



# Texas Board of Nursing Bulletin

The mission of the Board of Nurse Examiners for the State of Texas is to protect and promote the welfare of the people of Texas by ensuring that each person holding a license as a nurse in the State of Texas is competent to practice safely. The Board fulfills its mission through the regulation of the practice of nursing and the approval of nursing education programs. This mission, derived from the Nursing Practice Act, supersedes the interest of any individual, the nursing profession, or any special interest group.



## BNE Web Site Now Offers Verification of Temporary Licenses, GN & GVN Permits

The Customer Service Group for the Board of Nurse Examiners (BNE) has received more than 150,000 phone calls since the merger of the Board of Nurse Examiners with the Board of Vocational Nurse Examiners on February 1, 2004. Many of the calls placed to the BNE are to check the status of graduate vocational and registered nurse permits (GVN or GN) or temporary license (TL) status for nurses seeking Texas licensure. To assist with these types of inquiries, the BNE recently added verification of *Temporary Licenses* and *Graduate Nurse and Graduate Vocational Nurse Permits* to the *Online Verification of Licenses/Permits* page of the BNE web site located at [www.bne.state.tx.us](http://www.bne.state.tx.us).

### Temporary Licenses

Verification searches for temporary nurse licenses can be conducted by Name, Social Security Number, or Temporary License Number. Temporary license search results also provide Compact Texas Licensure status.

### Graduate Nurse or Vocational Nurse Permits

Verification searches for graduate nurses or graduate vocational nurses are done by Name or Social Security Number. RN or LVN nurse candidates can be located through the web search if they have completed BNE requirements for testing but have not yet tested. Candidates who have tested and did not pass the NCLEX-PN® or NCLEX-RN® exam will not appear in web searches. Candidates who have passed their exams can be verified through the *Licensed Vocational Nurse* or *Registered Nurse* links located on the *Online Verification* page after the BNE receives verification of passing the exam from Pearson Vue.

Last year, the BNE granted licensure by endorsement to more than 5,000 LVNs and RNs and by exam to more than 9,500 LVNs and RNs. The addition of Temporary License and Graduate Permit verification to the BNE web site provides 24-hour access to licensure and permit status information for candidates seeking confirmation of eligibility to test and businesses employing nurses seeking licensure by endorsement in Texas. Online verification checks conducted through the BNE web site can be printed from the verification page to provide written documentation of a nurse or nurse candidate's licensure or permit status. Online verification through the BNE web site can reduce the amount of time needed to verify licensure and testing eligibility status, therefore, reducing or eliminating the time spent calling the BNE for nurse licensure verification information.

## Bioterrorism Continuing Education Update

House Bill 1483 (78<sup>th</sup> Regular Session) amended the Nursing Practice Act by adding the requirement that two hours of bioterrorism continuing education (CE) be obtained as part of the twenty hours of continuing education required for all LVNs, RNs and APNs renewing their licenses between September, 2003 and September, 2007. This is a one-time requirement.

What does this mean for you? The BNE will begin the random audit of bioterrorism CE for those licensees renewing in September, 2005 and continue through August, 2007. For those who have already taken bioterrorism CE, hold on to your certificate for a minimum of four years. Since the law and the rule state that you must complete this CE component for either two year renewal cycle preceding September 1, 2007, we will accept bioterrorism CE certificates dated anytime between September 1, 2003 through August 31, 2007.

Please find below a list of websites that meet the BNE continuing education requirements of Type I and Type II for bioterrorism CE:

[www.tdh.state.tx.us/preparedness/bioterrorism/professionals/training/](http://www.tdh.state.tx.us/preparedness/bioterrorism/professionals/training/)

[www.rn.com](http://www.rn.com)

[www.westernschools.com](http://www.westernschools.com)

[www.cmeresource.com](http://www.cmeresource.com)

[www.bt.cdc.gov](http://www.bt.cdc.gov)

[www.ceregistration.com](http://www.ceregistration.com)

[www.nursingeducation.com](http://www.nursingeducation.com)

The BNE does not endorse any particular continuing education provider and has provided these sites as a helpful resource. For a more comprehensive list, please use any internet search engine and type in bioterrorism continuing education. Bioterrorism CE must meet the requirements stated in §216.3(5)(A) and (B)(i-iv). For further information regarding CE rules, please go to the Board's website at [www.bne.state.tx.us](http://www.bne.state.tx.us).

