

REPORT OF THE EXECUTIVE DIRECTOR

NATIONAL ISSUES

Gallup Poll: Nurses have once again been rated as the most trusted profession in the latest Gallup poll. The 84 percent of Americans who rate the honesty and ethics of nurses as very high or high in this year's Gallup poll is tied for the highest rating nurses have received. They achieved the same rating in 2001, 2006 and 2008. Nurses consistently top the list, having done so each year since they were first included in 1999, except in 2001, when firefighters were rated number one after their heroic actions on September 11th.

<http://nursing.advanceweb.com/News/National-News/Nurses-Top-Gallups-Honesty-Ethics-Poll.aspx>

Increased Enrollment in RN Programs: New data released by the American Association of Colleges of Nursing (AACN) show that enrollment in RN programs has risen between 2010 and 2011. Of this increase, 3.9 percent is in BSN programs, 7.6 percent in master's programs, 20.6 percent in DNP and 6.6 percent in other doctoral programs. The survey results "are based on data reported from 647 of the 840 nursing schools in the U.S. with baccalaureate and/or graduate programs. In a separate survey, AACN also found a strong hiring preference for new nurses prepared at the baccalaureate level as well as a comparatively high placement rate for new BSN graduates."

http://www.nursezone.com/Nursing-News-Events/more-news/New-AACN-Data-Significant-Enrollment-Increases-in-Baccalaureate-Master%E2%80%99s-and-Doctoral-Nursing-Degree-Programs_38502.aspx

Independence at Home Program: In December, the federal government announced that it will begin accepting applications for participants in the Independence at Home (IAH) Demonstration Program. "The IAH Demonstration will test a service delivery model that utilizes physician and nurse practitioner directed primary care teams to provide services to high cost, chronically ill Medicare beneficiaries in their homes." The purpose of the IAH Demonstration program is to determine whether in home medical and nursing care can keep chronically ill patients healthier and avoid hospitalizations while saving money and improving patient care. This is a "house calls" model of home care delivery. To be eligible to participate, a practice must consist of a multidisciplinary team, have experience in providing home-based primary care and must serve at least 200 beneficiaries a year.

<http://www.gpo.gov/fdsys/pkg/FR-2011-12-21/html/2011-32568.htm>

Joint Commission Issues Fatigue Warning: The Joint Commission has released a Sentinel Event Alert related to provider fatigue and patient safety, stating that worker fatigue is three times more likely to lead to an error. The warning encourages employers to review fatigue-related risks, assess hand-off processes, develop fatigue management plans, educate providers of the risks of fatigue and gather employee input when scheduling. Critics of consecutive work hour limits argue that the restriction actually impedes training and leads to more mistakes due to the increased number of hand-offs and transitions between providers. See <http://news.nurse.com/article/20111214/NATIONAL02/112190007/1003>.

Reporting Hospital Errors: According to a new report conducted by the Department of Health and Human Services, “hospital employees recognize and report only one out of seven errors, accidents and other events that harm Medicare patients while they are hospitalized.” Investigators found that the most common reasons for not reporting an error were the assumption that someone else would report, the frequent occurrence of the event or, conversely, the isolated nature of the event. In response to the findings, HHS plans on drafting a list of reportable events for hospitals and providers.

http://www.nytimes.com/2012/01/06/health/study-of-medicare-patients-finds-most-hospital-error-s-unreported.html?_r=2&emc=tnt&tntemail0=y

California Board of Nursing Sunset Bill: In January this report included notice that in October 2011, California’s Governor vetoed a sunset bill that would have extended the California Board of Registered Nursing (BRN). This effectively “sunset” the BRN. Governor Brown announced February 14, 2012 that he signed legislation reconstituting the California Board of Registered Nursing through 2015. When he vetoed legislation last year to extend the nursing board’s existence, Brown said he objected to language that would have expanded pension benefits for board investigators. This language was not included in the recent bill that Governor Brown signed.

National Licensure Initiatives: A number of national initiatives have been proposed to address health professional licensure. These issues underscore the federal government’s desire to facilitate interstate mobility of health care professionals. The Nurse Licensure Compact is a mechanism that accomplishes this goal. The initiatives include:

1.) Senator Udall (Utah) is considering proposing a bill permitting a federally issued license to permit telehealth practice.

<http://www.govhealthit.com/news/udall-drafting-bill-remove-telemedicine-barrier>

2.) The Fix.Licensure.org website from the American Telemedicine Association promotes national licensure.

<http://media.americantelemed.org/licensurewebsite/>

3.) The recently passed H.R. 1832, the STEP Act, a Department of Defense (DOD) bill that expanded the licensure exemption for providing health care services, permitting DOD personnel to practice from any site across state lines.

<http://thompson.house.gov/sites/thompson.house.gov/files/One%20Page%20Summary%20on%20the%20STEP%20Act.pdf>.

4.) Filed HR 3859 which directs the Secretary of Health and Human Services to “encourage and facilitate” the adoption of provisions allowing for multistate practitioner practice across state lines. <http://www.gpo.gov/fdsys/pkg/BILLS-112hr3859ih/pdf/BILLS-112hr3859ih.pdf>.

5.) A February 15th letter to the Office of the Inspector General (OIG) signed by Senators Grassley, Hatch and Baucus asking the OIG to evaluate the performance of state medical boards in protecting the public.

STATE ISSUES

Meetings with TWC and THEBC: Education staff of the BON continue to meet with staff of the Texas Workforce Commission (TWC) and the Texas Higher Education Coordinating Board (THECB) to discuss each agency’s requirements for new and existing nursing programs to ensure we do not unnecessarily duplicate each other’s requirements and unduly burden schools. A follow up meeting will be scheduled. The two agencies will be invited to meet with the Board when we complete this process.

Health Professions Council: The Health Professions Council (HPC) met on March 5, 2012 for its regular quarterly meeting. The 2011 HPC Annual Report is provided in agenda item 7.6.

