
BOARD OF NURSE EXAMINERS

Regular Meeting

Thursday, July 19, 2007

8:40 a.m. - 5:15 p.m.

Friday, July 20, 2007

8:42 a.m. - 12:53 p.m.

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Linda Rounds

Deborah Bell

George Buchenau, Jr.

Virginia Campbell

Richard Robert Gibbs

Rachel Gomez

Brenda Jackson

Beverley Nutall

Frank Sandoval

Blanca Rosa Garcia

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

Mark Majek, Director of Operations

James "Dusty" Johnston, General Counsel

Joy Sparks, Assistant General Counsel

Victoria Cox, Assistant General Counsel

Mary Beth Thomas, Director of Nursing

Sabrina McDonald, Administrative Assistant

Jolene Zych, Nursing Consultant

Virginia Ayars, Nursing Consultant

Robbin Wilson, Nursing Consultant

Carol Marshall, Nursing Consultant

Janice Hooper, Nursing Consultant

Dorothy Joy, Nursing Consultant

Melinda Hester, Nursing Consultant

Bruce Holter, Information Specialist

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Linda Rounds called the meeting to order at 8:40 a.m, Thursday, July 19, 2007.	
ROLL CALL	All members were present. A quorum was established.	
INTRODUCTIONS	Board members and staff introduced themselves to the audience.	
ACCEPTANCE OF AGENDA	The Board reviewed the agenda.	<p>The following correction was made to the agenda: Agenda item 3.2.2. was corrected to have the word "Initial" removed from the description. The Agenda was then approved.</p>
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the April 18, 2007 Public Hearing and the April 19-20, 2007 Board meeting.	<p>Linda Rounds requested that the minutes from the April 18, 2007 Public Hearing be amended to reflect that Carol Marshall did a power point presentation on the Proposed Position Statement and the Survey results.</p> <p>The Board approved the minutes from the April 18, 2007 public hearing.</p> <p>Linda Rounds requested that the minutes from the April 19-20 board meeting be corrected to reflect her recusal on the University of Texas Medical Branch not the University of Texas Health Science Center.</p> <p>The Board approved the minutes from the April 19-20, 2007 meeting.</p>
CONSENT AGENDA ITEMS		<p>The Consent agenda was reviewed and approved with the following changes:</p> <p>Blanca Rosa Garcia recused herself from the consideration and vote on Item 3.2.1.a. Del Mar College (Generic VN).</p> <p>Deborah Bell recused herself from the consideration and vote on Item 8.2. Agreed Orders of : Jon David Lambert, RN #643683 Jess Ramirez, RN #580259</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>2.1. Financial Statement - 3RD Quarter, Fiscal Year 2007</p>		<p>Deborah Bell recused herself from consideration and vote on Item 8.3. Reinstatement Agreed Order of: Robin Marie Cross, RN# 665021/LVN #157475</p> <p><i>Approved on Consent.</i></p>
<p>2.2. Continuing Education Pre-Renewal Audit Report/ 3RD Quarter, Fiscal Year 2007</p>		<p><i>Approved on Consent.</i></p>
<p>3.1.1. Workshop Report</p>		<p><i>Approved on Consent.</i></p>
<p>3.2.1. Confirmation of Approval Status Based on 2006 NCLEX-PN Examination Pass Rates and Review of 2006 Annual Reports</p> <p>3.2.1.a. Full Approval with Commendations Alvin Community College Angelina College at Lufkin - MEEP Angelina College at Lufkin, Crockett & Jasper Army Practical Nurse Course Austin Community College at Austin (Fredericksburg) Austin Community College at Fredericksburg</p>	<p><i>The Board considered the 2006 NCLEX-PN examination pass rates and review of 2006 Annual Reports.</i></p>	<p><i>The Board voted to continue full approval with commendations.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Blinn College at Brenham</i> <i>Blinn College at Bryan</i> <i>Brazosport Community College</i> <i>Central Texas College at Brady</i> <i>Central Texas College at Killeen</i> <i>Cisco Junior College</i> <i>Coastal Bend College at Alice</i> <i>Coastal Bend College at Beeville</i> <i>Coastal Bend College at Kingsville</i> <i>Coastal Bend College at Pleasanton</i> <i>College of the Mainland</i> <i>Computer Career Center</i> <i>Dallas Nursing Institute (formerly North Texas Professional Career Institute)</i> <i>Del Mar College (Generic VN)</i> <i>El Centro College</i> <i>El Paso Community College at Mission</i> <i>Del Paso</i> <i>Grayson County College</i> <i>Hill College at Clifton - Day</i> <i>Hill College at Clifton - Evening</i> <i>Hill College at Glen Rose</i> <i>Hill College at Hillsboro</i> <i>Hill College at Johnson County</i> <i>Campus at</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Cleburne Houston Community College System Howard College at Big Spring Howard College at San Angelo Joe G. Davis Kilgore College at Longview Kingwood College (NHMCCD) Laredo Community College Lee College Montgomery College Navarro College at Corsicana Navarro College at Ellis County Navarro College at Mexia North Central Texas College North Harris College (NHMCCD) - MEEP Northeast Texas Community College at Mt. Pleasant Odessa College at Andrews Odessa College at Monahans Panola College at Shelby College Center Paris Junior College- Traditional San Jacinto College North San Jacinto College South Schreiner University South Plains College at Levelland</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>South Plains College at Plainview</i> <i>South Plains College at Reese Center</i> <i>South Texas College at Rio Grande City</i> <i>St. Philip's College at Seguin</i> <i>Temple College at Taylor</i> <i>Temple College at Temple</i> <i>Texarkana College</i> <i>Tomball College</i> <i>Trinity Valley Community College at Kaufman</i> <i>Trinity Valley Community College at Palestine</i> <i>Tyler County Hospital</i> <i>University of Texas at Brownsville & Texas Southmost College</i> <i>Vernon College at Wichita Falls - Evening Program</i> <i>Victoria College at Hallettsville</i> <i>Victoria College at Victoria - Day</i> <i>Weatherford College</i> <i>Wharton County Junior College at Richmond</i> <i>Wharton County Junior College at Wharton</i></p>		
<p><i>3.2.1.b. Full Approval with No Recommendations and No</i></p>	<p><i>The Board considered the 2006 NCLEX-PN examination pass rates and review of 2006 Annual Reports.</i></p>	<p><i>The Board voted to continue full approval for the programs listed, with no recommendations and no requirements to be met.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Requirements</i> <i>Amarillo College</i> <i>Childress Regional</i> <i>Medical Center</i> <i>Concorde Career</i> <i>Institute</i> <i>El Paso</i> <i>Community</i> <i>College - MEEP</i> <i>Frank Phillips</i> <i>College</i> <i>Galen Health</i> <i>Institute</i> <i>Galveston College</i> <i>Lamar State</i> <i>College at Orange</i> <i>- Day Program</i> <i>(Evening Program)</i> <i>Lamar State</i> <i>College at Port</i> <i>Arthur</i> <i>McLennan</i> <i>Community</i> <i>College - MEEP</i> <i>McLennan</i> <i>Community</i> <i>College-</i> <i>Traditional</i> <i>Midland College at</i> <i>Ft. Stockton</i> <i>Midland College at</i> <i>Midland - Day</i> <i>Panola College at</i> <i>Carthage</i> <i>Ranger Junior</i> <i>College at College</i> <i>at Comanche</i> <i>Ranger Junior</i> <i>College at College</i> <i>at Early</i> <i>South Texas</i> <i>College at McAllen</i> <i>- Day</i> <i>South Texas</i> <i>College at McAllen</i> <i>- Evening</i> <i>South Texas</i> <i>College at Weslaco</i> <i>Southwest Texas</i> <i>Junior College at</i> <i>Del Rio</i> <i>Southwest Texas</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Junior College at Eagle Pass</i> <i>St. Philip's College at San Antonio</i> <i>Texas State Technical College at Breckenridge</i> <i>Texas State Technical College at Sweetwater - Day</i> <i>Texas State Technical College at Sweetwater - Evening</i> <i>Tyler Junior College at Jacksonville (Day & Evening)</i> <i>Tyler Junior College at Tyler (Day & Evening)</i> <i>Valley Baptist Medical Center</i> <i>Valley Grande Institute for Academic Studies</i> <i>Vernon College at Wichita Falls - Day Program</i> <i>Victoria College at Cuero</i> <i>Victoria College at Gonzales</i></p> <p>3.2.2. <i>Continuation of Approval Status Based on 2006 NCLEX-PN Examination Pass Rates, Review of 2006 Annual Report and Review of Survey Visit Report</i></p> <p>3.2.2.a. <i>Anamarc Educational Institute, Vocational Nursing Education Program</i></p>	<p><i>The Board considered the approval status of the Anamarc Educational Institute Vocational Nursing Education Program at El Paso, Texas based on review of the 2006 Annual Report and the report of the May 23, 2007 site survey visit.</i></p>	<p><i>The Board voted to continue the Initial Approval Status of Anamarc Educational Institute Vocational Nursing Education Program, based on staff review of the 2006 Annual Report and the survey visit report, accept the survey visit report, and</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.2.b. Baptist Health System Vocational Nursing Education Program</p>	<p>The Board considered the continuation of the Baptist Health System School of Health Professions Vocational Nursing Education Program full approval status based on the 2006 NCLEX-PN® Examination Pass Rates, review of the 2006 Annual Report and the review of the survey visit report.</p>	<p><i>issue the commendations, recommendations and requirements to be met.</i></p> <p>The Board voted to continue the Full Approval status of Baptist Health System School of Health Professions Vocational Nursing Education Program, based on review of the 2006 Annual Report, review of the 2006 NCLEX-PN examination pass rates, and review of the survey visit report, accept the survey visit report, and <i>issue the commendations, recommendations, and requirement to be met based on staff recommendation.</i></p>
