
TEXAS BOARD OF NURSING

Regular Meeting
April 22, 2021
9:15 am – 2:42 pm
Virtual Webex Meeting
Austin, Texas

Present:

Kathy Shipp, MSN, RN, FNP, Board President, Representing APN Practice
Allison Porter-Edwards, DrPH, MS, RN, Board Vice-President, Representing BSN Education
Daryl Chambers, Representing Consumers
Laura A. Disque, MN, RN, Representing RN
Carol Kay Hawkins, BSN, RN, Representing RN Practice
Kathy Leader-Horn, LVN, Representing LVN Practice
Mazie Jamison, B.A., M.A., Representing Consumers
 Due to technical difficulties Ms. Jamison joined the meeting at 9:43 am
Tamara Rhodes, MSN, RN, Representing ADN Education
David Saucedo II, Representing Consumers
Melissa Schatt, LVN, Representing LVN Practice
 Due to technical difficulties Ms. Schat joined the meeting at 9:43 am
Rick Williams, CTT, Representing Consumers
Kimberly Wright, 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
John Vanderford, Assistant General Counsel
Virginia Ayars, Nursing Consultant
Dan Fletcher, Information Technology Supervisor

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kathy Shipp called the meeting to order at 9:15 a.m. on April 22, 2021.	
ROLL CALL	Katherine Thomas did the roll call. Board Members Mazie Jamison, B.A., M.A., Representing Consumers and Melissa Schatt, LVN Representing LVN Practice were delayed joining the meeting due to technical difficulties and joined at 9:43 am. A quorum was established with ten members.	
AGENDA	The Board reviewed the agenda.	<p>Motion by Allison Porter Edwards; Second by Carol Hawkins</p> <p>Move to approve the agenda of the April 22, 2021 Board</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Carol Hawkins, Rick Williams Tamara Rhodes, Daryl Chambers and Kathy Shipp</p> <p>Final Resolution: Motion Carries</p>
MINUTES	The Board reviewed the minutes of the January 21, 2021 Board Meeting Minutes; and February 25, 2021 Emergency Meeting Minutes	<p>Motion by Allison Porter Edwards; Second by Rick Williams</p> <p>Move to approve the minutes of the January 21, 2021 Board Meeting and the February 25, 2021 Emergency Meeting Minutes</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Carol Hawkins, Rick Williams Tamara Rhodes and Daryl Chambers</p> <p>Final Resolution: Motion Carries</p>
CONSENT AGENDA	<p>The Board reviewed the Consent Agenda</p> <p>The following items were removed from the Consent Agenda for discussion and vote:</p> <p>Agenda Item 8.1. Agreed Order of Cathy Leah Johnson RN #564372, LVN #113176</p> <p>Agenda Item 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 #336964, Issued to STEPHANIE</p>	<p>Motion by Allison Porter Edwards; Second by Laura Disque</p> <p>Move to approve the consent Agenda with the exception of Agenda Items 8.1. Agreed Order of Cathy Leah Johnson RN #564372, LVN #113176 and 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 #336964, Issued</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>CONSENT AGENDA ITEMS</p> <p>1. ADMINISTRATION</p> <p>1.2. Legal</p> <p><i>Ex Parte Brian Zalesky, Cause No. D-1-EX-09-000516, 427th Judicial District Court, Travis County, Texas;</i></p> <p><i>Adaku Charity Abakwue v. Texas Board of Nursing, Cause No. D-1-GN-19002934, 250th Judicial District Court, Travis County, Texas;</i></p> <p><i>Texas Board of Nursing v. Ken Paxton, Attorney General of Texas, Cause No. D-1-GN-19-008365, 345th Judicial District Court, Travis County, Texas;</i></p>	<p>LAUGHLIN, SOAH Docket No. 507-21-0702</p> <p>The Board considered the Consent Agenda Item 8.1. Agreed Order of Cathy Leah Johnson, RN #564372, LVN #113176</p>	<p>to STEPHANIE LAUGHLIN, SOAH Docket No. 