BOARD ISSUES

BON Bulletin Articles : The April issue of the *Board of Nursing Bulletin* contains articles on highlights of the *Professional Practice Accountability Survey of Registered Nurses* and *Maintaining Confidentiality -- Social Media Case Scenarios* . An insert provides information on the various continuing competency offerings by the Board.

Board Development: In consideration of the full agendas for the January and April Board meetings, Board members suggested at the January meeting that there be no board development at the April meeting. In consultation with President Benton and Vice President and Board Development Liaison Richard Gibbs, it is suggested that Board members complete webinars outside the meeting which will be discussed in agenda item 9.2.

Board Room Crowding: Staff are exploring several options to address Board meeting seating and space capacity for visitors. This is only a problem on day one of the meeting. Staff attempted to schedule an alternate room in the building for Thursday, April 19th but room was unavailable. This may be an option in the future. Other options include meeting at an alternative building, increasing seating capacity in Room 2-225, and video streaming. The last option will require cost analysis and determining adequate bandwidth in the Hobby Building. A follow up report will be provided to the Board at the July meeting.

AGENCY ISSUES

Launch of Online Affidavit of Graduation: The AOG online will be beta tested in May and August, 2012 during graduation cycles. Beta testing of a computer product occurs prior to final implementation for all users. This stage involves testing the product on a sample of users to identify bugs that can be corrected before full launch. The final product is scheduled to be launched for all schools September, 2012.

National Council of State Boards of Nursing Data Integrity Project: Staff will begin a new phase of this project in April. This phase will include uploading disciplinary orders to NURSYS, making these orders readily available to other Boards of Nursing.

National Council of State Boards of Nursing Developing a License Management System (LMS): The LMS will be available to boards of nursing. NCSBN does not intend to charge a fee to the boards, including no hardware or application integration costs. It will be a service to the membership. NCSBN IT staff are currently visiting Boards of Nursing to determine how staff uses existing systems, identify current gaps in the system that create operational inefficiencies, and features that will improve operational efficiencies. The data will be used to develop a design that provides seamless access to existing NCSBN applications, automated reporting, automated exam eligibility processing, automated license and discipline related data exchanges with Nursys and FITS, third-party provider integration where applicable, and other functionality. The Texas Board of Nursing anticipates the need for a new data system in approximately five years and the LMS will be an option to consider.

Information Technology Security Assessment: The Department of Information Resources (DIR) has contracted with Gartner, Inc. to perform Security Assessments for select agencies. The BON was offered the opportunity to participate in this Security Assessment and the assessments are free of charge. Gartner, the world's leading information technology research and advisory company, will provide detailed reports to the agencies and will report aggregate data to DIR and State Legislators. We have accepted the offer and began working with Gartner, Inc. in late March. The assessment will: 1.) assist the agency in assessing the existing information security vulnerabilities, covering people, process, and technology; 2.) identify and develop an architecture enhancement strategy for mitigating the risks related to identified vulnerabilities; and 3.) plan the 1-3 year deployment roadmap necessary to address weaknesses and improve the information security posture of the agency.

BON Nominated for ClearMark Award: Texas.gov has notified us that they have nominated the Texas Board of Nursing for the Center for Plain Language's [2012 ClearMark Award](#). This award honors the best in clear communication and plain language for documents and websites from government, non-profits, and private companies that succeed in communicating clearly. Texas.gov has told us they believe our application exemplifies these principles. The award will be given on May 22, 2012. Information Technology Manager Tawnya Smith deserves credit for her efforts to develop simple, easy to navigate and consumer-friendly construction of our website. Whether the Texas BON wins or not, It is an honor to be nominated.

Tour of Texas: Mark Majek has begun a second "Tour of Texas" of 20 sites throughout Texas to meet with Schools of Nursing and their clinical partners to address a wide variety of operational topics including student Criminal Background Checks, the new online affidavit of graduation, and exam issues. The visits conducted thus far have been very well received. The Tour will be completed the first week of May.

Nursing Jurisprudence Examination: The Jurisprudence examination required for initial licensure by Texas Occupations Code Section 301.252, License Application, was implemented in September 2008. Access to the Board's examination is available through the website, <http://www.bon.state.tx.us/olv/je.html>. Those applying for initial licensure by exam or endorsement **after** September 1, 2008 must pass the Jurisprudence Exam in order to be eligible for licensure. Also, pursuant to recent rule amendments, nurses who have not been current in Texas for 4 or more years, must complete the Jurisprudence Examination prior to reinstatement. Attached are statistics for Jurisprudence exam takers for past 3 fiscal years and through the second quarter of Fiscal Year 2012. **(See Attachment A).**

Staff continue to study the issue of an online posting of questions from our jurisprudence examination which occurred in mid June. Staff is exploring adding security validation questions to the exam and will evaluate associated costs with the vendor.

Website: The following are changes that have been made to the website since the last Board Report.

- Posted updates to the Nursing Practice Act (sections 301.165, 301.207, 301.261, 301.304, 301.352, 301.355, 301.4011, 301.402, 301.4025, 301.412, 301.413, 301.4521, 301.455, 301.4551, 303.001, 303.005, 303.012, and Chapter 305).
- Posted ADOPTED amendments to §217.19 (relating to Incident-Based Nursing Peer Review and Whistleblower Protections) and §217.20 (relating to Safe Harbor Peer Review for Nurses and Whistleblower Protections)
- Posted ADOPTED new §217.22 (relating to Special Accommodations)

