

# RN UPDATE



A Quarterly Publication of the Board of Nurse Examiners for the State of Texas

July 2001

Volume 32, No. 3

## Four Board Members Appointed to Board of Nurse Examiners by Governor Perry

Governor Rick Perry selected four new Board members to fill positions vacated by outgoing Board members: Nancy Boston; Mary Letrice Brown, RN; John Fonteno; and Kenneth Lowrance, MS, RN, CS, FNP-C. Nancy Boston and Kenneth Lowrance began their six-year terms in 1995 and Mary Letrice Brown began her term in 1996. John Fonteno was appointed in 1997 but recently resigned from the Board for health reasons. The new Board members are: Virginia Milam Campbell, a perioperative nurse at Texas Scottish Rite Hospital for Children in Dallas, representing Nursing Practice; Lawrence Canfield, a certified registered nurse anesthetist at Scott & White Hospital in Temple, representing Nursing Practice; Deborah Bell, a consumer member from Abilene; and Phyllis Caves Rawley, a consumer member from El Paso.

*Interviews with the new Board members will appear in the next two issues of RN Update.*



Nancy Boston, Kenneth Lowrance and Mary Letrice Brown (from left to right) were recognized for their work on behalf of the BNE at the April 26, 2001 Meeting of the Board of Nurse Examiners.

## The Role of Board Members

The Board of Nurse Examiners is responsible for promulgating rules and regulations, making disciplinary decisions and setting policies which guide the agency in carrying out the mission of the Board: Protection of the Public. The Board consists of nine members. They volunteer their time to serve the Board, travel to Board meetings, informal disciplinary conferences, and eligibility and disciplinary committees. This service reflects their dedication and commitment to the regulation and safe practice of professional nursing.

## Online Renewal Program to be Launched this Fall

Coming this Fall, Registered Nurses and Advanced Practice Nurses will be able to renew their license via the Internet. Once the program is implemented, notification of the option along with detailed instructions will be included in the renewal packet. The online renewal system will be accessible via the BNE website and will validate the RN's identity and renewal eligibility. If you have complied with all state statutes and BNE rules, the system will accept your online renewals within your 60-day renewal period. **Licensees can only renew online during the 60-day period.** After completion of the online renewal process, the licensee will be able to

print a confirmation page for validation of payment. This process eliminates the delay imposed in mailing the renewal and provides for the convenience of credit card payment for a small convenience fee. Upon receipt of the renewal information and validation of payment, a renewed license will be mailed within 10 working days. This is a major step toward customer convenience and using automation to streamline agency operations. The Board of Nurse Examiners is continuing to strive to provide all customers access to agency services in the most efficient and expeditious manner.

## A Word from the Executive Director



Kathy Thomas, MN, RN

### **Board of Nurse Examiners and Texas Nurses Association Conclude Town Hall Meetings**

The BNE and the Texas Nurses Association (TNA) recently conducted four Town Hall Meetings in Corpus Christi (May 7, 2001), Houston (May 10, 2001), Lubbock (May 14, 2001), and Arlington (May 15, 2001). These meetings were held to provide registered nurses an opportunity to speak directly to the Board and TNA about issues and concerns affecting nursing practice. I represented the Board and Clair Jordan, Executive Director of Texas Nurses Association, represented TNA. We stressed the differences in the roles of the professional association which represents the interests of nurses, and the Board which represent the interests of the public.

More than 180 nurses took time out of their busy schedules to share their experiences and concerns. Several workplace issues were raised, including mandatory overtime, short staffing, salary compression over the career, and a concern that nurses are under appreciated in health care delivery systems. It was clear that the nursing shortage is underscoring these problems since nurses relayed that they are expected to do more patient care with less assistance. Several regulatory issues were discussed.

**Minor Incident Rules.** A participant expressed concern that hospitals are reporting three minor incidents in a year to the Board because they believe that is required. Rule 217.16(d)(4) requires that "the nurse's manager shall report an RN to the Peer Review Committee if three minor incidents involving the RN are documented within a one year period." The Peer Review Committee is then responsible for reviewing the three minor incidents and determining whether a report to the Board is warranted.

**Safe Harbor.** Several participants asked about the safe harbor provisions of the Nursing Practice Act. Based on telephone calls received by the Board office, BNE staff have observed an increase in the incidence of nurses invoking safe harbor but many still do not understand the process. Safe Harbor provides protection for nurses who have been asked to engage in conduct which the nurse in good faith believes would violate the nurse's duty to a patient. Protection for nurses is available only when the nurse's duty is thought to be violated according to the statutory definition:

"Duty to a patient" means conduct, including administrative decisions directly affecting a registered nurse's ability to comply with that duty, required by standards of practice or professional conduct adopted by the Board [Nursing Practice Act, Section 303.005(a).]

The form to be used to invoke safe harbor can be found at the Board's web site at <http://www.bne.state.tx.us/safe.htm>.

