
TEXAS BOARD OF NURSING

Regular Meeting
July 21-22, 2016
8:42 am - 4:05 pm
333 Guadalupe, Tower II, Room 225
Austin, Texas

Present:

Kathy Shipp, MSN, RN, FNP, Board President, Representing APN Practice
Deborah Hughes Bell, CLU, ChFC, Board Vice-President, Representing Consumers
Nina Almasy, BSN, RN, MSN, Representing LVN Education
Patti Clapp, BA, Representing Consumers
Laura A. Disque, MN, RN, Representing RN
Allison Porter-Edwards, DrPH, MS, RN, Representing BSN Education
Diana Rodriguez Flores, MN, RN, Representing RN Practice
Doris Jean Jackson, DHA, (ABD), MSN, RN, Representing ADN Education
Kathy Leader-Horn, LVN, Representing LVN Practice
Francis D. Stokes, Representing Consumers

Absent:

Monica Hamby, LVN, Representing LVN Practice
Beverly Jean Nutall, LVN, Representing LVN Practice
David Saucedo II, Representing Consumers

Staff present:

Katherine A. Thomas, Executive Director
Patricia Vianes-Cabrera, Executive Assistant
Anthony Diggs, Director of Enforcement
Mark Majek, Director of Operations
Kristin Benton, Director of Nursing
James "Dusty" Johnston, General Counsel
Jena Abel, Assistant General Counsel
Stacey Cropley, Nursing Consultant
Jan Hooper, Nursing Consultant
Virginia Ayars, Nursing Consultant
Denise Benbow, Nursing Consultant
Linda Laws, Nursing Consultant
Susan Lee, Nursing Consultant
Kristen Sinay, Nursing Consultant
Gayle Varnell, Nursing Consultant
Jolene Zych, Nursing Consultant
Bruce Holter, Information Specialist
Jeremy Bruker, Information Technology
Bill Ray, Information Technology
Darryl Holt, Information Technology

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kathy Shipp called the meeting to order at 8:42 am, Thursday, April 21, 2016.	
ROLL CALL	Katherine Thomas did the roll call. Board Members Monica Hamby, LVN; Beverley Nutall, LVN; and David Saucedo were absent. A quorum was established with ten members in attendance.	
INTRODUCTIONS	Board Members and Staff introduced themselves to the audience and attendees.	
ACCEPTANCE OF AGENDA	<p>Agenda Item 8.7.3. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #171398, Issued to SANTIAGA ROSE LEAL, SOAH Docket No. 507-16-2764 was removed from the Agenda.</p> <p>The Board reviewed the Agenda.</p>	<p>Motion by Deborah Bell; Second by Doris Jackson</p> <p>Move to approve the agenda as amended with the removal of agenda item 8.7.3. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #171398, Issued to SANTIAGA ROSE LEAL, SOAH Docket No. 507-16-2764</p> <p>For: Allison P Edwards, Laura A Disque, Francis D Stokes, Doris J Jackson, Diana R Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Leader-Horn and Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
ACCEPTANCE OF MINUTES	The Board reviewed the minutes from the April 21-22, 2016 Board Meeting.	<p>Motion by Francis Stokes; Second by Patti Clapp.</p> <p>Move to approve the minutes from the April 21-22, 2016 Board Meeting.</p> <p>For: Allison P Edwards, Laura A Disque, Francis D Stokes, Doris J Jackson, Diana R Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Leader-Horn and Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
CONSENT AGENDA	The Board reviewed the consent agenda.	<p>Motion by Patti Clapp; Second by Francis Stokes</p> <p>Move to approve the Consent Agenda Excluding the following Items:</p> <p>8.1. Agreed Orders of: Atiabet, Albert Bruno Edong, LVN# 304169 Elliott, Zana L., APRN# AP115775/ RN# 738885 Featherston, Jetta Dianna, RN# 796374 Suvalian, Tatiana V., APRN# AP124823/ RN# 765652</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>The Board reviewed the items excluded from the Consent Agenda vote</p>	<p>8.2. Agreed Order-KSTAR Program of: Ozim, Nmasika Caroline, RN# 721543</p> <p>8.4. Reinstatement Agreed Order of: Taylor, Tyler Darnell, LVN# 176022</p> <p>8.6. ALJ Proposals for Decision 8.6.5. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #222848, Issued to TVARSKI LASHAWN STONE, SOAH Docket No. 507-16-0557</p> <p>8.7. Default ALJ Proposals for Decision 8.7.1. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #221681, Issued to VANESSA ALONZO, SOAH Docket No. 507-16-2634</p> <p>8.7.2. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #844992, Issued to ZACHARY J. JACKSON, SOAH Docket No. 507-16-2392</p> <p>8.7.4. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #200409, Issued to ERIC R. LINDSEY, SOAH Docket No. 507-16-2394</p> <p>8.7.5. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #774667, Issued to ERIN KATHLEEN SHOFFNER, SOAH Docket No. 507-16-2395</p> <p>For: Allison P Edwards, Laura A Disque, Francis D Stokes, Doris J Jackson, Diana R Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Leader-Horn and Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>Board Member Deborah Bell recused herself prior to the consideration and vote on the following Agreed Orders:</p> <p>Motion by Patti Clapp; Second by Kathy Leader-Horn</p>