- Posted ADOPTED amendments to §217.6 (Failure to Renew License) and §217.9 (relating to Inactive and Retired Status)
- Posted Disciplinary Action Files and Board Order Links for action reported in the January 2012 newsletter.
- Posted updated BON Rules and Regulations (02/2012)
- Posted the NCLEX – PN Pass Rate for Last 5 years by Program (2011) and NCLEX – PN Pass Rate for 2011
- Replaced and revised Nursing Education Guideline 3.8.4.a. in regards to Clinical Learning Experience
- Posted Nursing Consultant’s Workshop brochure (*Protecting Your Patients And Your Practice*) for 2012 on web and notice of new Electronic Handouts.
- Posted updates to Position Statements approved at the January 2012 Board Meeting.
- Posted new FAQ regarding newly licensed LVNs and RNs (<http://www.bon.texas.gov/practice/faq-newnursepractice.html>) and Delegation of CPAP and BiPAP procedures (<http://www.bon.texas.gov/practice/faq-pap-delegation.html>)
- Performed updates to Advanced Practice FAQs regarding graduating from an APRN program and taking the certification exam as well as the FAQ regarding applying for national certification and notifying the Board of eligibility to test.

Key Meetings and Presentations: by the Executive Director and Staff since the last Board meeting.
(Does not include internal meetings with staff) .

Executive Director

Testimony: Public Health Committee, House of Representatives to discuss implementation of legislation passed out of this committee, January 24, 2012, Austin.

Conference Attendance: Institute of Regulatory Excellence Annual Meeting, January 24-26, 2012, San Antonio.

Meeting: Texas Association of Deans and Directors of Nursing Programs, February 3, 2012, Austin.

Orientation: For new Compact Administrator of the Utah Board of Nurisng, February 6-7, 2012, Salt Lake City, UT.

Conference Call: With Compact staff to discuss the Self Assessment Tool for Compliance, February 13, 2012.

Meeting: Texas Team Nursing Practice and Education Committees, February 28, 2012, Austin.

Meeting: Health Professions Council Quarterly meeting, March 5, 2012, Austin.

Conference Call: Inaugural Nurse Licensure Compact Operations Network Teleforum. March 6, 2012.

Meeting: Strategic Planning with Texas Center for Nursing Workforce Studies Staff, March 7, 2012, Austin.

Conference Call: With Adult Offender Compact Staff regarding Compliance Audits and Process, March 8, 2012.

Presentation: Texas Organization of Nurse Executives, *BON Update*, March 9, 2012, Dallas.

Meeting: Semi-Annual Face to Face Meeting of Nurse Licensure Compact Administrators, March 11, 2012, Chicago.

Meeting: President and Executive Officer Leadership Forum, March 12, 2012, Chicago.

Meeting: National Council of State Boards of Nursing Mid Year Meeting, March 13-14, 2012, Chicago.

Meeting: Recovery Trek, Monitoring Contractor for TPAPN to demonstrate software, March 19, 2012, Austin.

Conference: American Organization of Nurse Executives, March 22-24, 2012, Boston.

Meeting: Nurse Licensure Compact Administrators Executive Committee, March 26-27, 2012, Phoenix.

Meeting: Advanced Practice Registered Nurse Compact Meeting, April 3-4, 2012, Salt Lake City.

Meeting: Texas Nurses Association Education Committee, April 5, 2012, Austin.

Conference Call: Texas Organization of Nurse Executives Webinar, *BON Update*, April 11, 2012.

Presentation: TPAPN 25th Anniversary Program, *History of Board/TPAPN Contract for Peer Assistance*, April 12, 2012, Austin.

Director of Operations:

Presentation: Criminal Background Checks, Arkansas Board of Nursing staff, February 15, 2012 Little Rock, AR.

Conference Call: Inaugural Nurse Licensure Compact Operations Network Teleforum. March 6, 2012.

Presentation: Kentucky Board of Nursing, *Operations Presentation*, March 22-23, 2012, Louisville, KY.

Presentation: Tour of Texas, March 27, 2012, Houston.

Presentation: Tour of Texas, March 28, 2012, Beaumont.

Presentation: Tour of Texas, March 29, 2012, Dallas and Fort Worth.

Presentation: Tour of Texas, March 30, 2012, Paris and Tyler.

Presentation: Tour of Texas, April 3, 2012, San Antonio.

Presentation: Tour of Texas, April 5, 2012, Temple.

Presentation: Tour of Texas, April 17, 2012, El Paso.

Director of Nursing:

Conference Attendance: Institute of Regulatory Excellence Annual Meeting, January 24-26, 2012, San Antonio.

Meeting: Texas Association of Deans and Directors of Nursing Programs, February 3, 2012, Austin.

Meeting: Representatives from Texas Workforce Commission and The Texas Higher Education Coordinating Board, February 13, 2012, Austi.

Meeting: Texas Team Nursing Practice and Education Committees, February 28, 2012, Austin.

Presentation: Texas TERCAP Live Meeting, March 2, 2012

Meeting: TERCAP Committee Meeting, March 28-29, 2012, Chicago.

Conference Call: Texas Organization of Nurse Executives Webinar, *BON Update*, April 11, 2012.

Practice Consultants:

Meeting: Interagency Coordinating Council for HIV and Hepatitis, January 27, 2012, Austin.

Meeting: Texas School Alliance - School Health Advisory Committee, January 27, 2012, Austin.

Presentation: Social Media, Texas Healthcare Association, January 31, 2012, Austin.

Presentation: UTMB 32nd Annual School Health Conference, February 4, 2012, Galveston.

Meeting: HHSC Nurse Policy Analysts in the Office of the Medical Director Medicaid/CHIP, February 10, 2012, Austin.

Presentation: LVN Scope of Practice Webinar: What Every LVN, RN and Employer Should Know, February 17, 2012, Austin.

Presentation: Protecting Your Patients and Your Practice Workshop, February 24 and April 12, 2012, Austin.

Meeting: TPAPN Advisory Committee, March 2, 2012, Austin.

Meeting: DSHS School Health Program, March 6, 2012, Austin.

Meeting: HHSC Telemedicine Telehealth Advisory Committee, March 7, 2012, Austin.

