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: April 19-20, 2018 Board Meeting Minutes

CONSENT AGENDA:

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;
   Nancy Nichols, v. Texas Board of Nursing, Cause No. 68809A, in the District Court, Randall County, Texas; and
   Donald Sias v. Genny Davis and Katherine A. Thomas, United States District Court for the Western District of Texas, Cause No. A:18-CA-306 RP.
   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 – 3rd Quarter, Fiscal Year 2018 - MMajek/LPerez
2.1.1. Promoting Competency Report – LLaws
2.1.2. Status Report on New Nursing Education Programs and Currently Active and Potential Proposals - JHooper
2.1.3. Status Report on Programs with Sanctions - JHooper
2.1.4. Report on Communication Activities with Nursing Education Programs - BSkloss
2.1.5. Consideration of Reports of Survey Visits
   3.2.4.a. Bell Tech Career Institute in Houston, Texas – Vocational Nursing Education Program - BSkloss
   3.2.4.b. Panola College in Carthage, Texas – Vocational Nursing Education Program - GVarnell
   3.2.4.c. Texas Health School in Houston, Texas – Vocational Nursing Education Program - BSkloss
2.1.6. Consideration of Report of Innovative Pilot Project – Del Mar College In Corpus Christi, Texas – Associate Degree Nursing Education Program – JHooper
2.1.7. Consideration of Notification of Closure of a Nursing Education Program – Concorde Career College in Dallas, Texas – Associate Degree Nursing Education Program - GVarnell
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 – 3rd Quarter, Fiscal Year 2018 - MMajek/KThomas
6.1. Nurse Licensure Compact Update – KThomas
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
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
8.7. ALJ Default Proposals for Decision Remands
8.7.1. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#754831, Issued to HARRY BOWERS, SOAH Docket No. 507-18-2864- JAbel
8.7.2. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#929304, Issued to RAMON CRUZ, SOAH Docket No. 507-18-1120- JAbel (APEdwards/LDisque/DSaucedo)
8.7.3. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#150610, Issued to GWENITH N. CULCLAGER, SOAH Docket No. 507-18-2041- JAbel
8.7.4. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#221797, Issued to SANDRA ANN IBARRA, SOAH Docket No. 507-18-1653 - JAbel

8.7.5. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#879487 and LVN#173272, Issued to DAVID HERRERA RODRIGUEZ, SOAH Docket No. 507-18-2025 - JAbel

8.7.6. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#191948, Issued to ANALOVELYN D. SORIANO, SOAH Docket No. 507-18-2866- JAbel

8.7.7. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#223744, Issued to KRISTEN N. SMULLEN, SOAH Docket No. 507-18-2865- JAbel


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;
Nancy Nichols, v. Texas Board of Nursing, Cause No. 68809A, in the District Court, Randall County, Texas; and
Donald Sias v. Genny Davis and Katherine A. Thomas, United States District Court for the Western District of Texas, Cause No. A:18-CA-306 RP.
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 – 3rd 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 - BSkloss

*3.2.4. Consideration of Reports of Survey Visits

C *3.2.4.a. Bell Tech Career Institute in Houston, Texas – Vocational Nursing Education Program – BSkloss

C *3.2.4.b. Panola College in Carthage, Texas – Vocational Nursing Education Program - GVarnell

C *3.2.4.c. Texas Health School in Houston, Texas – Vocational Nursing Education Program - BSkloss
3.2.5. Consideration of Report of Innovative Pilot Project – Del Mar College In Corpus Christi, Texas – Associate Degree Nursing Education Program – JHooper

3.2.6. Consideration of Notification of Closure of a Nursing Education Program – Concorde Career College in Dallas, Texas – Associate Degree Nursing Education Program - GVarnell

3.2.7. Consideration of Reports of Survey Visits
   *3.2.7.a. Cybertex Institute of Technology in Austin, Texas – Vocational Nursing Education Program – VAyars