<p>3.2.3. Continuation of Approval Status Based on 2006 NCLEX-RN Examination Pass Rates, Review of 2006 Annual Report and Review of Self Study</p>		
<p>3.2.3.a. Cisco Junior College, Associate Degree Nursing Education Program</p>	<p>The Board considered staff's recommendation concerning approval status and requirements to be met for Cisco Junior College Associate Degree Nursing Education Program (LVN to ADN Track) based on review of the NCLEX-RN® examination pass rate for 2006, review of the 2006 Annual Report, and review of the May 22, 2007 self study report.</p>	<p>The Board voted to continue full approval status for Cisco Junior College Associate Degree Nursing Education Program, accept the Self Study Report, and issue a requirement to be met.</p>
<p>3.2.3.b. Kilgore College, Associate Degree Nursing Education Program</p>	<p>The Board considered staff's recommendation concerning approval status and requirements to be met for the Kilgore College Associate Degree Nursing Education Program based on review of the NCLEX-RN® examination pass rate for 2006, review of the 2006 Annual Report, and review of the self-study report.</p>	<p>The Board voted to continue full approval status for the Kilgore College Associate Degree Nursing Education Program, accept the Self-Study Report, and issue the requirements to be met</p>
<p>3.2.3.c. Navarro College, Associate Degree Nursing Education Program</p>	<p>The Board considered staff recommendation concerning approval status, commendations and requirements to be met for the Navarro College</p>	<p>The Board voted to continue full approval status for the Navarro College Associate Degree Nursing Education Program, accept the Self-Study Report, and issue the</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Associate Degree Nursing Education Program based on review of the NCLEX-RN® exam pass rate for 2006, review of the 2006 Annual Report, and review of the self-study report.</i></p>	<p><i>commendation and requirement.</i></p>
<p><i>3.2.3.d. Vernon College, Associate Degree Nursing Education Program</i></p>	<p><i>The Board considered the staff recommendation concerning approval status and requirements to be met for the Vernon College Associate Degree Nursing Education Program based on review of the NCLEX-RN® examination pass rate for 2006, review of the 2006 Annual Report, and review of the self-study report.</i></p>	<p><i>The Board voted to continue full approval status for the Vernon College Associate Degree Nursing Education Program, accept the Self-Study Report, and issue the requirements to be met</i></p>
<p><i>3.2.4. Notification of Consolidation of Vocational Nursing Education Programs</i></p> <p><i>3.2.4.a. Hill College at Cleburne, Hill College at Clifton A.M. and P.M. Programs, Hill College at Hillsboro, and Hill College at Glen Rose</i></p>	<p><i>The Board reviewed the consolidation of the five vocational nursing programs into one program utilizing the current program code for the program located at Hillsboro.</i></p>	<p><i>No Board action required. This notification is for information purposes only.</i></p>
<p><i>3.2.4.b. Southwest Texas Junior College at Uvalde, Southwest Texas Junior College at Del Rio, and Southwest Texas Junior College at Eagle Pass</i></p>	<p><i>The Board reviewed the notification of consolidation of the three vocational nursing education programs into one program.</i></p>	<p><i>No Board action required. This notification is for information purposes only.</i></p>
<p><i>3.2.4.c. Tyler Junior College at Jacksonville Day and Evening Programs and Tyler Junior College at Tyler</i></p>	<p><i>The Board reviewed the notification of consolidation of the four vocational nursing education programs.</i></p>	<p><i>No Board action required. This notification is for information purposes only.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Day and Evening Programs</i></p>		
<p><i>3.2.4.d. Wharton County Junior College at Wharton and Wharton County Junior College at Richmond</i></p>	<p><i>The Board reviewed the notification of consolidation of the two vocational nursing education programs.</i></p>	<p><i>No Board action required. This notification is for information purposes only.</i></p>
<p><i>3.2.5. Report of Routine Six-Year Survey Visit</i></p>		
<p><i>3.2.5.a. Army Practical Nurse Course, Phase II Site, Washington, District of Columbia</i></p>	<p><i>The Board reviewed the report of the six-year routine survey visit to the Army Practical Nurse Program Phase Two site at Walter Reed Army Medical Center in Washington, District of Columbia conducted on April 24, 2007.</i></p>	<p><i>The Board voted to accept the report of the routine six-year survey visit of the Army Practical Nurse Program Phase Two site, Walter Reed Army Medical Center in Washington, District of Columbia and issue the recommendations and requirement to be met based on staff recommendation.</i></p>
<p><i>3.2.5.b. Army Practical Nurse Course, Phase II Site, Ft. Gordon, Georgia</i></p>	<p><i>The Board reviewed the report of the six-year routine survey visit to the Army Practical Nurse Program Phase Two site at Dwight David Eisenhower Army Medical Center, Fort Gordon, Georgia conducted on April 25, 2007.</i></p>	<p><i>The Board voted to accept the report of the routine six-year survey visit of the Army Practical Nurse Program Phase Two site, Dwight David Eisenhower Army Medical Center at Fort Gordon in Atlanta, Georgia and issue the commendation, recommendations and requirement to be met based on staff recommendation.</i></p>
<p><i>3.2.5.c. Tyler Junior College, Associate Degree Nursing Education Program</i></p>	<p><i>The Board reviewed the report of the routine six-year survey visit of the Tyler Junior College Associate Degree Nursing Education Program conducted on May 9, 2007.</i></p>	<p><i>The Board voted to accept the report of the routine six-year survey visit of Tyler Junior College Associate Degree Nursing Education Program and issue the commendations and recommendations to be met based on staff recommendation.</i></p>
<p><i>3.2.6. Petition Requesting Waiver for Interim Director Appointment - Texas A&M International University, Baccalaureate Degree Nursing Education Program</i></p>	<p><i>The Board considered the petition from Texas A&M International University Canseco School of Nursing for a waiver of director qualifications on behalf of Natalie Burkhalter, MSN, RN, FNP and the recommendation from the Education Liaison Committee (ELC) regarding the petition.</i></p>	<p><i>The Board voted to approve the appointment of Natalie Burkhalter, MSN, RN, FNP as Interim Director of the Canseco School of Nursing at Texas A&M International University based on the recommendation from the Education Liaison Committee.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p><i>Approved on Consent.</i></p>
<p>5.1.2. Strategic Planning/3RD Quarter Report</p>		<p><i>Approved on Consent.</i></p>
<p>5.3.4. Texas Higher Education Coordinating Board Committee to Increase RN Graduates in Texas</p>		<p><i>Approved on Consent.</i></p>
<p>7.1.1. TPAPN Quarterly Report</p>		<p><i>Approved on Consent.</i></p>
<p>8. PROPOSED BOARD ORDERS</p>		
<p>8.1 ALJ Proposal for Decision</p>		<p><i>The Board voted to ratify the Proposal for Decision with the following results:</i></p>
	<p>Jacqueline Louise Kubena, RN #583207</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>Lena Cristine Skaggs, LVN #121876</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>The board voted to ratify the Agreed Orders on Consent with the following results:</i></p>
	<p>Terrie Delana Baker, LVN #194380</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 medication administration; 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Twayna Lynn Batiste, LVN #151279</p> <p>Linda Anne Brooks, LVN #81780</p>	<p><i>direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: 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>Suspend Probate. Respondent's license is hereby suspended with said suspension stayed. Respondent shall successfully complete a nursing refresher course prior to returning to the practice of vocational nursing. Upon verification of successful completion of the refresher course, Respondent shall be issued a license which shall be subject to the following agreed post-licensure stipulations: Within one year of entry of the stay Respondent shall successfully complete a board approved course in nursing jurisprudence and 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; and Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy.</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 board approved course in nursing jurisprudence and ethics. It is further agreed that should Respondent</p>