Presentation: Nursing Peer Review Webinar: *Understanding the Process*, March 19, 2012, Austin.

Meeting: TPAPN Advocate workshop, April 13, 2012, Austin.

Education Consultants:

Conference Attendance: Institute of Regulatory Excellence Annual Meeting, January 24-26, 2012, San Antonio.

Meeting: NCLEX Exam Committee, February 1-2, April 10-11, 2012, Chicago.

Meeting: Perkins Leadership Grant Meeting, February 1, 2012, Austin.

Meeting: Texas Association of Deans and Directors of Nursing Programs, February 3, 2012, Austin.

Meeting with Representatives from Texas Workforce Commission and The Texas Higher Education Coordinating Board, February 13, 2012, Austin.

Presentation: New Program Information Session, February 22, 2012, Austin.

Presentation: New Dean/Director/Coordinator Orientation to Board Rules, March 2, 2012, Austin.

Meeting: Advisory Committee on Education, March 7, 2012, Austin.

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

Case Resolution Report
December 1, 2011 through February 29, 2012

Type of Action	Total
No Jurisdiction	11
No Violation	1
No Action	797
Insufficient Evidence	152
Admonish	43
Without Prejudice	643
TPAPN Referrals	95
EEP Referrals	10
Corrective Actions	41
Totals	1,793

LVN DISCIPLINARY ORDERS

Time frame: December 1, 2011, through February 29, 2012

DISCIPLINARY	
50	<p>FINE WITH REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 46 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history 3 Practice nursing without a valid license 1 Failed to follow procedures when counting patient home medications resulting in leaving the assignment when asked to submit to a urine drug screen
18	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Disclosed confidential information regarding a patient 1 Erroneously documented the administration of Ferriecit 1 Failed to provide adequate care by failing to initiate Cardio-Pulmonary Resuscitation (CPR) 1 Verbally and Physically abused a patient 2 Failed to follow the charge nurses directive 1 Failed to assess and intervene in a timely manner 1 Documented notifying a physician of a change of condition for a patient 1 Removed medications but failed to document the administration 1 Failed to assess and/or document skin assessment of a patient 1 Convicted of Hindering Apprehension, a Class A misdemeanor offense 1 Failed to follow physician's orders 1 Failed to coordinate nursing care by refusing to take report at the beginning of shift and refusing to give report at end of shift 1 Made inappropriate comments 1 Failed to coordinate nursing care by failing to give report to the on-coming nurse at the end of shift 1 Failed to notify a physician telephonically 1 Threatened to harm a patient if the patient was not removed/discharged from the facility 1 Falsely documented/scanned that medication was administered
13	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Intemperate use of Alcohol 1 Failed to correctly conduct the sponge count for a three year old patient; signed a participation agreement with TPAPN 1 Intemperate use of Demerol/Normeperidine, Hydrocodone, Hydromorphone and Promethazine 1 Lacked fitness to practice by exhibiting impaired behavior while on duty 1 Intemperate use of Cocaine and Marijuana 1 Misappropriated 37 Hydrocodone and 4 Propoxyphene belonging to facility and/or patients, Vicodin, Dilaudid and Percocet; failed to initiate CPR 2 Convicted of two counts of Driving While Intoxicated 1 Misappropriated Norco, Morphine, Percocet, Demerol, Dilaudid, Xanax and Ativan 1 Hospitalized for treatment of Bipolar Disorder 1 Diagnosed with Bipolar disorder and completed detox and residential treatment 1 Intemperate use of Phencyclidine resulting in a positive drug screen 1 Intemperate use of Fentanyl

VOLUNTARY SURRENDER

- 6 Non compliance with previous Board Order
- 1 Deferred adjudication for Possession of Cocaine a State Jail felony offense
- 1 Deferred adjudication for Indecency with a Child-Sexual Contact a Second Degree felony offense
- 1 Deferred adjudication for Possession of Substance in Penalty Group I a State Jail felony offense
- 1 Deferred adjudication for Insurance Fraud and Hinder Secured Creditors both State Jail felony offenses
- 1 Attempted to pass fraudulent written and telephonic prescriptions for Hydrocodone for self and sister
- 1 Deferred adjudication for Possession of a Controlled Substance, a State Jail felony offense; convicted of Driving While Intoxicated and Obstructing a Highway, both misdemeanor offenses
- 1 Misappropriated thirty Hydrocodone pills from a resident; intemperate use of Methamphetamines and Cocaine resulting in a positive drug screen
- 2 Disciplinary action taken by another licensing authority
- 1 Left nursing assignment without notifying the appropriate personnel; engaged in intemperate use of alcohol; entered treatment for alcohol abuse
- 1 Convicted of Driving While Intoxicated a Third Degree felony offense
- 1 Deferred adjudication for Possession of a Prohibited Substance, Heroin in a Correctional Facility, a Third Degree felony offense
- 1 Lacked fitness to practice vocational nursing
- 1 Falsely documented that administration of Hydrocodone; misappropriation and intemperate use of Hydrocodone; Deferred Adjudication for Fraud Possession of a Controlled Substance, a felony
- 1 Misappropriated thirty tablets of Norco and intemperate use of Benzodiazepines
- 1 Charged with Drug Possession - Meth, a State Jail felony offense, two counts of Possession of Marijuana and Driving While Intoxicated all misdemeanor offenses
- 1 Pre-Trial Diversion for Insurance Fraud a Second Degree felony offense
- 1 Convicted of Driving While Intoxicated w/Child Passenger a State Jail felony offense, Abandoning a Child a Second Degree felony offense, Resisting Arrest and Driving While Intoxicated both misdemeanors
- 1 Deferred judgment for Possession of a controlled Substance a State Jail felony offense
- 1 Misappropriated Nubain; intemperate use of Cocaine; admitted to drug overdose and possible suicide gesture
- 1 Diagnosed with Bipolar Disorder; Deferred Adjudication for Forgery Financial Instrument a State Jail felony
- 1 Falsified an unauthorized prescription for Norco; entered a Pre-Trial Diversion for Fraudulently Possession a Controlled Substance/Prescription a Third Degree felony offense
- 1 Convicted of Conspiracy and Health Care Fraud-Durable Medical Equipment both felony offenses
- 1 Deferred judgment for Manufacture/Delivery of a Controlled Substance a First Degree felony offense
- 1 Deferred judgment for Criminal Mischief a felony offense
- 1 Inaccurately charted and documented and failed to follow physician's orders
- 1 Convicted of Driving While Intoxicated with Child Passenger, a State Jail felony offense
- 1 Deferred judgement for Possession of a Controlled Substance, Methamphetamine, a State Jail felony
- 1 Deferred adjudication for Unlawful Possession of Cocaine, a State Felony offense; convicted of two counts of Driving While Intoxicated, both misdemeanor offenses
- 13 Submitted a statement of Voluntary Surrender

