
BOARD OF NURSE EXAMINERS

Regular Meeting

Thursday, October 19, 2006

10:35a.m. - 5:05 p.m.

Friday, October 20, 2006

8:40 a.m. - 11:49 a.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Deborah Bell

George Buchenau, Jr.

Virginia Campbell

Phyllis Caves Rawley

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Anita Palmer

Beverley Nutall

Frank Sandoval

Absent:

Joyce Adams

Blanca Rosa Garcia

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

James "Dusty" Johnston, General Counsel

Joy Sparks, Assistant General Counsel

Victoria Cox, Assistant General Counsel

Mary Beth Thomas, Director of Nursing

Jolene Zych, Nursing Consultant

Virginia Ayars, Nursing Consultant

Betty Sims, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Janice Hooper, Nursing Consultant

Dorothy Joy, Nursing Consultant

Melinda Hester, Nursing Consultant

Peggy, Penn, Nursing Consultant

Bruce Holter, Information Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 10:35 a.m, Thursday, October 19, 2006.	
ROLL CALL	All members were present with the exception of Joyce Adams and Rosa Blanca Garcia. A quorum was established.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	Item 7.5 Proposed Amendments to the Disciplinary Guidelines for Criminal Conduct to Include Rationale for How the Crimes Relate to the Practice of Nursing, was removed from the Agenda. The Agenda was approved.
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the July 20-21, 2006 meeting.	The Board approved the minutes from the July 20-21, 2006 meeting.
CONSENT AGENDA ITEMS		<p>The Consent agenda was approved with the following changes:</p> <p>Item 2.1. Financial Statements was removed from the consent agenda for discussion.</p> <p>Item 5.1.2. Strategic Planning was removed from the consent agenda for discussion.</p> <p>Brenda Jackson recused herself from the consideration and vote on Item 8.2 Agreed Order of Linda Ann Johnson (Ghavidel), RN #626605.</p> <p>Deborah Bell recused herself from the consideration and vote on Item 8.2 Agreed Order of Leslie Therese Mayer-Leonard, RN #609140.</p> <p>Linda Rounds recused herself from the consideration and vote on Item 8.2 Agreed Order of Paula Faye Pittman, LVN #119093/RN #563904.</p>
<i>2.2. CE Compliance Report</i>		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.2. <i>Petition for a Faculty Waiver</i> 3.2.2.a. <i>Tyler Junior College, Associate Degree Nursing Education Program</i></p>	<p><i>The Board considered the petition from Tyler Junior College Associate Degree Nursing Education Program for a non-emergency faculty waiver on behalf of Paula Evette Teagle, BSN, RN and the recommendation from the Education Liaison Committee (ELC) regarding the petition.</i></p>	<p><i>The Board voted to ratify the recommendation from the ELC to approve the non-emergency faculty waiver for Paula Teagle, BSN, RN, to be a nursing faculty member for the Associate Degree Nursing Education Program at Tyler Junior College.</i></p>
<p>3.2.2.b. <i>Lamar State College at Port Arthur, Associate Degree Nursing Education Program</i></p>	<p><i>Consider the petition from Lamar State College at Port Arthur Associate Degree Nursing Education Program for a non-emergency faculty waiver on behalf of Shirley B. MacNeill, BSN, RN and the recommendation from the Education Liaison Committee (ELC) regarding the petition.</i></p>	<p><i>The Board voted to ratify the recommendation from the ELC to approve the non-emergency faculty waiver for Shirley B. MacNeill, BSN, RN, to be a nursing faculty member for the Associate Degree Nursing Education Program at Lamar State College at Port Arthur.</i></p>
<p>3.2.4. <i>New Dean, Director, Coordinator and Faculty Waivers Summary Report for 2005-2006</i></p>	<p><i>The Board reviewed the report regarding summary information of new dean, director, coordinator and faculty waivers for 2005-2006 (September 1, 2005 - August 31, 2006).</i></p>	<p><i>No Board Action taken. This report was for informational purposes only.</i></p>
<p>3.2.5. <i>Report on BNE New Dean, Director, and Coordinator Orientation Workshops for 2005-2006</i></p>	<p><i>The Board reviewed the report regarding the New Dean, Director, and Coordinator Orientation Workshops for 2005-2006.</i></p>	<p><i>No Board Action taken. This report was for informational purposes only.</i></p>
<p>3.2.6. <i>Education Activities Summary for 2005-2006</i></p>	<p><i>The Board reviewed the report regarding the Education Activities Summary for 2005-2006.</i></p>	<p><i>No Board Action taken. This report was for informational purposes only.</i></p>
<p>5.1.1. <i>Eligibility and Disciplinary Committee</i></p>		<p><i>Approved on Consent.</i></p>
<p>7.1.1. <i>TPAPN Quarterly Report</i></p>		<p><i>Approved on Consent.</i></p>
<p>7.2. <i>Annual TPAPN Financial Audit</i></p>		<p><i>Approved on Consent.</i></p>
<p>7.3 <i>Annual TPAPN Legal Audit</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1 ALJ Proposals for Decision</p>	<p><i>Irene Herdandez, LVN #80857</i></p> <p><i>Johnnie Rae Remedez, LVN #145509</i></p> <p><i>Alan Wayne Russell, LVN #120659</i></p> <p><i>Beth Ann Selvera, RN #722066</i></p> <p><i>Harva Jean Williams, RN #447788</i></p>	<p><i>The Board voted to ratify the Proposals for Decision with the following results:</i></p> <p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p> <p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p> <p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p> <p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p> <p>License Revoked. <i>The proposal for decision and the findings of fact and conclusions of law of the ALJ were adopted by the board.</i></p>
<p>8.2. Agreed Orders</p>	<p><i>Roy Brent Anderson, LVN #175975</i></p>	<p><i>The board voted to ratify the Agreed Orders on Consent with the following results:</i></p> <p>Warning with Stipulations. <i>Within forty-five 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 medication administration; and a board approved course in nursing ethics. Should Respondent choose to practice as a LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 737 784 768">Cheryl Brackens, RN 3637929</p> <p data-bbox="407 1486 842 1518">Kimberly Ann Brown, LVN #184582</p>	<p data-bbox="951 296 1468 684"><i>Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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; and 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="951 741 1468 1430">Reprimand 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; a board approved course in nursing ethics; and a board approved course in pharmacology for Advanced Practice Nurses. 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 by a FNP or Physician with employment restrictions for the first year of employment under this order; Respondent shall have in-direct supervision by a Physician or a FNP for the remainder of the stipulation period.</i></p> <p data-bbox="951 1486 1468 1959">Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in physical assessment; and a board approved course in nursing documentation. Should Respondent choose to practice as a LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of</i></p>