## Inside this Issue

- |       |  |           |  |
|-------|--|-----------|--|
| Pg. 1 | BNE Web Site Now Offers Verification of Temporary Licenses, GN and GVN Permits                           | Pg. 3     | Summary of July Board Meeting  |
|       | Bioterrorism Continuing Education Update   | Pgs. 4-6  | New Standards of Practice and Unprofessional Conduct Rules Effective 9/28/04 |
| Pg. 2 | Phyllis Rawley Elected BNE Vice-President  | Pg. 7     | Board Considers Revisions to APN Rule relating to Titles                     |
|       | <i>Bulletin's</i> Notice of Disciplinary Action Section Updated to Include Citation Violated Information | Pgs. 8-14 | Notice of Disciplinary Action  |
|       | Completion Time Extended for the NCLEX-RN® Examination   | Pg. 14    | Voluntary Surrenders Insufficient Funds                                      |
|       | NCSBN Adopts NCLEX-PN® Test Plan Effective April 2005  | Pg. 15    | E-Mail Notification Service for Newsletter Readers                           |
|       |  |           | Workshop Update  |
|       |  |           | Agency Contact Information   |
|       |  |           | BNE Meeting Schedule - 2005  |

## Phyllis Rawley Elected Vice-President of BNE

At the regular meeting of the Board of Nurse Examiners (BNE) held July 22-23, 2004, Phyllis Rawley, CPC, was elected Vice-President of the BNE. Phyllis Rawley was appointed to the Board on July 6, 2001 by Governor Perry to serve as a consumer member of the Board. She was reappointed to the Board on March 25, 2004, by Governor Perry. (See the April 2004 *Texas Board of Nursing Bulletin* for more information.) Ms. Rawley lives and works in El Paso as Executive Director of the El Paso Empowerment Zone. Ms. Rawley's term on the BNE expires January 31, 2009.



Phyllis Rawley, CPC

## Bulletin's Notice of Disciplinary Action Section Updated to Include Citation Violated Information

Readers of the *Bulletin* can now find additional information concerning nurses who had action taken against their nursing licenses by the Board of Nurse Examiners (BNE). Starting with this issue, a new column, Citation(s) Violated, appears in the Notice of Disciplinary Action section (pgs. 8-14) providing a listing of the specific statutes and rules which were determined to be violated after investigation by the BNE. All violations appear in the Citations Violated column. Citations included in the column include: the Nursing Practice Act [Texas Occupation Code (TOC) chapters 301, 303, and 304], the BNE Rules and Regulations [Texas Administrative Code (22 TAC §§211 - 226)] and the Board of Vocational Nurse Examiners (BVNE) Rules and Regulations [Texas Administrative Code (22 TAC §233 and §237)]. The citations in effect at the time the violation(s) occurred are the citations listed in the column. If a citation referenced does not appear in the current Nursing Practice Act or Rules and Regulations, it may be a citation that was repealed and recodified by the Legislature or a BVNE rule that was repealed and adopted in the current BNE rules after the violation occurred. Readers can locate and read the statutes referenced in the Citations Violated section on the BNE web site located at [www.bne.state.tx.us](http://www.bne.state.tx.us). If a statute cannot be located on the BNE web site, readers can contact the BNE to obtain a copy by fax or e-mail.

## Completion Time Extended for the NCLEX-RN® Examination

Beginning October 1, 2004, the maximum time length for the administration of the NCLEX-RN® examination will increase from five hours to **six**. The maximum number of items candidates may receive on the NCLEX-RN® will continue to be 265 and there will be **no** changes to the NCLEX-RN® Test Plan. The maximum administration time for the NCLEX-PN® will continue to be **five** hours. There will be no increase in the candidate examination fee based on this addition of extra time.

## NCSBN Adopts NCLEX-PN® Test Plan Effective April 2005

Member boards of the National Council of State Boards of Nursing (NCSBN) met at their August 2004 Delegate Assembly and adopted changes to the NCLEX-PN® Test Plan. This plan is used to construct each administration of the NCLEX-PN® examination, and is reviewed by NCSBN's Examination Committee on a triennial basis. The Examination Committee determines changes to the test plan, after reviewing the 2003 LPN/VN Practice Analysis: Linking the NCLEX-PN® Examination to Practice. The committee recommended changes in the structure and content distribution for the 2005 NCLEX-PN® Test Plan, and incorporated enhancements to improve readability and clarity to the NCLEX-PN® Test Plan document. Other sources used included: empirical evidence from job incumbents, professional judgment of the Examination Committee, NCSBN legal counsel review, feedback from the 60 member boards of nursing as well as other stakeholder comments. This feedback also supported the adoption of the 2005 NCLEX-PN® Test Plan recommendations. The revisions to the test plan will be effective beginning April 2005.



The Board of Nurse Examiners  
for the State of Texas

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## Summary of Actions

A Regular meeting of the Board of Nurse Examiners was held July 22-23, 2004 in Austin. The following is a summary of Board actions taken during this meeting.