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### The Board of Nurse Examiners For the State of Texas

#### **BOARD MEMBERS**

##### **Officers**

Linda Rounds, PhD, RN  
*President, representing  
Advanced Practice  
Nursing Education,  
Galveston*

Thalia Munoz, MS, RN  
*Vice-President, representing  
Nursing Practice,  
Rio Grande City*

##### **Members**

Deborah Bell  
*Consumer Member, Abilene*

Virginia Campbell, BSN, RN  
*representing Nursing Practice,  
Mesquite*

Lawrence Canfield, BSN, RN  
*representing Nursing Practice,  
Temple*

Marcelo Laijas, Jr.  
*Consumer Member, Floresville*

Sue McGee, MSN, RN  
*representing ADN Programs,  
Amarillo*

Elizabeth Poster, PhD, RN  
*representing BSN Programs,  
Arlington*

Phyllis Caves Rawley  
*Consumer Member, El Paso*

#### **Executive Director**

Katherine Thomas, MN, RN

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## **Town Hall Meetings** - continued from page 2

Clair Jordan informed participants that TNA has an online continuing education program on Safe Harbor Peer Review which can be found on the TNA web site at [www.texasnurses.org](http://www.texasnurses.org).

**Patient Abandonment.** Several participants raised the question of what constitutes patient abandonment. In today's climate of the nursing shortage and short staffing, some nurses believe that they may not leave their assignment under any circumstance. The Board recognizes that nurses may have to leave their assignment for a variety of legitimate reasons, including personal and family emergencies. "Leaving a nursing assignment without notifying one's appropriate supervisor" is unprofessional conduct according to Rule 217.12(14).

The Board was pleased to participate in these Town Hall meetings to hear nurses express concerns and questions about the regulation of their practice. If you wish to provide further comments or questions for the Board, please email the Board at [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us).



### **Proposed and Adopted Rules**



At the April 2001 meeting of the Board of Nurse Examiners, members voted to propose the repeal of the current version of Rule §219 Advanced Practice Nursing Programs and authorized staff to publish proposed Rule §219 in the *Texas Register*. The proposed rule was in the June 15, 2001 issue of the *Texas Register* with a comment period of 30 days.

## **Idaho, Maine & Mississippi Begin Implementation of Compact July 1; Compact Legislation Introduced in Georgia, Illinois, and New Jersey**

Effective July 1, 2001, three more states, Idaho, Maine, and Mississippi, begin implementation of the multistate licensure compact. The 13 states where nurses can practice under multistate privilege are: Arkansas, Delaware, Idaho, Iowa, Maine, Maryland, Mississippi, Nebraska, North Carolina, South Dakota, Texas, Utah and Wisconsin. HB 968, Georgia's Compact Bill, was introduced in the Georgia Legislature on March 22, 2001. If enacted, Georgia's Compact Bill will take effect on January 1, 2003. HB 2400, Illinois's Compact Bill, was introduced in the Illinois Legislature on February 23, 2001 and is currently in the Illinois Senate. If enacted, the bill will take effect on January 1, 2002. HB 3302, New Jersey's Compact Bill, was introduced on March 22, 2001. If enacted, the bill will take effect January 1, 2002. Arizona's Compact Bill, SB 1321, was signed by Governor Jane Dee Hull on April 12, 2001 and takes effect July 1, 2002. The National Council of State Boards of Nursing provides a chart indicating the status and effective dates of Compact legislation throughout the U.S. The Compact Bill Status Chart is located at: [www.ncsbn.org/files/mutual/billstatus.asp](http://www.ncsbn.org/files/mutual/billstatus.asp)

## **Texas Board of Vocational Nurse Examiners Seeks Candidates for Executive Director Position**

The Texas Board of Vocational Nurse Examiners is seeking candidates for the position of Executive Director. Persons interested in being considered for the position should complete a State of Texas Employment Application and submit it to: **Board of Vocational Nurse Examiners, 333 Guadalupe St. 3-400, Austin, Texas 78701**. The job posting and position description can be viewed at: <http://www.bvne.state.tx.us/employment.htm>. This posting is open until the position is filled.

## **BNE Studies Legislation Enacted By 77th Texas Legislative Session**

The Board of Nurse Examiners is currently reviewing legislation enacted during the 77th Texas Legislative Session which concluded May 28, 2001. Governor Rick Perry finished signing/vetoing bills on June 17. Bills impacting registered nurses in Texas will be discussed in detail in the October edition of *RN Update*.

## Limited Prescriptive Authority and Site Eligibility

In the April 2001 edition of the *RN Update*, there was an announcement that the BNE would no longer be performing site approvals for advanced practice nurses with limited prescriptive authority (LPA). As a result of this announcement, staff have received numerous requests for information on how to determine site eligibility, especially in medically underserved areas. This article is intended to assist advanced practice nurses in making LPA site eligibility determinations. It is important to note that, although the BNE is no longer performing site approvals, the advanced practice nurse is still responsible for only utilizing limited prescriptive authority in a qualified site.

The Legislature defined the different types of sites at which an advanced practice nurse may utilize limited prescriptive authority in the Medical Practice Act (*Texas Occupations Code*, §§157.052 - 157.054). The definitions for each of these types of sites are also reflected in BNE Rule §222.1. Sites classified as physician's primary practice sites or facility-based sites must meet the requirements as outlined in the definitions. It is important to note that several different types of sites qualify as physician's primary practice sites.

