

**TEXAS BOARD OF NURSING**  
**OCTOBER 21, 2021**  
**333 Guadalupe Suite 100, Austin, Texas**  
**9:00 AM until all business is concluded**

The Texas Board of Nursing posts this notice of its OCTOBER 21, 2021 Video Conference Board Meeting. Video Conference meetings are authorized by Tex. Gov't Code § 551.127. The President of the Board will be physically present and presiding over the open meeting located at 333 Guadalupe Street, Hobby Building, 1st Floor, Room 100, Austin, Texas. Members of the public may attend the meeting in person at this location. Other members of the Board will be appearing at this meeting virtually.

For members of the public not wishing to view the open meeting in person, the meeting will be broadcast on the Board of Nursing's YouTube channel at:  
[https://www.youtube.com/channel/UCRKOEkMeL\\_IzZkpKDBe01Q](https://www.youtube.com/channel/UCRKOEkMeL_IzZkpKDBe01Q).

Additionally, a link to the meeting will be provided at:  
<https://www.bon.texas.gov/boardmeeting.asp>.

The Texas Board of Nursing will accept public comments at the OCTOBER 21, 2021, meeting. Members of the public will have opportunity to participate in the meeting as outlined in this notice. Members of the public may appear in person to address the Board during the open meeting at 333 Guadalupe Street, Hobby Building, 1st Floor, Room 100, Austin, Texas.

**Public Comment Instructions:**

Please note: The public comment portion of the agenda is not a time to speak about pending cases.

Any written comments must be submitted to [Public.Comments@bon.texas.gov](mailto:Public.Comments@bon.texas.gov) no later than 12:00 p.m. Tuesday, OCTOBER 19, 2021. Comments will be provided to Board members for review prior to the meeting but will not be read aloud during the public meeting.

Members of the public wishing to address the Board in person during the public meeting will be permitted to do so. Open Forum will be held at 1:00pm on October 21, 2021, at 333 Guadalupe Street, Hobby Building, 1st Floor, Room 100, Austin, Texas. Each speaker will be given no more than three (3) minutes to speak.

The Board President may reduce the time provided for public comments based on the number of requests received.

**TEXAS BOARD OF NURSING  
REGULAR MEETING  
OCTOBER 21, 2021  
AGENDA**

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

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**CALL TO ORDER - 9:00 am**

**REVIEW OF AGENDA**

**REVIEW OF THE MINUTES:** July 22, 2021 Board Meeting Minutes  
July 30, 2021 Emergency Meeting Minutes

**CONSENT AGENDA:**

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- 1.2.1. Update of Pending Litigation in the Matters of:  
Adaku Charity Abakwue v. Texas Board of Nursing, Cause No. D-1-GN-19002934, 250th Judicial District Court, Travis County, Texas;  
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;  
Texas Board of Nursing v. Ken Paxton, Attorney General of Texas, Cause No. D-1-GN-19-007180, Travis County, Texas;  
Rene Dominguez v. Texas Board of Nursing, Cause No. D-1-GN-19-007343, 353rd Judicial District Court, Travis County, Texas;  
Dovie L. Williams, RN, v. Texas Board of Nursing, Cause No. D-1-GN-19-008240, 98th Judicial District Court, Travis County, Texas; and  
Maria Beatrice Salas v. Texas Board of Nursing, Cause No. D-1-GN-20-000326, 419th Judicial District Court, Travis County, Texas.  
The Board Reserves the Right to Convene in Executive Session, if Necessary, Pursuant to §551.071(1), Texas Government Code, to Discuss Pending or Contemplated Litigation in these Matters
- 2.1. Financial Statement – 4<sup>TH</sup> Quarter, Fiscal Year 2021 - **MMajek/LPerez**
- 3.1.1. Promoting Continuing Competency Report – **LLaws/TSherman**
- 3.1.2. Report on Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) Nursing Program – **KBenton/SCaddell**
- 3.2.1. Status Report on New Nursing Education Programs and Currently Active and Potential Proposals - **JHooper**
- 3.2.2. Status Report on Programs with Sanctions - **JHooper**
- 3.2.3. Report on Communication Activities with Nursing Education Programs – **JHooper/Vayars**
- 3.2.4. Consideration of Findings from Virtual Survey Visit – St. Philip's College in San Antonio and New Braunfels, Texas – Vocational Nursing Education Programs - **JHooper**
- 3.2.5. Consideration of Change in Approval Status from Initial Approval to Full Approval – St. Philip's College in San Antonio, Texas - Associate Degree Nursing Education Program - **JHooper**
- 4.1. Complaint Status Report – **TDiggs**
- 5.1.1. Eligibility and Disciplinary Committee - **JWJohnston**
- 5.1.2. Quarterly Statistical Report – 4<sup>TH</sup> Quarter, Fiscal Year 2021 - **MMajek/KThomas**
- 6.1. Nurse Licensure Compact Update - **KThomas**
- 6.2. Consideration of adoption of rule review of 22 Texas Administrative Code Chapter 227 (relating to Pilot Programs for Innovative Applications to Vocational and Professional Nursing Education), including written comments received, if any - **JVanderford**
- 7.1. Texas Peer Assistance Program for Nurses (TPAPN)
  - 7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report – **TDiggs**
  - 7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee – **DBenbow**
  - 7.1.4. TNF/TPAPN Enhanced Contract and Performance Monitoring Report, 4<sup>TH</sup> Quarter Fiscal Year 2021 – **ALiwanag/JWJohnston**
- 7.2. Fiscal Year 2022 Newly Executed and Renewed Board Contracts- **ALiwanag**
- 7.3. Consideration of proposed rule review of 22 Texas Administrative Code Chapter 225 (relating to RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions) - **JVanderford**
- 8.1. Agreed Orders
- 8.2. Agreed Orders - KSTAR Program
- 8.3. Deferred Agreed Orders
- 8.4. Reinstatement Agreed Orders
- 8.5. Eligibility Agreed Orders

