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**BOARD OF NURSE EXAMINERS**

## Regular Meeting

Thursday, January 20, 2005

8:40 a.m. - 4:30 p.m.

Friday, January 21, 2005

8:50 a.m. - 12:50 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds, President

Joyce Adams

George Buchenau, Jr.

Virginia Campbell

Phyllis Caves Rawley

Blanca Rosa Garcia

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Anita Palmer

Frank 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

Ryan Sprott, Legal Assistant

John Bolton, Administrative Assistant

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AGENDA ITEM	DISCUSSION	ACTION
<b>CALL TO ORDER</b>	Linda Rounds called the meeting to order at 8:40 a.m, Thursday, January 20, 2005.	
<b>ROLL CALL</b>	All members were present with the exception of Deborah Bell 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 amended to reflect the removal of the following: Item #7.2.2. (15.8) Roles of LVNs & RNs in Administration of Moderate Sedation. The amended agenda was approved.
<b>ACCEPTANCE OF MINUTES</b>	The board reviewed the minutes from the October 21-22, 2004 meeting.	The Board approved the minutes from the October 21-22, 2004 meeting.
<b>CONSENT AGENDA ITEMS</b>		<p>The Consent agenda was approved with the following changes:</p> <p>Item 3.2.1.b. Full Approval with Commendations and Requirements Associate Degree Nursing Education Programs University of Texas at Brownsville and Texas Southmost College was removed from the consent agenda;</p> <p>Item 8.2 Agreed Orders:</p> <p>The following orders were removed from the consent agenda for discussion:</p> <p>Betty J. Johnson, RN #501200/LVN #75665;</p> <p>Rodney L. Miller, RN #625290;</p> <p>Helen B.T. Nawara, RN #224540;</p> <p>Margie Nell Walton, LVN #61119</p> <p>Linda Rounds recused herself from the consideration and vote on Item 3.2.1.c.pertaining to the University of Texas Medical Branch at Galveston; Linda Rounds recused herself from the consideration and vote on Item 8.4. Eligibility Agreed Order of Eric Mitchell Johnson; Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.1.a pertaining to Del Mar College; Blanca Rosa Garcia recused herself from the consideration and vote on Item 8.1 Agreed Order of Michael Lawrence Cantu RN #547023; and Debbie Lynn Strong aka Debbie Lynn Larocca-Collins, LVN #157573; Brenda Jackson recused herself from the consideration and vote on Item 3.2.1.c. pertaining to the University of</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2.1. Financial Statements</p>		<p>Texas Health Science Center at San Antonio.</p> <p><i>Approved on Consent.</i></p>
<p>2.2 CE Compliance Report</p>		<p><i>Approved on Consent</i></p>
<p>3.1.1. Workshop Report</p>		<p><i>Approved on Consent</i></p>
<p><b>3.2.1. Confirmation of Approval Status Based on 2004 NCLEX-RN Examination Pass Rates and Review of 2004 Annual Reports</b></p> <p>3.2.1.a. Full Approval with Commendations</p> <p><b>Diploma Nursing Education Programs</b> Baptist Health System</p> <p><b>Associate Degree Nursing Education Programs</b></p> <p>Alvin Community College</p> <p>Amarillo College</p> <p>Angelo State University</p> <p>Austin Community College</p> <p>College of the Mainland</p> <p>Del Mar College</p> <p>El Centro College</p> <p>Howard College</p> <p>Lamar State College-Port Arthur</p> <p>Lee College</p> <p>Midland College</p> <p>Northeast Texas College</p> <p>Panola College</p> <p>San Jacinto College</p> <p>Central Southwestern</p>	<p>The Board considered the 2004 NCLEX-RN examination pass rates and review of 2004 Annual Reports.</p>	<p>Board member Blanca Rosa Garcia recused herself from consideration and voting on agenda item 3.2.1.a pertaining to Del Mar College.</p> <p>The board voted to continue full approval for the pre-licensure nursing education programs listed, including the commendations suggested by staff.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Adventist University Tarrant County College Texarkana College Tyler Junior College <b>Baccalaureate Degree Nursing Education Programs</b> Baylor University Houston Baptist University Lamar University at Beaumont Midwestern State University Texas A&amp;M International University University of Texas at Austin <b>Master's Degree Nursing Education Program</b> University of Texas at Austin (Alternate Entry MSN Program)</p>		