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	<p>Kristina Dove Cox, RN #707597</p>	<p><i>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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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 quarterly written reports regarding Respondent's 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 seven, said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice nursing in the State of Texas.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended with said suspension stayed. 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; shall provide employer reports; Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period; and Respondent shall participate in anger management therapy with a board approved therapist and</i></p>

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	<p><i>Lisa Marie Fisher, RN #547326</i></p> <p><i>Randall Ray Foster, LVN #150007</i></p>	<p><i>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 cause her probation officer to submit quarterly written reports regarding Respondent's 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 seven, said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice nursing in the State of Texas.</i></p> <p>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 documentation; and a board approved course in nursing ethics.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended with said suspension stayed. 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 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 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 cause his probation officer to submit quarterly written</i></p>

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	<p>Brenda Louise Greenfield, LVN #145123</p>	<p><i>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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</i></p> <p>Suspend Probate. <i>Respondent's license is hereby suspended with said suspension stayed. Within forty-five 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 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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</i></p>

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	<p>Madeira Fern Jungman, LVN #42009</p>	<p><i>license is hereby suspended with said suspension enforced until Respondent completes a recommended treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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.</i></p> <p>Reprimand with Stipulations. <i>Within forty-five 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 LVN in</i></p>

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	<p>Daniel Ethan Mendez, RN #698308</p>	<p><i>of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$350. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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>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 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 one year of employment: Respondent shall</i></p>

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	<p>Kay Annette Red, RN #583441</p>	<p><i>stayed. Within forty-five 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 LVN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for three years of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; Respondent shall have direct supervision with employment restrictions for the first year of employment under this order; Respondent shall have indirect supervision with employment restrictions for the remainder of the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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 quarterly written reports regarding Respondent's compliance with her court ordered probation until released from probation. It is further agreed that should Respondent be convicted of the offenses as outlined in finding of fact numbers six and seven, said judicial action will result in further disciplinary action including Revocation of Respondent's license to practice nursing in the State of Texas.</i></p> <p>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</p>