The following adopted rule changes were published in the August 6, 2004, issue of the *Texas Register*.

The Board of Nurse Examiners (BNE) adopted the repeal of Board of Vocational Nurse Examiners Rules: §§235.2- 235.9, 235.11, 235.12, 235.15, 235.16, and 235.18, Subchapter A , relating to Application for Licensure. Concurrent with this repeal, that addressed the licensing process for Licensed Vocational Nurses (LVNs), was the adoption of amendments to §§217.2, 217.4, and 217.5 that included licensure standards for all nurses.

The BNE adopted the repeal of §§217.11 - 217.12, relating to Standards of Professional Nursing Practice and Unprofessional Conduct and adopted new §217.11, Standards of Nursing Practice, and §217.12, Unprofessional Conduct. Concurrent with the repeal and adoption of new §§217.11 and 217.12, the Board adopted the repeal of §239.11 relating to Unprofessional Conduct for LVNs. The new §217.11 addresses standards of nursing practice for LVNs, Registered Nurses (RNs), and Advanced Practice Nurses (APNs). See the related article on pages 4-6 for further information.

These adopted repeals and new rules implement HB 1483 which created the single Board of Nursing.

The BNE adopted amendments to §223.1 relating to Fees. The fee increases implemented in amended §223.1 were necessary to comply with legislative requisites imposed by SB 1152 affecting Texas Online fees.

The effective date for the amendments, repeals and new rules was September 28, 2004. The adopted rule changes listed above may be viewed at [www.sos.state.tx.us](http://www.sos.state.tx.us), in the offices of the Board of Nurse Examiners, or in the Texas Register Office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin, Texas.

Published in the *Texas Register* on August 13, 2004, the BNE proposed adoption of amendments to §221.2 and §221.7 addressing Advanced Practice Nurses. Proposed amendments addressed Section 301.152 of the Nursing Practice Act in which advanced practice nurses are granted authorization to practice and utilize titles based upon their educational preparation. Under the proposed amendments, APNs who are authorized by the Board in either the nurse practitioner or clinical nurse specialist role would be required to have broad educational foundation for entry into practice at the advanced level with emphasis on the total health care needs of patients within a specialty area rather than emphasis on a single disease entity. See the related article on page seven for more information. Written comments were received on the proposed amendments to §221 and a public hearing was held on October 20, 2004. The BNE, at its regularly scheduled meeting held October 21-22, 2004, delayed consideration of the proposed amendments until its January, 2005 board meeting.

### **Education Actions:**

#### **Determination of Approval Status**

\* Changed Approval Status from Full to Conditional and Issued Requirements:

*Lee College, Vocational Nursing Program*

#### **Discussion of Other Education Matters**

\* Granted Initial Approval to Implement a Generic Fast Track Associate Degree Nursing Program and Issued Commendations, Recommendations, and Requirements:

*Brookhaven College*

\* Granted Initial Approval to Implement a Family Nurse Practitioner

Program and Issued Recommendations:

*Canseco School of Nursing at Texas A&M International University*

\* Granted Initial Approval to Establish a New Vocational Nursing Education Program at *Computer Career Center* and Issued Requirements with a Follow Up Report.

\* Denied Approval of a Vocational Nursing Education Program Operated by *American Medical Institute*.

\* Accepted Report of Site Visit, Issued Recommendations and Requirements:

*Temple College at Taylor, Vocational Nursing Program*

\* Approved the Memorandum of Understanding-Cooperative Agreement between the Board of Nurse Examiners and the Texas State Board of Pharmacy regarding Nursing Students' Access to Automated Medication Supply Systems.

\* Accepted the Report of Intent to Close the Vocational Nursing Education Program:

*JPS Institute for Health Career Development School of Vocational Nursing*

\* Approved Waivers of Director Qualifications:

*Kilgore College, Associate Degree Nursing Program  
San Jacinto College South, Associate Degree Nursing Program*

## **New Combined Standards of Practice (Rule 217.11) and Unprofessional Conduct (Rule 217.12) Rules Effective 9/28/04**

As a result of the creation of a single board of nursing in February 2004, the Board has implemented an ongoing process of reviewing and combining rule language to be congruent with the Nursing Practice Act (NPA) and to remedy disparate or redundant rule language applicable to LVNs, RNs, and RNs with Advanced Practice authorization from the Board. Former RN rules §217.11 and §217.12 as well as former LVN rule §239.11 have all been repealed with the adoption of the combined rules. The language for the combined rules was developed in a collaborative effort by the Board's Nursing Practice Advisory Committee (NPAC). NPAC is one of the Board's three standing advisory committees consisting of interested stakeholders from nursing practice, nursing specialty and facility organizations, as well as other healthcare-related state agencies.