## **8.7. ALJ Default Proposals for Decision Remand**

- 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 LVN #202339, Issued to SANDRA AVILA, SOAH Docket No. 507-21-1945- **JAbel**
  - 8.7.2. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate #700839, Issued to HELEN MASEDMAN, SOAH Docket No. 507-21-2377- **JAbel**
  - 8.7.3. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN #225560, Issued to FERNANDO VALDEZ, SOAH Docket No. 507-21-2284 **JAbel**
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## **1. ADMINISTRATION**

### **\*1.1. Executive Director's Report – KThomas**

#### **1.2. Legal - JWJohnston**

- C \*1.2.1. Update of Pending Litigation in the Matters of:
    - Adaku Charity Abakwue v. Texas Board of Nursing, Cause No. D-1-GN-19002934, 250th Judicial District Court, Travis County, Texas;
    - 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;
    - Texas Board of Nursing v. Ken Paxton, Attorney General of Texas, Cause No. D-1-GN-19-007180, Travis County, Texas;
    - Rene Dominguez v. Texas Board of Nursing, Cause No. D-1-GN-19-007343, 353rd Judicial District Court, Travis County, Texas;
    - Dovie L. Williams, RN, v. Texas Board of Nursing, Cause No. D-1-GN-19-008240, 98th Judicial District Court, Travis County, Texas; and
    - Maria Beatrice Salas v. Texas Board of Nursing, Cause No. D-1-GN-20-000326, 419th Judicial District Court, Travis County, Texas.
- The Board Reserves the Right to Convene in Executive Session, if Necessary, Pursuant to §551.071(1), Texas Government Code, to Discuss Pending or Contemplated Litigation in these Matters.

## **2. OPERATIONS**

- C \*2.1. Financial Statement – 4<sup>th</sup> Quarter, Fiscal Year 2021 - **MMajek/LPerez**

## **3. NURSING**

### **3.1. Practice**

- C \*3.1.1. Promoting Continuing Competency Report – **LLaws/TSherman**
- C \*3.1.2. Report on Implementation of the Knowledge Skills Training Assessment and Research (KSTAR) Nursing Program – **KBenton/SCaddell**

### **3.2. Education**

- C \*3.2.1. Status Report on New Nursing Education Programs and Currently Active and Potential Proposals – **JHooper**
- C \*3.2.2. Status Report on Programs with Sanctions - **JHooper**
- C \*3.2.3. Report on Communication Activities with Nursing Education Programs – **JHooper/VAyars**
- C \*3.2.4. Consideration of Findings from Virtual Survey Visit – St. Philip's College in San Antonio and New Braunfels, Texas – Vocational Nursing Education Programs - **JHooper**
- C \*3.2.5. Consideration of Change in Approval Status from Initial Approval to Full Approval – St. Philip's College in San Antonio, Texas - Associate Degree Nursing Education Program - **JHooper**

- \*3.2.6. Consideration of Curriculum Change Proposal to Establish a New Pre-Licensure Nursing Track at the Master's Degree Level – Texas Lutheran University in Seguin, Texas – **VAyars**
- \*3.2.7. Report and Presentations on the Emergence of Partnership Models between Nursing Education Programs and Clinical Settings to Create Opportunities for Clinical Learning Experiences for Students that May Alleviate the Nursing Shortage – **JHooper/KBenton**

#### **4. ENFORCEMENT**

- C \*4.1. Complaint Status Report – **TDiggs**

#### **5. COMMITTEE REPORTS**

##### **5.1. Board Committees**

- C \*5.1.1. Eligibility and Disciplinary Committee – **JWJohnston**
- C \*5.1.2. Quarterly Statistical Report – 4<sup>TH</sup> Quarter, Fiscal Year 2021 - **MMajek/KThomas**