3.2.8. Consideration of Proposal to Establish a New Nursing Education Program
   *3.2.8.a. Schreiner University in Kerrville, Texas – Baccalaureate Degree Nursing Education Program – VAyars
   *3.2.8.b. Howard Payne University in Brownwood, Texas – Baccalaureate Degree Nursing Education Program – VAyars
   *3.2.8.c. Arizona College in Dallas, Texas – Baccalaureate Degree Nursing Education Program – JHooper

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

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

5.2.3. Advisory Committee on Education - NAlmasy/ANEdwards/DJackson/KBenton/VAyars

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

5.2.5. Task Force to Study Implications of Growth of Texas Nursing Education Programs - ANEdwards/LDisque/KBenton
   *5.2.5.a. Consideration of Appointment of Replacement Members to the Task Force to Study Implications of Growth of Texas Nursing Education Programs – KBenton/VAyars

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/MBThomas/DGreen
5.3.4. Texas Team Report - Robert Wood Johnson Initiative - KBenton

5.3.5. National Council of State Boards of Nursing
*5.3.5.a. Report on Annual NCSBN Delegate Assembly, to be held August 15-17, 2018, in Minneapolis, MN – KThomas/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

*6.2. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code Chapter 215, relating to Professional Nursing Education, including Written Comments Received and Results of Public Hearing, if any-JAbel

*6.3. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code Chapter 214, relating to Vocational Nursing Education, including Written Comments Received and Results of Public Hearing, if any-JAbel

*6.4. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §217.1, relating to Definitions, including Written Comments Received and Results of Public Hearing, if any-JAbel

*6.5. Consideration of Adoption of Proposed Amendments to 22 Tex. Admin. Code §217.14, relating to Registered Nurses Performing Radiologic Procedures, including Written Comments Received and Results of Public Hearing, if any-JAbel

*6.6. Consideration of Adoption of Proposed New 22 Tex. Admin. Code §217.23, relating to Balance Billing, 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– CZolnierek

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

*7.2. Consideration of Audit of Texas Peer Assistance Program for Nurses – KThomas/DJohnston

*7.3. Internal Audit Report #2018-1 – Licensing Audit – MMajek/KThomas/FStokes/JStepp


*7.5. Consideration of Request to Recognize the National League for Nursing as an Approved Provider of Continuing Nursing Education– KBenton

*7.6. Consideration of Request to Approve the Certified Pediatric Nurse (CPN) Certification to Meet Continuing Competency Requirements for Licensure Renewal – CHughes

*7.8. Consideration of Proposed Amendments to 22 Tex. Admin. Code §222.8, relating to Authority to Order and Prescribe Controlled Substances and §222.10, relating to Enforcement-JAbel/JZych


*7.10. Consideration of Proposed Amendments to 22 Tex. Admin. Code Chapter 221, relating to Advanced Practice Nurses-JAbel/JZych

*7.11. Consideration of Adoption of Guidelines for the Responsible Prescribing of Opioids, Benzodiazepines, Barbiturates, Carisoprodol (Soma), and Other Controlled Substances-JAbel/JZych

*7.12. Consideration of the Proposed 2019 Board of Nursing Rule Review Schedule - JVanderford

*7.13. Consideration of Written Comment received in Response to Board’s Proposed Rule Review of 22 Tex. Admin. Code §228.1, relating to Standards of Practice - JVanderford


*7.15. Consideration of Proposed Amendments to 22 Tex. Admin. Code §211.9, relating to General Considerations-ALiwanag/JAbel


