

TEXAS BOARD OF NURSING
Regular Meeting
April 19-20, 2018
AGENDA

Section 46.035 of the Texas Penal Code prohibits handgun licensees from carrying their handguns at government meetings such as this one. This prohibition applies to both concealed carry and open carry by handgun licensees. Handgun licensees are required by law to refrain from carrying their handguns at this meeting.

CALL TO ORDER - 8:30 am

REVIEW OF AGENDA

REVIEW OF THE MINUTES: January 18-19, 2018 Board Meeting Minutes

CONSENT AGENDA:

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- 1.2.1.** Update of Pending Litigation in the Matters of:
Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th 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;
Amy Jeanette Banda vs. Texas Board of Nursing, Cause No. D-1-GN-15-005691; In the 98th Judicial District, Travis County, Texas;
Thai Lashel Ramsey v. Texas Board of Nursing, Cause No. D-1-GN-17-003512, In the 126th Judicial District, Travis County, Texas;
Nancy Nichols, v. Texas Board of Nursing, Cause No. 68809A, in the District Court, Randall County, Texas; and
In Re Yvonne Brown, Court of Appeals, Fifth Judicial District, Cause No. 05-17-01161-CV.
The Board Reserves the Right to Convene in Executive Session, if Necessary, Pursuant to §551.071(1), Texas Government Code, to Discuss Pending or Contemplated Litigation in these Matters
- 2.1.** Financial Statement – 2ND Quarter, Fiscal Year 2018 - **MMajek/LPerez**
- 3.1.1.** Promoting Competency Report – **LLaws**
- 3.2.1.** Status Report on New Nursing Education Programs and Currently Active and Potential Proposals - **JHooper**
- 3.2.2.** Status Report on Programs with Sanctions - **JHooper**
- 3.2.3.** Report on Communication Activities with Nursing Education Programs - **SLee**
- 3.2.4.** Report of 2017 NCLEX-PN® Examination Pass Rates for Vocational Nursing Education Programs – **JHooper**
- 3.2.5.** Report of Outcomes of the Military Track at Baptist Health System School of Health Professions in San Antonio, Texas – Vocational Nursing Education Program – **VAYars**
- 3.2.6.** Consideration of Notification of Closure of a Nursing Education Program – Cephas Center for Health Sciences in Dallas, Texas – Vocational Nursing Education Program - **GVarnell**
- 3.2.7.** Consideration of Reports of Survey Visits
- 3.2.7.a.** Grayson College in Van Alstyne, Texas – Vocational Nursing Education Program - **SLee**
- 3.2.7.b.** Trinity Valley Community College in Kaufman, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.7.c.** Trinity Valley Community College in Palestine, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.7.d.** Tyler Junior College in Tyler, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.7.e.** Tyler Junior College in Tyler, Texas – Associate Degree Nursing Education Program - **SLee**
- 3.2.8.** Consideration of Change in Approval Status from Initial Approval to Full Approval
- 3.2.8.a.** Texas Health School in Houston, Texas – Vocational Nursing Education Program - **SLee**
- 3.2.9.** Consideration of Change in Approval Status from Full Approval with Warning to Full Approval
- 3.2.9.a.** Joe G. Davis School of Vocational Nursing in Huntsville, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.9.b.** Schreiner University in Kerrville, Texas – Vocational Nursing Education Program - **VAYars**
- 3.2.10.** Consideration of Change in Approval Status from Full Approval to Full Approval with Warning
- 3.2.10.a.** Clarendon College in Pampa, Texas – Vocational Nursing Education Program – **BSkloss**
- 3.2.10.b.** Kilgore College in Longview, Texas – Vocational Nursing Education Program – **SLee**
- 4.1.** Criminal Background Check Update – **TDiggs**
- 4.2.** Complaint Status Report - **TDiggs**
- 5.1.1.** Eligibility and Disciplinary Committee - **JWJohnston**
- 5.1.2.** Quarterly Statistical Report – 2ND Quarter, Fiscal Year 2018 - **MMajek/KThomas**
- 6.1.** Nurse Licensure Compact Update – **KThomas**
- 6.2.** Adoption of Repeal of 22 Tex. Admin. Code §220.2- §220.4, and Amendments to 22 Tex. Admin. Code §220.1- **JAbel**

