

---

**TEXAS BOARD OF NURSING**

Regular Meeting

January 23-24, 2020

8:36 am - 4:57 pm

333 Guadalupe, Tower II, Room 225

Austin, Texas

**Present:**

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

David Saucedo II, Board Vice-President, Representing Consumers

Laura A. Disque, MN, RN, Representing RN

Carol Kay Hawkins, BSN, RN, Representing LVN Education

Kathy Leader-Horn, LVN, Representing LVN Practice

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

Tamara Rhodes, MSN, RN, Representing ADN Education

Diana Rodriguez Flores, MN, RN, Representing RN Practice

Francis D. Stokes, Representing Consumers

Rick Williams, CTT, Representing Consumers

Kimberly Wright, LVN, Representing LVN Practice

**Absent:**

Mazie Jamison, B.A., M.A., Representing Consumers

Melissa Schatt, LVN, Representing LVN Practice

**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, Deputy General Counsel

April Liwanag, Assistant General Counsel

Jan Hooper, Nursing Consultant

Virginia Ayars, Nursing Consultant

Linda Laws, Nursing Consultant

Kristen Sinay, Nursing Consultant

Alex Chamberlain, Nursing Consultant

Tim Sherman, Nursing Consultant

Beverly Skloss, Nursing Consultant

Gayle Varnell, Nursing Consultant

Jolene Zych, Nursing Consultant

Bruce Holter, Information Specialist

Darryl Holt, Information Technology

| AGENDA ITEM           | DISCUSSION  | ACTION  |
|-----------------------|---|---|
| <b>CALL TO ORDER</b>  | Kathy Shipp called the meeting to order at 8:36 a.m. on January 23, 2020.   |   |
| <b>ROLL CALL</b>      | Katherine Thomas did the roll call. Board Members Mazie Jamison, B.A., M.A., Representing Consumers and Melissa Schatt, LVN, Representing LVN Practice were absent. A quorum was established with eleven members in attendance. |   |
| <b>INTRODUCTIONS</b>  | Board Members and Staff introduced themselves to the audience and attendees.  |   |
| <b>AGENDA</b>         | <p>The Board reviewed the agenda.</p> <p>The following item was removed from the agenda:</p> <p>Agenda Item 8.1 Agreed Orders:<br/>Garza, Kyndness Dnae, RN #758149</p>   | <p>Motion by Kathy Leader Horn; Second by Allison Porter Edwards</p> <p>Move to approve the agenda with the removal of:<br/>8.1. Agreed Order of:<br/>Garza, Kyndness Dnae, RN #758149</p> <p>For: Allison Porter Edwards, Laura Disque, Diana Rodriguez Flores, Francis Stokes, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Carol Hawkins, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |
| <b>MINUTES</b>        | The Board reviewed the minutes of the October 24, 2019 Board Meeting.   | <p>Motion by Francis Stokes; Second by Diana Rodriguez Flores</p> <p>Move to approve the minutes of the October 24, 2019 Board Meeting.</p> <p>For: Allison Porter Edwards, Laura Disque, Diana Rodriguez Flores, Francis Stokes, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Carol Hawkins, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>  |
| <b>CONSENT AGENDA</b> | The Board reviewed the Consent Agenda.  | <p>Motion by Francis Stokes; Second by Diana Rodriguez Flores</p> <p>Move to approve the Consent Agenda</p> <p>For: Allison Porter Edwards, Laura Disque, Diana Rodriguez Flores, Francis Stokes, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Carol Hawkins, Rick Williams, Tamara Rhodes</p>  |

| AGENDA ITEM   | DISCUSSION | ACTION  |
|---|------------|---|
| <p><b>CONSENT AGENDA ITEMS</b></p> <p>1.2.1. <i>Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas; Adaku Charity Abakwue vs. Texas Board of Nursing, Cause No. D-1-GN-19002934, 250th Judicial District Court, Travis County, Texas; Texas Board of Nursing vs. Ken Paxton, Attorney General of Texas, Cause No. D-1-GN-19-008365, 345th Judicial District Court, Travis County, Texas; Rene Dominguez vs. Texas Board of Nursing, Cause No. D-1-GN-19-007343, 353rd Judicial District Court, Travis County, Texas; and Dovie L. Williams, RN, vs. Texas Board of Nursing, Cause No. D-1-GN-19-008240, 98th Judicial District Court, Travis County, Texas</i></p> <p>2.1 <i>Financial Statement – 1<sup>ST</sup> Quarter, Fiscal Year 2020</i></p> <p>3.2.1. <i>Status Report on New Nursing Education Programs and Currently Active and Potential Proposals</i></p> <p>3.2.2. <i>Status Report on Programs with Sanctions</i></p> <p>3.2.3. <i>Report on Communication Activities with Nursing Education Programs</i></p> <p>3.2.4. <i>Consideration of Reports of Survey Visits</i></p> |            | <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> |

| AGENDA ITEM   | DISCUSSION | ACTION                     |
|---|------------|----------------------------|
| 3.2.4.a. El Paso Community College in El Paso, Texas – Vocational Nursing Education Programs  |            | <i>Approved on Consent</i> |
| 3.2.4.b. Hill College in Hillsboro, Texas – Vocational Nursing Education Program  |            | <i>Approved on Consent</i> |
| 3.2.4.c. Howard College in Big Spring, Texas – Vocational Nursing Education Program   |            | <i>Approved on Consent</i> |
| 3.2.4.d. Lone Star College District in the Greater Houston, Texas, Area – Vocational Nursing Education Programs   |            | <i>Approved on Consent</i> |
| 3.2.4.e. Midland College in Midland, Texas – Vocational Nursing Education Program   |            | <i>Approved on Consent</i> |
| 3.2.4.f. Paris Junior College in Paris, Texas – Vocational Nursing Education Program  |            | <i>Approved on Consent</i> |
| 3.2.5. Consideration of Change in Approval Status from Initial Approval to Full Approval - Texas A&M Texarkana in Texarkana, Texas – Baccalaureate Degree Nursing Education Program |            | <i>Approved on Consent</i> |
| 3.2.6. Consideration of Summary of Self-Study Reports for Vocational Nursing Education Programs for the 2018 NCLEX-PN® Examination Pass Rates                                       |            | <i>Approved on Consent</i> |
| 3.2.7. Notification of Award of Accreditation for the Master's Degree in Nursing Program by the Commission on Collegiate Nursing Education to Houston                               |            | <i>Approved on Consent</i> |