AGENDA ITEM	DISCUSSION	ACTION
	<p>8.7.1. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #221681, Issued to VANESSA ALONZO, SOAH Docket No. 507-16-2634</p>	<p>Move to Approve the Agreed Orders of:</p> <p>8.1. Agreed Orders of: Atiabet, Albert Bruno Edong, LVN# 304169 Featherston, Jetta Dianna, RN# 796374 Suvalian, Tatiana V., APRN# AP124823/ RN# 765652</p> <p>8.2. Agreed Order-KSTAR Program of: Ozim, Nmasika Caroline, RN# 721543</p> <p>For: Allison P Edwards, Laura A Disque, Francis D Stokes, Doris J Jackson, Diana R Flores, Patti Clapp, Nina Almasy, Kathy Leader-Horn and Kathy Shipp</p> <p>Recused: Deborah Bell</p> <p>Final Resolution: Motion Carries</p> <p>Board Member Allison Porter-Edwards recused herself prior to the consideration and vote on the following Agreed Orders:</p> <p>Motion by Kathy Leader-Horn; Second by Diana R Flores</p> <p>Move to approve the Agreed Orders of: 8.1. Agreed Orders Elliott, Zana L., APRN # AP115775/RN #738885</p> <p>8.4. Reinstatement Agreed Order of: Taylor, Tyler Darnell, LVN #176022</p> <p>For: Laura A Disque, Francis Stokes, Doris Jackson, Diana R Flores, Patti Clapp, Nina Almasy, Kathy Leader-Horn, Deborah Bell, Kathy Shipp</p> <p>Recuse: Allison P Edwards</p> <p>Final Resolution: Motion Carries</p> <p>Board Members Kathy Shipp and Patti Clapp recused themselves prior to the consideration and vote on the following ALJ Proposal for Decision:</p> <p>Motion by Kathy Leader-Horn; Second by Laura A Disque.</p> <p>Move to approve the Proposal For Decision, Recommendations, and Board action to adopt the proposed order and revoke the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>CONSENT AGENDA ITEMS</p> <p>1.2. Legal 1.2.1. Update of Pending Litigation</p>	<p>8.7.2. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #844992, Issued to ZACHARY J. JACKSON, SOAH Docket No. 507-16-2392</p> <p>8.7.4. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #200409, Issued to ERIC R. LINDSEY, SOAH Docket No. 507-16-2394</p> <p>8.7.5. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #774667, Issued to ERIN KATHLEEN SHOFFNER, SOAH Docket No. 507-16-2395</p>	<p>Respondent's nursing license by default: In the Matter of Permanent Certificate LVN #221681, Issued to VANESSA ALONZO, SOAH Docket No. 507-16-2634</p> <p>For: Allison P Edwards, Laura A Disque, Francis D Stokes, Doris J Jackson, Diana R Flores, Nina Almasy, Kathy Leader-Horn, Deborah Bell</p> <p>Recuse: Patricia Clapp, Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p>Board Members Kathy Shipp, Kathy Leader Horn and Patti Clapp recused themselves prior to the consideration and vote on the following ALJ Proposals for Decision:</p> <p>Motion by Francis Stokes; Second by Diana Flores</p> <p>Move to approve the Proposals for Decision, Orders of Dismissal and Remand, Recommendations, and Board action to adopt the proposed orders and revoke the Respondents nursing licenses by default:</p> <p>In the Matter of Permanent Certificate RN #844992, Issued to ZACHARY J. JACKSON, SOAH Docket No. 507-16-2392;</p> <p>In the Matter of Permanent Certificate LVN #200409, Issued to ERIC R. LINDSEY, SOAH Docket No. 507-16-2394; and</p> <p>In the Matter of Permanent Certificate RN #774667, Issued to ERIN KATHLEEN SHOFFNER, SOAH Docket No. 507-16-2395</p> <p>For: Allison P Edwards, Laura A Disque, Francis D Stokes, Doris J Jackson, Diana R Flores, Nina Almasy, Deborah Bell</p> <p>Recuse: Patricia Clapp, Kathy Leader-Horn, Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>in the Matters of: Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas; Valerie Green vs. Texas Board of Nursing; Katherine Thomas, Executive Director; James W. Johnson, General Counsel; Anthony L. Diggs, Director of Enforcement Division and Theft; Jenna Able, Assistant General Counsel; Kara Holsinger; Cause No. D-1-GN-15-005628, in the 53rd Judicial District Court, Travis County, Texas; Rodney Wayne Hicks vs. Texas Board of Nursing, and in their official capacities only, Katherine Thomas, Executive Director, and Kristin K. Benton, President of the Board, Cause No. Cause No. D-1-GN-12-003118, in the 353rd Judicial District Court, Travis County, Texas; Stanley Payne, Plaintiff, vs. Texas Board of Nurse Examiners a/k/a Texas Board of Nursing, Defendant, Cause No. D-1-GN-12-003072, in the 126th Judicial District Court, Travis County, Texas; Darlene Moriarty</i></p>		