<p>3.2.1.b. <b>Baccalaureate Degree Nursing Education Programs</b> Texas Woman's University University of Texas Health Science center at Houston University of Texas at Tyler</p>	<p>The Board considered the 2004 NCLEX-RN examination pass rates and review of 2004 annual reports.</p>	<p>The board voted to continue full approval for the pre-licensure nursing education programs listed including the commendations and requirements to be met as suggested by staff.</p>
<p>3.2.1.c. Full Approval with No Recommendations and No Requirements <b>Diploma Nursing Education Programs</b> Covenant School of Nursing <b>Associate Degree Nursing Education Programs</b></p>	<p>The considered the 2004 NCLEX-RN examination pass rates and review of 2004 annual reports.</p>	<p>Board member Linda Rounds recused herself from consideration and voting on agenda item 3.2.1.c pertaining to the University of Texas Medical Branch at Galveston. Board member Brenda Jackson recused herself from consideration and voting on agenda item 3.2.1.c. pertaining to the University of Texas Health Science Center at San Antonio. The board voted to continue full approval for the pre-licensure nursing education programs listed.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Central Texas College Cisco Junior College Collin County Community College District Galveston College Houston Community College Kilgore College Lamar State College-Orange McClennan Community College Navarro College North Central Texas College North Harris Montgomery Community College District Paris Junior College San Antonio College South Texas College Temple College Trinity Valley Community College Vernon College Wharton County Junior College</i></p>		
<p><b>Baccalaureate Degree Nursing Education Programs</b> <i>Abilene Intercollegiate School of Nursing Prairie View A&amp;M University Stephen F. Austin University Tarleton State University Texas A&amp;M University at Corpus Christi Texas Christian University-Harris College of Nursing Texas Tech</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>University Health Sciences Center University of Mary Hardin Baylor University of Texas at Arlington University of Texas Health Science Center at San Antonio University of Texas Medical Branch at Galveston University of the Incarnate Word West Texas A&amp;M University</p>		
<p>3.2.1.d. Full Approval with Requirements <b>Associate Degree Nursing Education Programs</b> El Paso Community College Grayson County College Odessa College South Plains College Victoria College</p>	<p>The Board considered the 2004 NCLEX-RN examination pass rates and review of 2004 annual reports.</p>	<p>The Board voted to continue full approval for the pre-licensure nursing education programs listed, including requirements to be met as suggested by staff.</p>
<p><b>3.2.2. Confirmation of Approval Status Based on Review of 2004 Annual Reports</b> 3.2.2.a. Full Approval with No Recommendations and No Requirements <b>Post Licensure RN to Baccalaureate Degree Nursing Education Programs</b> Angelo State University (RN to BSN) Southwestern Adventist University (RN to BSN)</p>	<p>The Board considered the review of the 2004 annual reports.</p>	<p>The Board voted to continue full approval for the post-licensure nursing programs with no recommendations and no requirements to be met as suggested by staff.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Texas A&amp;M University at Texarkana (RN to BSN)  <b>Advanced Practice Nursing Education Programs</b>            Abilene Intercollegiate School of Nursing, Family Nurse Practitioner            Houston Baptist University, Family Nurse Practitioner            Prairie View A&amp;M University, Family Nurse Practitioner            Texas Christian University-Harris College of Nursing, Clinical Nurse Specialist/Adult Health Focus            University of Texas Southwestern Medical Center @ Dallas, Women's Health Care Nurse Practitioner</p> <p>3.2.2.b. Full Approval with Requirements <b>Post Licensure RN to Baccalaureate Degree Nursing Education Programs</b>            University of Texas at Brownsville &amp; Texas Southmost College (RN to BSN)  <b>Advanced Practice Nursing Education Programs</b>            Angelo State University, Medical/Surgical Clinical Nurse Specialist</p>	<p>The Board considered the review of the 2004 annual reports.</p>	<p>The Board voted to continue full approval for the post-licensure nursing programs with requirements to be met as suggested by staff.</p>