Historically, sections 217.11 and 217.12 have served as the framework to define and guide registered nursing practice in Texas. Likewise, the Vocational Board of Nursing's section 239.11 (Unprofessional Conduct) was utilized by the BVNE as a template for review of practice and disciplinary actions related to LVN licensees. Because LVNs functioned under a "title act" and did not have a "practice act" at that time, the BVNE had no basis on which to promulgate standards of practice for LVNs. The impact of the standards of practice for LVNs is anticipated to be twofold: (1) protect the public through more specific practice guidance to LVNs; and (2) provide LVNs with rules that offer more specific practice guidance as well as title protection.

The NPA and Board rules have traditionally been written broadly in order to be applicable to nursing practice in any setting. The new standards (§217.11), while consistent with this broad-based approach, are the first laws in Texas nursing history to define parameters for the scope of LVN practice. Board staff is in the process of developing information for the BNE web site to further compare the differentiated practice between licensure levels as set forth in the new rule. This is not an entirely new concept, but is a continuation of what the Board's Nursing Advisory Committee on Education (ACE) finalized in 2002 when they published the *Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs*. [This document may be viewed and printed in its entirety from the BNE's web page.]

The NPAC committee also extracted language from proposed Model Rules passed in August 2004 by the National Council of State Boards of Nursing (NCSBN) that differentiated minimum standards for LVNs versus RNs. For example, the first step in the nursing process, assessment, is the basis for nursing decisions and interventions. The NCSBN felt that while both LVNs and RNs "assess," the depth, breadth, and comprehensiveness of the assessments conducted by the two levels of licensed nurses differed significantly. Part of the basis for the definitions and descriptive terms used in the NCSBN Model Rules evolved from a national job analysis for both LVNs and RNs.

### Highlights of the new §217.11 Standards Rule:

- ♦ Section 217.11 establishes a broad foundation of minimum standards of nursing practice applicable across all levels of nursing licensure (inclusive of advanced practice authorization);
- ♦ Section 217.11 specifies standards unique to LVNs, RNs, and RNs with advanced practice authorization;
- ♦ Section 217.11(2) establishes that LVNs have a *directed* scope of practice under the supervision of a registered nurse, advanced practice nurse, physician's assistant, physician, podiatrist, or dentist [Supervision is defined in the rule, and does not require or imply that "immediate" or "on-site" supervision of a LVN is necessary.]; and
- ♦ While LVNs have always been able to expand their practice with continuing education, the NPA and §217.11 now serve in conjunction with the entry-level competencies to provide guidance for consistency in practice, regardless of practice setting. The Texas rules are now in better alignment with the model rules from NCSBN, thus promoting national standardization and consistency in nursing regulation.

### Highlights of the new §217.12 Unprofessional Conduct Rule:

- ♦ Section 217.12 is no longer a "mirror image" of §217.11;
- ♦ Each item of unprofessional conduct listed in the new rule may be applicable to a LVN, RN, or RN with advanced practice education and/or authorization from the Board;
- ♦ Rule language in §217.12 typically reflects careless actions or intentional wrong-doing by a nurse (Ex: diversion of drugs or controlled substances, threatening or violent behavior in the workplace, or falsification of documents); and
- ♦ Section 217.12 incorporates language from both of the old rules (LVN and RN), as well as containing some new items, such as CNO responsibility for providing appropriate oversight of nursing services, responsibility of a clinical nursing instructor for supervision of students, or failure to practice nursing with reasonable skill and safety to clients by reason of physical or mental illness (including use of alcohol or other mood-altering substances).

The new rules in their entirety follow this article, and may also be viewed on the BNE web page at [www.bne.state.tx.us](http://www.bne.state.tx.us). Look for the BNE and BVNE Position Statements, guidelines, and other informative materials to be updated on our web page as applicable in the near future to reflect the new rule language now in effect.

continued on next page

## New Combined Standards - continued

### §217.11. Standards of Nursing Practice.

The Texas Board of Nurse Examiners is responsible for regulating the practice of nursing within the State of Texas for Vocational Nurses, Registered Nurses, and Registered Nurses with advanced practice authorization. The standards of practice establish a minimum acceptable level of nursing practice in any setting for each level of nursing licensure or advanced practice authorization. Failure to meet these standards may result in action against the nurse's license even if no actual patient injury resulted.