The process for determining eligibility for medically underserved sites can be more confusing and may require additional resources. The advanced practice nurse must first determine how his/her site qualifies as medically underserved (refer to Rule §222.1). The Health Professions Resource Center (a part of the Texas Department of Health) is an important resource for advanced practice nurses in medically underserved areas. This agency can be accessed via the Texas Department of Health's web site at [www.tdh.state.tx.us](http://www.tdh.state.tx.us). They have provided lists of full and partial counties designated as health professions shortage areas (HPSAs) or medically underserved areas (MUAs) that are immediately available on their web site. Their staff can also assist individuals in determining whether their site has been designated as a specific site serving medically underserved populations (MUPs). Many times, the advanced practice nurse needs to know the census tract in which his/her practice is located to determine if the practice site is located in a portion of a county that holds a medically underserved designation. Two web sites that can be utilized to determine the census tract are: [www.geocode.com](http://www.geocode.com) and [www.ffiec.gov](http://www.ffiec.gov).

Another list that may be accessed via the Texas Department of Health's web site is the list of family planning clinics. The list is arranged by county, and the advanced practice nurse only needs to know the zip code of the practice site to utilize the family planning clinic locator to determine if his/her practice site qualifies in this category.

It is **very important** that advanced practice nurses in these settings check the status of their practice sites on a routine basis to determine that the sites still qualify as medically underserved. These designations are subject to change. For example, an advanced practice nurse has been signing prescription drug orders in a site located in County "A", a county that held a designation as a full county HPSA. On January 1, 2001, County "A's" designation as a HPSA was withdrawn. If the practice site meets the criteria for qualification as an eligible site in another category (such as a physician's primary practice site or MUA) then the advanced practice nurse may continue to utilize limited prescriptive authority in that site. If, however, the site does not qualify as eligible in any other manner, then the advanced practice nurse may no longer utilize his/her limited prescriptive authority at that location.

For specific site-based requirements for advanced practice nurses utilizing limited prescriptive authority, refer to Rule §222, relating to advanced practice nurses with limited prescriptive authority. The rule may be accessed via the BNE's web site at [www.bne.state.tx.us](http://www.bne.state.tx.us).

## Reader Feedback Survey - How are we doing?

The Board of Nurse Examiners (BNE) would like your opinions on our Customer Service Group, Newsletter and Web Site. Your opinions are important to the BNE and will help us to evaluate the quality of communication services provided to you on the phone, in print or over the internet. Your responses will assist us in determining ways to better improve our service to you and to pinpoint areas that need improvement. Please complete the survey questions below, detach the survey form and mail it to the address on the reverse side of this form. If you prefer, you can answer this survey by visiting our web site located at [www.bne.state.tx.us](http://www.bne.state.tx.us). Your opinions are important to us and we look forward to your response!

### Customer Service Group

1. Have you contacted the BNE during the last six months for information or services?  
Yes\_\_\_\_ No\_\_\_\_ If Yes, in which area(s) (check all that apply)  
\_\_\_\_ Licensure \_\_\_\_ Renewal \_\_\_\_ Verification \_\_\_\_ CE \_\_\_\_ Nursing Practice  
\_\_\_\_ Advanced Practice \_\_\_\_ Complaints against RNs \_\_\_\_ Other
2. Was the information provided useful? Yes\_\_\_\_ No\_\_\_\_
3. Was the information (verbal or written) provided in a timely manner? Yes\_\_\_\_ No\_\_\_\_;
4. Was the information provided in a courteous manner? Yes\_\_\_\_ No\_\_\_\_
5. Was the staff professional? Yes\_\_\_\_ No\_\_\_\_; helpful? Yes\_\_\_\_ No\_\_\_\_
6. Please write additional comments here:

### RN Update

1. When you receive the RN update:
  - a. Is the information useful? Yes\_\_\_\_ No\_\_\_\_
  - b. Are the articles on laws and rules helpful? Yes\_\_\_\_ No\_\_\_\_
  - c. Is the format "reader friendly?" Yes\_\_\_\_ No\_\_\_\_
2. What areas or topics would you like to see discussed in future issues?
3. What is your favorite section/part of the RN Update?
4. What is your least favorite section/part of the RN Update?
5. What would you change to improve the RN Update?
6. Please write additional comments here:

### BNE Web Site

1. How often have you accessed the web site?  
\_\_\_\_ First time \_\_\_\_ Weekly \_\_\_\_ Monthly \_\_\_\_ 1-6 Months \_\_\_\_ Once a Year \_\_\_\_ Never
2. Which of the following did you review or download? (Check all that apply)  
\_\_\_\_ Complaint form to report a Registered Nurse \_\_\_\_ Declaratory Order Information  
\_\_\_\_ Board Meetings and Events \_\_\_\_ Position Statements \_\_\_\_ Computerized Lists  
\_\_\_\_ Accredited Professional Nursing Schools \_\_\_\_ Advanced Practice Nursing Schools  
\_\_\_\_ Nursing Practice Act \_\_\_\_ Rules and Regulations \_\_\_\_ Online Licensure Verification \_\_\_\_ Other
3. General Site Questions:  
Was the site index clear and easy to follow? Yes\_\_\_\_ No\_\_\_\_  
Were the instructions on the web site clear? Yes\_\_\_\_ No\_\_\_\_  
Was the information obtained useful? Yes\_\_\_\_ No\_\_\_\_  
Were the topics you were seeking easily accessed? Yes\_\_\_\_ No\_\_\_\_
4. What would you change about the BNE web site?
5. What is your favorite section/part of the BNE web site?