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	<p>Melisa Rhodes, LVN #102957/RN #564046</p>	<p><i>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; 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 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>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a recommended treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$500. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. The following terms of this probation may only be served while Respondent is employed as a LVN/RN in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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.</i></p> <p>Kay Lynn Roberts, RN #235214</p> <p>Kimberly Rodriguez, RN #651946</p> <p>Kathie Lynn Ryan, LVN #134848</p>	<p><i>the stipulation period; Respondent shall have employment restrictions for the first year of employment under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; 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.</i></p> <p>Limited License. Respondent shall not provide direct patient care. Should Respondent desire to return to a clinical practice setting, which would require her to provide direct patient care, Respondent shall petition the Board for such approval.</p> <p>Warning 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 one year 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; and Respondent shall submit to periodic screens for controlled substances and alcohol.</p> <p>Warning with Stipulations. Within forty-five 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Regina Ann Sanchez, LVN #88519</p>	<p><i>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 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>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a board approved treatment program, provides documentation of successful completion, and has obtained twelve consecutive months of sobriety. Upon verification of said treatment the suspension will be STAYED and Respondent will be placed on Probation for three years with the following agreed terms of probation: Within forty-five days of the suspension being stayed Respondent shall pay a monetary fine in the amount of \$350. Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing ethics. The following terms of this probation may only be served while Respondent is employed as a LVN in a hospital, nursing home, or other clinical practice setting for three years of probation: 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 as a nurse 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 under this order; Respondent shall not practice in any critical care area for the first year of employment under this order; Respondent shall not administer or have any contact with controlled substances for the first year of employment under this order; Respondent shall abstain from the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.4 ELIGIBILITY AGREED ORDERS</p>	<p>Joseph Martin Calderilla, Petitioner for Initial Licensure (LVN)</p>	<p><i>stipulations: Within one year of re-licensure 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 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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-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 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; Petitioner shall cause employer(s) to submit periodic reports; Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Monica Lopez Kidd, Petitioner for Initial Licensure (LVN)</p>	<p><i>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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-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>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Shashonnie Nyoka Price, Petitioner for Initial Licensure (RN)</i></p>	<p><i>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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Petitioner for Initial Licensure. Upon meeting the requirements for graduation and payment of any required fees, Petitioner is hereby Conditionally Eligible to sit for the NCLEX-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 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 in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; and Petitioner shall submit to periodic screens for controlled substances and alcohol.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Mark Anthony Tisdell, Petitioner for Initial Licensure (RN)</p>	<p><i>notification of employment forms; shall cause employer(s) to submit periodic reports; Applicant shall have direct supervision with employment restrictions for the first year of employment under this order; Applicant shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; Applicant shall have employment restrictions for the first year of employment under this order; Applicant shall not practice in any critical care area for the first year of employment under this order; Applicant shall not administer or have any contact with controlled substances for the first year of employment under this order; Applicant shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Applicant shall submit to periodic screens for controlled substances and alcohol; Applicant 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><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 have in-direct supervision with employment restrictions for the duration of the stipulation period; Petitioner shall</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Amy Louise Widman, Petitioner for Initial Licensure (RN)</p>	<p><i>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><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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>1. ADMINISTRATION 1.1. Executive Director's Report</p>	<p>Katherine Thomas reviewed her written report to the board.</p>	<p>No action.</p>
<p>2. OPERATIONS 2.1 Financial Statements</p>	<p>The Board discussed the monthly revenue and expenditure budget reports.</p>	<p>No action.</p>
<p>3. NURSING 3.1. PRACTICE 3.1.1. Workshop Report</p>	<p>Melinda Hester gave a verbal summary of the Workshop Report.</p>	<p>No action.</p>
<p>3.2. EDUCATION 3.2.1. Report of Survey Visit 3.2.1.a. Coastal Bend College at Alice, Vocational Nursing Education Program</p>	<p>The Board considered the findings from the August 8, 2006 survey visit of the Coastal Bend College at Alice Vocational Nursing Education Program and the staff recommendation concerning commendations, recommendations and requirements to be met based on these findings. Judy Guerra-Barrera, VN Program Director was present to answer questions.</p>	<p>The Board voted to accept the report of the survey visit of the Coastal Bend College at Alice Vocational Nursing Education Program and issue the commendations, recommendations and requirements to be met based on the outcome of the survey visit.</p>
<p>3.2.1.b. Coastal Bend College at Beeville, Vocational Nursing Education Program</p>	<p>The Board considered the findings from the August 7-8, 2006 survey visit of the Coastal Bend College at Beeville Vocational Nursing Education Program and the staff recommendation concerning commendations, recommendations and requirements to be met based on these findings. Judy Guerra-Barrera, VN Program Director, and Mercy Flynn, Coordinator were present to answer questions.</p>	<p>The Board voted to accept the report of the survey visit of the Coastal Bend College at Beeville Vocational Nursing Education Program and issue the commendations, recommendations and requirements to be met based on the outcome of the survey visit.</p>
<p>3.2.1.c. Coastal Bend College at Kingsville, Vocational Nursing Education Program</p>	<p>The Board considered the findings from the August 9, 2006 survey visit of the Coastal Bend College at Kingsville Vocational Nursing Education Program and the staff recommendation concerning commendations, recommendations and requirements to be met based on these findings. Judy Guerra-Barrera, VN Program Director was present to answer questions.</p>	<p>The Board voted to accept the report of the survey visit of the Coastal Bend College at Kingsville Vocational Nursing Education Program and issue the commendations, recommendations and requirements to be met based on the outcome of the survey visit.</p>