(1) Standards Applicable to All Nurses. All vocational nurses, registered nurses and registered nurses with advanced practice authorization shall:

(A) Know and conform to the Texas Nursing Practice Act and the board's rules and regulations as well as all federal, state, or local laws, rules or regulations affecting the nurse's current area of nursing practice;

(B) Implement measures to promote a safe environment for clients and others;

(C) Know the rationale for and the effects of medications and treatments and shall correctly administer the same;

(D) Accurately and completely report and document:

- (i) the client's status including signs and symptoms;
- (ii) nursing care rendered;
- (iii) physician, dentist or podiatrist orders;
- (iv) administration of medications and treatments;
- (v) client response(s); and

(vi) contacts with other health care team members concerning significant events regarding client's status;

(E) Respect the client's right to privacy by protecting confidential information unless required or allowed by law to disclose the information;

(F) Promote and participate in education and counseling to a client(s) and, where applicable, the family/significant other(s) based on health needs;

(G) Obtain instruction and supervision as necessary when implementing nursing procedures or practices;

(H) Make a reasonable effort to obtain orientation/training for competency when encountering new equipment and technology or unfamiliar care situations;

(I) Notify the appropriate supervisor when leaving a nursing assignment;

(J) Know, recognize, and maintain professional boundaries of the nurse-client relationship;

(K) Comply with mandatory reporting requirements of Texas Occupations Code ch. 301, Subchapter I, which include:

- (i) unnecessary or likely exposure by the nurse of a client or other person to a risk of harm;
- (ii) unprofessional conduct by a nurse;
- (iii) failure by a nurse to adequately care for a client;
- (iv) failure by a nurse to conform to the minimum standards of acceptable nursing practice;
- (v) impairment or likely impairment of a nurse's practice by chemical dependency; or

(vi) exclusions for minor incidents (TEX. OCC. CODE § 301.419, 22 TAC § 217.16), peer review (TEX. OCC. CODE §§ 301.403, 303.007, 22 TAC § 217.19), or peer assistance (TEX. OCC. CODE § 301.410) as stated in the Nursing Practice Act and Board rules (22 TAC ch. 217).

(L) Provide, without discrimination, nursing services regardless of the age, disability, economic status, gender, national origin, race, religion, health problems, or sexual orientation of the client served;

(M) Institute appropriate nursing interventions that might be required to stabilize a client's condition and/or prevent complications;

(N) Clarify any order or treatment regimen that the nurse has reason to believe is inaccurate, non-efficacious or contraindicated by consulting with the appropriate licensed practitioner and notifying the ordering practitioner when the nurse makes the decision not to administer the medication or treatment;

(O) Implement measures to prevent exposure to infectious pathogens and communicable conditions;

(P) Collaborate with the client, members of the health care team and, when appropriate, the client's significant other(s) in the interest of the client's health care;

(Q) Consult with, utilize, and make referrals to appropriate community agencies and health care resources to provide continuity of care;

(R) Be responsible for one's own continuing competence in nursing practice and individual professional growth;

(S) Make assignments to others that take into consideration client safety and that are commensurate with the educational preparation, experience, knowledge, and physical and emotional ability of the person to whom the assignments are made;

(T) Accept only those nursing assignments that take into consideration client safety and that are commensurate with the nurse's educational preparation, experience, knowledge, and physical and emotional ability;

(U) Supervise nursing care provided by others for whom the nurse is professionally responsible; and

(V) Ensure the verification of current Texas licensure or other Compact State licensure privilege and credentials of personnel for whom the nurse is administratively responsible, when acting in the role of nurse administrator.

(2) Standards Specific to Vocational Nurses. The licensed vocational nurse practice is a directed scope of nursing practice under the supervision of a registered nurse, advanced practice registered nurse, physician's assistant, physician, podiatrist, or dentist. Supervision is the process of directing, guiding, and influencing the outcome of an individual's performance of an activity. The licensed vocational nurse shall assist in the determination of predictable healthcare needs of clients within healthcare settings and:

(A) Shall utilize a systematic approach to provide individualized, goal-directed nursing care by:

- (i) collecting data and performing focused nursing assessments;
- (ii) participating in the planning of nursing care needs for clients;
- (iii) participating in the development and modification of the comprehensive nursing care plan for assigned clients;
- (iv) implementing appropriate aspects of care within the LVN's scope of practice; and
- (v) assisting in the evaluation of the client's responses to nursing interventions and the identification of client needs;

(B) Shall assign specific tasks, activities and functions to unlicensed personnel commensurate with the educational preparation, experience, knowledge, and physical and emotional ability of the person to whom the assignments are made and shall maintain appropriate supervision of unlicensed personnel.

(C) May perform other acts that require education and training as prescribed by board rules and policies, commensurate with the licensed vocational nurse's experience, continuing education, and demonstrated licensed vocational nurse competencies.