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6. If you e-mailed the Webmaster, which of the following categories of information did you request or have questions about? (Check all that apply)

- Licensure by endorsement     Practice issues/problems  
 Licensure by Examination     Education issues or problems  
 Licensure reactivation     Changing a name or address  
 Requirements for APN recognition     Requesting a duplicate license  
 Requirements for limited prescriptive authority     Other: \_\_\_\_\_

7. Did you receive a response to your inquiry? Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, then how long before you received the response? \_\_\_\_\_ Same day    \_\_\_\_\_ 1 Day    \_\_\_\_\_ 2-5 Days  
\_\_\_\_\_ More than 5 days    \_\_\_\_\_ Never

8. Please write additional comments here:

Thank you for your assistance!

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PLACE  
STAMP  
HERE

**Board of Nurse Examiners  
P.O. Box 430  
Austin, Texas 78767-0430**

## APNAC Reviews Guidelines

The APN advisory committee (APNAC) met on April 25, 2001 in Austin. The committee began work on their new charge to review the recently revised Rules §§221 and 222 and make recommendations for development of new policies/guidelines necessitated by the rule revisions. Specific discussions focused on the development of guidelines for sponsored practice for a graduate advanced practice nurse who was unsuccessful on his/her first certification examination attempt. The committee meets again on June 27, 2001.

### BNE Investigators Attend Summit

Three staff members from the Department of Enforcement of the Board of Nurse Examiners attended the National Council of State Boards of Nursing Investigators Summit in Chicago, Illinois on June 22-23, 2001. Anthony L. Diggs, Director of Enforcement, served on the planning advisory panel for the Summit, and Cynthia Smith and Jeanne Jacobson attended as well as presented cases on different topics to the group. Approximately one-hundred (100) investigators and fact-finders from numerous states attended.

The purpose of the Summit was to enhance the skills and training of individuals involved in fact finding for Board of Nursing investigators. The topics covered by speakers included patient and elderly abuse and neglect, investigations in community settings, sexual misconduct investigations, and the investigatory implications for alternative discipline for practice cases. In addition, there were numerous networking opportunities for the investigators during the one and one-half day Summit. Cynthia Smith, Investigator for the BNE for thirteen (13) years, presented a discussion on an elderly abuse case. Jeanne Jacobson, Senior Investigator, presented a discussion on a hospice case and the implications of the setting for the investigator.

As more states become members of the multi-state compact, the staff of the Department of Enforcement will have more contact with investigators in other states. The Summit was an opportunity to share ideas, strengthen skills, and identify the new challenges the Enforcement staff will encounter through the growth of the multistate compact.



### Practice Q & A

By Carol Dobrich, MSN, RN



#### Q: Can RNs Do "Physicals"?

A: Nurses in a variety of practice settings involving both pediatric and adult clients contact the BNE regarding this very broad question. The Nursing Practice Act (NPA), Section 301.002(2) and Board Rule 217.11(1), (2), and (21) all apply to this question. According to the NPA and Board Rules, the RN may collect data regarding the health status of clients through a variety of mechanisms including history taking and physical assessment. However, the scope of such assessment must always be based on the RN's educational preparation and clinical experience. This data may then be passed on to a physician to apply as he/she deems appropriate in the medical diagnosis and medical management of the patient. RNs are prohibited from engaging in "...Acts of medical diagnosis or prescription of therapeutic or corrective measures" [NPA, §301.002(2)]. RNs with advanced practice authorization through the Board may engage in certain "medical aspects of care" within the advanced specialty and role appropriate to the APN's advanced educational preparation as described in Rule 221.

Not all settings or situations require a medical diagnosis (determined by a physician) as an outcome of a "physical assessment". As with any area of practice, the RN must be knowledgeable regarding additional regulations set forth by other governing entities which may impact the practice of nursing in that setting. When in doubt if an activity is within the scope of the RN, the BNE's "*Six Step Decision Making Model for Determining the RN Scope of Practice*" is one resource available to aid the RN in making his/her "professional judgment." This information, along with the NPA and Board Rules, is available on the BNE web site.

### Texas Peer Assistance Program for Nurses — TPAPN

If you have concerns regarding a nursing colleague's practice related to chemical dependency or mental illness, call TPAPN at 1-800-288-5528 to speak to a nurse case manager. Your call is confidential.



## EDUCATION REPORT

By Sandra Owen, MN, RN



### **April 2001 Board Action**

**Based on the 2000 Annual Report and NCLEX-RN® pass rates, continued full accreditation with Commendations, Recommendations, and Requirements for:**

#### **Baccalaureate Degree Programs**

University of Texas-Pan American, Edinburg

**Based on the 2000 Annual Report and NCLEX-RN® pass rates, continued full accreditation with No Recommendations and No Requirements for:**