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	<p>Darla Brown, RN #629349</p>	<p><i>practice as a LVN in the State of Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <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 fine in the amount of \$500. Respondent shall within one year of entry of this order successfully complete a board approved course in nursing jurisprudence and 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 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 772 922 804">Dociaette Dyanne Burchett, LVN #109774</p> <p data-bbox="407 1535 886 1566">Elaine Christina Clements, RN #691787</p>	<p data-bbox="951 304 1464 716"><i>meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Respondent shall participate in therapy with a board approved therapist and shall cause the therapist to submit quarterly reports regarding Respondent's progress in therapy until released from therapy. and Respondent shall cause her probation officer to submit quarterly written reports regarding Respondent's compliance with her court ordered probation until released from probation.</i></p> <p data-bbox="951 779 1464 1478">Warning with Stipulations. <i>Within ninety days of entry of this order Respondent shall pay a monetary fine in the amount of \$800. 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. It is further agreed that should Respondent practice as a LVN in the State of Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="951 1541 1464 1978">Warning with Stipulations. <i>Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and ethics; a board approved course in physical assessment; and a board approved course in nursing documentation. Should Respondent choose to practice as a RN in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Teresa Gayle Grammar, LVN #104092</p>	<p><i>employment under this order.</i></p> <p>Enforced Suspension. Respondent's license is hereby suspended with said suspension enforced until Respondent obtains an evaluation by a pain management doctor, completes a treatment program approved by the Board, provides documentation of successful completion of the treatment program, 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 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Martha Ann Hernandez, LVN #170522</p>	<p><i>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 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 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.</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 ethics; 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,</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Erica Michelle Macias a/k/a Erica Fowler, LVN #174128</i></p>	<p><i>and a board approved course in nursing documentation. . Upon verification of successful completion of the above listed courses the suspension will be STAYED and Respondent will be placed on Probation for two years with the following agreed terms of probation: 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 direct supervision with employment restrictions for the first year of employment under this order; and Respondent shall have in-direct supervision with employment restrictions for the remainder of the stipulation period.</i></p> <p><i>Enforced Suspension.</i> Respondent's license is hereby suspended with said suspension enforced until Respondent completes a treatment program approved by the Board, provides documentation of successful completion and has obtained twelve consecutive months of sobriety. Upon verification of successful completion of the approved inpatient treatment and twelve consecutive months of sobriety 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 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</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Mercy Obi Ojuma, LVN #201758</p>	<p><i>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 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; 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>Reprimand with Stipulations. Respondent shall fully comply with all the terms and conditions of the Order of the board issued to Respondent on September 28, 2005, by the Oklahoma Board of Nursing. Respondent shall cause the Oklahoma Board of Nursing to submit quarterly reports regarding Respondent's compliance with the Oklahoma Board order and Respondent shall cause the Oklahoma Board of Nursing to submit written verification of Respondent's successful completion of that order.</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>David Suarez, RN #568617</p>	<p><i>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>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 \$750. Within one year of entry of this order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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 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; and Respondent</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>Carmela Diann Trevino, LVN #180674/RN #719900</i></p> <p><i>Bertha Hartace Waliky, LVN #135943</i></p>	<p><i>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>Warning with Stipulations.</i> <i>Within thirty days of entry of this order Respondent shall initiate contact with E.J. and make arrangements to repay E.J. and provide confirmation of these repayment arrangements to the Board signed by E.J. and Respondent, upon repayment of all funds borrowed, shall provide the board with verification of such repayment. 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 and ethics; and Respondent shall obtain and read the brochure Professional Boundaries published by the NCSBN. Should Respondent choose to practice as a nurse in Texas, Respondent will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Respondent shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer reports; and Respondent shall have indirect supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Warning with Stipulations.</i> <i>Within one year of this order Respondent shall successfully complete a board approved course in nursing jurisprudence; 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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.3. REINSTATEMENT AGREED ORDERS</p>	<p>Melissa A. Barnes (Booth), RN #651953</p>	<p><i>restrictions for the duration of the stipulation period.</i></p> <p>Reinstated with Stipulations. <i>Petitioner's Application for Reinstatement shall be granted with the following conditions: Petitioner shall pay a monetary fine within forty-five days of relicensure in the amount of \$500. Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence and 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 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 in-direct supervision with employment restrictions for the remainder of the stipulation period; Petitioner shall have employment restrictions for the first year of employment under this order; Petitioner shall not practice in any critical care area for the first year of employment under this order; Petitioner shall not administer or have any contact with controlled substances for the first year of employment under this order; Petitioner shall abstain from the consumption of alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or the use of controlled substances; Petitioner shall submit to periodic screens for controlled substances and alcohol; Petitioner shall attend at least two support group meetings each week, one of which shall be for substance abuse and shall provide acceptable proof of such attendance; Petitioner shall participate in therapy with</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Robin Marie Cross, LVN #157475/RN #665021</p> <p>Jennifer Marie Foster, LVN #172894</p>	<p><i>a board approved therapist and shall cause the therapist to submit quarterly reports regarding Petitioner’s progress in therapy until released from therapy; and Petitioner shall cause her probation officer to submit quarterly written reports regarding Petitioner’s compliance with her court ordered probation until released from probation.</i></p> <p>Reinstated with Stipulations. <i>Petitioner’s Application for Reinstatement shall be granted with the following conditions: Within forty-five days of entry of this order Petitioner shall pay a monetary fine in the amount of \$250. 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>Reinstated with Stipulations. <i>Petitioner’s Application for Reinstatement shall be granted with the following conditions: Within one year of relicensure Petitioner shall successfully complete a board approved course in nursing jurisprudence; a board approved course in medication administration; a board approved course in nursing documentation; and a board approved course in nursing ethics. Should Petitioner choose to practice as a LVN in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home, or other clinical setting under the following stipulations for one year of employment: Petitioner shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer 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; Petitioner shall submit to periodic screens for controlled substances and alcohol; and Petitioner shall participate in therapy with a board approved therapist and shall cause</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>Trisha Trenee Lister, Applicant for Licensure by Endorsement (LVN)</p>	<p><i>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 forty-five days of entry of initial licensure Petitioner shall pay a monetary fine in the amount of \$250. 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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p><i>Applicant for Licensure by Endorsement. Upon meeting the requirements for licensure and payment of any required fees, Applicant is hereby Conditionally Eligible for licensure in Texas with conditions. Within one year of initial licensure Applicant shall successfully complete a board approved course in nursing jurisprudence and ethics. Should Applicant choose to practice as a LVN in Texas, Applicant 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: Applicant shall notify present/future employers of the board order; shall provide notification of employment; shall provide employer 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;</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p data-bbox="407 968 922 1031"><i>Linsi Anne Varner, Petitioner for Initial Licensure (RN) and LVN #201749</i></p> <p data-bbox="407 1797 922 1860"><i>Michael Robert Warren, Jr., Petitioner for Initial Licensure (RN)</i></p>	<p data-bbox="951 306 1463 909"><i>§250. 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 two years 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; and Petitioner shall have in-direct supervision with employment restrictions for the duration of the stipulation period.</i></p> <p data-bbox="951 968 1463 1734"><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. It is further agreed at the time of initial licensure should Petitioner practice as a nurse in Texas, Petitioner will provide direct patient care and practice in a hospital, nursing home or other clinical setting in compliance with the order of the Board issued to Petitioner on November 8, 2005 which is still in effect in its entirety and Petitioner shall be responsible for completing the terms of that order under her professional or vocational nursing licenses.</i></p> <p data-bbox="951 1797 1463 1976"><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</i></p>