AGENDA ITEM	DISCUSSION	ACTION
3.2.1.d. Coastal Bend College at Pleasanton, Vocational Nursing Education Program	<p>The Board considered the findings from the August 10, 2006 survey visit of the Coastal Bend College at Pleasanton Vocational Nursing Education Program and the staff recommendation concerning commendations, recommendations and requirements to be met based on these findings.</p> <p>Judy Guerra-Barrera, VN Program Director, and Laurie McKay, Coordinator were present to answer questions.</p>	<p>The Board voted to accept the report of the survey visit of the Coastal Bend College at Pleasanton Vocational Nursing Education Program and issue the commendations, recommendations and requirements to be met based on the outcome of the survey visit.</p>
3.2.1.e. Paris Junior College at Paris and Greenville (Lab Facility), Vocational Nursing Education Program	<p>The Board considered the report of the survey visit conducted on September 12-13, 2006 at Paris Junior College Vocational Nursing Education Program at Paris, Texas the Lab Facility located at Greenville, Texas and board staff's commendations, recommendations, and requirements to be met.</p> <p>Marcia Putnam, Program Director and Joyce Bookout, Coordinator were present to answer questions.</p>	<p>The Board voted to accept the survey visit report of the September 12-13, 2006 survey visit and issue the commendations, recommendations, and requirements to be met based on staff recommendation.</p>
3.2.1.f. Texarkana College, Vocational Nursing Education Program	<p>The Board considered the report of the September 14, 2006 survey visit to the Texarkana College Vocational Nursing Program at Texarkana.</p> <p>Dr. Carol Hodgson, Program Director and Kim Penny, RN, Coordinator were present to answer questions.</p>	<p>The Board voted to accept the report of findings of the survey visit for Texarkana College Vocational Nursing Program and issue the commendations, recommendations, and requirements to be met based on staff recommendation.</p>
<p>3.2.2. Petitioner for a Faculty Waiver</p> <p>3.2.2.c. Tyler Junior College, Associate Degree Nursing Education Program</p>	<p>The Board considered the petition from Tyler Junior College Associate Degree Nursing Education Program for a non-emergency faculty waiver on behalf of Honey Langenbau, BSN, RN and the recommendation from the Education Liaison Committee (ELC) regarding the petition.</p>	<p>The Board voted to ratify the recommendation from the ELC to deny the non-emergency faculty waiver for Honey Langenbau, BSN, RN, to be a nursing faculty member for the Associate Degree Nursing Education Program at Tyler Junior College</p>
3.2.3. Petition for Waiver of Director Qualifications- Navarro College, Associate Degree Nursing Education	<p>The Board considered the petition from Navarro College Associate Degree Nursing (ADN) Education Program for a waiver of director qualifications on behalf of Glenda Terry, MS, BSN, RN and the recommendation from the Education</p>	<p>The Board voted to ratify the recommendation from the Education Liaison Committee to deny appointment of Glenda Terry, MS, BSN, RN as Director of the Associate Degree Nursing Program at Navarro College at Corsicana, Texas.</p>

AGENDA ITEM	DISCUSSION	ACTION
Program	Liaison Committee (ELC) regarding the petition. Sara Washington, MS, RN; Glenda Terry, MS, BSN, RN; and Dr. Gregory Dlabach, Vice-President were present to answer questions.	
3.2.7. Education Program Annual Report Update	Mary Beth Thomas informed the Board that the new database is being rolled out allowing schools to automatically enter their own data for the annual report.	No action.
4. ENFORCEMENT 4.1. Criminal Background Check Update	The board reviewed the statistics provided regarding the criminal background checks.	No action.
5. COMMITTEE REPORTS 5.1. Board Committees		
5.1.2. Strategic Planning/4 TH Quarter Report	The Board reviewed the Strategic Planning 4 TH Quarter Report. Kathy Thomas gave a verbal explanation of the percentages.	No action.
5.1.3. Development and Evaluation	No report.	No action.
5.1.4. Task Force on Executive Director Succession Planning	No report.	No action.
5.1.5. Task Force on Board Governance Policies	No report.	No action.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	No report.	No action.