#### **Diploma Programs**

Covenant School of Nursing, Lubbock

#### **Associate Degree Programs**

Amarillo College

Central Texas College, Killeen

Del Mar College, Corpus Christi

Galveston College

Houston Baptist University

Kilgore College

McClennan Community College, Waco

Navarro College, Corsicana

Panola Community College, Carthage

San Jacinto College-Central, Pasadena

Tarleton State University, Stephenville

University of Texas-Pan American, Edinburg

#### **Baccalaureate Degree Programs**

Baylor University, Dallas

East Texas Baptist University, Marshall

Midwestern State University, Wichita Falls

University of Incarnate Word, San Antonio

University of Texas at Arlington

University of Texas at El Paso

University of Texas at Tyler

#### **Post-Licensure Baccalaureate Degree Nursing Programs**

University of Texas at Brownsville and Texas

Southmost College, Brownsville

Southwestern Adventist University, Keene

### **Advanced Practice Programs**

Abilene Intercollegiate School of Nursing,

Family Nurse Practitioner, Abilene

Angelo State University, Medical/Surgical

Clinical Nurse Specialist, San Angelo

Houston Baptist University, Family Nurse

Practitioner Program

University of Texas Pan-American, Adult Health

Clinical Nurse Specialist, Edinburg

University of Texas Southwestern Medical

Center at Dallas, Women's Health Care Nurse

Practitioner Program

**Based on the 2000 Annual Report and NCLEX-RN® pass rates, continued full accreditation with Recommendations for:**

#### **Associate Degree Programs**

Tarrant County College, Ft. Worth

Texarkana Community College

Trinity Valley Community College, Kaufman

Tyler Junior College

#### **Baccalaureate Degree Programs**

Prairie View A&M University, Houston

Stephen F. Austin University, Nacogdoches

#### **Post Licensure Baccalaureate Degree Nursing Programs**

Angelo State University, San Angelo

Texas A&M International University

**Based on the 2000 Annual Report and NCLEX-RN® pass rates, continued full accreditation with Requirements for:**

#### **Associate Degree Programs**

Angelina College, Lufkin

El Centro Community College, Dallas

San Antonio College

Southwestern Adventist University, Keene

#### **Baccalaureate Degree Programs**

Lamar University, Beaumont

Texas Tech University, Health Sciences

Center, Lubbock

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## EDUCATION REPORT

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**Based on the 2000 annual Report and NCLEX-RN® pass rates, continued full accreditation with Requirements and Recommendations for:**

**Baccalaureate Degree Programs**  
Abilene Intercollegiate School of Nursing

**Continued Initial Accreditation with Requirements to be met for:**

**Generic Baccalaureate Degree Nursing Program**  
Texas A&M International University, Laredo

**Continued Initial Accreditation for:**

**Associate Degree Nursing Program**  
Weatherford College

**Advanced Practice Nursing Programs**  
Prairie View A&M University, Family Nurse Practitioner Program, Houston  
University of Texas at El Paso, Post Master's Adult Nurse Practitioner Program

**Approved Closure for:**  
University of Texas at Tyler, Distance Education Initiative at Corsicana

**Approved a Proposal for Initial Accreditation for:**  
Texas Christian University, Clinical Nurse Specialist - Adult Health Focus

**Based on Self-Study Reports that evaluate factors which contributed to graduates' performance on the NCLEX-RN® and a description of the corrective measures to be implemented and Survey Visit Reports, issued Commendations, Recommendations and Requirements to be met for:**  
Cisco Junior College  
Lamar State College at Port Arthur

**Based on the Self Study Report that evaluates factors which contributed to graduates' performance on the NCLEX-RN® and a description of the corrective measures to be implemented, and a Survey Visit Report, continued Initial Accreditation with Commendation, Recommendations and Requirements to be met for:**  
South Texas Community College

**Based on the 2000 Annual Report, and a self-study report which evaluates factors which contributed to graduates' performance on the NCLEX-RN® and a description of the corrective measures to be implemented, continued full accreditation with Requirement to be met for:**  
North Harris Community College

**Based on review of a survey visit report issued Commendations, Recommendations and/or Requirements to be met for:**  
Houston Community College  
Lamar State College at Orange  
Odessa College

**Based on review of a survey visit report, continued Initial Accreditation with Commendations, Recommendations, and Requirements to be met for:**  
St. Phillips Community College

**Approved Faculty Petition for:**  
Lamar University, Beaumont

### VOLUNTEER FOR A PEER

You can make a difference. "TPAPN saved my life." Become a part of nurses helping nurses by calling the Texas Peer Assistance Program for nurses at 1-800-288-5528.

# IMPOSTOR WARNING

*If you have any knowledge or information regarding the employment practices of the following individual(s), please contact the Board's Investigation Department immediately, at (512) 305-6838.*

## **DENISE PARKER**

Denise Parker's license to practice professional nursing in the State of Texas was revoked by the Board of Nurse Examiners on June 6, 1999. Ms. Parker was employed as a Community Health Registered Nurse with a home health agency at the time of the license revocation. Ms. Parker continued to practice as a registered nurse with the home health agency as a Performance Improvement Nurse until February 27, 2001, when the corporate office discovered that her license was revoked. Ms. Parker was terminated from employment on February 27, 2001. The case against Ms. Parker has been referred to the Travis County District Attorney's office.



## **TAMMY RENE CARNES, a.k.a., Tammy Rene Ramirez**

Tammy Rene Carnes secured employment as a registered nurse with a medical group in the Houston, Texas area. Ms. Carnes worked at the medical group from May 4, 2000 through November 9, 2000. On November 9, 2000, the employer contacted the Board office to verify licensure and they were informed that Ms. Carnes was not licensed to practice professional nursing in the State of Texas. The case against Ms. Carnes has been referred to the Houston Police Department, Major Offender's Division.