507-21-0702</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Carol Hawkins, Rick Williams Tamara Rhodes and Daryl Chambers</p> <p>Final Resolution: Motion Carries</p> <p>Board Member Kathy Shipp recused herself from consideration and vote on Agenda Item 8.1. Agreed Order of Cathy Leah Johnson, RN #564372, LVN #113176</p> <p>Motion by Allison Porter Edwards; Second by Laura Disque</p> <p>Move to Approve Agenda Item 8.1. Agreed Order of Cathy Leah Johnson, RN #564372, LVN #113176</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kim Wright, Carol Hawkins, Rick Williams Tamara Rhodes and Daryl Chambers</p> <p>Recused: Kathy Shipp</p> <p>Final Resolution: Motion Carries</p> <p><i>Approved on Consent</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Rene Dominguez v. Texas Board of Nursing, Cause No. D-1-GN-19-007343, 353rd Judicial District Court, Travis County, Texas;</i> <i>Dovie L. Williams, RN, v. Texas Board of Nursing, Cause No. D-1-GN-19-008240, 98th Judicial District Court, Travis County, Texas;</i> <i>Maria Beatrice Salas v. Texas Board of Nursing, Cause No. D-1-GN-20-000326, 419th Judicial District Court, Travis County, Texas;</i> <i>Planned Parenthood Center For Choice, et. al. v. Greg Abbott, Ken Paxton, Phil Wilson, Stephen Brint Carlton, Katherine A. Thomas, Margaret Moore, Joe Gonzales, John Creuzot, Jaime Esparza, Kim Ogg, Ricardo Rodriguez, Jr., Barry Johnson, Sharen Wilson, Brian Middleton, AU:20-CV-003230LY, United States District Court, Western District of Texas, Austin Division;</i> <i>In Re: Texas Opioid Litigation, 201,8-63587, MDL No. 18-0358, 152nd Judicial District, Harris County, Texas;</i> <i>Jose Orlando Diaz v. Texas Board of Nursing, Cause No. D-1-GN-20-002488, 126th Judicial District Court, Travis County, Texas</i></p>		
<p>2. OPERATIONS</p>		
<p>2.1. Financial Statement – 2ND Quarter, Fiscal Year 2021</p>		<p><i>Approved on Consent</i></p>
<p>3. NURSING</p>		
<p>3.1. Practice</p>		
<p>3.1.1. Promoting Continuing Competency Report</p>		<p><i>Approved on Consent</i></p>
<p>3.1.2. Report on Implementation of the Knowledge Skills Training</p>		<p><i>Approved on Consent</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p>3.2.9. Notification of Closure of a Nursing Education Program – West Coast University in - Dallas, Texas - Associate Degree Nursing Education Program</p>		<p><i>Approved on Consent</i></p>
<p>4. ENFORCEMENT</p>		
<p>4.2. Complaint Status Report</p>		<p><i>Approved on Consent</i></p>
<p>5. COMMITTEE REPORTS</p>		
<p>5.1. Board Committees</p>		
<p>5.1.1. Eligibility and Disciplinary Committee</p>		<p><i>Approved on Consent</i></p>
<p>5.3. Collaboration with Outside Agencies /Stakeholders</p>		
<p>5.3.2. Texas Health and Human Services Commission e-Health Advisory Committee</p>		<p><i>Approved on Consent</i></p>
<p>7. NEW BUSINESS</p>		
<p>7.1. Texas Peer Assistance Program for Nurses (TPAPN)</p>		
<p>7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report</p>		<p><i>Approved on Consent</i></p>
<p>7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee</p>		<p><i>Approved on Consent</i></p>
<p>7.1.4. TNF/TPAPN Enhanced Contract and Performance Monitoring Report, 2ND Quarter Fiscal Year 2021</p>		<p><i>Approved on Consent</i></p>
<p>7.2. Review of the Health Professions Council Annual Report for Fiscal Years 2019 and 2020</p>		<p><i>Approved on Consent</i></p>
<p>7.3. Required rule review of 22 Tex. Admin Code Chapters 214 (relating to Vocational Nursing Education), 215 (relating to Professional Nursing Education), and 222 (relating to Advanced Practice Registered Nurses with Prescriptive Authority)</p>		<p><i>Approved on Consent</i></p>