AGENDA ITEM	DISCUSSION	ACTION
<p><i>vs. Texas Board of Nursing, Cause No. D-1-GN-14-002410, In the 53rd District Court, Travis County, Texas; Davina Danielle Moore vs. Texas Board of Nursing, D-1-GN-14-002109, In the 126th District Court, Travis County, Texas; Rosemary Hall, BSN, RN v. Texas Board of Nursing and State Office of Administrative Hearings, Cause No. D-1-GN-15-002832, 126th District Court of Travis County; and Amy Jeanette Banda vs. Texas Board of Nursing, Cause No. D-1-GN-15-005691; In the 98th Judicial District, Travis County, Texas.</i></p>		
<p><i>2.1. Financial Statement - 3RD Quarter, Fiscal Year 2016</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.1.1. Promoting Competency Report</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.1. Status Report on New Nursing Education Programs and Active and Potential Proposals</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.2. Status Report on Programs with Sanctions</i></p>		<p><i>Approved on Consent.</i></p>
<p><i>3.2.3. Report on Communication Activities with Nursing Education Programs</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.4. <i>Consideration of Reports of Survey Visits</i></p>		
<p>3.2.4.a. <i>Chamberlain College of Nursing in Houston, Texas - Baccalaureate Degree Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.4.b. ITT <i>Technical Institute in Richardson, Texas - Associate Degree Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.4.c. Lone Star <i>College Montgomery in Conroe, Texas - Vocational Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.4.d. University <i>of Texas Health Science Center at San Antonio, Texas - Baccalaureate Degree Nursing Education</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.5. <i>Consideration of Notification of Voluntary Closure of Nursing Education Program - Everest College in Fort Worth, Texas - Associate Degree Nursing Education Program</i></p>		<p><i>Approved on Consent.</i></p>
<p>3.2.6. Notification of <i>Award of Accreditation for the Master's Degree in Nursing Program by the Commission on Collegiate Nursing Education to Texas A&M Health Science Center in Bryan, Texas - Family Nurse</i></p>		<p><i>Approved on Consent.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<i>Practitioner Program</i>		
<i>4.1. Criminal Background Check Update</i>		<i>Approved on Consent.</i>
<i>4.2. Report on Enforcement's Initiative to Address Complaint Backlog</i>		<i>Approved on Consent.</i>
<i>5.1.1. Eligibility and Disciplinary Committee</i>		<i>Approved on Consent.</i>
<i>5.1.2. Quarterly Statistical Report - 3RD Quarter, Fiscal Year 2016</i>		<i>Approved on Consent.</i>
<i>6.1. Nurse Licensure Compact Update</i>		<i>Approved on Consent.</i>
<i>6.2. Adoption of Amendments to 22 Tex. Admin. Code §217.4, relating to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction</i>		<i>Approved on Consent.</i>
<i>6.3. Adoption of Amendments to 22 Tex. Admin. Code §211.9, relating to General Considerations</i>		<i>Approved on Consent.</i>
<i>6.4. Adoption of Amendments to 22 Tex. Admin. Code §211.10, relating to Training and Education Reimbursement</i>		<i>Approved on Consent.</i>
<i>7.1.1. TPAPN Quarterly Report</i>		<i>Approved on Consent.</i>
<i>7.1.2. Texas Peer Assistance</i>		<i>Approved on Consent.</i>

AGENDA ITEM	DISCUSSION	ACTION
<p>Program for Nurses Third Party Referral Report</p>		
<p>8. PROPOSED BOARD ORDERS 8.1. Agreed Orders</p>		<p>The board voted to ratify the Agreed Orders on Consent with the following results:</p>
	<p>Atiabet, Albert Bruno Edong, LVN# 304169</p>	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order. Warning with Stipulations</p>
	<p>Attaway, Michael Lance, RN# 806758</p>	<p>Warning with Stipulations</p>
	<p>Brestle, Julie Jean, RN# 771548</p>	<p>Warning with Stipulations</p>
	<p>Brown (Krupp), Abigail K., RN# 601378</p>	<p>Suspend/Probate</p>
	<p>Chaffee, Stephanie Lynn, LVN# 178330</p>	<p>Enforced Suspension</p>
	<p>Collier, Vonda Lashone, LVN# 317932</p>	<p>Reprimand with Stipulations</p>
	<p>Courteau, Joan Colette, Prescriptive Auth# 3364/ AP109893/RN# 244420</p>	<p>Limited / Suspend Probate</p>
	<p>Cowger, Melody Marie, LVN# 167793</p>	<p>Warning with Stipulations</p>
	<p>Edwards, Theresa, RN# 651560</p>	<p>Board Member Allison Porter-Edwards recused herself prior to the consideration and vote on this Agreed Order. Reprimand with Stipulations</p>
	<p>Elliott, Zana L., APRN# AP115775/ RN# 738885</p>	<p>Warning with Stipulations</p>
	<p>Ewald, Lisa Hinterleiter, RN# 722241</p>	<p>Suspend/Probate</p>
	<p>Featherston, Jetta Dianna, RN# 796374</p>	<p>Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order. Warning with Stipulations</p>
	<p>Fife, Sabrina Lou, RN# 702069</p>	<p>Reprimand with Stipulations</p>
	<p>Gonzales, Maria Aurora, RN# 254398/ LVN# 35602</p>	<p>Reprimand with Stipulations</p>
	<p>Hamilton, Angela Poke, RN# 880943</p>	<p>Warning with Stipulations</p>
	<p>Henslee, Angela, RN# 827142</p>	<p>Reprimand with Stipulations</p>
	<p>Herring, Elizabeth Jeannette, RN# 821340</p>	<p>Warning with Stipulations</p>
	<p>Houglan, Sara Len, LVN# 183107</p>	<p>Reprimand with Stipulations</p>
	<p>Kromah, Alice E., RN# 630341/LVN# 124304</p>	<p>Warning with Stipulations</p>
	<p>Lacour(Kaping), Stephanie Kay, LVN# 150952</p>	<p>Suspend/Probate</p>