LVN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2011, through February 29, 2012

388	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 5 Non-disclosure of Criminal History 1 Deferred Adjudication for Credit Card Abuse, State Jail Felony 1 Deferred Adjudication for Assault Causes Bodily Injury, Failure to Identify and Minor in Possession of Alcohol; convicted of Driving While Intoxicated 1 Deferred Adjudication for Abandoning a Child, State Jail Felony 1 Convicted of Driving While Ability Impaired and Driving Under the Influence 1 Deferred Adjudication for Securing Execution fo Document by Deception, Third Degree felony; convicted of two counts of Driving While License Suspended 1 Convicted of Assault Domestic Violence and Violation of Protective Order, both misdemeanor's 1 Completed Residential Treatment 1 Convicted of three counts of Soliciting for Prostitution and Prostitution; convicted of Drug Abuse 1 Deferred Adjudication for Attempted Credit/Debit Card Abuse, Class A misdemeanor and Theft by Check 1 Convicted of Retail Fraud and Unlawfully Carrying a Weapon, both misdemeanor's 1 Deferred Adjudication for Harassment; convicted of Failure to Identify and Driving Under the Influence 1 Diagnosed with Borderline Personality Disorder and Bipolar Disorder 1 Convicted of Assault Family Violence, Willful Obstruction of Law Enforcement Officer, and two counts of Driving While Intoxicated 1 Convicted of Attempted Distribution of Cocaine, felony offense 2 Entered treatment for Alcohol Dependency 1 Deferred Adjudication for two counts of Possession of a Controlled Substance, State Jail felonies; Possession of Marijuana and Driving While Intoxicated, both Class B misdemeanor's 1 Deferred Adjudication for Possession of Marijuana and two counts of DWI; entered treatment 1 Diagnosed with Schizophrenia Paranoid 1 Completed Intensive Outpatient Treatment for Chemical Dependency 1 Convicted of Criminal Mischief; Cruelty to Animals; Theft of Property and two counts of DWI 1 Arrested for Driving While Intoxicated, Assault Causes bodily Injury and Possession of Marijuana 1 Deferred Adjudication for Driving While Intoxicated, Class B misdemeanor and Evading Arrest or Detention, State Jail felony 2 Disciplinary action taken by another licensing authority 2 Deferred Adjudication for Forgery, State Jail felony 2 Deferred Adjudication for Possession of a Controlled Substance - Cocaine, felony offense 1 Deferred Adjudication for Welfare Fraud, Third Degree felony; convicted of Criminal Trespass w/ Deadly Weapon and theft of Property by Check, both Class B misdemeanor's 1 Convicted of Possession of Drugs and Misuse of Credit Card both Class 5 felonies 1 Deferred Adjudication for Assault Causes Bodily Injury; Class A misdemeanor 1 Deferred Adjudication for Possession of Marijuana, Class B misdemeanor; Convicted of three counts of Driving While Intoxicated 2 Convicted of Secure Execution of Document by Deception, Felony offense 1 Deferred Adjudication for Theft, Third Degree felony 1 Deferred Adjudication for Tampering With or Fabricating Physical Evidence, Third Degree felony 1 Deferred Adjudication for Credit Card Abuse, State Jail felony offense 1 Pre-Trial Diversion for Attempt to Possess a Controlled Substance by Fraud 1 Deferred Adjudication for Child Abuse and Uttering a Forged Check both Third Degree felonies 1 Deferred Adjudication for Theft of Property, State Jail felony 1 Convicted of Possession with Intent to Distribute 91 Kilograms of Marijuana, a felony offense 1 Deferred Adjudication for Theft of Property Class B misdemeanor; Theft of Property, State Jail felony and convicted of Driving While License Invalid 1 Convicted of Fail to Identify Fugitive with Intent to Give False Information and Criminal Mischief 1 Entered treatment for major depressive disorder, recurrent 2 Convicted of three counts of Theft 2 Deferred Adjudication for Possession of Marijuana, felony offense 1 Convicted of Possession of Marijuana w/ Intent to Distribute, felony offense 8 Denial of Licensure <p>325 No Grounds for Denial/Youthful Indiscretion</p>
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15	ENDORSEMENTS 5 Disciplinary action taken by another licensing authority 1 Convicted of two counts of Driving While Intoxicated 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 7 No Grounds for Denial
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LVN CORRECTIVE ACTION