AGENDA ITEM	DISCUSSION	ACTION
8. PROPOSED BOARD ORDERS 8.1. Agreed Orders		<p>The Board voted to ratify the Agreed Orders on Consent with the following actions:</p>
	<i>Baltazar, Sonia LVN# 132576</i>	<i>Suspend/ Probate</i>
	<i>Bigony, Lauren Elizabeth, RN# 852374</i>	<i>Warning with Stipulations</i>
	<i>Black, Melissa Nicole, RN# 780946</i>	<i>Warning with Stipulations</i>
	<i>Briseno, Barbara Jane, RN# 736105</i>	<i>Warning with Stipulations</i>
	<i>Clabaugh, Kayla Janae, LVN# 172175</i>	<i>Warning with Stipulations</i>
	<i>Collier, Lori Lynn, LVN# 152485</i>	<i>Warning with Stipulations</i>
	<i>Daut, Rebecca Diane, LVN# 186369</i>	<i>Suspend/ Probate</i>
	<i>Ferguson, Cynthia Douglas, RN# 719951</i>	<i>Reprimand with Stipulations</i>
	<i>Gordon, Candice Jamel, LVN# 710077</i>	<i>Reprimand with Stipulations</i>
	<i>Griggs, Jacquelyn Chlo, APRN# AP111921/ RN# 601019/ LVN# 83013/ RX Auth# 4815</i>	<i>Enforced Suspension</i>
	<i>Harris, Gwendolyn S., RN# 618190/ LVN# 148523</i>	<i>Reprimand with Stipulations</i>
	<i>Harris, Yolanda Annette, RN# 563466</i>	<i>Reprimand with Stipulations</i>
	<i>Hitt, D'Lana Michelle, APRN# AP124794/ RN# 678156/ RX Auth# 15113</i>	<i>Warning with Stipulations</i>
	<i>Johnson (Sanchez), Brandy, RN# 758292</i>	<i>Enforced Suspension</i>
	<i>Johnson, Cathy Leah, RN# 564372 / LVN# 113176</i>	<i>Board Member Kathy Shipp recused from the consideration and vote on this Agreed Order Suspend/ Probate</i>
	<i>Johnston, Stoni Lee, APRN# AP132208/ RN# 877514/ RX Auth# 21576</i>	<i>Warning with Stipulations</i>
	<i>Jones, Autumn Leigh, LVN# 345160</i>	<i>Warning with Stipulations</i>
	<i>King, Revin Hunter, RN# 937931</i>	<i>Reprimand with Stipulations</i>
	<i>Kloyda, Debra Jean, RN# 931722</i>	<i>Warning with Stipulations</i>
	<i>Lemon, Matthew Michael, LVN# 179301</i>	<i>Reprimand with Stipulations</i>
	<i>Mabhena, Silindisiwe, RN# 979071 / LVN# 227991</i>	<i>Reprimand with Stipulations</i>