AGENDA ITEM	DISCUSSION	ACTION
	<i>Langley, Emily Megan, RN# 792896</i>	<i>Enforced Suspension</i>
	<i>Lapuz, Jeanette Manalese, RN# 668078</i>	<i>Warning with Stipulations</i>
	<i>Lin, Linda Swee Chun, Prescriptive Auth# 5538, APRN# AP113124/ RN# 570134</i>	<i>Limited/ Suspend Probate</i>
	<i>Lister, Tisha Trenee, LVN# 210855</i>	<i>Suspend/Probate</i>
	<i>Litton, Valerie J., RN# 527044</i>	<i>Warning with Stipulations</i>
	<i>Lopez, Raoul T., LVN# 318350</i>	<i>Warning with Stipulations</i>
	<i>Mackey, Amber Shae, RN# 798243</i>	<i>Enforced Suspension</i>
	<i>Osburn, Karen L., RN# 530969</i>	<i>Warning with Stipulations</i>
	<i>Phemister, Tara Victoria, RN# 304637</i>	<i>Warning with Stipulations</i>
	<i>Pipkin, Rebecca Lea, LVN# 150762</i>	<i>Enforced Suspension</i>
	<i>Sten, Laurie Jean, LVN# 148255</i>	<i>Warning with Stipulations</i>
	<i>Strahan, Jennifer Leigh, RN# 697447</i>	<i>Warning with Stipulations</i>
	<i>Suvalian, Tatiana V., APRN# AP124823/ RN# 765652</i>	Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order. <i>Warning with Stipulations</i>
	<i>Torson, Lindi Gail, LVN# 192118</i>	<i>Suspend/Probate</i>
	<i>Tucker, Anthony Valentini, RN# 597263</i>	<i>Suspend/Probate</i>
	<i>Van Houte, Dinah Lynn, LVN# 162794</i>	<i>Warning with Stipulations</i>
	<i>Vazquez, Jaime C., RN# 823073</i>	<i>Suspend/Probate</i>
	<i>Williams, Alicia Patrice, LVN# 304883</i>	<i>Warning with Stipulations</i>
	<i>Wooten, Tara Leshawn, LVN# 318896</i>	<i>Reprimand</i>
8.2. AGREED ORDERS - KSTAR Program		
	<i>Ozim, Nmasika Caroline, RN# 721543</i>	Board Member Deborah Bell recused herself prior to the consideration and vote on this Agreed Order. <i>Warning with Stipulations</i>
8.3. DEFERRED AGREED ORDERS		
	<i>None.</i>	
8.4. REINSTATEMENT AGREED ORDERS		
	<i>Gonzalez, Robin Leigh, RN# 815932</i>	<i>Reinstated with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5. ELIGIBILITY AGREED ORDERS</p>	<i>Jackson, R.J. Watkins, RN# 420385</i>	<i>Reinstated with Stipulations</i>
	<i>Kissinger, Kyle Benjamin, RN# 788626</i>	<i>Reinstated with Stipulations</i>
	<i>Sanchez, Dawn Marie, RN# 669624</i>	<i>Reinstated with Stipulations</i>
	<i>Taylor, Tyler Darnell, LVN# 176022</i>	Board Member Allison Porter-Edwards recused herself prior to the consideration and vote on this Agreed Order.
		<i>Reinstated with Stipulations</i>
	<i>Briggs, Shannon Marie, RN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Caffey, Jared Dale, RN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Demps, Arnece Nicole, LVN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Estridge(Dunn Moore, Clayton, Dunn), Shanna Lynn, LVN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Felder, Laterrika Reshaunt, LVN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Fisher, Greta Lara, RN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Hutchins (Watson), Tara Rai, RN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Morill (Lynch), Myessha Laquimberly, RN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
	<i>Olmsted, Ruben Charles, RN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>
<i>Parker, Tina Louise, LVN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>	
<i>Roberts, Faith Ann, LVN Exam Petitioner</i>	<i>Petition for Eligibility for Licensure</i>	
<i>Udoh, Janet Sunday, LVN Endorsement Petitioner</i>	<i>Petition for Eligibility for Licensure</i>	
<p>8.6. ALJ Proposals for Decision</p> <p>8.6.1. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate RN #659864, Issued to SHARIFAH ABDULLAH, SOAH Docket No. 507-15- 5557</p>		<p><i>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and Revoke the Respondent's license, as is set out in the order.</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.6.2. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate RN #561876, Issued to JASON ERIC BORQUE, SOAH Docket No. 507-16-1228</p>		<p><i>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and impose a Probated Suspension against the Respondent's license for three years, with the probationary stipulations set out in the order.</i></p>
<p>8.6.3. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate RN#656200 and LVN #160665, Issued to HUGH COLE, SOAH Docket No. 507-16-0935</p>		<p><i>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, except for proposed Finding of Fact Number 3 and Conclusions of Law Numbers 5 and 7, which are modified and adopted as set out in the proposed order, and proposed Conclusions of Law Numbers 9 and 10, which are not adopted by the Board, but are re-designated as recommendations, and Enforce a Suspension of the Respondent's licenses until the Respondent undergoes a chemical dependency evaluation indicating Respondent is safe to return to practice and obtains twelve consecutive months of sobriety, followed by three years of probationary stipulations, as set out in the order.</i></p>
<p>8.6.4. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #321162, Issued to MEGAN ALLICE STONE, SOAH Docket No. 507-16-1692</p>		<p><i>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification, except for proposed Finding of Fact Number 17, which is modified and adopted as set out in the proposed order, and Revoke the Respondent's nursing license, as is set out in the proposed order.</i></p>
<p>8.7. Default ALJ Proposals for Decision</p>		
<p>8.7.1. Consideration of Order of Dismissal and Remand, Recommendations,</p>		<p>Board Members Patti Clapp and Kathy Shipp recused themselves from the consideration and vote on this agenda item.</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>and Board action: In the Matter of Permanent Certificate LVN #221681, Issued to VANESSA ALONZO, SOAH Docket No. 507-16-2634</p>		<p>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's nursing license.</p>
<p>8.7.2. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #844992, Issued to ZACHARY J. JACKSON, SOAH Docket No. 507-16- 2392</p>		<p>Board Members Patti Clapp, Kathy Leader-Horn and Kathy Shipp recused themselves from the consideration and vote on this agenda item.</p> <p>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's nursing license.</p>
<p>8.7.4. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #200409, Issued to ERIC R. LINDSEY, SOAH Docket No. 507-16-2394</p>		<p>Board Members Patti Clapp, Kathy Leader-Horn and Kathy Shipp recused themselves from the consideration and vote on this agenda item.</p> <p>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's nursing license.</p>
<p>8.7.5. Consideration of Order of Dismissal and Remand, Recommendations, and Board action: In the Matter of Permanent Certificate RN #774667, Issued to ERIN KATHLEEN SHOFFNER, SOAH Docket No. 507-16-2395</p>		<p>Board Members Patti Clapp, Kathy Leader-Horn and Kathy Shipp recused themselves from the consideration and vote on this agenda item.</p> <p>Adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's nursing license.</p>