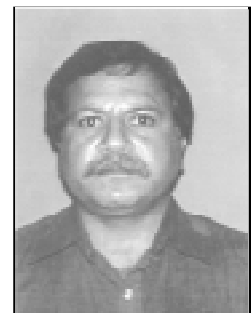
## **GIGI L. SMELTZER, a.k.a., Sonji-Gigi Lacher Smeltzer**

Gigi L. Smeltzer applied for a position as a registered nurse with a hospital in the Dallas/Fort Worth, Texas area. The facility contacted the Board office in an attempt to verify licensure and they were informed that Ms. Smeltzer was not licensed to practice in the State of Texas, therefore Ms. Smeltzer was not hired as a registered nurse. The case against Ms. Smeltzer has been referred to the Dallas County District Attorney's office.



## **TAUQUEER AHMAD**

Tauqueer Ahmad was employed as a registered nurse and signed RN after his name while employed with a Home Health Agency in Houston, Texas, during July 1999 and August 1999. The agency hired consultants to audit personnel records. The consultants contacted the Board and they were unable to verify Mr. Ahmad's licensure. Mr. Ahmad was no longer employed with the agency at the time of the audit and he refused to submit verification of licensure. The case against Mr. Ahmad has been referred to the Houston Police Department, Major Offender's Division.



## NOTICE OF DISCIPLINARY ACTION

*The following registered nurses had disciplinary action taken against their licenses. If you would like to receive additional information regarding the disciplinary action which has been imposed, please send your request to the Board of Nurse Examiners, Enforcement Division, P.O. Box 430, Austin, Texas, 78767-0430.*

<u>NAME</u>	<u>LICENSE #</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Anderson, Christy D. F.	217626	Remedial Education	March 30, 2001
Askew, Tammy Giddens	673304	Remedial Education	March 30, 2001
Atchison, Vivian	637407	Remedial Education	April 10, 2001
Barnhill, Elizabeth N.	529725	Remedial Education	April 24, 2001
Barry, Lynne R.	255426	License Revoked	June 12, 2001
Bennett, Carrie	646566	Fine & Remedial Education	May 8, 2001
Bennett, Paula Ann	627766	License Revoked	June 12, 2001
Bolivar, Deborah Anderson	581306	Suspend/Probate	June 12, 2001
Bond, Sherri Lynn	554299	Remedial Education	June 4, 2001
Brown, Connie Jo Deal H.	220608	Remedial Education	May 31, 2001
Buck, Dolores Maureen	545453	Remedial Education	May 9, 2001
Burtchell, Mary K.	630537	License Revoked	June 12, 2001
Cantwell, Nancy	250815	Warning with Stipulations	May 8, 2001
Carson, Janet McIntyre	590649	Warning with Stipulations	June 12, 2001
Chettiparampil, Sheela Michael	558062	Remedial Education	May 8, 2001
Cook, Bettie L.	534531	Warning with Stipulations	April 26, 2001
Cornell, Dorothy K.	509571	Reprimand with Stipulations	April 26, 2001
Davis-Ette, Carolyn	648202	Reprimand with Stipulations	May 8, 2001
Davison, Medra Faye	554206	Reprimand with Stipulations	April 26, 2001
Dean, Gretchen Ann	562302	License Revoked	June 12, 2001
Deleon, Mindy Robin	582119	Remedial Education	April 23, 2001
Denton, Rae Marie	562330	Warning with Stipulations	April 26, 2001
Douglas, Euline Veronica	615618	Warning with Stipulations	May 8, 2001
Dumoit, Linda Ann	436289	Remedial Education	May 31, 2001
Durbidge, Lois Victoria	659020	License Revoked	June 12, 2001
Engel, Barni Jamil	607493	Warning with Stipulations	February 13, 2001
Espino, Delia Guanzon	434532	Reprimand with Stipulations	June 12, 2001
Evans, Rhonda Gay	609669	Reprimand with Stipulations	April 26, 2001
Flagor, Lisa Shawn	650260	License Revoked	June 12, 2001
Flower, Christopher	657556	Remedial Education	April 10, 2001
Garcia, Hilda Dinorah	610953	Reprimand with Stipulations	April 26, 2001
Garcia, Javier	663328	Remedial Education	April 20, 2001
Garry, Natalie Debeauford	659246	Fine & Remedial Education	April 19, 2001
Gibson, Judy Kay	244815	Suspend/Probate	March 13, 2001
Gonzalez, Barbara Ann	247931	License Revoked	June 12, 2001
Hamilton, Ora Faye	572094	Remedial Education	April 16, 2001
Harris, Althea Brenda	461487	Limited License	March 13, 2001
Harris, Janice F.	242650	Warning with Stipulations	June 12, 2001
Hempling, William Hernick	633323	License Revoked	June 12, 2001
Hershberger, Linda	644120	Warning with Stipulations	June 12, 2001
Heuss, Marie Ammons	257621	Remedial Education	April 9, 2001
Horton, Teresa Marie	507081	Limited License	June 12, 2001