8. PROPOSED BOARD ORDERS

C *8.1. Agreed Orders

Alonzo, Joanna Margarita LVN# 318429
Azufra, Kathleen G. RN# 735437
Baethge, Deborah Lynn RN# 670122/ LVN# 154254
Black, Mikaela Lacey RN# 907900/ LVN# 234061
Brantley, Cislyn Blake APRN# AP123971/ RN# 835762
Broyles, Robin Lynn LVN# 176658
Buenrostro, Crystal Taniele LVN# 179657
Burleson, Leisha Gail RN# 593846
Capers, Nikki Breanna LVN# 225909
Carruthers, Donna Lee LVN# 76227
Cross, William Matthew RN# 872609
Dickson, Amanda Marie RN# 743863
Dietrich, Drake Alan RN# 846770
Drew, Charity Dawn RN# 911609
Dunn, Jack Edward LVN# 326705
Gaddy, Kathleen Ann RN# 743582/ LVN# 193689
Glyenn, Chelsea RN# 915705
Gonzales, Dianna RN# 819999
Holdren, Stephanie Delight Thompson LVN# 190611
Hunley, Christy RN# 804198/ LVN# 226710
Iroegbu, Josephine Kechi APRN# AP126534/RN# 718599/LVN# 178559
James, Brooke Holland LVN# 185635
Jones, Benajean LVN# 97531
Kurtz, Kolbee Rhae LVN# 196361
Lawless, Jessica Lynn LVN# 328067
Lee, Nicole Dawn LVN# 300065
Lemons, Khila M. RN# 630777
### C*8.1. Agreed Orders (con’t.)

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<thead>
<tr>
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<td>Lowe, Kimberly Denise</td>
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<td>Lyseight-Pennon, Cynthia Anna Maria</td>
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<td>Williams, Yvonne</td>
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### C*8.2. Agreed Orders-KSTAR Program

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<tr>
<td>Jowoji, Omolara Oluwabukola</td>
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### C*8.3. Deferred Agreed Orders

None

### C*8.4. Reinstatement Agreed Orders

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<td>Bartley Jr., Warren Douglas</td>
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### C*8.5. Eligibility Agreed Orders

None
8.6. ALJ Proposals for Decision


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 APRN #AP126769, Prescriptive Authorization Number 16796, and RN# 795830, Issued to NATHANAEL SHAY MCGREW, SOAH Docket No. 507-18-2492

*8.6.2. Consideration of Proposal For Decision, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#198685, Issued to TIMOTHY O. NWOKORIE, SOAH Docket No. 507-18-1199- 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#198685, Issued to TIMOTHY O. NWOKORIE, SOAH Docket No. 507-18-1199

8.7. ALJ Default Proposals for Decision Remands

*8.7.1. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#754831, Issued to HARRY BOWERS, SOAH Docket No. 507-18-2864- JAbel

8.7.1.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#754831, Issued to HARRY BOWERS, SOAH Docket No. 507-18-2864

*8.7.2. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#929304, Issued to RAMON CRUZ, SOAH Docket No. 507-18-1120- JAbel (APEdwards/LDisque/DSaucedo)

8.7.2.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#929304, Issued to RAMON CRUZ, SOAH Docket No. 507-18-1120

*8.7.3. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#150610, Issued to GWENITH N. CULCLAGER, SOAH Docket No. 507-18-2041- JAbel

8.7.3.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#150610, Issued to GWENITH N. CULCLAGER, SOAH Docket No. 507-18-2041

*8.7.4. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#221797, Issued to SANDRA ANN IBARRA, SOAH Docket No. 507-18-1653- JAbel

8.7.4.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#221797, Issued to SANDRA ANN IBARRA, SOAH Docket No. 507-18-1653

*8.7.5. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate RN#879487 and LVN#173272, Issued to DAVID HERRERA RODRIGUEZ, SOAH Docket No. 507-18-2025- JAbel

8.7.5.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate RN#879487 and LVN#173272, Issued to DAVID HERRERA RODRIGUEZ, SOAH Docket No. 507-18-2025


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8.7.7. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#223744, Issued to KRISTEN N. SMULLEN, SOAH Docket No. 507-18-2865

8.7.7.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#223744, Issued to KRISTEN N. SMULLEN, SOAH Docket No. 507-18-2865

8.7.8. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN#304590, Issued to MAHOGANY ANTWANETT WILSON, SOAH Docket No. 507-18-2367

8.7.8.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN#304590, Issued to MAHOGANY ANTWANETT WILSON, SOAH Docket No. 507-18-2367

9. MISCELLANEOUS

9.1. Board Development: Be The One In the Fight Against Human Trafficking Video from the Attorney General of Texas

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

*9.3. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2019 – KThomas/PVCabrera

*9.4. 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 - KShipp/PClapp


9.6. Nominations for Board Vice-President for 2019-2021 - KShipp