AGENDA ITEM	DISCUSSION	ACTION
5.1.1. Eligibility and Disciplinary Committee Report		Approved on Consent.
5.1.2. Strategic Planning/4 <sup>TH</sup> Quarter Report		Approved on Consent.
5.2.2. Nursing Practice Advisory Committee Report		Approved on Consent.
5.3.5. Department of State Health Services Hospital Rules Workgroup		Approved on Consent.
7.3.1. TPAPN Quarterly Report		Approved on Consent.
<b>8.2. AGREED ORDERS</b>		The board voted to ratify the Agreed Orders on Consent with the following results:
	<b>Willis G. Alford, RN #628645/LVN #153026</b>	<b>Reprimand with Stipulations.</b> 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 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 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.
	<b>Brian Andrew Armstrong, RN #509392</b>	<b>Reprimand with Stipulations.</b> 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 physical assessment; and a board approved course in nursing ethics. Should Respondent choose to practice as a RN in Texas,









AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Debra June Hart, LVN #161931</b></p>	<p><i>the stipulation period.</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 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 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</p>









AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Jennifer Ann Rios, LVN #167130</b></p>	<p><i>successfully complete a board approved course in nursing jurisprudence; and a board approved course in medication administration.</i></p> <p><i>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>Reprimand 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 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 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 quarterly reports regarding her compliance with her court ordered probation until released from probation. It is further agreed that should Respondent be convicted of the offense as outlined in finding of fact number 6, said conviction will result in further disciplinary action.</i></p>







AGENDA ITEM	DISCUSSION	ACTION
		<p><i>Respondent shall undergo a pain management evaluation which shall be performed by a board approved doctor; Respondent shall cause the performing physician to send a report of the evaluation to the board office and shall include clinical indications; medication regiment (if any); a statement as to Respondent's fitness; Recommendations for pain management therapy and/or other follow up; Respondent shall comply with the recommendations for pain management. Upon verification of successful completion of the approved evaluation and treatment, and 24 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 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; If recommended by the pain management doctor 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; If</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Omar Rene Garcia, RN #582460</b></p>	<p><i>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 LVN or 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> <p><b>Reinstated with Stipulations.</b> <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 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;</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Dwana D. Siebe, RN #526833</i></p> <p><i>Donna Marie Strait, LVN #154400</i></p> <p><i>Shelley Colene Vela, RN #554344</i></p>	<p><i>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> <p><b>Reinstated with Stipulations.</b> <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.</i></p> <p><b>Reinstated with Stipulations.</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 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.</i></p> <p><b>Reinstated with Stipulations.</b> <i>Within one year of relicensure Petitioner shall successfully complete a board approved course in physical assessment. 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 one year of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Petitioner shall</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Irma L. Woodruff, RN #233896</b></p>	<p><i>have in-direct 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><b>Reinstated with Stipulations.</b> <i>Within 45 days of entry of this order Petitioner shall apply to and be accepted into the TPAPN which shall include payment of a non-refundable participation fee in the amount of \$500. payable to TPAPN. Upon acceptance into the TPAPN, Petitioner shall waive confidentiality and provide a copy of the executed TPAPN contract to the Board; Petitioner shall comply with all requirements of the TPAPN contract during its term; Petitioner shall cause the TPAPN to notify the Board of any violation of the TPAPN contract. It is further agreed should Petitioner fail to comply with this order of the terms of the participation agreement with the TPAPN, such non compliance will result in further disciplinary action.</i></p>
<p><b>8.4 ELIGIBILITY AGREED ORDERS</b></p>	<p><b>Michelle Renee Brown, Petitioner for Initial Licensure (LVN)</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-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. 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 abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled</i></p>



AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Christopher Lopez, Petitioner for Initial Licensure (RN)</b></p>	<p><i>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 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; 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-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 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 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; 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</i></p>