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	<i>Matara, Druscilla Kwamboka, LVN# 333449</i>	<i>Warning with Stipulations</i>
	<i>McCaughan, Sue Michelle, LVN# 180893</i>	<i>Suspend/ Probate</i>
	<i>Morin, Deon, RN# 853695</i>	<i>Reprimand with Stipulations</i>
	<i>Perdue, Karen Roseanne, RN# 660177 / LVN# 128157</i>	<i>Suspend/ Probate</i>
	<i>Reyes-Harper, Perla, RN# 658563</i>	<i>Warning with Stipulations</i>
	<i>Roth, Staci, RN# 961198</i>	<i>Reprimand with Stipulations</i>
	<i>Rydin, Emily Rose, RN# 1006752/ LVN# 1006752</i>	<i>Warning with Stipulations</i>
	<i>Schwartz, Erin Michelle, RN# 874165</i>	<i>Limited License with Stipulations</i>
	<i>Scoggins, Teresa Kay, RN# 574809</i>	<i>Reprimand with Stipulations</i>
	<i>Starks, Sharon Elaine, RN# 890761 / LVN# 196009</i>	<i>Warning</i>
	<i>Waweru, Sylvia Njoki, LVN# 337461</i>	<i>Reprimand with Stipulations</i>
	<i>Wertenberger, Susan, RN# 253140</i>	<i>Enforced Suspension</i>
	<i>Wilbur, Cassi Lea, RN# 765862</i>	<i>Suspend/ Probate</i>
	<i>Williams, Latricia Danielle, RN# 768652</i>	<i>Suspend/ Probate</i>
8.2. Agreed Orders KSTAR Program	<i>Capuchino, Donnie Marie Lapuebla, RN# 935484</i>	<i>Warning with Stipulations</i>
	<i>Suarez, Juana Maritza LVN# 352965</i>	<i>Warning with Stipulations</i>
	<i>Webb Corbeil, Michelle D., RN# 784614 / LVN# 221302</i>	<i>Warning with Stipulations - Deferred</i>
8.4. Reinstatement Agreed Orders	<i>Haralson, Tory, RN# 640856</i>	<i>Reinstated with Stipulations</i>
	<i>LeGrand, Deana Marie, RN# 647559/ LVN# 141476</i>	<i>Reinstated with Stipulations</i>
	<i>Marshall, Stewart, LVN# 301847</i>	<i>Reinstated with Stipulations</i>
	<i>Nwosuocha, Frances U., APRN# AP106831 / RN# 526357 / RX Auth# 2170</i>	<i>Reinstated with Stipulations</i>
	<i>Sanchez, Jesus Martin, RN# 819758</i>	<i>Reinstated with Stipulations</i>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.5. Eligibility Agreed Order</p> <p>8.7. ALJ Default Proposal for Decision Remand</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 #919578, Issued to KELLY ELIZABETH AMES, SOAH Docket No. 507-20-4645</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 #919578, Issued to KELLY ELIZABETH AMES, SOAH Docket No. 507-20-4645</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 #559548, Issued to MARY ELLEN BERNARDY, SOAH Docket No. 507-20-4421</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</p>	Shanghai, Sandrine, LVN# 944922	<i>Reinstated with Stipulations</i>
	Vazquez, Jose Antonio, LVN# 227861	<i>Reinstated with Stipulations</i>
	Lee, Edgar Bernard, RN/LVN Exam Petitioner	<i>Petition for Eligibility for License</i>
		<p><i>Revoked by Default</i></p> <p><i>Revoked by Default</i></p>

AGENDA ITEM	DISCUSSION	ACTION
<p><i>Certificate #559548, Issued to MARY ELLEN BERNARDY, SOAH Docket No. 507-20-4421</i></p>		
<p>OPEN FORUM</p>	<p>Board President Kathy Shipp announced the format and invited participation from the audience. No speakers came forward and the Open Forum was closed.</p>	
<p>1. ADMINISTRATION 1.1. Executive Director's Report</p>	<p>Katherine Thomas reviewed her written report with the Board.</p>	<p>No action</p>
<p>1.3. 2021 Legislative Update</p>	<p>Bruce Holter presented the 2021 Legislative Update</p>	<p>No action</p>
<p>3. NURSING 3.2. Education</p>		
<p>3.2.10. Consideration of Change in Approval Status from Full Approval with Warning to Conditional Approval - Wharton County Junior College in Wharton, Texas – Vocational Nursing Education Program</p>	<p>The Board considered the Change in Approval Status from Full Approval with Warning to Conditional Approval - Wharton County Junior College in Wharton, Texas – Vocational Nursing Education Program Representatives Elizabeth Rohan, RN, Program Director; Leigh Ann Collins, BS, MA, Vice President of Instruction and Carol Derkowski, RDN, MAIE, Chair Division of Allied Health were present and available to answer questions.</p>	<p>Motion by Tamara Rhodes; Second by Laura Disque</p> <p>Move to change the approval status for the Wharton County Junior College Vocational Nursing Education Program in Wharton, Texas, from Full Approval with Warning to Conditional Approval as indicated in the letter and Board Order and impose the following conditions/requirements:</p> <ol style="list-style-type: none"> 1. The program shall not enroll students while on conditional status. 2. The program will remain on conditional approval status until the Board changes the program approval status, based on the program achieving at least an 80% pass rate for first-time candidates for the 2021 NCLEX-PN® examination year. The NCLEX-PN® examination year is January 1, 2021 through December 31, 2021. 3. The program must demonstrate full compliance with Rule 214 prior to consideration of a change in approval status. 4. Failure to comply with Requirements 1, 2, and 3 may result in withdrawal of program approval. <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader-Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p>