- 7.1. Texas Peer Assistance Program for Nurses (TPAPN)
 - 7.1.1. TPAPN Quarterly Report
 - 7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report – **TDiggs**
 - 7.2. Review of the Health Professions Council Annual Report for Fiscal Year 2017 - **KThomas**
 - 8.1. Agreed Orders
 - 8.2. Agreed Orders - KSTAR Program
 - 8.3. Deferred Agreed Orders
 - 8.4. Reinstatement Agreed Orders
 - 8.5. Eligibility Agreed Orders
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1. ADMINISTRATION

- *1.1. Executive Director's Report - **KThomas**
 - 1.2. Legal - **JWJohnston**
 - C *1.2.1. Update of Pending Litigation in the Matters of:
 - Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th 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;
 - Amy Jeanette Banda vs. Texas Board of Nursing, Cause No. D-1-GN-15-005691; In the 98th Judicial District, Travis County, Texas;
 - Thai Lashel Ramsey v. Texas Board of Nursing, Cause No. D-1-GN-17-003512, In the 126th Judicial District, Travis County, Texas;
 - Nancy Nichols, v. Texas Board of Nursing, Cause No. 68809A, in the District Court, Randall County, Texas; and
 - In Re Yvonne Brown, Court of Appeals, Fifth Judicial District, Cause No. 05-17-01161-CV.
- The Board Reserves the Right to Convene in Executive Session, if Necessary, Pursuant to §551.071(1), Texas Government Code, to Discuss Pending or Contemplated Litigation in these Matters.

2. OPERATIONS

- C *2.1. Financial Statement – 2ND Quarter, Fiscal Year 2018 - **MMajek/LPerez**

3. NURSING

- 3.1. **Practice**
 - C *3.1.1. Promoting Competency Report – **LLaws**
 - *3.1.2. Report on Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) - **KBenton/SCaddell**
- 3.2. **Education**
 - C *3.2.1. Status Report on New Nursing Education Programs and Currently Active and Potential Proposals – **JHooper**
 - C *3.2.2. Status Report on Programs with Sanctions - **JHooper**
 - C *3.2.3. Report on Communication Activities with Nursing Education Programs - **SLee**
 - C *3.2.4. Report of 2017 NCLEX-PN® Examination Pass Rates for Vocational Nursing Education Programs – **JHooper**
 - C *3.2.5. Report of Outcomes of the Military Track at Baptist Health System School of Health Professions in San Antonio, Texas – Vocational Nursing Education Program – **VAyars**
 - C *3.2.6. Consideration of Notification of Closure of a Nursing Education Program – Cephas Center for Health Sciences in Dallas, Texas – Vocational Nursing Education Program - **GVarnell**