AGENDA ITEM	DISCUSSION	ACTION
<p>1. ADMINISTRATION 1.1. Executive Director's Report</p> <p>3. NURSING</p>	<p><i>Vickie Lynn Pruitt, Petitioner for Initial Licensure</i></p> <p>Katherine Thomas reviewed her written report to the board including providing information regarding the newspaper articles relating to criminal backgrounds of nurses in Texas.</p>	<p><i>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 have indirect supervision with employment restrictions; 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; shall cause employer(s) to submit periodic reports; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p><b>3.2. EDUCATION</b>  3.2.1.b. Full Approval with Commendations and Requirements  <b>Associate Degree Nursing Programs</b>  University of Texas at Brownsville and Texas Southmost College</p>	<p>The board considered the 2004 NCLEX-RN examination pass rates and review of 2004 annual reports.</p>	<p>The Board voted to continue full approval for the pre-licensure nursing education programs listed, including the commendations. The Board also voted to drop the requirement.</p>
<p>3.2.3. Proposed change of Approval Status Based on 2004 NCLEX-RN Examination Pass Rates, Review of 2004 Annual Report and Progress Report - Laredo Community College, Associate Degree Nursing Education Program</p>	<p>The Board considered a change in approval status from warning to full for the Laredo Community College Associate Degree Nursing Program based on the 2004 NCLEX-RN pass rate, 2004 Annual Report and Progress Report. Dianna L. Miller, Rosario Pena, and Maria Madrigal were present to answer questions.</p>	<p>The Board voted to change the approval status of the Laredo Community College Associate Degree Nursing Program from warning to full based on the NCLEX-RN examination pass rate for 2004, review of the 2004 Annual Report and review of the Progress Report.</p>
<p>3.2.4. Report of Survey Visit - San Jacinto College - North, Vocational Nursing Education Program</p>	<p>The Board considered the report of the site visit of San Jacinto College-North Vocational Nursing Program in Houston, Texas and the results of the site visit by Board staff.</p>	<p>The Board voted to accept the staff findings from the survey visit and issue requirements and recommendations as indicated.</p>
<p>3.2.5. Petition to Request Extension of Waiver for Interim Director - Austin Community College, Associate Degree Nursing Education Program</p>	<p>The Board considered the request for the extension of waiver for Interim Director and the Education Liaison Committee members vote to recommend approval of an extension of the waiver for Jean E. Ward, MSN, RN, as Acting/Interim Director for the Austin Community College Associate Degree Nursing Program through January 2006.</p>	<p>The Board voted to approve the waiver for Jean E. Ward, MSN, RN as Acting/Interim Director for the Austin Community College Associate Degree Nursing Program through January 2006.</p>
<p>3.2.6. Notification of Intent to Close Vocational Nursing Education Program - JPS</p>	<p>The Board considered the notification of intent to close Vocational Nursing Education Program - JPS Institute for Health Career Development at Grand Prairie ISD.</p>	<p>The Board voted to accept the notification from JPS Institute for Health Career Development of intent to close their last vocational nursing education program, Program Code #27-253, located at Grand</p>