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**DISCIPLINARY ACTION**

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<u>NAME</u>	<u>LICENSE #</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
House, Trudy E.	619664	Warning with Stipulations	April 26, 2001
Ibarra, Alfredo	582971	Suspend/Probate	May 8, 2001
Jacobs, Claire Bonner	444423	Remedial Education	May 11, 2001
Johns, Monica	654400	Warning with Stipulations	April 26, 2001
Kaemmerling, Paul Kerr	606571	Remedial Education	April 19, 2001
Kaiser, Marcia Lou	638498	License Revoked	June 12, 2001
Kostur, Elizabeth M.	575611	Warning with Stipulations	May 8, 2001
Laswell, Jeanne Maureen	587150	Limited License	May 8, 2001
Lazenby, Debra D.	630775	Warning with Stipulations	June 12, 2001
Lewis, Susan C.	558522	Warning with Stipulations	April 26, 2001
Linder, Roy Wayne	611641	Suspended	May 8, 2001
Martin, Mary Jo Cox	235384	Warning with Stipulations	June 12, 2001
Martinez, Anna M.	500470	Warning with Stipulations	May 8, 2001
Martinez, Maritza	611014	Remedial Education	April 16, 2001
Martinez, Teresa	647609	Suspend/Probate	May 8, 2001
Maultsby, Barbara Ann	551586	License Revoked	June 12, 2001
McClinton, M. Colleen	629152	License Revoked	June 12, 2001
McCormack, Tammy Sowell	605509	Warning with Stipulations	May 8, 2001
McCray, Colleen Theresa	608867	Remedial Education	May 31, 2001
Melnyk, Lisa Marie	590982	License Revoked	June 12, 2001
Menn, Debbie A.	619196	Fine & Remedial Education	April 16, 2001
Merchant, Marilyn P.	517585	License Revoked	June 12, 2001
Messenger, Beverly Kay	583616	License Revoked	June 12, 2001
Milhoan, Lisa Hope	527142	Warning with Stipulations	April 26, 2001
Napper, Shelly Jo	578060	Reprimand with Stipulations	June 12, 2001
Niemeyer, Juanita Marie	535410	Reprimand with Stipulations	May 8, 2001
Otter, Suzanne E.	446191	Remedial Education	April 18, 2001
Pender, Katherine Lee	563854	Limited License	May 8, 2001
Phillips, Hellen Marie	235442	Remedial Education	May 31, 2001
Pickett, Michael E.	586196	Remedial Education	May 8, 2001
Pressley, Erin	643750	Remedial Education	May 23, 2001
Ringstmeyer, Susan Elizabeth	602812	License Revoked	June 12, 2001
Robbins, Jan C.	254846	Remedial Education	April 18, 2001
Roden, Ercell	526658	Remedial Education	May 29, 2001
Ross, Jr., Harvey Dayle	646404	License Revoked	June 12, 2001
Santellanes, Teresa D.J.	232444	Warning with Stipulations	May 8, 2001
Shipp, Lara	643788	License Revoked	June 12, 2001
Smart, Darla Renee	625464	Warning with Stipulations	April 26, 2001
Smith, Morris	651322	Reprimand with Stipulations	April 26, 2001
Spencer, Larry Albert	597008	Suspend/Probate	April 26, 2001
Sperl, Danny	647658	Reprimand with Stipulations	April 26, 2001
Stan, Randall A.	611194	Remedial Education	April 4, 2001
Strodtbeck, Frances	240555	Fine & Remedial Education	May 29, 2001
Sullivan, Kimberly L.	500743	Warning with Stipulations	April 26, 2001
Thompson, Rick Dale	629832	License Revoked	June 12, 2001
Tully-Waters, Kristin Katherine	634100	Warning with Stipulations	April 26, 2001

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**DISCIPLINARY ACTION**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Valchar, Phyllis A.	540739	Fine & Remedial Education	May 8, 2001
Varghese, Santha George	440186	Reprimand with Stipulations	May 8, 2001
Villarreal, Maricela	641383	Suspend/Probate	April 26, 2001
Walker, Ronnie Lee	232690	License Revoked	June 12, 2001
Ward, Helen Louise	246511	License Revoked	June 12, 2001
Washburn, Mark Alan	655370	Warning with Stipulations	June 12, 2001
Wernette, Michael E.D.	619364	License Revoked	June 12, 2001
Wheat, Carl C.	518568	License Revoked	June 12, 2001
Williams, Sonja Maurine	618839	Remedial Education	May 31, 2001
Wilson, Catherine	642835	Reprimand with Stipulations	June 12, 2001
Witherspoon, Angelita	649039	Remedial Education	April 12, 2001
Zima, Robert	527329	Reprimand with Stipulations	May 8, 2001

**VOLUNTARY SURRENDERS**

*The following individuals have voluntarily surrendered their license to practice professional nursing in the State of Texas.*

<u>NAME</u>	<u>LICENSE #</u>	<u>DATE OF SURRENDER</u>
Bayard, Sara Elaine	558955	March 21, 2001
Bezner, Wanda Marie	555517	March 23, 2001
Clayton, Mary Diane	571401	March 22, 2001
Dancer, Pamela Renee	561988	May 8, 2001
Flint, Mary A.	504878	May 9, 2001
Gardner, Cheryl Diane	594716	March 13, 2001
George, Barbara Gene	612272	March 27, 2001
Harrell, Pamela Lynn	569730	April 5, 2001
Holmes, Lynda Maddox	506979	March 19, 2001
Houston, Barbara Heming	517090	March 30, 2001
Howell, Sally Ann	628028	April 19, 2001
Jenkins, Judith A. Greff	525489	April 13, 2001
Krebs, Gregory E.	644856	April 16, 2001
Martin, Delonce John	649475	April 16, 2001
Massey, Veronica	543922	April 10, 2001
Merrell, Stuart Leon	570521	May 4, 2001
Pauly, Sandra Ann	511728	May 1, 2001
Richerson, Nancy Elizabeth	573817	March 23, 2001
Riggs, Rhonda Lynn	251000	May 18, 2001
Roberts, Jo Pat	658361	March 30, 2001
Sands, Michelle L.	625700	April 16, 2001
Simon, Barbara Jean	236121	May 14, 2001
Sommer, Deborah Jane	554274	April 23, 2001
Stark, Roxane	664569	April 24, 2001
Stephenson, Sally Anne	523767	March 19, 2001

## Insufficient Funds

As of June 18, 2001, the following nurses appear on the records of the Board of Nurse Examiners as debits for failure to respond to notices of returned checks. Should any of these nurses be employed or seeking employment with your agency/institution, please contact the Board's office. If any of these nurses are practicing in Texas as a registered nurse, they may be in violation of the Nursing Practice Act and may be subject to disciplinary action by the Board.