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<p>3.2.11. Consideration of Proposals to Establish New Nursing Education Programs</p> <p>3.2.11.a. Arlington Career Institute in Grand Prairie, Texas – Vocational Nursing Education Program</p>	<p>The Board considered the Proposal to Establish a New Nursing Education Program by Arlington Career Institute in Grand Prairie, Texas – Vocational Nursing Education Program</p> <p>Representatives Mary Karlik, MFA, BCHE, RN, Program Director and John Vecchio, BBA, Campus Director and CEO were present and available to answer questions</p>	<p>Final Resolution: Motion Carries</p> <p>Motion by David Saucedo; Second by Kathy Leader Horn</p> <p>Move to grant initial approval to Arlington Career Institute to establish a new Vocational Nursing Education Program in Grand Prairie, Texas and impose the condition and requirement in the Board Order:</p> <p>1. The program shall not admit more than one (1) cohort of thirty (30) students annually, to begin August 2021, for the first three years of operation. Beginning year four, the program shall admit two (2) cohorts of thirty (30) students each to be admitted every six months</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader-Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Final Resolution: Motion Carries</p>
<p>3.2.11.b. Lamson Institute in San Antonio, Texas – Vocational Nursing Education Program</p>	<p>The Board considered the Proposal to Establish a New Nursing Education Program by Lamson Institute in San Antonio, Texas – Vocational Nursing Education Program</p> <p>Representatives Angie Garza, MSN, RN, Program Director; JoAnn Q. Navarro, Campus Director; Rose Hernandez, M.Ed., Director of Education; and Peter Mikhail, CEO/President were present and available to answer questions</p>	<p>Motion by Tamara Rhodes; Second by Rick Williams</p> <p>Move to grant initial approval to Lamson Institute to establish a new Vocational Nursing Education Program in San Antonio, Texas, and impose the condition and requirement in the Board Order:</p> <p>1. The program shall not admit more than one (1) cohort of thirty (30) students in August 2021. If the initial August 2021 cohort enrollment does not reach 30 students, Lamson Institute may enroll a second cohort in December 2021, to total no more than thirty (30) students for both the August enrollment cohort and the December enrollment cohort during 2021. After the initial year of operation, Lamson Institute may enroll two (2) cohorts of</p>

AGENDA ITEM	DISCUSSION	ACTION
		<p>thirty (30) students per cohort each year to equal an annual enrollment of not more than sixty (60) students.</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader-Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Final Resolution: Motion Carries</p>
<p>5. COMMITTEE REPORTS</p>		
<p>5.1. Board Committees</p>		
<p>5.1.2. Quarterly Statistical Report – 1ST and 2ND Quarters, Fiscal Year 2021</p>	<p>Mark Majek presented the Quarterly Statistical Report – 1ST and 2ND Quarters, Fiscal Year 2021</p>	<p>No action</p>
<p>5.3. Collaboration with Outside Agencies / Stakeholders</p>		
<p>5.3.1. National Council of State Boards of Nursing</p>		
<p>5.3.1.a. Report on the National Council of State Boards of Nursing Virtual Mid-Year Meeting held March 9-11, 2021</p>	<p>Kathy Shipp and Katherine Thomas provided a summary of the National Council of State Boards of Nursing Virtual Mid-Year Meeting held March 9-11, 2021</p>	<p>No action</p>
<p>5.3.1.b. Appointment of Board Members to attend the NCSBN Virtual Annual Meeting to be held August 18-19, 2021</p>	<p>Kathy Shipp considered appointment of Board Members to attend the NCSBN Virtual Annual Meeting to be held August 18-19, 2021 and it was determined that all board members could register and/or attend virtually if their schedules allowed virtually attending the annual meeting</p>	<p>No action</p>
<p>5.3.3. Texas Center for Nursing Workforce Studies Advisory Committee</p>	<p>Kristin Benton reported that at the March 3, 2021 meeting of the advisory committee all NEPIS reports were reviewed and approved as edited, they will be posted on the website when final. The Department of State Health Services dashboard has been updated with quality indicators. The pandemic delayed workplace violence prevention grants reports. Staff will focus on long term care and home health surveys in 2022.</p>	<p>No action</p>
<p>6.1. OLD BUSINESS</p>		
<p>6.1. Nurse Licensure Compact Update</p>	<p>Katherine Thomas reported that one new territory joined the Nurse Licensure compact in 2021. Residents of Guam will not be able to obtain a multi-state license</p>	<p>No action</p>