AGENDA ITEM	DISCUSSION	ACTION
Institute for Health Career Development at Grand Prairie ISD		Prairie, Texas, in the Grand Prairie ISD effective May 27, 2005, and issue the requirement as stated.
<b>4. ENFORCEMENT</b>		
4.1. Criminal Background Check Update	The board reviewed the statistics provided regarding the criminal background checks.	No action.
<b>5. COMMITTEE REPORTS</b>		
<b>5.1. Board Committees</b>		
5.1.3. Development and Evaluation	No Discussion.	No action.
<b>5.2. Advisory Committees/Task Forces</b>		
5.2.1. Advanced Practice Nurses Advisory Committee	Linda Rounds reported that the committee met in October and discussed guidelines for determining APN scope of practice and for expanding scope of practice.	No action.
5.2.3. Advisory Committee on Education	Brenda Jackson reported that the Committee will meet on February 24, 2005.	No action.
<b>5.3. Outside Agency Committees</b>		
5.3.1. Texas Peer Assistance Program for Nurses Advisory Committee	Mary Beth Thomas gave a verbal report. Ms. Thomas reported that the committee will meet in February, 2005.	No action.
5.3.2. Texas Nurses Association Task Forces on Nursing Practice and Nursing Education Redesign	Katherine Thomas gave a verbal report on the Nursing Practice Redesign Task Force and on the Nursing Education Redesign Task Force.	No action.
5.3.3. Texas Higher Education	No report.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>Coordinating Board Professional Nursing Advisory Committee</p>		
<p>5.3.4. SHCC Nursing Workforce Data Advisory Committee</p>	<p>Katherine Thomas gave a verbal report on the SHCC Nursing Workforce Data Center.</p>	<p>No action.</p>
<p><b>OPEN FORUM:</b></p>	<p>Dr. Rounds announced the format and invited participation from the audience.</p> <p>Nancy Maebus, PhD, MSN, RN, Representative of Texas Association of Vocational Nurse Educators. Dr. Maebus spoke in favor of the proposed VN student to teacher ratio and urges the Board to vote for the proposed ratio change.</p> <p>Thelma Davis, LVN, immediate past President, Licensed Vocational Nurse Association of Texas. Ms. Davis spoke regarding Rule 237 and is in support of a RN being on the committee and believes it would be an advantage.</p> <p>Rachel Hammon, RN, Representative of Texas Association for Home Care. Ms. Hammon spoke regarding BNE Position Statement 15.2. Ms. Hammon prefers this statement pertain to pronouncement of death and requests that the Board create a position statement regarding unwitnessed arrest.</p> <p>No one else came forward and the Open Forum was closed at 1:55 p.m.</p>	<p>No action.</p>
<p><b>6. OLD BUSINESS</b></p>		
<p>6.1. Nurse Licensure Compact Update</p>	<p>Katherine Thomas gave a verbal report on the compact.</p>	<p>No action.</p>
<p>6.2. Status of Proposal by M.D. Anderson Medical Center for Patient Safety Pilot Program on Nursing Reporting</p>	<p>Mary Beth Thomas gave a verbal report on the proposal. Ms. Thomas presented that the proposal has not been implemented yet and that St. Lukes will participate. There was ongoing discussion about whether an Information Review Board will be put in place. More</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Systems</p> <p>6.4 Update on Chapter 215, Professional Nursing Education, adopted repeal of existing chapter and adopted new chapter, effective January 9, 2005</p>	<p>information will be provided at the April board meeting.</p> <p>Joy Sparks reported that these rules have been adopted as no negative comments were received.</p>	<p>No action.</p>
<p>6.5. Consider Comments and Adopt Chapter 214, Vocational Nursing Education</p> <p>6.6. Adopt repeal of Chapter 233, Education (LVN)</p>	<p>The Board considered the repeal of Chapter 233 (Vocational Nursing) Education and adoption of Chapter 214, Vocational Nursing Education with consideration of comments received, as well as staffs' suggested responses. Jackolyn Morgan, MSN, RN, President Texas Association of Vocational Nurse Educators and Director of Nursing Programs, Cisco Jr., College was present and requested that the Board clarify the correct time frame for the implementation of this rule.</p>	<p>The Board voted to adopt the repeal of Chapter 233, and adopt Chapter 214 without changes as proposed in the November 12, 2004, issue of the Texas Register, after consideration of comments received. In addition the Board voted with regard to the newly applicable 1 to 10 ratio, that the new ratio not be enforced until after 09/01/2005 and then only to new cohorts admitted to a Vocational Nursing program.</p>
<p>6.7. Report on Comparison of the Excelsior Nursing Education Program to Requirements in Rule 215, Professional Nursing Education and Report of Visit to Testing Site</p>	<p>The Board reviewed and discussed the results of the comparison of the Excelsior Nursing Education Program to the Requirements in Rule 215. M. Sharon Boni, RN appeared to answer any questions the Board may have.</p>	<p>No action.</p>
<p><b>7. NEW BUSINESS</b></p> <p><b>7.1. Proposed Rules</b></p> <p>7.1.1. Proposed Repeal of 22 Texas Administrative Code Ch. 237, LVN Continuing Education</p> <p>7.1.2. Proposed Amendment to 22 Texas Administrative Code §§ 216.1,</p>	<p>The Board considered the proposed repeal of 22 Texas Administrative Code Ch. 237, LVN Continuing Education and the proposed amendment to 22 Texas Administrative §§ 216.1, 216.2, 216.3, and 216.5, Continuing Education.</p>	<p>The Board voted to propose the repeal of Chapter 237, Continuing Education for LVNs, and propose amendments to sections 216.1, 216.2, 216.3, and 216.5, Continuing Education, and make Chapter 216 applicable to all nurses in compliance with the Nursing Practice Act. 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 comment period, move to adopt the repeal of chapter 237 and adopt the amendments to sections</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>216.2, 216.3, and 216.5, Continuing Education</p>		<p>216.1, 216.2, 216.3, and 216.5, as proposed.</p>
