conferences in October.</p>	<p>The Board directed Staff to post ratified board minutes and Board Meeting Agendas on the website. Joyce Adams was designated to attend a day of Informal Conferences in October.</p>
<p>9.2. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: The Annual Performance Evaluation of the Executive Director, Katherine Thomas</p>	<p>The board convened into Executive Session to discuss the annual performance evaluation of the Executive Director, Katherine Thomas and the board's self-evaluation</p>	<p>Due to limits set by the Appropriations Bill, the Board could not increase the Executive Directors salary but voted to award Ms. Thomas fifteen (15) days of Administrative Leave.</p>
<p>9.3. Executive Session pursuant to Tex. Gov't Code Ann. §551.071 (Texas Open Meeting Act) regarding pending litigation: (A) Cause No. GN-102115, <i>Kathleen Davies v. Texas Board of Vocational Nurse Examiners, Terri Hairston, and Mary Strange</i>, in the 53RD Judicial District Court of Travis County, Texas; (B) Cause No. GN 301491, <i>Yvonne Evette Mosley Brown v. Texas Board of Nurse Examiners and State Office of Administrative Hearings</i>, in the District Court of Travis County, Texas, 126TH</p>	<p>The board convened into Executive Session to discuss pending litigation.</p>	

AGENDA ITEM	DISCUSSION	ACTION
<p>Judicial District; (C) Cause No. BN204412, <i>John Doe v. Board of Nurse Examiners et al</i>, in the 345TH Judicial District Court of Travis County, Texas; (D) Cause No. 03-04812-B, <i>Basil Brown, et al, v. Texas Board of Nurse Examiners, et al</i>, in the 44TH Judicial District Court, Dallas County, Texas</p>		
<p>9.4. National Council of State Boards of Nursing Annual Meeting, August 3rd - 7th, 2004, Kansas City</p>	<p>The board discussed the NCSBN meeting to take place on August 3rd - 7th, 2004.</p>	<p>The board voted that Brenda Jackson and Rachel Gomez attend the 2004 NCSBN in Kansas City. The board nominated and voted Brenda Jackson and Katherine Thomas as delegates for the 2004 NCSBN Delegate Assembly.</p>
<p>9.5 Board Retreat, August 11, 2004</p>	<p>The board discussed attending a board retreat on August 11, 2004.</p>	<p>No action.</p>
<p>9.6 Board Development: Human Factors Training</p>	<p>The board participated in Human Factors Training.</p>	<p>No action.</p>
<p>9.7. Election of Board Vice President</p>	<p>The board nominated Phyllis Caves Rawley for the position of Board Vice President.</p>	<p>The Board voted Phyllis Caves Rawley as Board Vice President.</p>
<p>ADJOURNMENT:</p>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 3:15 pm.</p>	
	<p>_____ Linda Rounds, PhD, RN, FNP, Board President</p>	
	<p>_____ Katherine A. Thomas, MN, RN, Executive Director</p>	