| AGENDA ITEM  | DISCUSSION  | ACTION  |
|--|---|---|
| <p><i>Baptist University in Houston, Texas – Family Nurse Practitioner and Pediatric Nurse Practitioner-Primary Care Program</i></p> <p><i>4.1. Criminal Background Check Update</i></p> <p><i>4.2. Complaint Status Report</i></p> <p><i>5.1.1. Eligibility and Disciplinary Committee</i></p> <p><i>6.2. Adoption of Amendments to 22 Tex. Admin. Code §217.5, relating to Temporary License and Endorsement, including Written Comments Received</i></p> <p><i>6.3. Adoption of Amendments to 22 Tex. Admin. Code §216.8, relating to Relicensure Process, including Written Comments Received</i></p> <p><i>6.4. Adoption of Amendments to 22 Tex. Admin. Code §217.3, relating to Temporary Authorization to Practice/Temporary Permit, including Written Comments Received</i></p> <p><i>7.1. Texas Peer Assistance Program for Nurses (TPAPN)</i></p> <p><i>7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report</i></p> |   | <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> <p><i>Approved on Consent</i></p> |
| <p><b>8. PROPOSED BOARD ORDERS</b></p> <p><b>8.1. Agreed Orders</b></p>  | <p><i>Abernathy, Arnold Robert AC, RN# 679042</i></p> <p><i>Adams, Nettie Nicole, RN# 687209 / LVN# 184372</i></p> <p><i>Bernhardt, Jenifer Kay, RN# 680134</i></p> | <p><i>The Board voted to ratify the Agreed Orders on Consent with the following actions:</i></p> <p><i>Reprimand with Stipulations</i></p> <p><i>Suspend/Probate</i></p> <p><i>Reprimand with Stipulations</i></p>                            |

| AGENDA ITEM | DISCUSSION  | ACTION                             |
|-------------|---|------------------------------------|
|             | <i>Blain, Frank, RN# 636962/ LVN# 158619</i>  | <i>Enforced Suspension</i>         |
|             | <i>Blanco, Michelle Marie, LVN# 225282</i>  | <i>Warning with Stipulations</i>   |
|             | <i>Carroll, Darlene, LVN# 115228</i>  | <i>Suspend/Probate</i>             |
|             | <i>Castille, Bryan Andrew, RN# 669155</i>   | <i>Warning with Stipulations</i>   |
|             | <i>Chafton, Brenda Lee, LVN# 194869</i>   | <i>Suspend/Probate</i>             |
|             | <i>Darby, Shirley Jean, RN# 735364</i>  | <i>Reprimand with Stipulations</i> |
|             | <i>Edwards, Jaspin Tyree Dvae, LVN# 329491/ RN Exam Petitioner</i>                      | <i>Suspend/Probate</i>             |
|             | <i>Eggleston, Brandon Royse, RN# 946759</i>   | <i>Reprimand with Stipulations</i> |
|             | <i>Gamboa, Jessica, LVN# 334519</i>   | <i>Reprimand with Stipulations</i> |
|             | <i>Gibson, Kristin Kay, RN# 877592</i>  | <i>Reprimand with Stipulations</i> |
|             | <i>Gogle, Ashley Sophia, RN# 877816/ LVN# 319280</i>                                    | <i>Warning with Stipulations</i>   |
|             | <i>Johnson, Jessy, RN# 897067</i>   | <i>Reprimand with Stipulations</i> |
|             | <i>Junell, Brandy Renea, RN# 811906</i>   | <i>Suspend/ Probate</i>            |
|             | <i>Knowlton, Clint Edward, RN# 725589</i>   | <i>Warning with Stipulations</i>   |
|             | <i>Martinez, Maricela, RN# 763901</i>   | <i>Warning with Stipulations</i>   |
|             | <i>Okunoghae, Evelyn Ehiosu, APRN# AP117057/ RN# 703566/ LVN# 182529/ RX Auth# 8671</i> | <i>Warning with Stipulations</i>   |
|             | <i>Penate, Sonia Elizabeth LVN# 204226</i>  | <i>Reprimand with Stipulations</i> |
|             | <i>Peralta, Rosalind, RN# 568356</i>  | <i>Reprimand with Stipulations</i> |
|             | <i>Pischke, Janet Kathleen, RN# 847721</i>  | <i>Reprimand with Stipulations</i> |
|             | <i>Roark, Randa Raquel, RN# 900625/ LVN# 307365</i>                                     | <i>Reprimand with Stipulations</i> |
|             | <i>Rodriguez, Felicia Irene, LVN# 338616</i>  | <i>Suspend/Probate</i>             |
|             | <i>Russell, Ginny Rebecca, LVN# 232226</i>  | <i>Suspend/Probate</i>             |
|             | <i>Sanchez-Leal, Fran Renett, RN# 582075</i>  | <i>Suspend/Probate</i>             |
|             | <i>Schiller, Deborah Lee, RN# 664102</i>  | <i>Suspend/Probate</i>             |