<p>7.1.3. Proposed Amendment to Texas Administrative Code §217.1 and §217.4, Relating to credential evaluation services for foreign educated nurses</p>	<p>The Board considered the proposed amendment to Texas Administrative Code §217.1 and §217.4, Relating to credential evaluation services for foreign educated nurses.</p>	<p>The Board voted to amend the proposed amendment under section 217.4(c) to read “achieve an approved score on an English proficiency exam”; and under section 217.4(2)(e) to read “achieved an approved score on an English proficiency exam acceptable to the Board”. The Board voted to propose the amendment to sections 217.1, Definitions, and 217.4, Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States’ Jurisdiction, in the Texas Register for a 30 day comment period, and if no substantive or negative comments are received during the comment period, move to adopt the amendments as proposed.</p>
<p>7.1.4. Proposed Amendment to include NCLEX requirement to 22 Texas Administrative Code §220.2, Nurse Licensure Compact</p>	<p>The Board considered the proposal to adopt the standard passed by the Nurse Licensure Compact Administrators (NCLA) requiring all nurse applicants for initial licensure in a compact home state to have passed the NCLEX or its predecessor examination in order to obtain a multistate privilege.</p>	<p>The Board voted to propose the amendment to section 220.2, Issuance of a License by a Compact Party State, in the Texas Register for a 30 day comment period and if no substantive or negative comments are received during the comment period, move to adopt the amendment as proposed.</p>
<p><b>7.2. Review of Position Statements</b>            7.2.1. RN or LVN Position Statements now applicable to all nurses (LVN to RN or RN to LVN)            15.1 Nurses Carrying Out Orders From Physician’s Assistants            15.4 Educational Mobility            15.5 Nurses with the Responsibility for Initiating Physician</p>	<p>The Board considered the position statements.</p>	<p>The Board voted to adopt all revised and/or new position statements 15.1-15.24, and FAQs as proposed under agenda item 7.2.1., with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Standing Orders            15.11 Delegated Medical Acts            15.12 Use of American Psychiatric Associations Diagnoses by LVNs/RNs/APNs            15.14 Duty of the LVN and/or RN in Any Practice Setting            15.15 Board's Jurisdiction Over Nursing Titles and Practice            15.16 Development of Additional Nursing Education Programs              15.18 Nurses Carrying Out Orders from Advanced Practice Nurses            15.19 Nurses Carrying out Orders from Pharmacists for Drug Therapy Management            15.24 Nurses Engaging in Reinsertion of Permanently Placed Feeding Tubes</p>		
<p>7.2.2. Combined previous RN and previous LVN Position Statements (same topic) together            15.7 [sic] (erroneously posted as 5.7) The Roles of LVNs &amp; RNs in Management and/or Administration of Medications via</p>	<p>The Board considered the position statements.</p>	<p>The Board voted to adopt all revised and/or new position statements 15.1-15.24, and FAQs as proposed under agenda item 7.2.2., with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Epidural or Intrathecal Catheter Routes 15.13 Roles of LVNs &amp; RNs As School Nurses</p> <p>7.2.3. Revised LVN Position Statements 15.2 Role of the Licensed Vocational Nurse in the Pronouncement of Death 15.3 LVNs Engaging in Intravenous Therapy, including PICC lines</p> <p>7.2.4. New Position Statements 15.6 Board Rules Associated with Alleged Patient Abandonment 15.10 Continuing Education: Limitations for Expanding Scope of Practice</p> <p>7.2.5. No Change or Rule Reference Updates Only 15.9 Performance of Laser Therapy by RNs or LVNs 15.17 BNE/ Board of Pharmacy (TSBP) Joint Position Statement: Medication Errors 15.20 Registered Nurses in the Management of an Unwitnessed Arrest 15.21 Application</p>	<p>The Board considered the position statements.</p> <p>The Board considered the new position statements.</p> <p>The Board considered the position statements.</p>	<p>The Board removed Position Statement 15.2 Role of the Licensed Vocational Nurse, from consideration. The Board voted to adopt all revised and/or new position statements 15.1-15.24, and FAQs as proposed under agenda item 7.2.3., with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.</p> <p>The Board voted to adopt all revised and/or new position statements 15.1-15.24, and FAQs as proposed under agenda item 7.2.4., with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.</p> <p>The Board voted to adopt all revised and/or new position statements 15.1-15.24, and FAQs as proposed under agenda item 7.2.5., with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>of Safe Harbor Peer Review to LVNs 15.22 APNs Providing Medical Aspects of Care of Themselves or Others With Whom There is a Close Personal Relationship 15.23 The RNs Use of Complementary Modalities</p>		
<p>7.2.6. Converted Previous LVN Position Statements to FAQs Telephone Triage The GVN or GN in Home Health (previously LVN only)</p>	<p>The Board considered the position statements.</p>	<p>The Board voted to adopt all revised and/or new position statements 15.1-15.24, and FAQs as proposed under agenda item 7.2.6., with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board counsel.</p>
<p>7.4. BNE Pilot Programs for Texas Schools of Nursing Education Programs</p>	<p>Mary Beth Thomas and Robbin Wilson provided information to the Board regarding preliminary requests received by board staff regarding the development and implementation of pilot programs utilizing innovative educational strategies in Board approved professional nursing education programs. A proposal will be presented to the board at the April meeting.</p>	<p>No action.</p>
<p>7.5. NCSBN Taxonomy of Error, Root Cause Analysis and Practice (TERCAP)</p>	<p>Mary Beth Thomas reported to the Board about the status of the NCSBN's Taxonomy of Error, Root Cause Analysis and Practice Project.</p>	<p>No action.</p>
<p>7.6. Revisions to Approval of New Dean or Director and Faculty Waivers Policy</p>	<p>The Board considered the suggested revision to the Approval of New Dean or Director and Approval Process fo Faculty Waivers and Extension of Faculty Waivers policies.</p>	<p>The Board voted to approve the suggested revision to the Approval of New Dean or Director and Faculty Waivers policies.</p>
<p>7.7. Report on Proposed Revised Format for</p>	<p>The Board considered the proposed revised format for Education Board Reports.</p>	<p>The Board voted to approve the proposed revised format for Education Board Reports.</p>