AGENDA ITEM	DISCUSSION	ACTION
5.2.2. Nursing Practice Advisory Committee	No report.	No action.
5.2.3. Advisory Committee on Education	Brenda Jackson reported that the committee met on October 26, 2006 and that the committee will meet again on December 1, 2006 to discuss and make recommendations on the previously issued charges by the board.	No action.
5.2.4. Advisory Committee on Licensure, Eligibility and Discipline	Dusty Johnston reported that the Committee met on October 18, 2006.	No action.
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee	Mary Beth Thomas reported that the committee will meet in a week.	No action.
5.3.2. Texas Competency Consortium	Mary Beth Thomas distributed a brochure and informed the Board of the last meeting in August that outlined goals which are on the brochure. The North Texas Competency Consortium, composed of schools of nursing in the North Texas area, has developed teaching strategies for 10 high risk, high volume and problem prone patient conditions. These strategies are going to be posted on the TNA web site for public access and utilization. TNA is developing a policy focus on continued competency so we will continue to work with the group in collaboratively developing strategies.	No action.
5.3.3. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory	Kathy Thomas reported on the Center's draft report on the supply and demand of RNs and nurse graduates in Texas which will be released in November.	No action.

AGENDA ITEM	DISCUSSION	ACTION
Committee		
5.3.4. Texas Higher Education Coordinating Board Committee to Increase RN Graduates in Texas	Mary Beth Thomas discussed the draft report on Strategies to Increase the Number of Graduates for Initial RN licensure programs. The report finds that on time completion of these programs is 56% and about 31% of the students enrolled in the 2003 cohort did not complete the nursing program. The final report should be released in November.	No action.
5.3.5. Texas Nurses Association Regulatory Task Force	Kathy Thomas gave a status report on the activities of this task force. The task force will provide recommendations for statutory changes to be introduced in the 2007 legislative session. These will include amendments to the peer review statute and the definition of reportable conduct.	No action.
5.3.6. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)	Mary Beth Thomas reported that TERCAP will meet on November 8-9, 2006.	No action.
5.3.7. Child Protective Services Nurse Consultant Scope of Practice Workgroup	Melinda Hester reported that the comprehensive adult and child protective services reform that resulted from Senate Bill 6 during the 79 th Legislative session, mandated many changes to the former Texas Department of Protective and Regulatory Services, now known as the Texas Department of Family and Protective Services. One of those changes resulted in the hiring of 12 nurse consultants for child protective services for the entire state of Texas. During their first meeting in September they asked for nursing licensure guidance as they began to formulate their scope of practice. The goal of the new CPS nurse consultants is to link the caseworkers with nursing experts for health related information.	No action.
5.3.8. Texas Clinical Nurse Specialist Group	Jolene Zych advised board members that a new professional organization, known as TX Clinical Nurse Specialists (CNSs), has developed and will serve as a professional organization for clinical nurse specialists. The organization is co-chaired by two	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>5.3.9. Texas Department of State Health Services Hospital Licensing Rules Committee Update</p>	<p>CNS faculty members and has a 15 member advisory board established. They expressed interest in working with the board on issues related to CNSs.</p> <p>Carol Marshall discussed comments DSHS received on the rule pertaining to Certified Registered Anesthetists in the hospital setting.</p>	
<p>OPEN FORUM:</p>	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>Elizabeth Sjoberg, Associate General Counsel, Texas Hospital Association spoke to the Board regarding proposed 22 T.A.C. §211.6 to request that THA be included on the committee.</p> <p>No one else came forward and the Open Forum was closed.</p>	<p>No action.</p>
<p>6. OLD BUSINESS 6.1. Nurse Licensure Compact Update</p>	<p>Katherine Thomas reported that National Council received the Health Resources and Services Administration (HRSA) Grant for Licensure Portability. The award is in the amount of \$342,000. The grant will provide funding for implementation of the Nurse Licensure Compact (NLC) by providing incentive grants for states to implement; provide funding to defray costs related to implementation of the uniform licensure requirements, including criminal background checks, by providing incentive grants to states; and provide funding for an annual nurse licensure portability summit to discuss licensure issues with states and stakeholders.</p>	<p>No action.</p>
<p>6.3. Update on Adoption of Rule reviews of Chapters 211, General provisions; 213, Practice and Procedure; and</p>	<p>Joy Sparks gave a verbal summary on the adoption of the proposed rule amendments.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>219, Advanced Nurse Practitioner Programs</p>		
<p>6.4. Report on NCSBN Annual Meeting and Delegate Assembly, August 1-4, 2006</p>	<p>Kathy Thomas reported on the elections of the new Officers, Directors, and Directors-at-Large to the Board of Directors, and Nominations Committee members. In addition the following items were adopted: the proposed language to the NCSBN Model Practice Act regarding criminal background; the proposed standard for drug screening; and the proposed 2007 <i>NCLEX-RN® Test Plan</i>. In addition the Bylaw revisions were considered but not adopted.</p>	
<p>7. NEW BUSINESS</p>		
<p>7.4. Request for Board Charge to Nursing Practice Advisory Committee on Developing Position Statement on Nursing Work Hours</p>	<p>The Board considered the request for a charge to the Nursing Practice Advisory Committee (NPAC) to develop a position statement regarding implications of nursing work hours and fatigue to the nurse's duty to maintain patient/client safety.</p>	<p>The Board voted to make a charge to the Nursing Practice Advisory Committee to develop a position statement on Nursing Work Hours and the Impact of Fatigue on Patient Safety.</p>
<p>7.6. Proposed Amendments to 22 Tex. Admin. Code §211.6, Regarding Committees of the Board Addressing Board Committees' Structure and Operating Criteria</p>	<p>The Board considered the proposed amendments to 22 Tex. Admin. Code §211.6 regarding Board committee structure and operating criteria.</p>	<p>The Board voted to propose amendments to 22 Texas Administrative Code section 211.6 pertaining to the Board's advisory committees with an amendment to add THA to the new proposed committee, and have it published in the <i>Texas Register</i> for a 30-day comment period. If no negative comments are received, adopt the rules as proposed.</p>
<p>7.7. Proposed Amendments to 22 Tex. Admin. Code §§ 214.7 and 215.7, Relating to Criteria for Faculty Waiver Requests in Nursing Programs</p>	<p>The Board reviewed the proposed amendments to 22 Tex. Admin. Code §§ 214.7 and 215.7, Relating to Criteria for Faculty Waiver Requests in Nursing Programs.</p>	<p>The Board voted to propose amendments to 22 Texas Administrative Code sections 214.7 and 215.7 incorporating the faculty waiver language, and have them published in the <i>Texas Register</i> for a 30-day comment period. If no negative comments are received, adopt the rules as proposed.</p>