- 3.2.7. Consideration of Reports of Survey Visits**
- C *3.2.7.a.** Grayson College in Van Alstyne, Texas – Vocational Nursing Education Program - **SLee**
 - C *3.2.7.b.** Trinity Valley Community College in Kaufman, Texas – Vocational Nursing Education Program – **SLee**
 - C *3.2.7.c.** Trinity Valley Community College in Palestine, Texas–Vocational Nursing Education Program – **SLee**
 - C *3.2.7.d.** Tyler Junior College in Tyler, Texas – Vocational Nursing Education Program – **SLee**
 - C *3.2.7.e.** Tyler Junior College in Tyler, Texas – Associate Degree Nursing Education Program – **SLee**
- 3.2.8. Consideration of Change in Approval Status from Initial Approval to Full Approval**
- C *3.2.8.a.** Texas Health School in Houston, Texas – Vocational Nursing Education Program - **SLee**
- 3.2.9. Consideration of Change in Approval Status from Full Approval with Warning to Full Approval**
- C *3.2.9.a.** Joe G. Davis School of Vocational Nursing in Huntsville, Texas – Vocational Nursing Education Program – **SLee**
 - C *3.2.9.b.** Schreiner University in Kerrville, Texas – Vocational Nursing Education Program - **VAYars**
- 3.2.10. Consideration of Change in Approval Status from Full Approval to Full Approval with Warning**
- C *3.2.10.a.** Clarendon College in Pampa, Texas – Vocational Nursing Education Program – **BSkloss**
 - C *3.2.10.b.** Kilgore College in Longview, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.11. Consideration of Change in Approval Status from Initial Approval to Initial Approval with Warning**
- *3.2.11.a.** Cybertex Institute of Technology in Austin, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.12. Consideration of Change in Approval Status from Full Approval with Warning to Conditional Approval and Consideration of Report of Survey Visit**
- *3.2.12.a.** Fortis College in Grand Prairie, Texas – Vocational Nursing Education Program – **GVarnell**
- 3.2.13. Consideration of Change in Approval Status from Full Approval with Warning to Conditional Approval**
- *3.2.13.a.** Valley Grande Institute for Academic Studies in Weslaco, Texas - Vocational Nursing Education Program – **BSkloss**
 - *3.2.13.b.** Vernon College at Wichita Falls in Wichita Falls, Texas – Vocational Nursing Education Program – **SLee**
- 3.2.14. Consideration of Proposal to Establish a New Nursing Education Program**
- *3.2.14.a.** Hallmark University in San Antonio, Texas – Baccalaureate Degree Nursing Education Program – **VAYars**
- *3.2.15.** Report of the Outcome of the Innovative Pilot Program Project Conducted by South Texas College in McAllen, Texas – Associate Degree Nursing Education Program – **SLee**
- 3.2.16.** Report of Board Staff Review of a Proposal to Establish a Baccalaureate Degree Program in a Public Junior College – Austin Community College in Austin, Texas – **JHooper/KBenton**

4. ENFORCEMENT

- C *4.1.** Criminal Background Check Update – **TDiggs**
- C *4.2.** Complaint Status Report – **TDiggs**

5. COMMITTEE REPORTS

5.1. Board Committees

- C *5.1.1.** Eligibility and Disciplinary Committee - **JWJohnston**
- C *5.1.2.** Quarterly Statistical Report – 2ND Quarter, Fiscal Year 2018 - **MMajek/KThomas**

5.1.3. Board Development and Items of Interest for Future Meetings - **PClapp/DJackson**

5.2. Advisory Committees/Task Forces

5.2.1. Advanced Practice Nursing Advisory Committee - **KShipp/JZych**

*5.2.1.a. Consideration of Request for Charge to the Advanced Practice Nursing Advisory Committee - **JZych**

5.2.2. Nursing Practice Advisory Committee - **LDisque/DFlores/KSinay**

*5.2.2.a. Consideration of Request for Charge to the Nursing Practice Advisory Committee - **KSinay**

5.2.3. Advisory Committee on Education - **NAImasy/APEdwards/DJackson/KBenton/VAYars**

5.2.4. Advisory Committee on Licensure, Eligibility and Discipline - **PClapp/JWJohnston/JAabel**

5.2.5. Task Force to Study Implications of Growth of Texas Nursing Education Programs - **APEdwards/LDisque/KBenton**

5.3. Collaboration with Outside Agencies/Stakeholders

5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee - **KThomas**

5.3.2. Updates Related to the Texas Higher Education Coordinating Board, the Texas Workforce Commission, and the Texas Education Agency – **KBenton**

5.3.3. Taxonomy of Error Root Cause Analysis of Practice Responsibility (TERCAP)

5.3.3.a. National Council of State Boards of Nursing - Taxonomy of Error Root Cause Analysis of Practice Responsibility (TERCAP) – **SCaddell**

5.3.3.b. Texas - Taxonomy of Error Root Cause Analysis of Practice Responsibility (TERCAP) – **EMcDermott**

5.3.4. Texas Team Report - Robert Wood Johnson Initiative - **SLee**

5.3.5. National Council of State Boards of Nursing

5.3.5.a. Report on the National Council of State Boards of Nursing Mid-Year Meeting held March 5-7, 2018 in Chicago, IL

5.3.5.b. Appointment of Board Members to attend the NCSBN Annual Meeting to be held August 15-17, 2018 in Minneapolis, MN - **KShipp**

5.3.6. Texas Department of State Health Services, Texas School Health Program

5.3.6.a. Report on Nurse Delegation in the Public School Setting – **KBenton/LLaws**

5.3.7. Texas Health and Human Services Commission e-Health Advisory Committee - **EMcDermott**

OPEN FORUM: Thursday, 1:30 p.m. - 2:00 p.m.