AGENDA ITEM	DISCUSSION	ACTION
1. ADMINISTRATION 1.1. Executive Director's Report	Katherine Thomas reviewed her written report to the board.	No action.
2. OPERATIONS 2.2. Continuing Education Pre-Renewal Audit Report - 3 RD Quarter	Mark Majek reviewed the Continued Education Pre-Renewal Audit Report - 3 RD Quarter with the Board and discussed that the data contained within this report is duplicative of data that is provided in the quarterly statistical report, therefore this report will be removed from all future agendas.	No action.
2.3. Update on the Legislative Appropriations Request	Mark Majek gave the Board an update on the Legislative Appropriations Request to include: The Office of the Governor and the Legislative Budget Board have asked all state agencies to submit a 4% reduction to each agencies operating budget; BON Staff have made several changes and will be adding an exceptional item for the 4% back; Revenue remains strong; Staff's proposed budget could increase each licensee a maximum of \$5 per renewal period.	No action.
3. NURSING 3.1. PRACTICE 3.1.2. Report on Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) Pilot	Kristin Benton provided the Board with the background and history of the KSTAR program since its implementation. Ms. Benton also provided data and updates on the current number of participants and on survey results from nurses who have completed the program.	No action.
3.2. EDUCATION 3.2.7. Consideration of Proposal to Establish a New Nursing Education Program 3.2.7.a. St. Philip's College in San Antonio, Texas - Associate Degree Nursing Education Program	The Board held a Public Hearing on the Proposal to Establish a New Nursing Education Program submitted by St. Philip's College in San Antonio, Texas. The Board considered the St. Philip's College proposal to establish a new Associate Degree Nursing Education	Motion by Doris Jackson; Second by Deborah Bell Move to grant initial approval to St. Philip's College to establish a new Associate Degree Nursing Education Program in San Antonio, Texas, and impose the following conditions /