AGENDA ITEM	DISCUSSION	ACTION
Education Board Reports		
<b>8. Proposed Board Orders</b> 8.2. Agreed Orders	<p>The board discussed Agreed Orders pulled from the consent agenda.  <b>Betty J. Johnson, RN #501200/LVN #75665</b></p> <p><b>Rodney L. Miller, RN #625290</b></p> <p><b>Helen B.T. Nawara, RN #224540</b></p>	<p>The board voted to ratify the Agreed Orders with the following results:  <b>Warning with Stipulations.</b> 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 medication administration; a board approved course in physical assessment; a board approved course in nursing documentation; 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 one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; and Respondent shall have indirect supervision with employment restrictions.</p> <p><b>Warning with Stipulations.</b> 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; Respondent shall have indirect supervision with employment restrictions; and Respondent shall attend at least one Sex Addicts Anonymous support group meeting each week and Respondent shall provide acceptable evidence of attendance.</p> <p><b>Warning with Stipulations.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in advanced pediatric physical assessment; and a board approved</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><b>Margie Nel Walton, LVN #61119</b></p>	<p>course in nursing documentation. Should Respondent choose to practice as a RN or APRN 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; Should Respondent choose to work as a RN without using her authorization as a PNP Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Should Respondent choose to work as a PNP, Respondent's practice will be monitored for one year by a Physician or PNP who has been approved by the board.</p> <p><b>Reprimand with Stipulations.</b> Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; a course in medication administration; a course in physical assessment; and a board approved course in nursing documentation. Should Respondent choose to practice as a LVN in the State of Texas, Respondent shall 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; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</p>
<p><b>ADJOURNMENT</b></p>	<p>Having completed this day's business the meeting adjourned at 4:20 p.m.</p>	