Time frame: December 1, 2011, through February 29, 2011

25	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 1 Non disclosure of Disorderly Conduct; Brawling and Fighting, Class C misdemeanor 1 Non disclosure of Shoplifting, misdemeanor offense 2 Non disclosure of Driving While License Invalid, Class B misdemeanor 1 Non disclosure of Criminal Mischief, class A misdemeanor 2 Non disclosure of Issuance of a Bad Check, Class C misdemeanor 1 Non disclosure of Possession of a Controlled Substance, misdemeanor offense 1 Non disclosure of Criminal Trespass, Class B misdemeanor offense 1 Non disclosure of Driving While Intoxicated and Reckless Driving 1 Non disclosure of False Statement, misdemeanor offense 1 Non disclosure of Forgery, misdemeanor offense 1 Non disclosure of Possession of a Controlled Substance - Methamphetamine with Intent to Deliver 1 Non disclosure of Reckless Driving, Class B misdemeanor 5 Non disclosure of Theft by Check, misdemeanor offense 1 Non disclosure of Obstructing Highway Passage, Class B misdemeanor 3 Non disclosure of Driving While Intoxicated, misdemeanor offense 2 Practiced Nursing without a valid license
4	<p>ENDORSEMENTS</p> <ul style="list-style-type: none"> 1 Non disclosure of Driving While Ability Impaired, misdemeanor offense 1 Non disclosure of Driving Under Influence of Alcohol or Drugs, Class B misdemeanor 1 Non disclosure of Assault 1/DV, misdemeanor offense 1 Non disclosure of Resisting Arrest, misdemeanor offense
6	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of Public Intoxication, Class C misdemeanor 1 Non disclosure of Criminal Trespass, Class B misdemeanor 1 Non disclosure of Criminal Mischief >=\$50 <\$500, Class B misdemeanor 1 Non disclosure of Theft, Class B misdemeanor 1 Non disclosure of Fail to Identify Giving False/Fictitious Information, Class B misdemeanor 1 Non disclosure of Possession of Marijuana, misdemeanor offense

LVN DEFERRED DISCIPLINE

Time frame: December 1, 2011, through February 29, 2012

6	REMEDIAL EDUCATION - DEFERRED DISCIPLINE <ul style="list-style-type: none">1 Failed to document the administration of medication1 Failed to correctly administer medications1 Failed to administer Synthroid to seven (7) residents1 Failed to notify physician when the systolic blood pressure fell below 951 Failed to appropriately and accurately follow the facility policy and procedure for wastage of unused medication1 Failed to administer Toradol to a labor and delivery patient
1	FINE WITH REMEDIAL EDUCATION - DEFERRED DISCIPLINE <ul style="list-style-type: none">1 Wrote ninety-eight (98) prescriptions for controlled substances without maintaining her Controlled Substance Registration in current status

RN DISCIPLINARY ORDERS

Time frame: December 1, 2011, through February 29, 2012

DISCIPLINARY	
32	<p>FINE WITH REMEDIAL EDUCATION</p> <p>22 Submitted an Application/Renewal Document in which false, deceptive, and/or misleading information was given by failing to disclose a criminal history</p> <ul style="list-style-type: none"> 1 Failed to maintain a current Controlled Substance Registration Number 1 Provided misleading information when her nursing supervisor asked if she had a degree and she said yes 1 Inaccurately documented 2 Failed to respect a patient's right to privacy 4 Practice nursing without a valid license 1 Violated privacy through the use of unauthorized access to protected health information
18	<p>REMEDIAL EDUCATION</p> <ul style="list-style-type: none"> 1 Failed to report to the physician as ordered 1 Failed to adequately assess and intervene for a patient in her care 1 Observed that the operative site had been verified and marked by the surgeon, when it was not marked 1 Failed to provide basic hygiene to a patient 1 Disciplinary action taken by another licensing authority 1 Failed to adequately care for a patient 1 Failed to document performed nursing assessments and interventions 1 Falsely documented/scanned that medication was administered 1 Failed to implement a safe environment for a patient 1 Disclosed confidential information regarding a patient 1 Threatened to harm a patient if the patient was not removed/discharged from the facility 1 Failed to document change of shift report for a patient having no drainage from the External Ventricular Drain 1 Failed to administer the correct insulin 1 Failed to document a plan of care for a diabetic student 1 Disruptive behavior that interfered with the smooth operation of the nursing unit 1 Failed to obtain a consent prior to administering blood products 1 Failed to notify the physician when a patient exhibited inappropriate behavior 1 Pulled a patient arm causing physical and emotional harm

46	<p>VOLUNTARY SURRENDER</p> <ul style="list-style-type: none"> 19 Disciplinary action taken by another licensing authority 5 Non compliance with previous Board Order 1 Inappropriately touched a patient while performing a massage 1 Pled guilty to Conspiracy to Commit Health Care Fraud, a felony offense 1 Indicted for Sexual Assault, a Second Degree felony offense 1 Deferred adjudication for Fraud, a Second Degree felony offense 1 Misappropriated Hydromorphone tablets from a patient and replaced it with Clonidine; Deferred judgment for Fraudulent Possession of a Controlled Substance/Prescription, a Second Degree felony 1 Positive drug screen for alcohol 1 Deferred judgment for Fraudulent Possession of Controlled Substance, a Second Degree felony 1 Left nursing assignment without notifying her appropriate supervisor 1 Deferred judgment for Possession of a Controlled Substance, a State Jail felony offense 1 Convicted of Driving While Intoxicated with Child Passenger, a felony offense 1 Convicted of Sexual Conduct with a Minor, a Class 6 Felony 1 Sleeping while on duty and misappropriated Dilaudid from a patient 1 Deferred judgment for Tampering with Government Record with Intent to Defraud or Harm, a State Jail felony offense 1 Left nursing assignment without notifying the appropriate personnel; engaged in intemperate use of alcohol; entered treatment for alcohol abuse 8 Submitted a statement of Voluntary Surrender
20	<p>TPAPN BOARD ORDER</p> <ul style="list-style-type: none"> 1 Intemperate use of Alcohol, Ativan and Opiates 1 Admitted to developing a chemical dependency problem 2 Intemperate use while participating in TPAPN 1 Misappropriated Hydromorphone and Morphine 1 Observed injecting herself with an unknown substance into her arm; Intemperate use of Propofol 2 Convicted of two counts of Driving While Intoxicated 1 Obtained Alprazolam, Amoxicillin, Carisoprodol, Hydrocodone, Phenergan and Vicodin through the use of a fraudulent oral or telephonically communicated prescription 1 Diagnosed with Adjustment Disorder with Disturbance of Emotions and Conduct, Posttraumatic Stress Disorder, Alcohol Dependence and Attention Deficit/Hyperactivity Disorder 1 Hospitalized with a sudden episode of psychosis with paranoid ideas 1 Disclosed an increase in alcohol intake 1 Intemperate use of Cocaine 1 Observed falling asleep during shift; engaged in intemperate use of Benzodiazepines and Marijuana 1 Admitted to intemperate use of Alcohol and Cocaine after submitting a positive drug screen 1 Intemperate use of Alcohol 1 Failed to correctly conduct the sponge count for a three year old patient; signed a participation agreement with TPAPN 1 Misappropriated Fentanyl; Intemperate use of Opiates resulting in a positive drug screen 1 Misappropriated Dilaudid from the facility or failed to prevent the misappropriation; lacked ability to think critically and prioritize care 1 Lacked fitness to practice following a de-compensation in functioning and suicidal and homicidal ideation