6. OLD BUSINESS

C*6.1. Nurse Licensure Compact Update - **KThomas**

C*6.2. Adoption of Repeal of 22 Tex. Admin. Code §220.2- §220.4, and Amendments to 22 Tex. Admin. Code §220.1-**JAabel**

*6.3. Consideration of Adoption of Proposed Repeal of 22 Tex. Admin. Code §217.16, relating to Reporting of Minor Incidents and Proposed New Tex. Admin. Code §217.16, relating to Minor Incidents, including Written Comments Received and Results of Public Hearing, if any-**JAabel**

*6.4. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §213.35, relating to Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program, including Written Comments Received and Results of Public Hearing, if any-**JAabel**

- *6.5. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §217.19, relating to Incident-Based Nursing Peer Review and Whistleblower Protections, including Written Comments Received and Results of Public Hearing, if any-**JAbel**
- *6.6. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §217.20, relating to Safe Harbor Peer Review for Nurses and Whistleblower Protections, including Written Comments Received and Results of Public Hearing, if any-**JAbel**

7. NEW BUSINESS

7.1. Texas Peer Assistance Program for Nurses (TPAPN)

- C **7.1.1. Texas Peer Assistance Program for Nurses Quarterly Report-**CZolnierrek**
- C *7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report - **TDiggs**
- 7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee - **DBenbow**
- C *7.2. Review of the Health Professions Council Annual Report for Fiscal Year 2017 - **KThomas**
- *7.3. Consideration of Proposed Legislative Appropriations Request (LAR) Exceptional Items for Fiscal Years 2020-2021 - **MMajek/KThomas**
- *7.4. Quality Assurance Review of Texas Board of Nursing Internal Audit Activity – **MMajek/DBell/KThomas/JStepp/DMacCabe**
- *7.5. Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 215, relating to Professional Nursing Education-**JAbel**
- *7.6. Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 214, relating to Vocational Nursing Education-**JAbel**
- *7.7. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.1, relating to Definitions-**JAbel**
- *7.8. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.14, relating to Registered Nurses Performing Radiologic Procedures-**JAbel**
- *7.9. Consideration of Proposed New 22 Tex. Admin. Code §217.23, relating to Balance Billing-**JAbel**
- *7.10. Consideration of Request to Approve the Certified Nurse Educator Certification to Meet Continuing Competency Requirements for Licensure Renewal- **EMcDermott**
- 7.11. Report of the April 13, 2018 Staff Site Visit and Review of the NCLEX-PN® and NCLEX-RN® Examinations - **DFlores/CHughes/EMcDermott**

8. PROPOSED BOARD ORDERS

C*8.1. Agreed Orders

Adefolarin, Olubunmi Nuratu	LVN# 227112
Alvarez-Bernal, David	LVN# 231944
Babalola, Mobolaji Tosin	LVN# 221790
Bisson, Lisa Ann	RN# 586213
Bounds, Jackie Elizabeth	RN# 812187
Brown, Gloria Jean	LVN# 92263
Burrill, Kellye Harbin	RN# 792230
Chavez, Mary	LVN# 724988
Citizen, Jacqueline Denise	LVN# 199479
Curtis, Jackie T.	RN# 533040
Eaker, Anika Lea	LVN# 316473
Freeman, Bridget Ann	LVN# 149276
Garcia, Vanessa Marie	LVN# 310520

C *8.1. Agreed Orders (con't.)