AGENDA ITEM	DISCUSSION	ACTION
7.10. Susan Cryer, Petitioner for Exception to Rule 217.5(a)(1)	The Board considered Ms. Cryer's request that the Board waive the requirement that she comply with Rule §217.5(a)(1) related to Temporary License and Endorsement which states that "The requirements to obtain a non-renewable temporary license which is valid for 120 days, or a permanent license for endorsement are as follows: Graduation from an approved nursing education program."	The Board voted to deny the request from Susan Cryer to waive rule requirement for license endorsement in Rule 217.5(a)(1) which requires that the applicant must have graduated from an approved nursing education program.
8. PROPOSED BOARD ORDERS 8.5. Motion for Rehearing in the Matter of Permanent Certificate #179829, Issued to Jonathan Dwight Bryant	The Board considered the Motion for Rehearing in the Matter of Permanent Certificate #179829, Issued to Jonathan Dwight Bryant.	The Board voted to deny the Motion for Rehearing.
9. MISCELLANEOUS 9.2. Board Development: NCLEX Exam Item Review at Learning Center	The Board visited the NCLEX test site center and did a review on the NCLEX exam.	No action.
ADJOURNMENT	Having completed this day's business the meeting adjourned at 5:05 p.m.	

AGENDA ITEM	DISCUSSION	ACTION
RECONVENE	The board reconvened at 8:40 am on Friday, October 20, 2006.	
ROLL CALL	All members were present with the exception of Joyce Adams and Rosa Blanca Garcia. A quorum was established.	
1. ADMINISTRATION 1.2. Legal	No report.	No action.
1.3. Final Sunset Report and Staff Response	Katherine Thomas updated the Board on the Final Sunset Report and Staff's Response to the Sunset Report.	No action.
6. OLD BUSINESS 6.2. M.D. Anderson Patient Safety Pilot Program	Deborah Simmons provided an update to the board on the current status of the Patient Safety Pilot - Health Alliance Safety Partnership as authorized under the Texas Occupation Code Section 301.1606.	No action.
6.2.1. Consideration of M.D. Anderson Request to Extend the Patient Safety Pilot Study, Under its Existing Contract with the Board, to the Following Programs: 1) Seton Health Care Systems of Children's Hospital, Seton Medical Center Hospital and Seton NorthWest Hospital, Austin, Texas; 2) Uvalde Memorial Hospital, Uvalde, Texas; 3) Sid Peterson Hospital, Kerrville,	The Board considered the request for expansion of the Patient Safety Pilot Study Health Alliance Safety Partnership (HASP) under its existing contract with the Board.	The Board voted to approve M.D. Anderson's Request to Extend the Patient Safety Pilot Study Under its Existing Contract with the Board, to the Following Programs: 1) Seton Health Care Systems of Children's Hospital, Seton Medical Center Hospital and Seton NorthWest Hospital, Austin, Texas; 2) Uvalde Memorial Hospital, Uvalde, Texas; 3) Sid Peterson Hospital, Kerrville, Texas; 4) Palo Pinto General Hospital, Mineral Wells, Texas; and 5) St. Luke's Episcopal Community Medical Center, Woodlands, Texas.