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.7.b. Howard College in San Angelo, Texas - Associate Degree Nursing Education Program</p>	<p>Program in San Antonio, Texas, and the report of the survey visit. The final proposal was provided electronically to the Board Members and a notice of public hearing was posted. Melissa Authur, MSN, RN, Proposed Director; Dr. Adena Williams Loston, President; and Rose Sterling, MSN, RN, Dean of Health Sciences were present and available to answer questions.</p> <p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Education Program submitted by Howard College in San Angelo, Texas. The Board considered the Howard College proposal to establish a new Associate Degree Nursing Education Program in San Angelo, Texas, and the report of the survey visit. The final proposal was provided electronically to the Board Members and a notice of public hearing was posted. Cheryl T. Sparks, EdD, President, Howard College and Marnita Guinn, PhD, RN, Proposed Director, were present and available to answer questions.</p>	<p>requirements in the Board Order: 1. The program shall not admit more than one (1) cohort of thirty-five (35) students each fall while on initial approval.</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Diana Flores; Second by Deborah Bell</p> <p>Move to grant initial approval to Howard College to establish a new Associate Degree Nursing Education Program in San Angelo, Texas and impose the following conditions/requirements in the Board Order: 1. The program shall not admit more than one (1) cohort of twenty (20) generic and thirty (30) accelerated LVN to RN students in August 2016, not to exceed a total of fifty (50) students for the first admission period. The program shall not admit more than one (1) cohort annually in 2017, with twenty-five (25) generic and thirty-five (35) accelerated LVN to RN students, until the program achieves Full Approval from the Board.</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn</p> <p>Final Resolution: Motion Carries</p>
<p>3.2.7.c. Texas A&M University - Texarkana in Texarkana, Texas - Baccalaureate Degree Nursing Education Program</p>	<p>The Board held a Public Hearing on the Proposal to Establish a New Nursing Education Program submitted by Texas A&M University - Texarkana in Texarkana, Texas. The Board considered the Texas A&M University - Texarkana proposal to establish a new Baccalaureate Degree Nursing Education Program in Texarkana, Texas, and the report of the survey visit. The final proposal was provided electronically to the Board Members and a notice of public hearing was posted. Kathy Missildine, PhD, RN, CNE, Proposed Director and Dr. Donald Peterson, Dean of the College of Science, Technology, Engineering, and Mathematics, were present</p>	<p>Motion by Deborah Bell; Second by Allison Porter-Edwards</p> <p>Move to grant initial approval to Texas A&M University to establish a new Baccalaureate Degree Nursing Education Program in Texarkana, Texas, and impose the following conditions/requirements in the Board Order: 1. The program shall not admit more than one (1) cohort of thirty (30) students in year one (1), thirty-five (35) students in year two (2), and forty (40) students in years three (3) through five (5).</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores,</p>

AGENDA ITEM	DISCUSSION	ACTION
	and available to answer questions.	Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn Final Resolution: Motion Carries
5. COMMITTEE REPORTS		
5.1. Board Committees		
5.1.3. Development and Evaluation	Board Members Patti Clapp and Doris Jackson reviewed the previous Board Development for FY 2016. Board Members were requested to submit any requested items for development and evaluation to Patti Clapp and/or Doris Jackson.	No action.
5.2. Advisory Committees/Task Forces		
5.2.1. Advanced Practice Nursing 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. Advisory Committee on Licensure, Eligibility and Discipline	No report.	No action.
5.2.5. Task Force to Study Implications of the Growth of Texas Nursing Education Programs	No report.	No action.
5.3. Collaboration with Outside Agencies / Stakeholders		
5.3.1. Statewide Health Coordinating Council Texas	Kristin Benton reported on the status of the workplace violence study. The employer survey is completed and the nurse survey will	No action.

AGENDA ITEM	DISCUSSION	ACTION
Center for Nursing Workforce Studies Advisory Committee	go out in August.	
5.3.2. Updates Related to the Texas Higher Education Coordinating Board, the Texas Workforce Commission and the Texas Education Agency	Kristin Benton reported Board Staff met with Staff of TWC, THECB and TEA at Board offices on May 9, 2016 to discuss program updates, the Nursing innovation Grant Program and agency updates. The next meeting will beheld on November 3, 2016.	No action.
5.3.3. National Council of State Boards of Nursing - Taxonomy of Error Root Cause Analysis of Practice Responsibility (TERCAP)	No report.	No action.
5.3.3.a. Texas - Taxonomy of Error Root Cause Analysis of Practice Responsibility (TERCAP) Update	Denise Benbow reported two conference calls were conducted in May, one with the TERCAP workgroup and the second with the participants in the pilot project. In these two conference calls information was shared regarding the status of the project, the next steps to complete the pilot August 31, 2016, a request for policy recommendations from the workgroup and an opportunity for questions and answers from the participants.	No action.
5.3.4. Texas Team Report - Robert Wood Johnson Initiative	Katherine Thomas reported on the status of the Nurses on Boards Project and the Health Information Technology Survey. Mary Tietz presented the Health I.T. survey at the American Nurses Association Symposium this summer.	No action.
5.3.5. National Council of State Boards of Nursing	Kathy Shipp discussed her participation in phone conferences with other President's of State Board of Nursing thru NCSBN. Ms. Shipp also shared that she has been asked to chair the President's meeting at the NCSBN Annual Meeting that is taking place on August 17-19, 2016 in Chicago, IL.	No action.