| AGENDA ITEM   | DISCUSSION  | ACTION  |
|---|---|---|
|   | <p><i>Simpson Robbins, Shae Ann LVN# 196117</i></p> <p><i>Smith, Adrienne Lee, RN# 869293</i></p> <p><i>Udom (Ekpri), Aniebiet Ime, LVN# 331959/ RN Endorsement Petitioner</i></p> <p><i>Verner, Shelley Joyce, RN# 806629/ LVN# 218286</i></p> <p><i>Williams, Staci Rae, RN# 768028</i></p> <p><i>Wittler, Kathleen A., APRN# AP109791 / RN# 509970 / RX Auth# 3152</i></p> | <p><i>Warning with Stipulations</i></p> <p><i>Warning with Stipulations</i></p> <p><i>Reprimand with Stipulations</i></p> <p><i>Warning with Stipulations</i></p> <p><i>Reprimand with Stipulations</i></p> <p><i>Limited License with Stipulations</i></p> |
| <p><b>8.2. Agreed Orders – KSTAR Program</b></p>  | <p><i>Isaac, Ricard, RN #652901</i></p> <p><i>Robinson, Charlene Anita, RN #789803</i></p> <p><i>Rodriguez, Richard, RN #865974</i></p> <p><i>Steck, Daniel, RN #891924</i></p>   | <p><i>Warning with Stipulations</i></p> <p><i>Warning with Stipulations</i></p> <p><i>Warning with Stipulations - Deferred</i></p> <p><i>Warning with Stipulations</i></p>  |
| <p><b>8.3. Deferred Agreed Order</b></p>  | <p><i>Alimbuyao, Roxanne Aiabella, RN #801124</i></p>   | <p><i>Warning with Stipulations - Deferred</i></p>  |
| <p><b>8.4. Reinstatement Agreed Orders</b></p>  | <p><i>McDaniel, Crislyn K., ARN #AP117225</i></p> <p><i>Stephenson, Melanie Dionne, LVN #154901</i></p>   | <p><i>Reinstatement with Stipulations</i></p> <p><i>Reinstatement with Stipulations</i></p>   |
| <p><b>8.5. Eligibility Agreed Oder</b></p>  | <p><i>Hayward, Teresa Denise, LVN Endorsement Petitioner</i></p>  | <p><i>Petition for Eligibility of Licensure</i></p>   |
| <p><b>1. ADMINISTRATION</b></p> <p>1.1. Executive Director's Report</p> <p>1.3. Texas Board of Nursing – Fiscal Year 2019 Annual Report</p> | <p>Katherine Thomas reviewed her written report with the Board.</p> <p>MaryBeth Thomas, Nursing Consultant and Katherine A. Thomas provided a summary on the Fiscal Year 2019 Annual Report</p>   | <p>No action</p> <p>No action</p>   |
| <p><b>3. NURSING</b></p> <p><b>3.1. Practice</b></p> <p>3.1.1. Promoting Competency Report</p>  | <p>Linda Laws provided a summary of the Promoting Competency Report</p>   | <p>No action</p>  |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
|--|---|--|
| <p>3.1.2. Report on Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) Nursing Program</p>  | <p>Kristin Benton provided a summary on the Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) Nursing Program</p>   | <p>No action</p>   |
| <p><b>3.2. Education</b><br/>3.2.8. Report of 2019 NCLEX-RN® Examination Pass Rates for Professional Nursing Education Programs</p>                            | <p>Jan Hooper provided a summary to the Board on the Report of 2019 NCLEX-RN® Examination Pass Rates for Professional Nursing Education Programs</p>  | <p>No action</p>   |
| <p>3.2.9. Report of Application for a New Baccalaureate Degree Nursing Education Program in a Public Junior College</p>  |   |  |
| <p>3.2.9.a. Del Mar College in Corpus Christi, Texas</p>   | <p>Beverley Skloss and Jan Hooper provided an update on the Application for a New Baccalaureate Degree Nursing Education Program in a Public Junior College submitted by Del Mar College in Corpus Christi, Texas<br/>Representatives Jennifer McWha, PhD, RN, Program Director; Evangeline DeLeon, PhD, RN, Department Chairperson were present and available to answer questions.</p>           | <p>No action</p>   |
| <p>3.2.9.b. San Jacinto College in Pasadena, Texas</p>   | <p>Beverley Skloss and Virginia Ayars provided an update on the Application for a New Baccalaureate Degree Nursing Education Program in a Public Junior College submitted by San Jacinto College in Pasadena, Texas<br/>Representatives Veronica Jammer, PhD, RN, Department Chair; Rhonda Bell, PhD, RN, Dean and Van Wigginton, JD, Provost were present and available to answer questions.</p> | <p>No action</p>   |
| <p>3.2.10. Consideration of Report of the Innovative Pilot Project - Del Mar College in Corpus Christi, Texas - Associate Degree Nursing Education Program</p> | <p>Jan Hooper provided a summary of the report on the Report of the Innovative Pilot Project - Del Mar College in Corpus Christi, Texas-Associate Degree Nursing Education Program</p>  | <p>Motion by David Saucedo; Second by Tamara Rhodes<br/><br/>Move to accept the report from Del Mar College Associate Degree Nursing Education Program in Corpus Christi, Texas, of the effectiveness of the pilot project allowing the addition of two more students to a precepted model during clinical learning experiences with the understanding that the program will</p> |



| AGENDA ITEM  | DISCUSSION   | ACTION   |
|--|--|--|
| <p>3.2.11. Consideration of Change of Approval Status from Conditional Approval to Initial Approval – Cybertex Institute of Technology in Austin, Texas – Vocational Nursing Education Program</p> | <p>The Board considered the Change of Approval Status from Conditional Approval to Initial Approval – Cybertex Institute of Technology in Austin, Texas – Vocational Nursing Education Program Representatives Iqbal Sheikh, BSc, President/CEO; Karen Knott Anderson, MSN, RN, Program Director; Geoffrey S. Conner, Attorney; and Mudassir Shaikh, School Director were present and available to answer questions.</p> | <p>maintain the intensive preceptor training program and monitor the outcomes and the board will suggest compensation for faculty for increased work load.</p> <p>For: Allison Porter Edwards, Laura Disque, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Against: Carol Kay Hawkins</p> <p>Final Resolution: Motion Carries</p> <p>Motion by David Saucedo; Second by Kathy Leader Horn</p> <p>Motion to change the approval status for the CyberTex Institute of Technology Vocational Nursing Education Program in Austin, Texas, from Conditional Approval to Initial Approval based upon the NCLEX-PN examination pass rate for 2019, history of the program’s compliance issues and the number of at-risk students enrolled in the program, and impose the following conditions/requirements:</p> <ol style="list-style-type: none"> <li>1. The program shall submit for Board Staff approval no later than ten (10) days following the date of the end of each course: (1) a list of de-identified enrolled students, (2) a progress report for each enrolled student, (3) a comprehensive Remediation Plan to timely assist unsuccessful students, and (4) any attrition of students. (All lists of student names are to be de-identified.)</li> <li>2. The program may not admit more than two (2) cohorts of up to thirty (30) students each during each calendar year</li> </ol> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |

| AGENDA ITEM   | DISCUSSION   | ACTION  |
|---|--|---|
| <p>3.2.12. Consideration of Change in Approval Status from Full Approval with Warning to Conditional Approval – St. Philip’s College in San Antonio, Texas – Associate Degree Nursing Education Program</p>                 | <p>The Board considered the Change in Approval Status from Full Approval with Warning to Conditional Approval – St. Philip’s College in San Antonio, Texas – Associate Degree Nursing Education Program<br/>Representatives Valerie Moke, MSN, RN, CCM, Program Director; Rhonda Webb, DNP, MSNEd, RN, Chair; and Jessica Cooper, Dean were present and available to answer questions.</p> | <p>Motion by Kathy Leader Horn; Second by Francis Stokes</p> <p>Move to change the approval status for the St. Philip’s College Associate Degree Nursing Program in San Antonio, Texas from Full Approval with Warning to Conditional Approval based upon the NCLEX-RN examination pass rate for 2019, findings in the 2019 Self Study Report, the 2019 Survey Visit and areas for improvement to align with Rule 213, and issue the following conditions/requirements:</p> <ol style="list-style-type: none"> <li>1. The program shall not enroll students while on conditional approval status.</li> <li>2. The program will remain on conditional approval status until the program demonstrates a pass rate for first-time candidates of at least 80% for the 2020 NCLEX-RN® examination year. The NCLEX-RN® examination year is October 1, 2019 through September 30, 2020.</li> <li>3. The program must demonstrate full compliance with Rule 215 prior to consideration of a change in approval status.</li> </ol> <p>For: Allison Porter Edwards, Laura Disque, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Abstain: Carol Kay Hawkins</p> <p>Final Resolution: Motion Carries</p> |
| <p>3.2.13. Report of the Status of Board-Required Refresher Courses</p>   | <p>Virginia Ayars provided a summary of the report on the Status of Board Required Refresher Courses</p>   | <p>No action</p>  |
| <p><b>5. COMMITTEE REPORTS</b><br/>5.1. Board Committees<br/>5.1.2. Quarterly Statistical Report – 1<sup>ST</sup> Quarter, Fiscal Year 2020<br/><br/>5.1.3. Board Development and Items of Interest for Future Meetings</p> | <p>Mark Majek provided an overview of the Quarterly Report for the 1<sup>ST</sup> Quarter, Fiscal Year 2020 and outlined the new format of the report.</p> <p>Board Member Kim Wright requested that the Staff provide development on The Nursing Prep course and on the KSTAR Program at a future meeting.</p>  | <p>No action</p> <p>No action</p>   |

| AGENDA ITEM   | DISCUSSION  | ACTION  |
|---|---|---|
| 5.2. Advisory Committees/Task Forces<br>5.2.1. Advanced Practice Nursing Advisory Committee   |   | No report   |
| 5.2.2. Nursing Practice Advisory Committee  |   | No report   |
| 5.2.3. Advisory Committee on Education  |   | No report   |
| 5.2.4. Advisory Committee on Licensure, Eligibility and Discipline<br>5.2.4.a. Appointment of Replacement Member to Advisory Committee on Licensure, Eligibility and Discipline | The Board considered Staff's request for Appointment of Replacement Member to Advisory Committee on Licensure, Eligibility and Discipline.  | <p>Motion by Kathy Leader Horn; Second by Carol Kay Hawkins</p> <p>Move to approve Nicole Millikan as the replacement member representing TAVNE on the Board's Advisory Committee on Licensure, Eligibility and Discipline</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |
| 5.2.5. Task Force to Study Implications of Growth of Texas Nursing Education Programs   | Kristin Benton reported on the progress made toward planning a statewide summit using a world café format with the Texas Organization of Nurse Executives to be held in Austin on February 24-25, 2020.   | No action   |
| 5.3. Collaboration with Outside Agencies/Stakeholders<br>5.3.1. Statewide Health Coordinating Council Texas Center for Nursing Workforce Studies Advisory Committee             | Katherine Thomas reported that the Advisory Committee has not met since the last Board meeting. However, the next meeting will be held on February 26, 2020 and the 2019 NEPIS Reports will be reviewed and approved. The Committee continues to search for a nurse researcher and is in the process of amending the criteria for the position. | No action   |

| AGENDA ITEM  | DISCUSSION  | ACTION           |
|--|---|------------------|
| <p>5.3.2. Updates<br/>Related to the Texas<br/>Higher Education<br/>Coordinating Board,<br/>the Texas Workforce<br/>Commission, and the<br/>Texas Education<br/>Agency</p> | <p>Kristin Benton reported that she and the Education Consultants and met with representatives from the Texas Workforce Commission, the Texas Higher Education Coordinating Board, and the Texas Education Agency on November 18, 2019 in the Board Office. Items discussed included:<br/>Updates on Baccalaureate Degree Nursing Programs in Public Community Colleges<br/>NCLEX-RN Pass Rates for 2019<br/>Program updates (approval status, pending proposals, closures)<br/>Dual credit HS programs, out of state programs<br/>TEA updates related to an inventory of skill sets needed for 35 healthcare target occupations with implications for the high school dual credit programs.<br/>The sharing and collaboration at these meetings continues to be positive and productive toward reducing any duplicative regulatory processes among the agencies that work with nursing education programs in Texas.<br/>The next meeting is scheduled in May 2020.</p> | <p>No action</p> |
| <p>5.3.3. Taxonomy of<br/>Error Root Cause<br/>Analysis of Practice<br/>Responsibility<br/>(TERCAP)</p>  |   | <p>No report</p> |
| <p>5.3.3.a. National<br/>Council of State<br/>Boards of Nursing -<br/>Taxonomy of Error<br/>Root Cause Analysis of<br/>Practice Responsibility<br/>(TERCAP)</p>            |   | <p>No report</p> |
| <p>5.3.4. Texas Team<br/>Report - Robert Wood<br/>Johnson Initiative</p>   | <p>Kristin Benton reported the Texas Team Education Committee met by conference call on November 25, 2019.<br/>The committee continues work toward:<br/>Posting an e- toolkit with resources for nurses in clinical practice who are interested in making the transition to teach;<br/>Disseminating a letter with an infographic to university deans and presidents regarding nursing faculty shortages in Texas;<br/>Progress made on a research study to evaluate the impact of the increase of DNPs in Texa was reported by Dr. Carol Boswell, who is the principal investigator. Focus groups were completed in August and the study is now in phase 2. Phase 2 consists of a survey that is currently being distributed to DNPs in Texas;</p>   | <p>No action</p> |