AGENDA ITEM	DISCUSSION	ACTION
<p>Texas; 4) Palo Pinto General Hospital, Mineral Wells, Texas; and 5) St. Luke's Episcopal Community Medical Center, Woodlands, Texas</p>		
<p>7. NEW BUSINESS</p>		
<p>7.8. Proposed Amendment to 22 Tex. Admin. Code § 213.33, Addressing Factors Considered for Imposition of Penalties / Sanctions and/or Fines</p>	<p>The Board considered the Proposed Amendment to 22 Tex. Admin. Code § 213.33, Addressing Factors Considered for Imposition of Penalties / Sanctions and/or Fines.</p>	<p>The Board voted to propose amendments to 22 Texas Administrative Code section 213.33 pertaining to Factors Considered for Imposition of Penalties/Sanctions and/or Fines and have it published in the <i>Texas Register</i> for a 30-day comment period. If no negative comments are received, adopt the rules as proposed.</p>
<p>7.9. Proposed New Rule to 22 Tex. Admin. Code Chapter 213, Regarding the Nature of Certain Crimes and How They Relate to the Practice of Nursing in Discipline and Eligibility Matters</p>	<p>The Board considered the Proposed New Amendment to 22 Tex. Admin. Code § 213.28, Regarding the Nature of Certain Crimes and How They Relate to the Practice of Nursing in Discipline and Eligibility Matters.</p>	<p>The Board voted to propose amendments to 22 Texas Administrative Code section 213.28 pertaining to the Licensure of Persons with Criminal Backgrounds and have it published in the <i>Texas Register</i> for a 30-day comment period. If no negative comments are received, adopt the rule as proposed.</p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1. ALJ Proposal for Decision</p>		
<p>8.1.1. Docket No. 507-06-1036, In the Matter of Permanent Certificates #155860 and 667391, Issued to Angela K. O'Brien</p>	<p>The Board considered the Administrative Law Judge's Proposal for Decision Including Review of Staff's Exceptions to the Administrative Law Judge's Proposal for Decision. In addition the Board considered Staff's Presentation and Recommendations for Disposition of Docket No. 507-06-1036 Including Adoption of Order Accepting the Proposal</p>	<p>The Board voted to approve the proposed agreed order of Angela K. O'Brien with the following Agreed Order: ENFORCED SUSPENSION. Respondent's license is hereby suspended with said suspension enforced until Respondent completes a forensic psychological evaluation, by an examiner pre-approved by the Board and provides documentation</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.1.1.a. Consideration of the Administrative Law Judge’s Proposal for Decision Including Review of Staff’s Exceptions to the Administrative Law Judge’s Proposal for Decision</p>	<p>for Decision’s Findings of Fact and Conclusions of Law with Modifications and Suspending Licenses #155860 and #667391 or, Alternatively, Acceptance of Original Proposal for Decision.</p>	<p>of successful completion. Upon verification of said evaluation the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation: Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence; a board approved course in nursing ethics; and a board approved course in medication administration. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for two years of probation: 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 as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; 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.</p>
<p>8.1.1.b. Consideration of Staff’s Presentation and Recommendations for Disposition of Docket No. 507-06-1036 Including Adoption of Order Accepting the Proposal for Decision’s Findings of Fact and Conclusions of Law with Modifications and Suspending Licenses #155860 and #667391 or, Alternatively, Acceptance of Original Proposal for Decision</p>		
<p>8.6. Consideration of Special Agreed Order</p>	<p>The Board considered the Special Agreed Oder in the Matter of Permanent Certificate #701766, Issued to: Maria De Lourdes Ballard, Docket No. 507-06-2170. The Board did not hold the Executive Session.</p>	<p>The Board voted to approve the proposed agreed order with the following order: ENFORCED SUSPENSION. Respondent’s license is hereby suspended with said suspension enforced until Respondent completes a forensic psychological evaluation with a polygraph examination, by an examiner pre-approved by the Board and provides documentation of successful completion. Upon verification of said evaluation the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation: Within one year of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence; and a board approved course in nursing</p>