(3) Standards Specific to Registered Nurses. The registered nurse shall assist in the determination of healthcare needs of clients and shall:

(A) Utilize a systematic approach to provide individualized, goal-directed, nursing care by:

- (i) performing comprehensive nursing assessments regarding the health status of the client;
- (ii) making nursing diagnoses that serve as the basis for the strategy of care;
- (iii) developing a plan of care based on the assessment and nursing diagnosis;
- (iv) implementing nursing care; and
- (v) evaluating the client's responses to nursing interventions;

## New Combined Standards - continued from previous page

(B) Delegate tasks to unlicensed personnel in compliance with 22 TEX. ADMIN. CODE chapter 224, relating to clients with acute conditions or in acute care environments, and chapter 225, relating to independent living environments for clients with stable and predictable conditions.

(4) Standards Specific to Registered Nurses with Advanced Practice Authorization. Standards for a specific role and specialty of advanced practice nurse supersede standards for registered nurses where conflict between the standards, if any, exist. In addition to subsections (1) and (3) above, a registered nurse who holds authorization to practice as an advanced practice nurse (APN) shall:

(A) Practice in an advanced nursing practice role and specialty in accordance with authorization granted under Board Rule 221 (relating to practicing in an APN role; 22 TAC ch. 221) and standards set out in that Rule.

(B) Prescribe medications in accordance with prescriptive authority granted under Board Rule 222 (relating to APNs prescribing; 22 TAC ch. 222) and standards set out in that Rule and in compliance with state and federal laws and regulations relating to prescription of dangerous drugs and controlled substances.

### § 217.12. Unprofessional Conduct.

The unprofessional conduct rules are intended to protect clients and the public from incompetent, unethical, or illegal conduct of licensees. The purpose of these rules is to identify unprofessional or dishonorable behaviors of a nurse which the board believes are likely to deceive, defraud, or injure clients or the public. Actual injury to a client need not be established. These behaviors include but are not limited to:

(1) Unsafe Practice — actions or conduct including, but not limited to:

(A) Carelessly failing, repeatedly failing, or exhibiting an inability to perform vocational, registered or advanced practice nursing in conformity with the standards of minimum acceptable level of nursing practice set out in Rule 217.11;

(B) Carelessly or repeatedly failing to conform to generally accepted nursing standards in applicable practice settings;

(C) Improper management of client records;

(D) Delegating or assigning nursing functions or a prescribed health function when the delegation or assignment could reasonably be expected to result in unsafe or ineffective client care;

(E) Accepting the assignment of nursing functions or a prescribed health function when the acceptance of the assignment could be reasonably expected to result in unsafe or ineffective client care;

(F) Failing to supervise the performance of tasks by any individual working pursuant to the nurse's delegation or assignment; or

(G) Failure of a clinical nursing instructor to adequately supervise or to assure adequate supervision of student experiences.

(2) Failure of a chief administrative nurse to follow appropriate and recognized standards and guidelines in providing oversight of the nursing organization and nursing services for which the nurse is administratively responsible.

(3) Failure to practice within a modified scope of practice or with the required accommodations, as specified by the board in granting a coded license or any stipulated agreement with the board.

(4) Careless or repetitive conduct—that may endanger a client's life, health, or safety. Actual injury to a client need not be established.

(5) Inability to Practice Safely — demonstration of actual or potential inability to practice nursing with reasonable skill and safety to clients by reason of illness, use of alcohol, drugs, chemicals, or any other mood-altering substances, or as a result of any mental or physical condition.

(6) Misconduct — actions or conduct that include, but are not limited to:

(A) Falsifying reports, client documentation, agency records or other documents;

(B) Failing to cooperate with a lawful investigation conducted by the board;

(C) Causing or permitting physical, emotional or verbal abuse or injury or neglect to the client or the public, or failing to report same to the employer, appropriate legal authority and/or licensing board;

(D) Violating professional boundaries of the nurse/client relationship including but not limited to physical, sexual, emotional or financial exploitation of the client or the client's significant other(s);

(E) Engaging in sexual conduct with a client, touching a client in a sexual manner, requesting or offering sexual favors, or language or behavior suggestive of the same;

(F) Threatening or violent behavior in the workplace;

(G) Misappropriating, in connection with the practice of nursing, anything of value or benefit, including but not limited to, any property, real or personal of the client, employer, or any other person or entity, or failing to take precautions to prevent such misappropriation;

(H) Providing information which was false, deceptive, or misleading in connection with the practice of nursing;

(I) Failing to answer specific questions or providing false or misleading answers that would have affected the decision to license, employ, certify or otherwise utilize a nurse; or

(J) Offering, giving, soliciting, or receiving or agreeing to receive, directly or indirectly, any fee or other consideration to or from a third party for the referral of a client in connection with the performance of professional services.