AGENDA ITEM	DISCUSSION	ACTION
5.3.5.a. Report on Annual NCSBN Delegate Assembly, to be held August 17-19, 2016 in Chicago, IL	<p>Kathy Shipp discussed the issues to be considered at the NCSBN Annual Delegate Assembly meeting to be held August 17-19, 2016. Ms. Shipp designated the following as the delegates and alternate delegates for the NCSBN Annual Delegate Assembly:</p> <p>Delegates Kathy Shipp and Kristin Benton</p> <p>Alternates Deborah Bell and Mark Majek</p> <p>Board Members also considered the issues to be voted on at the Annual Delegate Assembly.</p>	<p>Motion by Kathy Leader-Horn; Second by Doris Jackson</p> <p>Move to direct the Delegates to vote on the issues after hearing and considering the discussion on the issues.</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn</p> <p>Final Resolution: Motion Carries</p>
OPEN FORUM:	<p>Board President Kathy Shipp announced the format and invited participation from the audience.</p> <p>Marc Meyer, Attorney spoke to the board regarding §301.413 Tex. Occ. Code has not stated statute of limitations.</p> <p>Cindy Zolnerick, Executive Director, Texas Nurses Association and Jonathan Wolfarth. Cindy Zolnerick introduced Jonathan Wolfarth as the new Program Director for the Texas Peer Assistance Program.</p> <p>No additional speakers came forward and the open forum was closed.</p>	No action.
6. OLD BUSINESS	<p>6.5. Report on the Consideration of Fees for New Education Program Proposals</p> <p>Kristin Benton reported that the new education program proposal fee policy was amended to reflect a no refund policy as a follow up action to Board direction during the April, 2016 quarterly Board meeting.</p>	
7. NEW BUSINESS	<p>7.1. Texas Peer Assistance Program for Nurses (TPAPN)</p> <p>7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee</p> <p>Denise Benbow reported the Texas Peer Assistance Program for Nurses (TPAPN) Advisory Committee met on June 3, 2016. The committee was informed the new TPAPN Program Director will be Jonathan Wolfarth and the TPAPN budget is a "breakeven" budget. The committee provided</p>	No action.

AGENDA ITEM	DISCUSSION	ACTION
<p>7.3. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.14, Relating to Registered Nurses Performing Radiologic Procedures</p>	<p>feedback related to the TPAPN program. The next meeting will be September 9, 2016.</p> <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.14, Relating to Registered Nurses Performing Radiologic Procedures.</p>	<p>Motion by Patti Clapp; Second by Kathy Leader-Horn</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.14, relating to Registered Nurses Performing Radiologic Procedures, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Texas Administrative Code §217.14, relating to Registered Nurses Performing Radiologic Procedures, as proposed.</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn</p> <p>Final Resolution: Motion Carries</p>
<p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §223.1, Relating to Fees</p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §223.1, Relating to Fees.</p>	<p>Motion by Deborah Bell; Second by Doris Jackson</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §223.1, relating to Fees, with authority for the General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the Texas Register. If no negative comments and no request for a public hearing are received, move to adopt the proposed amendments to 22 Texas Administrative Code §223.1, relating to Fees.</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn</p> <p>Final Resolution: Motion Carries</p>
<p>7.5. Consideration of Performance Measure Review</p>	<p>The Board considered and discussed the Performance Measure Review. Jaye Stepp, Auditor was present and discussed the review with the Board.</p>	<p>No action.</p>

AGENDA ITEM	DISCUSSION	ACTION
7.6. Consideration of Audit Report on Financial Processes of the Texas Board of Nursing - Office of the State Auditor	The Board considered the Audit Report on Financial Processes of the Texas Board of Nursing - Office of the State Auditor.	No action.
8. Proposed Board Orders 8.6. ALJ Proposals for Decision		
8.6.5. Consideration of Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #222848, Issued to TVARSKI LASHAWN STONE, SOAH Docket No. 507-16-0557	The Board considered the Proposal For Decision, Recommendations, and Board action: In the Matter of Permanent Certificate LVN #222848, Issued to TVARSKI LASHAWN STONE, SOAH Docket No. 507-16-0557. Tvarski Lashawn Stone was present and was given full opportunity to address the board.	Motion by Deborah Bell; Second by Doris Jackson Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD without modification and revoke the Respondent's license. For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn Final Resolution: Motion Carries
9. MISCELLANEOUS		
9.1. Board Items of Interest for Future Board Meetings	Kathy Shipp discussed with the Board the Sunset review and Sunset hearing to be held on November 10, 2016. Board Members were requested to attend if their schedule allows.	No action.
9.2. Board Development: KStar Site Visit, July 20, 2016	Board Members attended the KStar Site visit on July 20, 2016 and were provided with an overview of the KStar program and reviewed the learning simulation lab.	No action.
9.3. Review of the Board Quarterly Meeting Evaluation	The Board reviewed the Board Quarterly Meeting Evaluation comments from the April, 2016 Board Meeting.	No action.
9.4. Consideration of Proposed Date and Topics for October, 2016 Board Retreat	The Board discussed Proposed Date and Topics for October, 2016 Board Retreat	The Board agreed to hold the Board Member Retreat on Wednesday, October 26, 2016.