| AGENDA ITEM   | DISCUSSION   | ACTION           |
|---|--|------------------|
| <p>5.3.5. National Council of State Boards of Nursing</p> <p>5.3.5.a. Appointment of Board Members to attend the NCSBN Mid-Year Meeting to be held March 3-5, 2020 in Boston, MA</p> <p>5.3.6. Texas Health and Human Services Commission e-Health Advisory Committee</p> | <p>A summary of the meeting of the Dallas/Ft. Worth chapter of the American Nursing Informatics Association in Grand Prairie on November 14-15, relevant to the need for education to evolve as technology advances. Dr. Gayle Varnell attending and provided the Board with a summary; and An update on an initiative to provide leadership development for nurses who practice in rural settings. The committee will meet again on January 27, 2020.</p> <p>Kathy Shipp appointed the following two members to attend the NCSBN Mid Year meeting:<br/>Kathy Shipp<br/>Kim Wright</p> <p>Kristin Benton reported The Texas Health and Human Services (HHS) Electronic Health Advisory Committee's purpose is to committee advise the Executive Commissioner and Health and Human Services system agencies (HHS agencies) on strategic planning, policy, rules, and services related to the use of health information technology, health information exchange systems, telemedicine, telehealth, and home tele-monitoring services.</p> <p>The Committee last met on December 9th, 2019. At this meeting the Committee discussed telemedicine updates, including:</p> <ul style="list-style-type: none"> <li>• an implementation update of the pediatric tele-connectivity program for rural Texas, the National provider identifier and Texas provider identifier follow-up,</li> <li>• a presentation on current status and future of interoperability in the United States,</li> <li>• subcommittee updates,</li> <li>• discussion of the committee's annual report,</li> <li>• effective use of the Texas Prescription Monitoring Program,</li> <li>• a Health Information Technology strategic plan update,</li> <li>• the updated Delivery System Reform Incentive Payment program transition plan,</li> <li>• disaster response in Health Information Technology, and</li> <li>• Support for HIETexas as an electronic connection in healthcare.</li> </ul> | <p>No action</p> |

| AGENDA ITEM  | DISCUSSION  | ACTION           |
|--|---|------------------|
| <p>5.3.7. Nursing Peer Review Evaluation of Practice-Breakdown (NPREP)</p> | <p>The next eHealth Advisory Committee Meeting is scheduled for April 3rd, 2020</p> <p>Danielle Green reported Board staff have now completed the development of an adapted version of the national TERCAP Protocol that can be utilized by Nursing Peer Review Committees to evaluate nursing practice breakdown, which we have named N-PREP.</p> <p>N-PREP is a tool to support peer review committees' analysis of reported incidents to determine if the nurse's conduct is: required to be reported to the Board; constitutes a minor incident that may be remediated at the facility level; or does not constitute a deficit in practice.</p> <p>The N-PREP resource walks the committees through a process for analysis that reviews the standards of nursing practice; considers nurse, patient, and system factors potentially involved in the practice breakdown; and reinforces Board rules pertaining to required reporting.</p> <p>Additionally, the resource is in a template format with certain sections that can be tailored to a committees own organizational process.</p> <p>Board staff have placed the completed N-PREP resource and an online orientation module on our website, listed under the nursing Practice section.</p> <p>The resource is available in an interactive PDF format with links to references and additional resources for committees.</p> <p>The online module will educate those interested in the intent and origin of the N-PREP resource and walk through the instructions to guide use of the document.</p> <p>Staff have also included a survey at the end of the module to obtain feedback on committees' use of the resource to continue to obtain data as it is utilized by more organizations.</p> | <p>No action</p> |
| <p><b>OPEN FORUM</b></p>   | <p>Board President Kathy Shipp announced the format and invited participation from the audience.</p> <p>No speakers came forward and the Open Forum was closed.</p>   | <p>No action</p> |
| <p><b>6.1. OLD BUSINESS</b><br/>6.1. Nurse Licensure Compact Update</p>    | <p>Katherine Thomas reported NLC is up to 34 states; On January 1, 2020, Alabama implemented compact member. Indiana and New Jersey are in the process of</p>   |                  |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
|--|---|--|
|  | <p>launching the Compact. The APRN Compact Task Force made recommendations to modify the compact to achieve greater adoption. There are only three states in the compact and this will be the third iteration of the APRN compact. Much has changed since the first version was adopted, primarily the Consensus Model was adopted and states have been trying to adopt statutory changes in their own states. A trend that has developed in the APRN compact legislation is that states have adopted transition to practice programs to incorporate these national standards and states who have recently passed these bills have voiced they are not willing to waive a practice requirement under the compact. The Board of Directors will bring an amended compact to the August Delegate Assembly for consideration.</p> |  |
| <p><b>7. NEW BUSINESS</b><br/>7.2. Consideration and Review of the Internal Audit Plans for Fiscal Years 2020 and 2021</p>         | <p>The Board considered the Review of the Internal Audit Plans for Fiscal Years 2020 and 2021<br/>Monday Rufus, Auditor was present and available to answer questions.</p>  | <p>Motion by Francis Stokes; Second by Diana Rodriguez Flores</p> <p>Move to accept the internal audit plan as prepared by Monday Rufus, CPA for fiscal years 2020 and 2021.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>  |
| <p>7.3. Request for Charge to Convene a Differentiated Essential Competencies of Graduates of Texas Nursing Programs Workgroup</p> | <p>The Board considered the Request for Charge to Convene a Differentiated Essential Competencies of Graduates of Texas Nursing Programs Workgroup</p>  | <p>Motion by Allison Porter Edwards; Second by Carol Kay Hawkins</p> <p>Move to Charge Board Staff to convene a workgroup comprised of nursing education and practice stakeholders to review and update the Differentiated Essential Competencies of Graduates of Texas Nursing Programs based on current literature, standards, and education processes.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> |

| AGENDA ITEM  | DISCUSSION  | ACTION   |
|--|---|--|
| <p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.2, Pertaining to Licensure By Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions</p> | <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.2, Pertaining to Licensure By Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions</p> | <p>Final Resolution: Motion Carries</p> <p>Motion by Allison Porter Edwards; Second by Diana Rodriguez Flores</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.2, pertaining to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions 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 § 217.2, pertaining to Licensure by Examination for Graduates of Nursing Education Programs Within the United States, its Territories, or Possessions, as proposed</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> |
| <p>7.5. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.3, Pertaining to Temporary Authorization to Practice/Temporary Permit</p>   | <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.3, Pertaining to Temporary Authorization to Practice/Temporary Permit</p>   | <p>Final Resolution: Motion Carries</p> <p>Motion by Kathy Leader Horn; Second by Rick Williams</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.3, pertaining to Temporary Authorization to Practice/Temporary Permit 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 §217.3, pertaining to Temporary Authorization to Practice/Temporary Permit, as proposed.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana</p>  |