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	<p>until the compact is fully implemented in 2022. The Covid 19 Pandemic has highlighted the importance of the nurse licensure compact promoting greater mobility, public protection and access to care. North Dakota became the first state to enact the new APRN Compact in 2021. Seven states must enact the compact for it to become effective.</p>	
<p>7. NEW BUSINESS</p>		
<p>7.1. Texas Peer Assistance Program for Nurses (TPAPN)</p>		
<p>7.1.1. Texas Peer Assistance Program for Nurses Quarterly Report for the 2ND Quarter</p>	<p>Dawn Webb, Program Director for the Texas Peer Assistance Program for Nurses presented the Quarterly Report for the 2ND Quarter</p>	<p>No action</p>
<p>7.4. Consideration of Proposed Amendments to 22 Tex. Admin. Code §221.14, relating to Nurse-Midwives Providing Controlled Substances</p>	<p>The Board considered the Proposed Amendments to 22 Tex. Admin. Code §221.14, relating to Nurse-Midwives Providing Controlled Substances</p>	<p>Motion by Kim Wright; Second by Laura Disque</p>
		<p>Move to approve the proposed amendments to 22 Texas Administrative Code §221.14, pertaining to Nurse-Midwives Providing Controlled Substances, 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 §221.14, pertaining to Nurse-Midwives Providing Controlled Substances, as proposed</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader-Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Final Resolution: Motion Carries</p>
<p>8.6. ALJ Proposals for Decision</p>		
<p>8.6.1. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and</p>	<p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #198828, Issued to ELETHA</p>	<p>Board Members Laura Disque, David Saucedo and Kim Wright recused from the consideration and vote on this Proposal for Decision as they were the board members that participated in the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Board action: In the Matter of Permanent Certificate #198828, Issued to ELETHA LASHONE AUSTIN, SOAH Docket No. 507-21-0448</p> <p>8.6.1.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #198828, Issued to ELETHA LASHONE AUSTIN, SOAH Docket No. 507-21-0448</p>	<p>LASHONE AUSTIN, SOAH Docket No. 507-21-0448</p>	<p>Temporary Suspension Hearing in this matter.</p> <p>Motion by Tamara Rhodes; Second by Allison Porter Edwards</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and impose an enforced suspension against the Respondent's license, to be followed by a three year probated suspension with stipulations, as is set out in the proposed order</p> <p>For: Allison Porter Edwards, Kathy Leader Horn, Kathy Shipp, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Recused: Laura Disque, David Saucedo, Kim Wright</p> <p>Final Resolution: Motion Carries</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 #581865, Issued to LEIGH ANN BRYANT, SOAH Docket No. 507-20-1549</p> <p>8.6.2.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #581865, Issued to LEIGH ANN BRYANT, SOAH Docket No. 507-20-1549</p>	<p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #581865, Issued to LEIGH ANN BRYANT, SOAH Docket No. 507-20-1549</p>	<p>Motion by Rick Williams; 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, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Final Resolution: Motion Carries</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 #593764, Issued to MICHELE LYNN</p>	<p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #593764, Issued to MICHELE LYNN FISCHER, SOAH Docket No. 507-20-2505</p>	<p>Motion by Laura Disque; Second by Kathy Leader Horn</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and impose a Reprimand with Stipulations for two years against the Respondent's license, as is set out in the proposed order</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>FISCHER, SOAH Docket No. 507-20-2505 8.6.3.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #593764, Issued to MICHELE LYNN FISCHER, SOAH Docket No. 507-20-2505</p>		<p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</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 #905780, Issued to RACHEAL MBAYI MBA, SOAH Docket No. 507-20-2813 8.6.4.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #905780, Issued to RACHEAL MBAYI MBA, SOAH Docket No. 507-20-2813</p>	<p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #905780, Issued to RACHEAL MBAYI MBA, SOAH Docket No. 507-20-2813</p>	<p>Motion by Kathy Leader Horn; Second by Allison Porter Edwards</p> <p>Move to approve the proposed agreed order signed by the Respondent</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</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 #236013, Issued to CINDY FARRELL TOW, SOAH Docket No. 507-20-3473 8.6.5.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #236013, Issued to CINDY FARRELL TOW, SOAH Docket No. 507-20-3473</p>	<p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #236013, Issued to CINDY FARRELL TOW, SOAH Docket No. 507-20-3473</p>	<p>Motion by Tamara Rhodes; Second by Rick Williams</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and impose a Warning with Stipulations for one year against the Respondent's license, as is set out in the proposed order.</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>8.6.6. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #664853, Issued to TERRY DOUGLAS WILMORE, SOAH Docket No. 507-19-6591</p> <p>8.6.6.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #664853, Issued to TERRY DOUGLAS WILMORE, SOAH Docket No. 507-19-6591</p>	<p>The Board considered the Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #664853, Issued to TERRY DOUGLAS WILMORE, SOAH Docket No. 507-19-6591</p>	<p>Motion by Kathy Leader Horn; Second by Laura Disque</p> <p>Move to adopt all of the proposed Findings of Fact and Conclusions of Law in the PFD and impose a Reprimand with Stipulations for two years against the Respondent's license, as is set out in the proposed order.</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Final Resolution: Motion Carries</p>
<p>8.7. ALJ Default Proposals for Decision Remands</p>		
<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 #309965, Issued to TIFFANY GRACE KLING, SOAH Docket No. 507-20-4450</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 #309965, Issued to TIFFANY GRACE KLING, SOAH Docket No. 507-20-4450</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 #309965, Issued to TIFFANY GRACE KLING, SOAH Docket No. 507-20-4450</p>	<p>Motion by Rick Williams; Second by Kim Wright</p> <p>Move to adopt the proposed order and revoke the respondent' nursing license by default</p> <p>For: Allison Porter Edwards, Laura Disque, David Saucedo, Kathy Leader Horn, Kathy Shipp, Kim Wright, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</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</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 #336964, Issued to STEPHANIE</p>	<p>Board Members David Saucedo, Kathy Leader Horn and Laura Disque recused from the consideration and vote on this Proposal for Decision as they were the board members that participated in the</p>