AGENDA ITEM	DISCUSSION	ACTION
	<p><i>for temporary authorization to practice as a graduate nurse in the State of Texas. Petitioner upon attaining a passing grade on the NCLEX-RN shall be issued a license to practice nursing in Texas which shall bear the appropriate notation and Petitioner shall be subject to the following stipulation: 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>Jamie Ruth Wine, Petitioner for Initial Licensure (RN)</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 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; Petitioner 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>1. ADMINISTRATION 1.1. Executive Director’s Report 1.2. Legal</p>	<p>Katherine Thomas reviewed her written report to the board.</p> <p>No report.</p>	<p>No action.</p> <p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
1.3. Legislative Update	Katherine Thomas reviewed the pending and passed legislation with the Board.	This report was for informational purposes only. No action.
1.5. Business Process Review of Administrative Functions for the Health Profession Council Agencies by the Office of the Governor	Katherine Thomas reviewed the Business Process Review of Administrative Functions for the Health Profession Council Agencies proposed by the Office of the Governor.	This report was for informational purposes only. No action.
1.4. Report on Implementation of Sunset Legislation	Katherine Thomas reported on the Sunset Legislation.	This report was for informational purposes only. No action.
3. NURSING		
3.2. EDUCATION		
3.2.7. Petition to Request Extension of Waiver for Interim Director-Brookhaven Community College, Associate Degree Nursing Education Program	The Board considered the request from Brookhaven College Associate Degree Nursing Education Program for an extension of the Interim Director appointment of Juanita Zapata Flint, MS, RN, FNP-BC. Sue McLelland, MS, RN and Richard McCrary, EdD were present to answer questions.	The Board voted to grant an extension of the appointment of Juanita Zapata Flint, MS, RN, FNP-BC as Interim Director for the Brookhaven College Associate Degree Nursing Education Program for a second year, through August 2008.
3.2.8. Report of Focused Survey Visit		
3.2.8.a. Computer Career Center, Vocational Nursing Education Program	The Board considered the staff recommendation based on findings of the focused survey visit to Computer Career Center conducted on May 22, 2007. Lee Chayes, President, Amber Borrego, School Director, Cynthia Chizen, BSN, RN, and Sherie Shoupe, MSN, RN, were present to answer questions.	The Board voted to accept the report of the survey visit, issue the commendations, recommendations and requirements to be met and added a requirement that staff to do another survey visit.
3.2.8.b. Patty Hanks Shelton School of Nursing, Baccalaureate Degree Nursing Education Program	The Board considered the report of the May 2, 2007 survey visit and the staff recommendation concerning commendations and recommendations to be met based on the outcome of the survey visit. Dr. Sharon Souter, BSN, Director and Stephanie Akins, BSN, RN were present to	The Board voted to accept the report of the survey visit of Patty Hanks Shelton School of Nursing Baccalaureate Degree Nursing Education Program and issue the commendations and recommendations based on the outcome of the survey visit.