##### **5.2. Advisory Committees/Task Forces**

No Reports

##### **5.3. Collaboration with Outside Agencies/Stakeholders**

###### **5.3.1. National Council of State Boards of Nursing**

- \*5.3.1.a. Report on the NCSBN Annual Meeting, Held Virtually August 18-19, 2021 – **KShipp/KThomas**

###### **5.3.2. Texas Center for Nursing Workforce Studies Advisory Committee - KThomas**

#### **OPEN FORUM:**

#### **6. OLD BUSINESS**

- C \*6.1. Nurse Licensure Compact Update - **KThomas**
- C \*6.2. Consideration of adoption of rule review of 22 Texas Administrative Code Chapter 227 (relating to Pilot Programs for Innovative Applications to Vocational and Professional Nursing Education), including written comments received, if any - **JVanderford**
- \*6.3. Consideration of adoption of amendments to 22 Texas Administrative Code §213.33 (relating to Factors Considered for Imposition of Penalties/Sanctions), including the Texas Board of Nursing Disciplinary Matrix, and written comments received, if any - **JAbel**
- \*6.4. Consideration of adoption of proposed amendments to 22 Texas Administrative Code §214.4 (relating to Approval), including written comments received, if any-**JAbel**
- \*6.5. Consideration of adoption of proposed amendments to 22 Texas Administrative Code §215.2(4) (relating to Definitions), including written comments received, if any-**JAbel**
- \*6.6. Consideration of adoption of proposed amendments to 22 Texas Administrative Code §215.4 (relating to Approval), including written comments received, if any-**JAbel**
- \*6.7. Consideration of adoption of proposed amendments to 22 Texas Administrative Code §213.28 (relating to Licensure of Individuals with Criminal History), including the Texas Board of Nursing Disciplinary Guidelines for Criminal Conduct, and written comments received, if any)-**JAbel**
- \*6.8. Consideration of adoption of proposed amendments to 22 Texas Administrative Code §217.24(e) (relating to Telemedicine Medical Service Prescriptions), including written comments received, if any-**JAbel**

- \*6.9. Consideration of proposal and adoption of rule review of 22 Texas Administrative Code §228.1 (relating to Standards of Practice), including written comments received; consideration of recommendations for related rule amendments to §228.1 made by the Advanced Practice Nursing Advisory Committee; and consideration of proposed amendments to §228.1 –**JAbel**

**7. NEW BUSINESS**

**7.1. Texas Peer Assistance Program for Nurses (TPAPN)**

- \*\*7.1.1. Texas Peer Assistance Program for Nurses Quarterly Report for the 4<sup>TH</sup> Quarter – **DWebb/CZolnieriek**
- C \*7.1.2. Texas Peer Assistance Program for Nurses Third Party Referral Report - **TDiggs**
- C \*7.1.3. Texas Peer Assistance Program for Nurses Advisory Committee – **DBenbow**
- C \*7.1.4. TNF/TPAPN Enhanced Contract and Performance Monitoring Report, 4<sup>TH</sup> Quarter Fiscal Year 2021 - **ALiwanag/JWJohnston**
- \*7.1.5. TNF/TPAPN Enhanced Contract and Performance Monitoring Report, Annual Report for FY 2021-**ALiwanag**
  
- C \*7.2. Fiscal Year 2022 Newly Executed and Renewed Board Contracts- **ALiwanag**
  
- C \*7.3. Consideration of proposed rule review of 22 Texas Administrative Code Chapter 225 (relating to RN Delegation to Unlicensed Personnel and Tasks Not Requiring Delegation in Independent Living Environments for Clients with Stable and Predictable Conditions) - **JVanderford**
  
- \*7.4. Consideration of the Fiscal Year 2022 Internal Audit Plan - **MRufus/ RGonzales/ MMajek/ KThomas**
  
- \*7.5. Consideration of proposed amendments to 22 Texas Administrative Code §223.1 (relating to Fees) – **JAbel/MMajek**
  
- \*7.6. Consideration of proposed amendments to 22 Texas Administrative Code §217.5(h) (relating to Temporary License and Endorsement) –**JAbel**
  
- \*7.7. Consideration of proposed amendments to 22 Texas Administrative Code §213.10 (relating to Notice and Service) - **JAbel**
  
- \*7.8. Request for charge to the Advanced Practice Nursing Advisory Committee regarding standards of review and scope of practice for advanced practice registered nurses - **JAbel**