AGENDA ITEM	DISCUSSION	ACTION

AGENDA ITEM	DISCUSSION	ACTION
<b>RECONVENE</b>	The board reconvened at 8:50 am on Friday, January 21, 2005.	
<b>1. ADMINISTRATION</b> 1.2. Legal 1.2.1. Discussion on Proposed Amendments to the Nursing Practice Act	Dusty Johnston presented suggested amendments to the Nurse Practice Act currently recommended by staff.	No action.
<b>6. OLD BUSINESS</b> 6.3. Withdraw and Re-Propose Amendments to APN Rules 221.2 and 221.7 pertaining to APN titles	<p>The Board considered the withdrawal of amendments to advanced practice Rules 221.2 and 221.7, relating to advanced practice titles as proposed in the August 13, 2004 Texas Register with consideration of written and verbal comments received in response to revisions to these rules proposed in August 2004.</p> <p>The Board also considered and discussed the new proposed amendments to advanced practice Rules 221.2 and 221.7, relating to advanced practice titles.</p>	<p>The Board voted to withdraw proposed amendments to Rules 221.2 and 221.7 as published in the August 13, 2004 issue of the Texas Register. Staff is authorized to publish withdrawal of the proposed amendments in the Texas Register and indicate that the amendments were withdrawn to allow for further discussion of the issue at the national level as the rationale for withdrawal. Staff is further authorized to publish the summary of comments received and responses to comments.</p> <p>The Board voted to propose amendments to sections 221.2 and 221.7 as indicated and publish in the Texas Register with a 30 day comment period.</p>
<b>7. NEW BUSINESS</b> 7.8. APN Petitioner, Patricia Bradshaw, RN #634406	The board considered Patricia Bradshaw's request that the Board review staff's interpretation of Rule 221.3(e) and reconsider her eligibility for authorization to practice as a Clinical Nurse Specialist in Critical Care Nursing.	The Board voted to deny Patricia Bradshaw's request for authorization to practice as a Clinical Nurse Specialist in Critical Care Nursing. Ms. Bradshaw may reapply for authorization to practice in this role and specialty pending completion of 500 hours of supervised clinical experiences in the role and specialty within an academic program that prepares Clinical Nurse Specialists in Critical Care Nursing. Ms. Bradshaw must receive academic credit for the clinical experiences should she choose to complete them.
<b>9. MISCELLANEOUS</b> 9.1 Board Items of Interest for	No items were identified.	No action.

AGENDA ITEM	DISCUSSION	ACTION
Future Board Meetings		
9.2. Board Development: The Board's evaluation of criminal history and its effect on licensure of nurses	Dusty Johnston presented information to the Board regarding the evaluation of criminal history and its effect on licensure of nurses.	No action.
9.3. Appointment of Board Members to BNE Standing Committees	The Board President solicited volunteers for the BNE committees.	<p>The following board members were appointed to committees:</p> <p>Strategic Planning: Frank Sandoval</p> <p>Board Liaison for Board and Executive Director Evaluations: Phyllis Rawley</p> <p>Advanced Practice Nursing Linda Rounds</p> <p>Advisory Committee on Education Brenda Jackson</p> <p>Nursing Practice Advisory Committee Virginia Campbell Beverley Nutall</p> <p>Education Liaison Committee Joyce Adams Blanca Rosa Garcia Brenda Jackson</p> <p>Internal Auditor Liaison Committee Deborah Bell Anita Palmer</p>

AGENDA ITEM	DISCUSSION	ACTION
<b>ADJOURNMENT:</b>	<p data-bbox="407 264 920 359">Having completed all business as listed on the agenda, the meeting adjourned at 12:50 pm.</p> <hr data-bbox="407 472 920 474"/> <p data-bbox="407 478 920 541">Linda Rounds, PhD, RN, FNP, Board President</p> <hr data-bbox="407 655 920 657"/> <p data-bbox="407 688 797 751">Katherine A. Thomas, MN, RN, Executive Director</p>	