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.8.c. St. Philip's College, Associate Degree Nursing Education Program</p>	<p>answer questions.</p> <p>The Board considered the report of the June 12, 2007 survey visit and the staff recommendation concerning commendations, requirements and recommendations to be met based on the outcome of the survey visit. Clara Wallace, MSN, RN, Program Director, Dr. Bess Stewart, Interim Chair, Dr. Patricia Candia, VP for Academic Affairs and Dr. Adena Loston, President were present to answer questions.</p>	<p>The Board voted to accept the report of the survey visit of St. Philip's College Associate Degree Nursing Education Program and issue the commendations, recommendations and requirements based on the outcome of the survey visit.</p>
<p>3.2.9. Public Hearing for Proposal to Establish a New Nursing Education Program</p>		
<p>3.2.9.a. American Medical Institute, Vocational Nursing Institute</p>	<p>The Board considered American Medical Institute's proposal to establish a Vocational Nursing Program in Houston, Texas and results of the survey visit conducted by board staff. Ify Emanah, RN, PharmD, Director, Leo Emanah, President, Cathy Jimmons, Dr. Valerie Oji, and Donald Mbama, Attorney were present to answer questions.</p>	<p>The Board voted to approve a vocational nursing education program to be established by American Medical Institute and grant the program Initial Approval status and issue requirements to be met.</p>
<p>3.2.9.b. Career Academy of Texas, Vocational Nursing Education Program</p>	<p>The Board considered Career Academy of Texas, Incorporated's proposal to establish a Vocational Nursing Program in Grapevine, Texas and results of the survey visit conducted by board staff. Regina Oyekoya, RN, BSN, MSN, Debra Obera, RN, BSN, MSN, Sanjo Ojo, BSC, LVN, Nosa Evbuomwan, Msc, DIC, PhD, and Anne Evbuomwan, B.Sc, MSW, LMSW were present to answer questions.</p>	<p>The Board voted to deny approval of the proposal for a vocational nursing education program to be established by Career Academy of Texas until such time, and no sooner than one (1) year from July 19, 2007, that Career Academy of Texas, Incorporated submits a comprehensive proposal that reflects the requirements of Rule 214 and the applicable Board guidelines, board staff reviews the new proposal, a survey visit of the proposed program's facility is conducted by board staff, and the Board is able to determine that the proposed program meets all the requirements necessary to be approved by the Board to offer a vocational nursing education program of study.</p>