**8. PROPOSED BOARD ORDERS**

**C \*8.1. Agreed Orders**

Adams, John Austin	RN# 692132/ LVN# 166149
Berich, Rebecca	RN #933599
Campoy, Meredith Elaine	LVN# 334579
Cross-Brooks, Patricia Sue	RN# 706023
Davis, Hayly	RN# 900865
Garcia, Kevin	LVN# 351411
Hart, Glenda Marie	LVN# 220814
Inzurriaga, Karen	APRN# AP132909/ RX# 22233/ RN# 638589
McGurie, Amanda Harper	RN# 779772/ APRN Petitioner
Mehne, Haley Christine	RN# 940209
Mrozinski, Gregory Norman	APRN# AP120455/ RX# 11395/ RN#776714
Rhodes (Wiggins), Kristina Gail	LVN# 192383
Robinson, Elsa Maritza	RN# 875371
Robinson, Tammy Lynn	LVN# 115999
Salinas, Michael Anthony	LVN# 154981
Simmons, Sheronica Vangineta	LA PTP RN# RN136554/ APRN Petitioner
Small, Stacey W.	LVN# 303928
Stuckey, Erica Anne	RN# 665211
Tobin, Michelle Cherree	LVN# 218826
Wiland, Tamara D.	LVN# 93639

**C \*8.2. Agreed Orders-KSTAR Program**

Brown, Mary Ellen

LVN# 322901

**C \*8.3. Deferred Agreed Order**

Lualaba, Vivi Enkoto

RN# 842377

**C \*8.4. Reinstatement Agreed Orders**

Butters, John Burford

RN# 667312

Eke-Huber, Esther Akunna

APRN# AP118542/ RX# 9867/ RN# 702756

**C \*8.5. Eligibility Agreed Orders**

Mistrot, Jared Blake

RN/LVN Exam Petitioner

Terry, Catherine Jean

RN Exam Petitioner

**8.6. ALJ Proposals for Decision**

\*8.6.1. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #326454, Issued to CHRISTIANA AKANBI, SOAH Docket No. 507-20-2433- **JAbel**

8.6.1.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #326454, Issued to CHRISTIANA AKANBI, SOAH Docket No. 507-20-2433

\*8.6.2. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #306716, Issued to AMY BURNS, SOAH Docket No. 507-21-2455- **JAbel**

8.6.2.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #306716, Issued to AMY BURNS, SOAH Docket No. 507-21-2455

\*8.6.3. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #326589, Issued to AMBER LEE CURETON SOAH Docket No. 507-21-3001- **JAbel**

8.6.3.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #326589, Issued to AMBER LEE CURETON, SOAH Docket No. 507-21-3001

\*8.6.4. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Permanent Certificate #177529, Issued to HOSSEIN RAHROAHMADI, JR SOAH Docket No. 507-21-1518- **JAbel**

8.6.4.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: Certificate #177529, Issued to HOSSEIN RAHROAHMADI, JR SOAH Docket No. 507-21-1518

\*8.6.5. Consideration of Proposal for Decision, Recommendations, proposed settlement Agreements, if any, and Board action: In the Matter of Petition of Reinstatement of Certificate #214306, Issued to KIMBERLY WILLIAMS, SOAH Docket No. 507-21-3004- **JAbel**

8.6.5.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Petition of Reinstatement of Certificate #214306, Issued to KIMBERLY WILLIAMS, SOAH Docket No. 507-21-3004

**8.7. ALJ Default Proposal for Decision Remands**

**C \*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 LVN #202339, Issued to SANDRA AVILA, SOAH Docket No. 507-21-1945- **JAbel**

8.7.1.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #202339, Issued to SANDRA AVILA, SOAH Docket No. 507-21-1945

- C \*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 #700839, Issued to HELEN MASEDMAN, SOAH Docket No. 507-21-2377- **JAbel**
  - 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 #700839, Issued to HELEN MASEDMAN, SOAH Docket No. 507-21-2377
  
- C \*8.7.3. Consideration of Order of Dismissal and Remand, Recommendations, proposed settlement agreements, if any, and Board action: In the Matter of Permanent Certificate LVN #225560, Issued to FERNANDO VALDEZ, SOAH Docket No. 507-21-2284 **JAbel**
  - 8.7.3.a. Executive Session pursuant to 551.071(1), Texas Government Code, to discuss pending or contemplated litigation: In the Matter of Permanent Certificate LVN #225560, Issued to FERNANDO VALDEZ, SOAH Docket No. 507-21-2284

**9. MISCELLANEOUS**

- \*9.1. Review of the Board Quarterly Meeting Evaluation – **KShipp**
  
- \*9.2. Board Meeting, Eligibility and Disciplinary Committee Meeting and Informal Conference Dates for 2022 – **KThomas/PVCabrera**
  
- \*9.3. Appointment of Board Members to BON Committees for 2022 - **KShipp**

October 7, 2021 (10:54AM)  
\* - Written materials Sent from Office  
\*\* - Written materials Sent from third party  
C - Item is placed on consent (no discussion of the material(s) required)