<u>NAME</u>	<u>LICENSE #</u>
Allen, Julie Ann	623827
Edgar, Mildred A	509650
Horton, Jackie Lynn	595191
Meyers, Stephanie	655919
Quillin, Rhonda	238758

### Have you moved lately?

Rule §217.7(b) requires RNs in Texas to notify the Board in writing within 10 days of a change of address, providing the new address and the RN's license number. Some RNs have had their licenses revoked because the BNE had no way to notify them of a pending investigation and/or subsequent Board orders.

## Change of Address

<b>Last Name:</b>	_____
<b>First Name:</b>	_____
<b>Middle Name:</b>	_____
<b>SSN:</b>	____/____/____
<b>RN#</b>	_____
<b>Today's Date:</b>	_____

#### Old Address:

Address \_\_\_\_\_  
 \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_

#### New Address:

Address \_\_\_\_\_  
 \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_

Mail to: Board of Nurse Examiners  
 P.O. Box 430  
 Austin, TX 78767-0430

or  
 e-mail information to:  
[webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us)

## Workshop Update

### Overview of Current Regulations: A Foundation for Safe RN Practice\*

Four workshops addressing nursing jurisprudence issues are scheduled for the remainder of 2001:

**Austin - August 2**  
**Houston - September 6 & 7**  
**Dallas - October 19**

The jurisprudence workshop is currently being revised with an *update on legislation* that was just passed and an *expanded discussion of Peer Review and Safe Harbor*. The workshop has been applied for 6.4 Type 1 contact hours from the Texas Nurses Association which is accredited as an approver of continuing education for nursing by the American Nurses Credentialing Center Commission on Accreditation.

#### Registration Information

Brochures/registration forms will be available with pre-registration accepted **six weeks** prior to the workshop, and is always encouraged since space is limited. Payment *must* accompany the registration form, so registration cannot be taken over the phone, e-mail, or fax. If you do not receive a brochure and registration form by five weeks prior to the workshop, you may download one from our website or request one by contacting us. Our phone number for workshop information is (512) 305-6844 and e-mail address is <Tiffany.Flores@bne.state.tx.us>

#### Did you miss our workshop "The Impact of Regulatory Changes on Advanced Practice Nursing" in May?

The BNE is hosting another Advanced Practice Nursing workshop on November 8, 2001 in Houston. See the above section for registration information.

\* Formerly entitled "Focus on Nursing Practice"

## BNE HELPFUL NUMBERS

MAIN NUMBER.....(512) 305-7400

- 24 Hour Access
- License Verification
- General Information

### OPERATIONS

CUSTOMER SERVICE.....(512) 305-6809

- License Renewals
- Endorsement/Reciprocity
- Continuing Education for RNs

ACCOUNTING SERVICES.....(512) 305-6853

- Returned checks
- Refunds
- Debits

SALES OF LISTS.....(512) 305-6848

- Computerized RN mailing lists or labels
- Publications

NEWSLETTER INFO.....(512) 305-6842

WEB Address.....www.bne.state.tx.us

- Refer e-mail inquiries to:  
webmaster@bne.state.tx.us

ENFORCEMENT.....(512) 305-6838

- Complaint and disciplinary action inquiries
- Violations of NPA rules and regulations
- Monitoring of disciplined RNs

### PROFESSIONAL NURSING

ADVANCED PRACTICE.....(512) 305-6843

- APN application and Prescriptive Authority procedures
- Application Requests.....(512) 305-6867  
(Voice Box Only)

- Initial Authorization to Practice
- Prescriptive Authority

EDUCATION & EXAM.....(512) 305-6818

- RN/APN nursing programs
- Distance Education Initiatives
- NCLEX-RN applications
- Graduate Nurse permits
- Declaratory orders

NURSING PRACTICE.....(512) 305-6844

- Nursing practice issues
- Legislation
- Workshop Information



The purpose of the *RN Update* is to disseminate information to registered nurses licensed by the State of Texas, their employers, health care providers, and the public concerning laws and regulations established by the Board of Nurse Examiners related to the safe and legal practice of professional nursing. The *RN Update* provides information on current issues and trends in nursing regulation, status of nursing education programs, information regarding licensure and nursing practice, and disciplinary action taken against licensees who violate the Nursing Practice Act.

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#### **Office Hours and Location**

The Office of the Board of Nurse Examiners is located in The William P. Hobby Building, located at the corner of 4th and Guadalupe in downtown Austin. The mailing address is P.O. Box 430, Austin, Texas 78767-0430. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for designated holidays.

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#### **Board Meeting Schedule - 2001**

**July 19-20**

**October 11-12**

All meetings to be held in Austin

**Board of Nurse Examiners  
for the State of Texas  
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