| AGENDA ITEM  | DISCUSSION  | ACTION   |
|--|---|--|
| <p>7.6. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction</p> | <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.4, Pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction</p> | <p>Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Francis Stokes; Second by Diana Rodriguez Flores</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.4, pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction 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 §217.4, pertaining to Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction, as proposed.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> |
| <p>7.7. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.5, Pertaining to Temporary License and Endorsement</p>  | <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.5, Pertaining to Temporary License and Endorsement</p>  | <p>Final Resolution: Motion Carries</p> <p>Motion by Rick Williams; Second by Francis Stokes</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.5, pertaining to Temporary License and Endorsement 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 §217.5, pertaining to Temporary License and Endorsement, as proposed.</p>   |

| AGENDA ITEM   | DISCUSSION   | ACTION  |
|---|--|---|
| <p>7.8. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.6, Pertaining to Failure to Renew License</p>            | <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.6, Pertaining to Failure to Renew License</p>            | <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Laura Disque; Second by Diana Rodriguez Flores</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.6, pertaining to Failure to Renew License 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 §217.6, pertaining to Failure to Renew License, as proposed.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |
| <p>7.9. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.8, Pertaining to Duplicate or Substitute Credentials</p> | <p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.8, Pertaining to Duplicate or Substitute Credentials</p> | <p>Motion by Diana Rodriguez Flores; Second by Francis Stokes</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.8, pertaining to Duplicate or Substitute Credentials, 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 §217.8, pertaining to Duplicate or Substitute Credentials, as proposed.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p>   |

| AGENDA ITEM   | DISCUSSION  | ACTION  |
|---|---|---|
| 7.10. Consideration of Proposed Amendments to 22 Tex. Admin. Code §217.9, Pertaining to Inactive and Retired Status       | The Board considered the Proposed Amendments to 22 Tex. Admin. Code §217.9, Pertaining to Inactive and Retired Status       | <p>Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Kim Wright; Second by Kathy Leader Horn</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §217.9, pertaining to Inactive and Retired Status 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 §217.9, pertaining to Inactive and Retired Status, as proposed.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |
| 7.11. Consideration of Proposed Amendments to 22 Tex. Admin. Code §222.3, Pertaining to Renewal of Prescriptive Authority | The Board considered the Proposed Amendments to 22 Tex. Admin. Code §222.3, Pertaining to Renewal of Prescriptive Authority | <p>Motion by Kathy Leader horn; Second by Kim Wright</p> <p>Move to approve the proposed amendments to 22 Texas Administrative Code §222.3, pertaining to Renewal of Prescriptive Authority 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 §222.3, pertaining to Renewal of Prescriptive Authority, as proposed.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p>   |

| AGENDA ITEM   | DISCUSSION  | ACTION  |
|---|---|---|
| <p>7.12. Review and Consideration of Position Statements</p> <p>7.12.1. Review and Consideration of Current Position Statements without Changes</p> <p>15.1 Nurses Carrying Out Orders from Physician Assistants</p> <p>15.2 The Role of the Licensed Vocational Nurse in the Pronouncement of Death</p> <p>15.4 Educational Mobility</p> <p>15.5 Nurses with Responsibility for Initiating Physician Standing Orders</p> <p>15.6 Board Rules Associated with Alleged Patient "Abandonment"</p> <p>15.8 Role of the Nurse in Moderate Sedation</p> <p>15.9 Performance of Laser Therapy by RNs or LVNs</p> <p>15.11 Delegated Medical Acts</p> <p>15.12 Use of American Psychiatric Association Diagnoses by LVNs, RNs, or APRNs</p> <p>15.13 Role of LVNs and RNs in School Health</p> <p>15.14 Duty of a Nurse in any Practice Setting</p> <p>15.15 Board's Jurisdiction over a Nurse's Practice in Any Role and Use of the Nursing Title</p> <p>15.16 Development of Nursing Education Programs</p> <p>15.17 Texas Board of Nursing/Board of Pharmacy, Joint Position Statement, Medication Errors</p> | <p>The Board consider the Current Position Statements without Changes</p> | <p>Final Resolution: Motion Carries</p> <p>Motion by Kathy Leader Horn; Second by Kim Wright</p> <p>Move to accept current Board Position Statements without any recommended changes, with allowance for non-substantive word editing for purposes of clarify as may be deemed necessary by Board staff</p> <p>For: Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Abstain: Allison Porter Edwards</p> <p>Final Resolution: Motion Carries</p> |

| AGENDA ITEM  | DISCUSSION   | ACTION   |
|--|--|--|
| <p>15.18 Nurses Carrying out Orders from Advanced Practice Registered Nurses</p> <p>15.22 APRNs Providing Medical Aspects of Care for Individuals with whom there is a Close Personal Relationship</p> <p>15.23 The use of Complementary modalities by the LVN or RN</p> <p>15.24 Nurses Engaging In Reinsertion of Permanently Placed Feeding Tubes</p> <p>15.25 Administration of Medication &amp; Treatments by LVNs</p> <p>15.29 Professional Boundaries including Use of Social Media by Nurses</p> <p>15.30 Workplace Violence</p>   |  |  |
| <p>7.12.2. Review and Consideration of Current Position Statements with Changes</p> <p>15.3 LVNs Engaging in Intravenous Therapy, Venipuncture, or PICC Lines</p> <p>15.7 The Role of LVNs &amp; RNs in Management and/or Administration of Medications via Epidural or Intrathecal Catheter Routes</p> <p>15.10 Continuing Education: Limitations for Expanding Scope of Practice</p> <p>15.19 Nurses Carrying out Orders from Pharmacists for Drug Therapy Management</p> <p>15.20 Registered Nurses in the Management of an Unwitnessed Arrest in a Resident in a Long Term Care Facility</p> | <p>The Board considered the Current Position Statements with Changes</p> | <p>Motion by Francis Stokes; Second by Laura Disque</p> <p>Move to adopt the current Board Position Statements with changes, along with allowance for non-substantive word editing for purposes of clarity as may be deemed necessary by Board staff.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |

| AGENDA ITEM   | DISCUSSION   | ACTION   |
|---|--|--|
| <p>15.27 The Licensed Vocational Nurse Scope of Practice</p> <p>15.28 The Registered Nurse Scope of Practice</p> <p><b>8.6. ALJ Proposals for Decision</b></p> <p>8.6.1. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #188481, Issued to THEODORA NNEKA ANYASINTI, SOAH Docket No. 507-19-4959</p> <p>8.6.1.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #188481, Issued to THEODORA NNEKA ANYASINTI, SOAH Docket No. 507-19-4959</p> <p>8.6.2. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #804901, Issued to HAYLEY L. GSCHWEND (WILLIAMS), SOAH Docket No. 507-19-6295</p> <p>8.6.2.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #804901, Issued to HAYLEY L.</p> | <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #188481, Issued to THEODORA NNEKA ANYASINTI, SOAH Docket No. 507-19-4959</p> <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #804901, Issued to HAYLEY L. GSCHWEND (WILLIAMS), SOAH Docket No. 507-19-6295</p> | <p>Motion by Francis Stokes; Second by Laura Disque</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and revoke the Respondent's license, as is set out in the proposed order</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> <p>Motion by Rick Williams; Second by Diana Rodriguez Flores</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and revoke the Respondent's license, as set out in the proposed order.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |

| AGENDA ITEM   | DISCUSSION   | ACTION   |
|---|--|--|
| <p>GSCHWEND<br/>(WILLIAMS)</p> <p>8.6.3. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #620097 and #110128, Issued to SHEILA D. NORWOOD, SOAH Docket No. 507-19-1368</p> <p>8.6.3.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #620097 and #110128, Issued to SHEILA D. NORWOOD</p> | <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #620097 and #110128, Issued to SHEILA D. NORWOOD, SOAH Docket No. 507-19-1368</p> | <p>Motion by Francis Stokes; Second by Laura Disque</p> <p>Move to close the case due to insufficient evidence and take no action against Respondent's licenses.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>  |
| <p>8.6.4. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #320282, Issued to LEONARD ESPINOZA REYES, SOAH Docket No. 507-20-0993</p> <p>8.6.4.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #320282, Issued to LEONARD ESPINOZA REYES</p>  | <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #320282, Issued to LEONARD ESPINOZA REYES, SOAH Docket No. 507-20-0993</p>        | <p>Motion by Kim Wright; Second by Rick Williams</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and revoke the Respondent's license, as set out in the proposed order.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |
| <p>8.6.5. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate</p>   | <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #897182 and #160523, Issued to ERIC SANCHEZ, SOAH Docket No. 507-18-1454</p>      | <p>Motion by Laura Disque; Second by Francis Stokes</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and revoke the Respondent's licenses, as is set out in the proposed order.</p>   |

| AGENDA ITEM   | DISCUSSION  | ACTION   |
|---|---|--|
| <p>#897182 and #160523, Issued to ERIC SANCHEZ, SOAH Docket No. 507-18-1454</p> <p>8.6.5.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #897182 and #160523, Issued to ERIC SANCHEZ</p>   |   | <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>   |
| <p>8.6.6. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #734701, Issued to ALDRICK A. THOMAS, SOAH Docket No. 507-20-0396</p> <p>8.6.6.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #734701, Issued to ALDRICK A. THOMAS</p>      | <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #734701, Issued to ALDRICK A. THOMAS, SOAH Docket No. 507-20-0396</p>      | <p>Motion by Francis Stokes; Second by Diana Rodriguez Flores</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and revoke the Respondent's license, as set out in the proposed order.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>                        |
| <p>8.6.7. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Petition for Declaratory Order, Issued to JOANNE MICHELLE UPTON, SOAH Docket No. 507-19-6065</p> <p>8.6.7.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Petition for Declaratory Order,</p> | <p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Petition for Declaratory Order, Issued to JOANNE MICHELLE UPTON, SOAH Docket No. 507-19-6065</p> | <p>Motion by Diana Rodriguez Flores; Second by Rick Williams</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and deny the Petitioner's petition for declaratory order, as is set out in the proposed order.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |



| AGENDA ITEM  | DISCUSSION  | ACTION  |
|--|---|---|
| <p>Issued to JOANNE MICHELLE UPTON</p> <p><b>8.7. ALJ Default Proposals for Decision Remands</b></p> <p>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 #229177, Issued to BRIANA ANN BARELA, SOAH Docket No. 507-20-0029</p> <p>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 #229177, Issued to BRIANA ANN BARELA</p> | <p>The Board considered the Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #229177, Issued to BRIANA ANN BARELA, SOAH Docket No. 507-20-0029</p>      | <p>Motion by Francis Stokes; Second by Rick Williams</p> <p>Move to adopt the proposed order and revoke the Respondent's nursing license by default.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>     |
| <p>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 #304321, Issued to MELISSA KAYLIE CLIFTON, SOAH Docket No. 507-19-5119</p> <p>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 #304321, Issued to MELISSA KAYLIE CLIFTON</p>  | <p>The Board considered the Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #304321, Issued to MELISSA KAYLIE CLIFTON, SOAH Docket No. 507-19-5119</p> | <p>Motion by Kathy Leader Horn; Second by Francis Stokes</p> <p>Move to adopt the proposed order and revoke the Respondent's nursing license by default.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p> |