AGENDA ITEM	DISCUSSION	ACTION
<p>Board action: In the Matter of Permanent Certificate #336964, Issued to STEPHANIE LAUGHLIN, SOAH Docket No. 507-21-0702</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 #336964, Issued to STEPHANIE LAUGHLIN, SOAH Docket No. 507-21-0702</p>	<p>LAUGHLIN, SOAH Docket No. 507-21-0702</p>	<p>Temporary Suspension Hearing in this matter.</p> <p>Motion by Tamara Rhodes; 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, Kim Wright, Kathy Shipp, Mazie Jamison, Melissa Schat, Carol Hawkins, Rick Williams, Tamara Rhodes, Daryl Chambers</p> <p>Recused: Laura Disque, David Saucedo, Kathy Leader Horn</p> <p>Final Resolution: Motion Carries</p>
<p>9. MISCELLANEOUS</p>		
<p>9.1. Review of the Board Quarterly Meeting Evaluation</p>	<p>Kathy Shipp reviewed the Board Quarterly Meeting Evaluation of the January, 2021 meeting</p>	<p>No action</p>
<p>9.2. Executive Director and Board Evaluations</p>	<p>Kathy Shipp announced the Executive Director Evaluation and Board Self Evaluation would take place in late June for consideration at the July meeting</p>	<p>No action</p>
<p>ADJOURNMENT</p>	<p>Having completed all business as listed on the agenda, the meeting adjourned at 2:42 p.m</p>	
	<hr/> <p>Kathy Shipp, MSN, RN, FNP Board President</p>	
	<hr/> <p>Katherine A. Thomas, MN, RN, FAAN Executive Director</p>	