AGENDA ITEM	DISCUSSION	ACTION
3.2.9.c. St. Michael's School of Nursing and Technology, Vocational Nursing Education Program	The Board considered St. Michael's School of Nursing and Technology proposal to establish a Vocational Nursing Program in Weslaco, Texas and results of the survey visit conducted by board staff. Martha R. Montelongo, AD, MLT, Owner, Marta Elva Perez, MSN, RN, FNP, and Guadalupe Castillo, BSN, RN, were present to answer questions.	The Board voted to approve a vocational nursing education program to be established by St. Michael's School of Nursing and Technology and grant the program Initial Approval status and issue the commendations, recommendation, and requirements to be met.
3.2.9.d. Wayland Baptist University, Baccalaureate Degree Nursing Education Program	The Board considered Wayland Baptist University, San Antonio, Texas proposal to establish a new baccalaureate degree nursing education program and the report of a survey visit. Diane Frazor, EdD, RN, Dr. James Antenen, and Dr. Elaine Seebo were present to answer questions.	The Board voted to grant initial approval for the Wayland Baptist University to establish a new baccalaureate degree nursing education program based upon the proposal and findings from the survey visit and issue the commendation and requirements.
3.2.10. Consideration of Proposed Change in Approval Status Based on Preliminary 2007 NCLEX-RN Examination Pass Rates-Hill College, Associate Degree Nursing Education Program	The Board considered the proposed change of the approval status from Initial to Full for the Hill College Associate Degree Nursing Education Program based on the preliminary NCLEX-RN® examination pass rates for the first graduating class. Dr. Jeanean Boyd, Lori Moseley and Joel McKaylen were present to answer questions.	The Board voted to change the approval status from Initial to Full for the Hill College Associate Degree Nursing Education Program based on review of the NCLEX-RN® examination pass rates for the first graduating class.
4. ENFORCEMENT 4.1. Criminal Background Check Update	The board reviewed the statistical report provided regarding criminal background checks.	No action.
5. COMMITTEE REPORTS 5.1. Board Committees 5.1.3. Development and Evaluation	MaryBeth Thomas reported that staff has begun to review cases for the TERCAP project.	No action.

AGENDA ITEM	DISCUSSION	ACTION
5.1.4. Task Force on Executive Director Succession Planning	The Board considered the proposed Executive Director Succession Plan.	The Board voted to adopt the succession plan.
5.1.5. Task Force on Board Governance Policies	The Board considered the proposed revisions to the Board Governance Policies.	The Board voted to approve the Board Governance Policies and instructed staff to make amendments to clarify End No. 2 and Means No. 2a.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nurses Advisory Committee	No report.	No action.
5.2.2. Nursing Practice Advisory Committee	No report.	No action.
5.2.3. Advisory Committee on Education	No report.	No action.
5.2.4. Task Force on Licensure, Eligibility and Discipline	Dusty Johnston reported that the committee met on July 13, 2007, a new committee chair was elected and Policies and Procedures of the Committee were created and implemented.	No action.
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Texas Peer Assistance Program for Nurse Advisory Committee	No report.	No action.
5.3.2. Texas Competency	Mary Beth Thomas provided the Board with an update of the activities of the	No action.

AGENDA ITEM	DISCUSSION	ACTION
Consortium	Texas Competency Consortium.	
5.3.3. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee	Katherine Thomas reported on the status of nursing education funding bills passed by the legislature.	No action.
5.3.5. Taxonomy of Error Root Cause Analysis of Practice Responsibilities (TERCAP)	Mary Beth Thomas provided an update of the TERCAP project.	No action.
OPEN FORUM:	<p>Linda Rounds announced the format and invited participation from the audience.</p> <p>Jeanette Anderson spoke to the Board asking if there was a correlation between the finger print hits and board disciplinary action. Ms. Anderson also wanted to know the Board's progress in relationship to establishing a procedure for measuring continued competence.</p> <p>No one else came forward and the Open Forum was closed.</p>	No action.
6. OLD BUSINESS		
6.1. Nurse Licensure Compact Update	Katherine Thomas provided an update on the Nurse Licensure Compact.	No action.
6.2. Update on Amendments to §§ 216.1, 216.3, 216.4, 216.9 and 216.11 relating to Continuing Education	Joy Sparks gave a verbal summary on the adoption of the proposed rule amendments.	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>6.3. Update on the Memorandum of Understanding of the Department of Aging and Disability Services (DADS) and the Board of Nurse Examiners</p>	<p>Joy Sparks reported that the Memorandum of Understanding was posted in the Texas Register.</p>	<p>No action.</p>
<p>6.4. Update on Proposed Position Statement 15.26</p>	<p>Melinda Hester reported that an article was developed summarizing the results of the on-line survey, the written comments, testimony received during the public hearing and the Board’s decision not to approve the draft position statement. The article was placed on the website in April. The article is now in the July issue of the BNE Bulletin. In addition, NPAC plans to reconvene later this year or early next spring in order to reconsider the information received and formulate new recommendations.</p>	<p>No action.</p>
<p>7. NEW BUSINESS</p>		
<p>7.1.2. Review of the TPAPN Contract</p>	<p>The Board considered Staff’s request for approval of a TPAPN Contract Addendum which extends the TPAPN contract for another 2 years and makes modifications to reflect Sunset Recommendations and new Extended Evaluation Program.</p>	<p>The Board voted to approve the TPAPN Contract as outlined.</p>
<p>7.1.3. Update on the Extended Evaluation Programs</p>	<p>The Board considered the “Extended Evaluation Program” (EEP) as a special, limited participation status that involves an extended evaluation monitoring period of up to one year for nurses reported for a one time inappropriate or suspicious drug use or misuse but that are initially evaluated as having a low probability of chemical dependency.</p>	<p>The Board voted to approve TPAPN’s EEP referral program as outlined</p>
<p>7.2. Consideration of Petitioner Susan Jones, RN</p>	<p>The Board considered Ms. Jones’ request for exception to § 221.3.</p>	<p>The Board voted to deny Ms. Jones’ request for exception.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>#237014 Request for Exception to §221.3</p> <p>7.4. Action Items Related to Sunset Bill, HB2426</p> <p>7.4.1. Request for a Charge from the Board to the Advisory Committee on Education Regarding Rule Revisions Mandated by HB 2426</p> <p>7.4.2. Request for a Charge from the Board to the Nursing Practice Advisory Committee Regarding Rule Review and Revisions of 217.19, Incident Based Peer Review and 217.20, Safe Harbor Peer Review, Mandated by SB 993</p> <p>7.4.3. Consideration of Proposed Amendments to Section 211.6, Committees of the Board</p>	<p>The Board considered staff's request to the Board to issue a charge to ACE regarding rule revisions mandated by HB 2426.</p> <p>The Board considered Staff's request that a charge be made to the Nursing Practice Advisory Committee to review and recommend revisions to Rules 217.19 and 217.20 relating to incident-based and safe harbor peer review. This request is made due to (1) the rules last underwent review/revision by NPAC in 2002 and (2) SB 993 amending reporting criteria and peer review goes into effect 9/1/07.</p> <p>The Board considered the proposed amendments to Section 211.6, Committees of the Board.</p>	<p>The Board voted to issue a charge to ACE regarding rule revisions mandated by HB 2426 to include, but not limited to: Reviewing and revising the education rules, policies, and procedures to ensure that the rules, policies, and procedures do not exceed the Board's responsibility to certify minimum competence to enter the profession of nursing; Recommending to the Board a process to allow for Board approval of hospital-based diploma nursing programs; Recommending to the Board to allow for Board approval of nursing education programs for a period longer than one year; and Evaluate the number of program hours for LVN programs outlines in Rule 214.</p> <p>The Board voted to issue a charge to the Nursing Practice Advisory Committee to review and recommend revisions to Rule 217.19, Incident-Based Peer Review, and Rule 217.20, Safe Harbor Peer Review.</p> <p>The Board voted to propose an amendment to section 211.6 and publish it in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendment in the <i>Texas Register</i>.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>7.4.4. Consideration of Proposed Amendments to Section 211.7, Executive Director</p>	<p>The Board considered the proposed amendments to Section 211.7, Executive Director.</p>	<p>The Board voted to propose an amendment to section 211.7 and publish it in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendment in the <i>Texas Register</i>.</p>
<p>7.4.5. Consideration of Proposed Amendments to Section 213.28, Licensure of Persons with Criminal Offenses</p>	<p>The Board considered the proposed amendments to Section 213.28, Licensure of Persons with Criminal Offenses.</p>	<p>The Board voted to propose amendments to section 213.28 to include the language from § 21.02 of the Penal Code and publish them in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendments in the <i>Texas Register</i>.</p>
<p>7.4.6. Consideration of Proposed Amendments to Section 213.29, Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters</p>	<p>The Board considered the proposed amendments to Section 213.29, Criteria and Procedure Regarding Intemperate Use and Lack of Fitness in Eligibility and Disciplinary Matters.</p>	<p>The Board voted to propose amendments to section 213.29 and publish them in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendments in the <i>Texas Register</i>.</p>
<p>7.4.7. Consideration of Proposed Amendments to Section 213.33, Factors considered for Imposition of Penalties / Sanctions and/or Fines</p>	<p>The Board considered the proposed amendments to Section 213.33, Factors considered for Imposition of Penalties/Sanctions and/or Fines.</p>	<p>The Board voted to propose amendments to section 213.33 and publish them in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendments in the <i>Texas Register</i>.</p>
<p>ADJOURNMENT</p>	<p>Having completed this day’s business the meeting adjourned at 5:15 p.m.</p>	