Gaston, Mandy Lynn	RN# 810407
Gerhart, Lafonda Hodges	RN# 604254/ LVN# 61561
Grayson, Donna	RN# 500488
Henderson, Suzanna Beth	LVN# 128249
Hepworth, Brandie Rose	RN# 726130
Hinman, Angela D.	RN# 662347
Irvine, Loreal Newsom	RN# 699209
James, Deven Arlene	MS PTPN LVN# 333888
Johnson, Wendy Weldon	RN# 930132/ LVN# 307895
Juarez, Joel	RN# 823322
Kamara, Saidu Ibrahim	LVN# 229283
Kennedy, Tammy Lynn	RN# 786041/ LVN# 216576
Klippenstein, Marlene	RN# 622448
Kothe, Eric Chambers	RN# 869080/ LVN# 153366
Laird, Susan Marie	LVN# 150795
Martin, Deborah Rose	RN# 640955
Martinez, Julio Cesar	RN# 771258/ LVN# 208571
Mattson, Candace Jean	APRN# AP122175/ RN# 695466
Mgbeahuru, Rose Chinyere	RN# 708939
Nguyen, Linda	RN# 883551
Pierce, Michelle Bridget	RN# 801737
Pruitt, Patrick Eugene	APRN# AP128782/ RN# 701417/ LVN# 174517
Ramsey-Perry, Heather Shauntelle	LVN# 204037
Redd, Eki Theodora	LVN# 325622
Rizo, Franchesca	RN# 911044
Ross, Travis Daniel	LVN# 308372
Solis III, Apolonio	LVN# 228423
Speer, Tonya Rene	APRN# AP114672/ RN# 681260
Suvalian, Tatiana V.	APRN# AP124823/ RN# 765652/ LVN# 205373
Walker, Stephen Dale	RN# 662642
Whiteside, Amy Michelle	LVN# 186036
Wren, Larry Dean	RN# 607276

C *8.2. Agreed Orders-KSTAR Program

Cho, Jae Sung	RN# 762299
Gant, Arnar Jaishaun	RN# 894781/ LVN# 233868
Husband, Latasha Marie	RN# 908647
Koyuncuoglu, Leyla Maria	RN# 892757
Rios, Jorge Antonio	RN# 869086/ LVN# 311087
Salgado, Cecile Antolin	RN# 706437

C *8.3. Deferred Agreed Order

Ita, Georgina Efiom	RN# 846880/ LVN# 234162
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C *8.4. Reinstatement Agreed Orders

Gallimore, Jennifer Elaine	LVN# 183445/ RN Exam Petitioner
Sullivan, Toni Marie	LVN# 131151
Vincent, Kerensa Lynn	RN# 712614
Wilcox, Eraida	RN# 777212/ LVN# 195268

C *8.5. Eligibility Agreed Orders

Barnes, Elissa Anne	RN Exam Petitioner
Clare, Scott Edward	RN Exam Petitioner
Cobbs, Cheronda Denise	LVN Exam Petitioner
Lamar, Porscha Latrice	LVN Exam Petitioner
Roberts, Brittany Brown	LVN Endorsement Petitioner
Talaro, Roxanna	LVN Exam Petitioner
Villanueva, Raul	LVN Exam Petitioner
Weathers, Jennifer Lauren	RN Exam Petitioner
Wright, Shannon Benoit	RN Exam Petitioner

8.6. ALJ Proposals for Decision

- *8.6.1.** Consideration of Proposal For Decision, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#748195 and LVN#179828, Issued to RAYMOND BRISCOE, SOAH Docket No. 507-16-2765- **JAbel**
 - 8.6.1.a.** Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#748195 and LVN#179828, Issued to RAYMOND BRISCOE, SOAH Docket No. 507-16-2765

- *8.6.2.** Consideration of Proposal For Decision, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#210532, Issued to RHONDA D. FULLER, SOAH Docket No. 507-17-5604- **JAbel**
 - 8.6.2.a.** Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#210532, Issued to RHONDA D. FULLER, SOAH Docket No. 507-17-5604

9. MISCELLANEOUS

- 9.1.** Board Development: Sherman Act Anti-Trust Training - **JWJohnston**

- *9.2.** Review of the Board Quarterly Meeting Evaluation – **KShipp**

- 9.3.** Executive Director and Board Evaluations - **KShipp/KThomas**

April 3, 2018 (10:46AM)

* - Written materials Sent from Office

** - Written materials Sent from third party

C - Item is placed on consent (no discussion of the material(s) required)