AGENDA ITEM	DISCUSSION	ACTION
<p>9.7. Report on the Results of the Texas Board of Nursing Survey of Employee Engagement - Noel Landuyt, PhD, with The University of Texas at Austin School of Social Work</p>	<p>Noel Landuyt, PhD, The University of Texas at Austin School of Social Work presented the results of the Board of Nursing Survey of Employee Engagement.</p>	<p>No action.</p>
<p>9.8. Nominations for Board Vice-President for 2017-2018</p>	<p>Kathy Shipp called for Nominations for the Board Vice-President for 2017 thru 2018.</p> <p>Nina Almasy nominated Patti Clapp for Board Vice-President.</p> <p>No other nominations were made. A vote will be taken at the October, 2016 board meeting.</p>	<p>No action.</p>
<p>ADJOURNMENT</p>	<p>Having completed this day's business the meeting adjourned at 4:05 pm.</p>	

TEXAS BOARD OF NURSING

Regular Meeting

July 21-22, 2016

8:42 am - 10:48 am

333 Guadalupe, Tower II, Room 225

Austin, Texas

Present:

Kathy Shipp, MSN, RN, FNP, Board President, Representing APN Practice

Deborah Hughes Bell, CLU, ChFC, Board Vice-President, Representing Consumers

Nina Almasy, BSN, RN, MSN, Representing LVN Education

Patti Clapp, BA, Representing Consumers

Laura A. Disque, MN, RN, Representing RN

Allison Porter-Edwards, DrPH, MS, RN, Representing BSN Education

Diana Rodriguez Flores, MN, RN, Representing RN Practice

Doris Jean Jackson, DHA, (ABD), MSN, RN, Representing ADN Education

Kathy Leader-Horn, LVN, Representing LVN Practice

Francis D. Stokes, Representing Consumers

Absent:

Monica Hamby, LVN, Representing LVN Practice

Beverly Jean Nutall, LVN, Representing LVN Practice

David Saucedo II, Representing Consumers

Staff present:

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

Mark Majek, Director of Operations

Kristin Benton, Director of Nursing

James "Dusty" Johnston, General Counsel

Jena Abel, Assistant General Counsel

Stacey Cropley, Nursing Consultant

Jan Hooper, Nursing Consultant

Virginia Ayars, Nursing Consultant

Denise Benbow, Nursing Consultant

Linda Laws, Nursing Consultant

Susan Lee, Nursing Consultant

Kristen Sinay, Nursing Consultant

Gayle Varnell, Nursing Consultant

Jolene Zych, Nursing Consultant

Bruce Holter, Information Specialist

Jeremy Bruker, Information Technology

Bill Ray, Information Technology

Darryl Holt, Information Technology

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kathy Shipp called the meeting to order at 8:42 am, Friday, July 22, 2016.	
ROLL CALL	Katherine Thomas did the roll call. Board Members Monica Hamby, LVN; Beverley Nutall, LVN; and David Saucedo were absent. A quorum was established with ten members in attendance.	
INTRODUCTIONS	Board Members and Staff introduced themselves to the audience and attendees.	
7. NEW BUSINESS 7.2. Report on the April 8, 2016 Board Member and Board Staff NCLEX Test Site Visit and Review	Stacey Cropley reported that three Board members and four Board staff participated in a test site visit to Pearson Professional Center in South Austin on April 8, 2016 for the purposes of an NCLEX Review. This consisted of a review of test items to ensure consistency with the Nursing Practice Act for the state of Texas, entry level content and a tour of the test site facility and equipment. The participating Board Members and Staff's observations, comments and feedback has been communicated to NCSBN. This item is for informational purposes only.	No action.
9. MISCELLANEOUS 9.5. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine A. Thomas, MN, RN, FAAN, Executive Director - Convene in Open Session to consider recommendations and take action	<p>The Board went into Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Performance Evaluation of Katherine A. Thomas, MN, RN, FAAN, Executive Director.</p> <p>The Board convened in Open Session to consider recommendations and take action on the Performance Evaluation of Katherine A. Thomas, MN, RN, FAAN, Executive Director.</p>	<p>Motion by Francis Stokes; Second by Deborah Bell</p> <p>Motion to award Kathy Thomas, Executive Director, forty (40) hours (5 days) of administrative leave time due to exceptional work as Executive Director of the Texas Board of Nursing.</p> <p>For: Allison P Edwards, Laura Disque, Francis Stokes, Doris Jackson, Diana Flores, Patti Clapp, Nina Almasy, Deborah Bell, Kathy Shipp, Kathy Leader-Horn</p> <p>Final Resolution: Motion Carries</p>
9.6. Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open	Executive Session Pursuant to Tex. Gov't Code Ann. §551.074 (Texas Open Meetings Act) Regarding Personnel Matters: Annual Board Self-Evaluation	No action.

AGENDA ITEM	DISCUSSION	ACTION
Meetings Act) Regarding Personnel Matters: Annual Board Self-Evaluation		
ADJOURNMENT	<p data-bbox="407 533 922 617">Having completed all business as listed on the agenda, the meeting adjourned at 10:48 a.m.</p> <hr data-bbox="407 737 878 741"/> <p data-bbox="407 743 743 800">Kathy Shipp, MSN, RN, FNP Board President</p> <hr data-bbox="407 919 878 924"/> <p data-bbox="407 926 850 982">Katherine A. Thomas, MN, RN, FAAN Executive Director</p>	