AGENDA ITEM	DISCUSSION	ACTION
RECONVENE	The board reconvened at 8:42 am on Friday, July 20, 2007.	
ROLL CALL	All members were present. A quorum was established.	
7. NEW BUSINESS 7.3. Consideration of the Health Alliance Safety partnership (HASP) contract	The Board considered the request to extend the HASP contract for two years. Debora Simmons was present to answer questions.	The Board voted to approve M.D. Anderson Cancer Center's request to extend the Patient Safety Pilot Study under its existing contract with the Board until July 2009 to include all of the programs currently within the pilot: (1) M.D. Anderson Cancer Center, Houston, Texas; (2) St. Luke's Episcopal Hospital, Houston, Texas, and St. Luke's Episcopal Community Medical Center, The Woodlands, Texas; (3) Texas Children's Hospital, Houston, Texas; (4) Seton Health Care Network, including Children's Hospital of Austin, Seton Medical Center and Seton Northwest Hospital, Austin, Texas; (5) Uvalde Memorial Hospital, Uvalde, Texas; (6) Sid Peterson Memorial Hospital, Kerrville, Texas; and (7) Palo Pinto General Hospital, Mineral Wells, Texas.
7.4.8. Consideration for Proposed Amendment to Rule §213.20, Informal Proceedings pertaining to alternative Dispute Resolution	The Board considered the proposed amendments to Rule §213.20, Informal Proceedings pertaining to alternative Dispute Resolution.	The Board voted to propose amendments to section 213.20 and publish them in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendments in the <i>Texas Register</i> .
7.4.9. Consideration of Proposed Amendments to Section 217.2, Licensure by	The Board considered the proposed amendments to Section 217.2, Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions, Section 217.4, Requirements for Initial	The Board voted to propose amendments to sections 217.2, 217.4, and 217.5 and publish them in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the

AGENDA ITEM	DISCUSSION	ACTION
<p>Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions, Section 217.4, Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction and Section 217.5, Temporary License and Endorsement</p>	<p>Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction and Section 217.5, Temporary License and Endorsement.</p>	<p>amendments in the <i>Texas Register</i>.</p>
<p>7.4.10 Consideration of Proposed Amendments to Section 217.11, Standards of Nursing Practice</p>	<p>The Board considered the proposed amendments to section 217.11, Standards of Nursing Practice.</p>	<p>The Board voted to propose an amendment to section 217.11 and publish it in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendment in the <i>Texas Register</i>.</p>
<p>7.4.11. Consideration of Proposed Amendments to Section 217.13, Peer Assistance Programs</p>	<p>The Board considered the proposed amendments to Section 217.13, Peer Assistance Programs.</p>	<p>The Board voted to propose an amendment to section 217.13 and publish it in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendment in the <i>Texas Register</i>.</p>
<p>7.4.12. Consideration of Proposed New Rule § 217.17, Jurisprudence Exam</p>	<p>The Board considered the proposed new rule § 217.17, Jurisprudence Exam.</p>	<p>The Board voted to propose the new rule, section 217.17, and publish it in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the new rule in the <i>Texas Register</i>.</p>
<p>7.5. Consideration of Section 223.1, Fees</p>		