RN ENDORSEMENT/PETITIONER DISCIPLINARY ORDERS

Time frame: December 1, 2011, through February 29, 2012

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APPLICANTS/ PETITIONERS

- 9 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Examination
- 5 Denial of Licensure
- 1 Deferred Adjudication for Burglary of a Motor Vehicle, Third Degree felony
- 5 Convicted of Theft
- 2 Convicted of Theft, felony offense
- 1 Convicted of Driving While Intoxicated, Class B misdemeanor; Assault, and Assault by Physical Contact, both Class C misdemeanor's
- 2 Deferred Adjudication for Possession of a Controlled Substance, felony offense
- 1 Deferred Adjudication for Grand Theft, Third Degree felony
- 1 Arrested for two counts of Assault Causes Bodily Injury - Family Member
- 1 Convicted of Possession of a Controlled Substance and Credit Card Abuse, State Jail felonies
- 1 Deferred Adjudication for Reckless Driving, Unlawful Possession of Marijuana and DWI
- 2 Entered treatment for Chemical Dependency
- 1 Convicted of Driving While Intoxicated, Class B misdemeanor
- 1 Deferred Adjudication for Securing Execution of Document by Deception, Third Degree felony; convicted of two counts of Theft
- 1 Deferred Adjudication for Failure to Stop and Render Aid, felony offense
- 1 Deferred Adjudication for Assault Causes Bodily Injury and Minor Consuming Alcohol
- 1 Deferred Adjudication for Arson, Second Degree felony and Theft a Class A misdemeanor
- 1 Convicted of Forgery of Financial Instrument, State Jail felony
- 1 Deferred Adjudication for Criminal Mischief, Class A misdemeanor
- 1 Convicted of two counts of Possession of a Controlled Substance, both felony offenses
- 1 Convicted of two counts of DWI and four counts of Tampering with Government Record
- 1 Convicted of Possession of Marijuana, Third Degree felony offense and Misprison of a Felony
- 1 Deferred Adjudication for Abandoning or Endangering a Child, State Jail felony offense
- 1 Deferred Adjudication for Prohibited Weapons - Switchblade/Knuckles; convicted of Theft of Property
- 1 Deferred Adjudication for Assault - Public Servant, Third Degree felony
- 1 Deferred Adjudication for Credit Card Abuse, State Jail felony; convicted of Interfere with Duties of Public Servant and Theft
- 1 Convicted of Conspiracy to Defraud, felony offense
- 1 Convicted of Controlled Substance - Fraud, Third Degree felony and Theft, misdemeanor
- 1 Received an Article 15 through Trial by Summary Court Martial for Public Intoxication
- 1 Convicted of Theft, Driving Under the Influence of liquor and Driving While Intoxicated
- 1 Deferred Adjudication for Possession of a Controlled Substance PG 1<1g, State Jail felony
- 1 Convicted of Assault - Peace Officer or Fireman, 4th Degree felony and Driving While Ability Impaired by Alcohol or Drugs, misdemeanor offense
- 1 Convicted of three counts of Driving While Intoxicated
- 1 Convicted of Driving While Intoxicated and Driving While License Suspended
- 1 Convicted of Intoxication Assault, Third Degree felony and Possession of a Controlled Substance, State Jail felony
- 1 Convicted of Transport an Undocumented Alien within the United States for Private Financial Gain
- 1 Convicted of Forgery and Criminal Damage to Property
- 1 Convicted of Simple Possession of Marijuana, felony offense
- 1 Convicted of two counts of Possession of Cocaine both felony offenses and Terroristic Threat
- 1 Convicted of Reckless Driving, Class B misdemeanor
- 1 Convicted of five counts of Issuance of a Bad Check
- 1 Convicted of Criminal Mischief, State Jail felony and two counts of Prostitution
- 1 Convicted of Marijuana Tax Act and Forgery of Prescription, both felonies; Driving While Intoxicated
- 1 Deferred Adjudication for Trespass Auto with Intent to Commit Crime, Class 5 felony
- 1 Deferred Adjudication for Theft, Third Degree felony and convicted of Criminal Mischief, misdemeanor
- 7 Disciplinary action taken by another licensing authority
- 452 No Grounds for Denial/Youthful Indiscretion

57	ENDORSEMENTS 12 Disciplinary action taken by another licensing authority 1 Convicted of two counts of Driving While Intoxicated 2 Non disclosure of Criminal History or Disciplinary Action on Application for Licensure by Endorsement 2 Practiced Nursing without a valid license 1 Pre-Trial Diversion for Grand Theft 39 No Grounds for Denial
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RN CORRECTIVE ACTION