(7) Failure to repay a guaranteed student loan, as provided in the Texas Education Code § 57.491, or pay child support payments as required by the Texas Family Code § 232.001, *et seq.*

(8) Drug Diversion — diversion or attempts to divert drugs or controlled substances.

(9) Dismissal from a board-approved peer assistance program for noncompliance and referral by that program to the BNE.

(10) Other Drug Related — actions or conduct that include, but are not limited to:

(A) Use of any controlled substance or any drug, prescribed or unprescribed, or device or alcoholic beverages while on duty or on call and to the extent that such use may impair the nurse's ability to safely conduct to the public the practice authorized by the nurse's license;

(B) Falsification of or making incorrect, inconsistent, or unintelligible entries in any agency, client, or other record pertaining to drugs or controlled substances;

(C) Failing to follow the policy and procedure in place for the wastage of medications at the facility where the nurse was employed or working at the time of the incident(s);

(D) A positive drug screen for which there is no lawful prescription; or

(E) Obtaining or attempting to obtain or deliver medication(s) through means of misrepresentation, fraud, forgery, deception and/or subterfuge.

(11) Unlawful Practice — actions or conduct that include, but are not limited to:

(A) Knowingly aiding, assisting, advising, or allowing an unlicensed person to engage in the unlawful practice of vocational, registered or advanced practice nursing;

(B) Violating an order of the board, or carelessly or repetitively violating a state or federal law relating to the practice of vocational, registered or advanced practice nursing, or violating a state or federal narcotics or controlled substance law;

(C) Knowingly aiding, assisting, advising, or allowing a nurse under Board Order to violate the conditions set forth in the Order; or

(D) Failing to report violations of the Nursing Practice Act and/or the Board's rules and regulations.

(12) Leaving a nursing assignment, including a supervisory assignment, without notifying the appropriate personnel.

(13) Criminal Conduct — including, but not limited to, conviction or probation, with or without an adjudication of guilt, receipt of a judicial order involving a crime or criminal behavior or conduct that could affect the practice of nursing.

*The provisions of §217.11 and §217.12 adopted to be effective September 28, 2004, 29 TexReg 9192.*

## Board Considers Revisions to APN Rule relating to Titles

Section 301.152 of the Nursing Practice Act reflects that advanced practice nurses are granted authorization to practice and utilize titles based upon their educational preparation. Advanced practice nurses who are authorized by the board in either the nurse practitioner or clinical nurse specialist role are also recognized in a particular specialty area appropriate to their educational preparation and must limit their advanced nursing practice to the role and specialty for which they have been educated. For example, an advanced practice nurse who is educated and authorized to practice as a gerontological nurse practitioner is not authorized to provide advanced practice nursing care to young adults or children.

For almost ten years, discussions have been held at the national level regarding the proliferation of advanced educational programs and certification examinations that focus on a subspecialty area, such as a single disease entity. From a regulatory perspective, there is concern that individuals educated in narrow specialty areas may not be educated to provide advanced practice nursing care for the patient as a whole. There is also concern regarding the significant variation in educational preparation for advanced practice nurses prepared in subspecialty areas.

In the State of Texas, the Advanced Practice Nursing Advisory Committee discussed these issues for more than a year. As a result of that discussion, they recommended that the Board propose revisions to Rules 221.2 and 221.7 that would seek to limit the number of advanced practice titles recognized by the Board. The Board voted to propose these amendments at its July 2004 meeting. The proposed amendments may be viewed on the BNE web site at: <http://www.bne.state.tx.us/p-rules.htm>. Advanced practice nurses who are already recognized with titles not listed in the proposed rule will be grandparented and may continue to practice in the advanced role and use the corresponding title.

During the public comment period, 84 written comments were submitted. Comments were received from individuals as well as organizations. In addition, the Board received testimony at a public hearing held on October 20, 2004. Due to the volume of responses received and the timing of the public hearing in relation to the October 21 - 22, 2004 Board meeting, staff recommended that the Board take no action on this issue at this time. The additional time will allow for reflection on and complete analysis of all comments—written and verbal. The Board will revisit this issue at its January 2005 meeting.

The advanced practice specialty titles that the Board proposes to continue to recognize are based on a broad educational foundation for entry into practice at the advanced level. They are titles with a confirmed history of quality education, competency, and broad applicability. They do not focus on a specific disease entity but rather on the total health care needs of individuals within a specialty area. Although subspecialty practice is valuable and patients served by advanced practice nurses may have a primary medical diagnosis such as cancer, these patients also have or will develop co-morbidities. A broad educational foundation will best prepare the advanced practice nurse to care for the whole patient rather than the individual diagnosis.