AGENDA ITEM	DISCUSSION	ACTION
<p>7.5.1. Pertaining to the Collection of Funds Pursuant to Texas Occupations Code 301.155(c).</p> <p>7.5.2. Pertaining to Raising the Necessary Funding for Operations of the Board for Fiscal Years 2008/2009.</p> <p>7.5.3. Proposed Amendments to 223.1, Fees</p>	<p>The Board considered the proposed changes in fees.</p>	<p>The Board voted to change the proposed amendments to section 223.1 to reflect a change in the renewal fees for LVNs from \$60 to \$58 and for RNs from \$70 to \$67 and publish this section in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendments in the <i>Texas Register</i>.</p>
<p>7.6. Consideration of Proposed Amendments to Section 213.27, Good Professional Character</p>	<p>The Board considered the proposed amendments to section 213.27, Good Professional Character.</p>	<p>The Board voted to propose amendments to section 213.27 and publish them in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendments in the <i>Texas Register</i>.</p>
<p>7.7. Consideration of Proposed Amendments to Section 213.30, Declaratory Order of Eligibility for Licensure</p>	<p>The Board considered the proposed amendments to section 213.30, Declaratory Order of Eligibility for Licensure.</p>	<p>The Board voted to propose an amendment to section 213.30 and publish it in the <i>Texas Register</i> for a 30-day comment period, and if negative comments are not received in the 30 day comment period, adopt and publish the amendment in the <i>Texas Register</i>.</p>
<p>7.8. Consideration of Rule Review Plan for 2007 through 2011</p>	<p>The Board considered the proposed rule review plan for 2007 through 2011.</p>	<p>The Board voted to adopt the rule review plan for 2007 through 2011 as presented.</p>
<p>7.9. Consideration of Rule Reviews for Chapters 211, 217, 219 and 223</p>	<p>The Board considered the rule reviews for Chapters 211, 217, 219 and 223.</p>	<p>No action taken.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8. PROPOSED BOARD ORDERS</p> <p>8.5. Docket No. 507-06-2819, In the Matter of Permanent Certificate Number 200464, Issued to Amy Michelle Smith</p> <p>8.5.1. Consideration of the Administrative Law Judge’s Proposal for Decision in Docket No. 507-06-2819</p> <p>8.5.2. Consideration of Staff’s Presentation and Recommendations for Disposition of Docket No. 507-06-2819, Including Adoption of the Proposal for Decision’s Findings of Fact and Conclusions of Law with Modifications Consistent with the Board’s Opinion</p> <p>8.5.3. Consideration of Presentation and Recommendation by Amy Michelle Smith, Docket No. 507-06-2819</p>	<p>The Board considered the Staff’s presentation of Docket No. 507-06-2819, In the Matter of Permanent Certificate Number 200464, Issued to Amy Michelle Smith.</p> <p>Louis Leichter, Attorney for Respondent Amy Michelle Smith was present to answer questions.</p>	<p>Board Member, Deborah Bell recused herself prior to the consideration and vote on this item.</p> <p>The Board voted to accept the ALJ’s proposal for decision with modifications to include that the ALJ’s conclusion as to the sanction was a recommendation only and to modify Finding of Fact No. 2 and adopt the remaining Findings of Fact and Conclusions of Law in the Proposal for Decision and enter an Order with the sanction of Warning with Stipulations. Within one year of entry of the order Respondent shall successfully complete a board approved course in nursing jurisprudence and 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>9. MISCELLANEOUS</p> <p>9.1. Board Items of Interest for Future Board Meetings</p>	<p>The Board discussed items of interest for upcoming meetings.</p>	<p>The Board set the dates of October 16-17, 2007 for the Board Retreat.</p>

AGENDA ITEM	DISCUSSION	ACTION
9.2. Board Development: Review of Board Authority over State Office of Administrative Hearings Proposals for Decision	Assistant General Counsel Vicky Cox did a power point presentation on the State Office of Administrative Hearings and Proposals for Decision.	No action.
9.3. Review of the Board Quarterly Meeting Evaluation	The Board members discussed the results of the April board quarterly meeting evaluation.	No action.
9.4. Appointment of Board Member for Eligibility and Disciplinary Committee for 2007	Board President Linda Rounds discussed the appointment of a Board member for the Eligibility and Disciplinary Committee for the remainder of 2007.	The following Board members were appointed for the July-December, 2007 term on the Eligibility and Disciplinary Committee: Linda Rounds Beverley Nutall Brenda Jackson
9.5. Appointment of Board Member to the Board Development and Evaluation Committee	Linda Rounds called for a volunteer to serve on the Board Development and Evaluation Committee.	Rachel Gomez was appointed to serve on the Board Development and Evaluation Committee.
9.6. Appointment of Delegates to attend the NCSBN Annual Meeting, August 7-10, 2007, Chicago Illinois	Linda Rounds discussed the appointment of Delegates to attend the NCSBN Annual Meeting, August 7-10, 2007, Chicago Illinois.	The following board members were appointed as Delegates to attend the NCSBN Annual Meeting, August 7-10, 2007, Chicago Illinois: Brenda Jackson Katherine Thomas
9.7. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of	<p>The board convened in Executive Session to discuss the annual performance evaluation of the Executive Director, Katherine Thomas.</p> <p>The Board reconvened in Open Session to discuss and consider a merit increase for the Executive Director, Katherine Thomas.</p>	<p>No action.</p> <p>The Board voted to issue a salary increase for the Executive Director from \$83,784 to \$89,749 per year.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Katherine Thomas, Executive Director</p> <p>9.8. Executive Session Pursuant to Tex. Gov't. Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Board Self-Evaluation</p> <p>ADJOURNMENT:</p>	<p>The board convened in Executive Session to discuss the annual performance evaluation of the Board.</p> <p>Having completed all business as listed on the agenda, the meeting adjourned at 12:53 p.m.</p> <hr/> <p>Linda Rounds, PhD, RN, FNP, Board President</p> <hr/> <p>Katherine A. Thomas, MN, RN, Executive Director</p>	<p>No action.</p>