<p>8.6.1. Consideration of Agreed Order In the Matter of Permanent Certificate #701766, Issued to: Maria De Lourdes Ballard, Docket No. 507-06-2170</p>		
<p>8.6.2. Executive</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>Session pursuant to §551.071(1), Texas Government Code, to discuss pending litigation: Consideration of Respondent's Offer of Compromise to Settle in the Matter of Permanent Certificate #701766, Issued to Maria De Lourdes Ballard, Docket No. 507-06-2170</p> <p>8.6.3. Convene in Open Session to consider recommendations and take action: In the Matter of Permanent Certificate #701766, Issued to Maria De Lourdes Ballard, Docket No. 507-06-2170</p>		<p>ethics. The following terms of this probation may only be served while Respondent is employed as a nurse in a hospital, nursing home, or other clinical practice setting for two years of probation: 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 as a nurse under this order; Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period; 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.</p>
<p>9. MISCELLANEOUS 9.1. Board Items of Interest for Future Board Meetings</p>	<p>The Board discussed items of interest for upcoming meetings.</p>	<p>Phyllis Rawley requested board development on the Forensic Psychological Evaluations.</p>
<p>9.3. Appointment of Board Members for Eligibility and Disciplinary Committee for 2007</p>	<p>Linda Rounds called for Board Members to serve on the Eligibility and Disciplinary Committee for 2007.</p>	<p>The following Board Members were appointed to serve on the Eligibility and Disciplinary Committee:</p> <p>January-June, 2007 George Buchenau, Jr., Chair Phyllis Rawley Rachel Gomez</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>9.4. Appointment of Board Members for Informal Conferences for 2007</p>	<p>Linda Rounds called for Board Members to attend Informal Conferences for 2007.</p>	<p>July-December, 2007 Linda Rounds, Chair Beverley Nutall Anita Palmer</p> <p>The following Board Members volunteered to attend Informal Conferences:</p> <p>January, 2007 - Richard Gibbs April, 2007 - Beverley Nutall July, 2007 - George Buchenau, Jr. October, 2007 - Rachel Gomez</p>
<p>9.5. Appointment of Board Members and committee Chairs to BNE Standing Committees</p>	<p>Linda Rounds called for Board Members to serve on BNE Standing Committees.</p>	<p>The following Board Members were appointed to the listed Committees:</p> <p>Strategic Planning Rachel Gomez</p> <p>Sunset George Buchenau, Jr.</p> <p>Board Liaison for Board and Executive Director Evaluations Phyllis Caves 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 Rosie Garcia Brenda Jackson</p> <p>Internal Auditor Liaison Committee Deborah Bell Anita Palmer</p> <p>Task Force on Licensure, Eligibility and Discipline Phyllis Rawley Richard Gibbs</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>APN Liaison Committee Linda Rounds Brenda Jackson Rosie Garcia</p> <p>Task Force on Succession Planning Brenda Jackson Rachel Gomez Deborah Bell</p> <p>Task Force on Governance Phyllis Rawley Virginia Campbell Richard Gibbs</p>
9.6. Election of Board Vice President	Linda Rounds called for nominations for the Board Vice President, the following nomination was submitted: George Buchenau, Jr.	The Board voted George Buchenau, Jr. as the new Vice President.
9.7. Review of Process for Executive Director and Board Evaluation	Phyllis Rawley requested input and/or suggestions for changes in doing the Executive Director Evaluation and the Board Evaluation.	No action.
9.8. Review of Process for Board Quarterly Meeting Evaluations	The Board discussed the review of the process for the Board Quarterly Meeting Evaluation.	No action.
ADJOURNMENT:	Having completed all business as listed on the agenda, the meeting adjourned at 11:49 a.m.	
	<hr/> Linda Rounds, PhD, RN, FNP, Board President	
	<hr/> Katherine A. Thomas, MN, RN, Executive Director	