TEXAS BOARD OF NURSING

Emergency Board Meeting Via Teleconference

April 29, 2021

3:01 pm – 3:14 pm

Teleconference Meeting 333 Guadalupe, Tower II, Room 225

Austin, Texas

Present Via Telephone Conference:

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

Allison Porter-Edwards, DrPH, MS, RN, Board Vice-President, Representing BSN Education

Daryl Chambers, Representing Consumers

Laura A. Disque, MN, RN, Representing RN Practice

Carol Kay Hawkins, BSN, RN, Representing LVN Education

Kathy Leader Horn, LVN, Representing LVN Practice

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

Tamara Rhodes, MSN, RN, Representing ADN Education

David Saucedo II, Representing Consumers

Rick Williams, CTT, Representing Consumers

Absent:

Melissa Schatt, LVN, Representing LVN Practice

Kim Wright, LVN, Representing LVN Practice

Staff Present Via Telephone Conference:

Katherine A. Thomas, Executive Director

James W. Johnston, General Counsel

Patricia Vianes-Cabrera, Executive Assistant

Jena Abel, Deputy General Counsel

AGENDA ITEM	DISCUSSION	ACTION
CALL TO ORDER	Kathy Shipp, Board President called the meeting to order at 3:01 p.m. on April 29, 2021.	
ROLL CALL	Kathy Shipp did the roll call. Board Members Melissa Schat, LVN, Representing LVN Practice and Kimberly Wright, LVN, Representing LVN Practice were absent. A quorum was established with ten members in attendance.	
INTRODUCTIONS	Board Members and Staff introduced themselves to the audience and attendees.	
AGENDA	The Board reviewed the agenda.	<p>Motion by Allison Porter Edwards; Second by Mazie Jamison</p> <p>Move to approve the agenda</p> <p>For: Laura Disque, Allison Porter Edwards, Kathy Shipp, David Saucedo, Rick Williams, Carol Hawkins, Kathy Leader Horn, Tamara Rhodes, Daryl Chambers and Mazie Jamison</p> <p>Final Resolution: Motion Carries</p>
I. Consideration of Emergency Amendments to 22 Tex. Admin. Code §217.24(e)	The Board considered the Emergency Amendments to 22 Tex. Admin. Code §217.24(e)	<p>Motion by Allison Porter Edwards; Second by Carol Hawkins</p> <p>Move to approve the adoption of emergency amendments to 22 Tex. Admin. Code §217.24(e) to permit advanced practice registered nurses to treat chronic pain with scheduled drugs through the use of telemedicine medical services during the COVID-19 pandemic under conditions consistent with federal law and rules adopted by the Texas Medical Board and to authorize General Counsel to make amendments as necessary to ensure such consistency and publish such emergency amendments in the Texas Register.</p> <p>For: Laura Disque, Allison Porter Edwards, Kathy Shipp, David Saucedo, Rick Williams, Carol Hawkins, Kathy Leader Horn, Tamara Rhodes, Daryl Chambers and Mazie Jamison</p> <p>Final Resolution: Motion Carries</p>

AGENDA ITEM	DISCUSSION	ACTION
ADJOURNMENT	Having completed all business as listed on the agenda, the meeting adjourned at 3:14 p.m. _____ Kathy Shipp, MSN, APRN, FNP Board President _____ Katherine A. Thomas, MN, RN, FAAN Executive Director	