| AGENDA ITEM   | DISCUSSION  | ACTION   |
|---|---|--|
| <p>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 #819868, Issued to TANISHA NICHELLE DAVIS, SOAH Docket No. 507-19-6110</p> <p>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 #819868, Issued to TANISHA NICHELLE DAVIS</p> | <p>The Board considered the Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #819868, Issued to TANISHA NICHELLE DAVIS, SOAH Docket No. 507-19-6110</p> | <p>Board Member Laura Disque recused herself from the consideration and vote on this agenda item</p> <p>Motion by Kathy Leader Horn; Second by Kim Wright</p> <p>Move to adopt the proposed order and revoke the Respondent's nursing license by default</p> <p>For: Allison Porter Edwards, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Recused: Laura Disque</p> <p>Final Resolution: Motion Carries</p> |
| <p>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 #234002, Issued to REBECCA LANE HOLLIDAY, SOAH Docket No. 507-20-0563</p> <p>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 #234002, Issued to REBECCA LANE HOLLIDAY</p>   | <p>The Board considered the Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #234002, Issued to REBECCA LANE HOLLIDAY, SOAH Docket No. 507-20-0563</p>  | <p>Motion by Kim Wright; Second by Laura Disque</p> <p>Move to adopt the proposed order and revoke the Respondent's nursing license by default.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>   |
| <p>8.7.5. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any,</p>  | <p>The Board considered the Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #822932, Issued to SANDRA BATALE</p>                                       | <p>Board Members Kathy Leader Horn and Francis Stokes 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 #822932, Issued to SANDRA BATALE LUSANGA, SOAH Docket No. 507-19-6868</p> <p>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 #822932, Issued to SANDRA BATALE LUSANGA</p>   | <p>LUSANGA, SOAH Docket No. 507-19-6868</p>  | <p>Motion by Diana Rodriguez Flores; Second by Laura Disque</p> <p>Move to adopt the proposed order and revoke the Respondent's nursing license by default</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Recused: Kathy Leader Horn, Francis Stokes</p> <p>Final Resolution: Motion Carries</p> |
| <p>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 #703975, Issued to JENNIFER KEY/RUTH SMITH, SOAH Docket No. 507-19-6272</p> <p>8.7.6.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate #703975, Issued to JENNIFER KEY/RUTH SMITH</p> | <p>The Board considered the Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #703975, Issued to JENNIFER KEY/RUTH SMITH, SOAH Docket No. 507-19-6272</p> | <p>Motion by Laura Disque; Second by Kim Wright</p> <p>Move to adopt the proposed order and revoke the Respondent's nursing license by default.</p> <p>For: Allison Porter Edwards, Laura Disque, Carol Kay Hawkins, Kathy Leader Horn, Francis Stokes, Diana Rodriguez Flores, David Saucedo, Kathy Shipp, Kim Wright, Rick Williams, Tamara Rhodes</p> <p>Final Resolution: Motion Carries</p>                           |
| <p><b>ADJOURNMENT</b></p>   | <p>Having completed this day's business the meeting adjourned at 4:57 p.m</p>  |  |

**TEXAS BOARD OF NURSING**

Regular Meeting

January 23-24, 2020

8:44 am – 10:35 am

333 Guadalupe, Tower II, Room 225

Austin, Texas

**Present:**

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

David Saucedo II, Board Vice-President, Representing Consumers

Laura A. Disque, MN, RN, Representing RN

Carol Kay Hawkins, BSN, RN, Representing LVN Education

Kathy Leader-Horn, LVN, Representing LVN Practice

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

Tamara Rhodes, MSN, RN, Representing ADN Education

Diana Rodriguez Flores, MN, RN, Representing RN Practice

Francis D. Stokes, Representing Consumers

Rick Williams, CTT, Representing Consumers

Kimberly Wright, LVN, Representing LVN Practice

**Absent:**

Mazie Jamison, B.A., M.A., Representing Consumers

Melissa Schat, LVN, Representing LVN Practice

**Staff Present:**

Katherine A. Thomas, Executive Director

Patricia Vianes-Cabrera, Executive Assistant

Anthony Diggs, Director of Enforcement

Kristin Benton, Director of Nursing

James "Dusty" Johnston, General Counsel

April Liwanag, Assistant General Counsel

Jan Hooper, Nursing Consultant

Virginia Ayars, Nursing Consultant

Linda Laws, Nursing Consultant

Kristen Sinay, Nursing Consultant

Alex Chamberlain, Nursing Consultant

Tim Sherman, Nursing Consultant

Beverly Skloss, Nursing Consultant

Gayle Varnell, Nursing Consultant

Jolene Zych, Nursing Consultant

Bruce Holter, Information Specialist

Darryl Holt, Information Technology

| AGENDA ITEM  | DISCUSSION  | ACTION     |
|--|---|------------|
| <b>CALL TO ORDER</b>   | Kathy Shipp called the meeting to order at 8:44 a.m. on January 24, 2020.   |            |
| <b>ROLL CALL</b>   | Katherine Thomas did the roll call. Board Members Mazie Jamison, B.A., M.A., Representing Consumers and Melissa Schat, LVN, Representing LVN Practice were absent. A quorum was established with eleven members in attendance.  |            |
| <b>7. NEW BUSINESS</b>   |   |            |
| 7.1. Texas Peer Assistance Program for Nurses (TPAPN)  |   |            |
| 7.1.1. Texas Peer Assistance Program for Nurses Quarterly Report   | Dawn Webb with Texas Nurses Association presented the Texas Peer Assistance Program for Nurses Quarterly Report to the Board.   | No action  |
| 7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee   | Denise Benbow reported the Texas Peer Assistance Program for Nurses, or TPAPN, Advisory Committee met on Friday, December 13, 2019. The committee received updates about the TPAPN Program including changes to the evaluation process including development of a policy with specific criteria for evaluations and the use of a formal application letter and approval process for evaluators. TPAPN is working towards person centered language in the communications to their participants and a uniform response to various types of relapse or program non-adherence. The next TPAPN Advisory Committee will be March 6, 2019. | No action  |
| 7.1.4. Consideration of the Texas Nurses Foundation/Texas Peer Assistance Program for Nurses Enhanced Contract and 1st Quarter, Fiscal Year 2020 Performance Monitoring Report | The Board considered the Texas Nurses Foundation/Texas Peer Assistance Program for Nurses Enhanced Contract and 1st Quarter, Fiscal Year 2020 Performance Monitoring Report   | No action  |
| <b>9. MISCELLANEOUS</b>  |   |            |
| 9.1. Board Development: Texas Peer Assistance Program for Nurses Matrix  | Staff for the Board Tony Diggs and Dusty Johnston in conjunction with Staff for TPAPN, Dawn Webb gave a presentation on the TPAPN Matrix for Nurses.  | No action. |

| AGENDA ITEM   | DISCUSSION  | ACTION     |
|---|---|------------|
| 9.2. Review of the Board Quarterly Meeting Evaluation                       | Kathy Shipp reviewed the results of the October, 2019 Board Quarterly Meeting Evaluation.   | No action. |
| 9.3. Report on the 2019 Texas Attorney General Law and Liability Conference | Board Member Carol Hawkins reported that she had attended the 2019 Texas Attorney General Law and Liability Conference, it was very informative and provided a very thorough legislative update.  | No action. |
| <b>ADJOURNMENT</b>  | <p data-bbox="431 590 964 646">Having completed all business as listed on the agenda, the meeting adjourned at 10:35 a.m</p> <hr data-bbox="431 735 919 739"/> <p data-bbox="431 741 769 798">Kathy Shipp, MSN, RN, FNP<br/>Board President</p> <hr data-bbox="431 886 919 890"/> <p data-bbox="431 892 876 949">Katherine A. Thomas, MN, RN, FAAN<br/>Executive Director</p> |            |