Time frame: December 1, 2011, through February 29, 2012

29	<p>CORRECTIVE ACTION</p> <ul style="list-style-type: none"> 2 Non disclosure of Theft - Under \$50, a Class C misdemeanor 1 Non disclosure of Driving a Motor Vehicle Upon a Public Highway While Intoxicated 1 Non disclosure of Obstructing Passageway, Class B misdemeanor 1 Non disclosure of Criminal Trespass, Class B misdemeanor 1 Non disclosure of Reckless Conduct, misdemeanor offense 1 Non disclosure of Possession of a Controlled Substance, misdemeanor offense 1 Non disclosure of Theft by Check \$20 - \$500, Class B misdemeanor offense 1 Non disclosure of False Statement, misdemeanor offense 1 Non disclosure of Forgery, misdemeanor offense 1 Non disclosure of Theft by Shoplifting, misdemeanor offense 1 Non disclosure of Contribute to Neglect, misdemeanor offense 1 Non disclosure of Driving Under the Influence, misdemeanor offense 2 Non disclosure of Theft >=\$50 <\$500, misdemeanor offense 10 Non disclosure of Driving While Intoxicated, a Class B misdemeanor 4 Practiced Nursing without a valid license
10	<p>ENDORSEMENT</p> <ul style="list-style-type: none"> 5 Non disclosure of Driving While Intoxicated, misdemeanor offense 1 Non disclosure of Grand Larceny, misdemeanor offense 1 Non disclosure of Possession of Marijuana, misdemeanor offense 1 Non disclosure of Theft, misdemeanor offense 1 Non disclosure of two counts of Bad Check 1 Non disclosure of Possession of Drug Paraphernalia, misdemeanor offense
4	<p>APPLICANTS/ PETITIONERS</p> <ul style="list-style-type: none"> 1 Non disclosure of Retail Theft - Possess/Carry Away/Transfer Under \$150, Class A misdemeanor 1 Non disclosure of two counts of Theft Over \$20 1 Non disclosure of Grand Theft / Exceeds \$400, misdemeanor offense 1 Non disclosure of Disorderly Intoxication, Second Degree misdemeanor

RN DEFERRED DISCIPLINE

Time frame: December 1, 2011, through February 29, 2012

4	<p>FINE WITH REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none">1 Wrote ninety-eight (98) prescriptions for controlled substances without maintaining her Controlled Substance Registration in current status1 Failed to document that the patient asked about the status of a prior referral to another facility1 Wrote a physician's order and signed her name1 Accessed a medical record on two occasions without written authorization
16	<p>REMEDIAL EDUCATION - DEFERRED DISCIPLINE</p> <ul style="list-style-type: none">1 Failed to administer Toradol to a labor and delivery patient1 Allowed other staff nurses to start an IV catheter on her and administer saline1 Failed to appropriately and accurately follow the facility policy and procedure for wastage of unused medication1 Failed to notify physician when the systolic blood pressure fell below 951 Inappropriately accessed a patient's medical record for purposes unrelated to job3 Failed to clarify and/or document clarification of a physicians order1 Left nursing assignment and abandoned patients without notifying appropriate personnel1 failed to follow physicians order and withheld a dose of medication1 Administered IV medication without a physician's order1 Obtained two bags of saline for manager's personal use1 Improperly pre-documented administration of Fentanyl1 Practiced as an ANP at a nursing home without a having a practice protocol or written authorization1 Failed to adequately assess or intervene prior to a patient being transferred1 Ran a 12-lead electrocardiogram and administered IV fluids to the unit nurse manager

Board of Nursing Statistical Report FY 2012

Measure	Totals FY'09	Totals FY'10	Totals FY'11	1st Quarter	2 nd Quarter	3rd Quarter	4th Quarter	FY 2012 Total
Nursing Jurisprudence Exam	18,886	27,177	27,821	6,600	6,239	0	0	12,839
Exam Not Completed	825	1,845	1,216	273	259			532
Percentage Not Completed	4.37%	6.79%	4.37%	4.14%	4.15%	??	??	4.14%
Did Not Passed	485	1,602	2,468	558	577			1,135
Percentage Did Not Pass	2.57%	5.89%	8.87%	8.45%	9.25%	??	??	8.84%
Exam Passed	17,576	23,730	24,137	5,769	5,403			11,172
Percentage Exam Passed	93.06%	87.32%	86.76%	87.41%	86.60%	??	??	87.02%
NJE - Breakdown by Applicant Group								
LVN-Candidate	4,627	7,266	7,472	1,647	1,505	0	0	3,152
Exam Not Completed	282	835	399	86	76			162
Did Not Passed	177	723	991	191	219			410
Exam Passed	4,168	5,708	6,082	1,370	1,210			2,580
LVN-Endorsement	938	1,384	1,716	407	419	0	0	826
Exam Not Completed	57	94	105	16	17			33
Did Not Passed	90	193	387	98	99			197
Exam Passed	791	1,097	1,224	293	303			596
RN-Candidate	8,104	10,929	11,057	2,531	2,495	0	0	5,026
Exam Not Completed	265	569	361	95	98			193
Did Not Passed	35	250	387	101	97			198
Exam Passed	7,804	10,110	10,309	2,335	2,300			4,635
RN-Endorsement	5,217	7,598	7,576	1,959	1,756	0	0	3,715
Exam Not Completed	221	347	351	73	65			138
Did Not Passed	183	436	703	163	159			322
Exam Passed	4,813	6,815	6,522	1,723	1,532			3,255
Refresher Course/Renewal Requirements	n/a	n/a	n/a	56	64	0	0	120
Exam Not Completed	n/a	n/a	n/a	3	3			6
Did Not Passed	n/a	n/a	n/a	5	3			8
Exam Passed	n/a	n/a	n/a	48	58			106