It is important to understand that the scope of practice of advanced practice nurses has evolved and increased significantly in terms of the complexity of services provided—services that exceed the scope of practice of the registered nurse. Although advanced practice nurses work collaboratively with physicians, they are engaged in activities that include but are not limited to making medical diagnoses and ordering appropriate pharmacologic and non-pharmacologic management. The knowledge, skills and abilities required to provide advanced practice nursing care significantly exceed those acquired through entry-level nursing education programs that prepare individuals as registered nurses. As such, the potential for harm to the public is significantly greater and the need for broader based educational preparation for entry into advanced practice must be considered.

### 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.

## NOTICE OF DISCIPLINARY ACTION

*The following nurses had disciplinary action taken against their licenses. If you would like to receive additional information regarding the disciplinary action that has been imposed, please send your request to the Board of Nurse Examiners, Enforcement Division, 333 Guadalupe, Suite 3-460, Austin, Texas, 78701-3944.*

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Abshire, Brenda Lee	RN# 577801	TOC 301.452(b)(1)&(9)	Enforced Suspension	July 22, 2004
Akas, Sabinus I.	RN# 638504	TOC 301.452(b)(10) 22 TAC §217.12(4)	Remedial Education	July 30, 2004
Albus, Rhonda Gerette	LVN# 147500	TOC 302.402(a)(9) &(10) 22 TAC §239.11(1)(2)(3) (4)(5)(6)(7)(10)&(28)	Enforced Suspension	July 22, 2004
Allred, Travis Wesley	RN# 620277	NPA 4525(b)(2)&(9) 22 TAC §217.13(1) & (17) 301.452(b)(2)&(10) and 22 TAC §217.12(1)&(22)	Suspend/Probate	September 14, 2004
Ames, Dianne Marie	LVN # 138176	TOC 302.402(a)(10) 22 TAC §239.11(3)&(4)	License Revoked	August 10, 2004
Arnold, Tara Michelle	LVN # 178476	TOC 302.402(a)(8)	License Revoked	September 14, 2004
Au, Dung Anh	RN# 677812	TOC 301.452(b)(13) 22 TAC §217.11(2)&3)	Warning w/ Stipulations	August 10, 2004
Bailey, Orna Malka	RN # 581383	TOC 301.452(b)(10)&(13) 22 TAC §217.11(3)&(4) and 22 TAC §217.12(3)(4)(20)	Remedial Education	July 16, 2004
Baptiste-Prime, Lydia A.	RN# 460569	NPA 4525(b)(1)&(9) 22 TAC §217.13(1) TOC 301.452(b)(1)&(10) and 22 TAC §217.12(1)	Warning with Stipulations	July 22, 2004
Baxendale, Charlotte Dennard	RN # 604070	TOC 301.452(b)(10) 22 TAC §217.12(1)&(22)	Remedial Education	July 9, 2004
Beal, Stefanie	RN# 637922	TOC 301.452(b)(1)	License Revoked	September 14, 2004
Bly, Terry Allison	RN# 695077	TOC 301.452(b)(1)	Suspend/Probate	September 14, 2004
Bobbitt, Kimberly Schermerhorn	RN# 664738	TOC 301.452(b)(10) 22 TAC §217.12(4)&(20)	Warning with Stipulations	August 10, 2004
Bohanon, Terri Denise	RN# 655198 LVN # 102530	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)&(19)	License Revoked	September 14, 2004
Boss, Laura Denae	RN# 620314	TOC 301.452(b)(1)	Reprimand with Stipulations	July 22, 2004
Bowden, Cynthia	RN # 648480	TOC 301.452(b)(2)(3)(9)&(10) 22 TAC §217.12(1)(15)&(22)	License Revoked	August 10, 2004
Broom, Karen Virginia	LVN# 155034	TOC 301.452(b)(1)	License Revoked	August 10, 2004
Buchanan, Lori	RN# 651694	TOC 301.452(b)(10) 22 TAC §217.12(3)(4) (18)&(20)	Warning with Stipulations	August 10, 2004
Burditt, Sherry Ann	LVN# 92284	TOC 302.402(a)(10) 22 TAC §239.11(2)&(27)(G)	Remedial Education	August 18, 2004
Cantrell, Lori L. Hopson	RN# 245003	TOC 301.452(b)(1)	License Revoked	August 10, 2004
Castillo, Maria Del Carmen	LVN# 63362	TOC 302.402(a)(10) 22 TAC §239.11(4)	Remedial Education	September 16, 2004
Chandler, Georgia Denise	RN# 504276	TOC 301.452(b)(8)	License Revoked	September 14, 2004
Clark, Terri La Triece	LVN# 177079	TOC 302.402(a)(9)&(10) 22 TAC §239.11(28)	License Revoked	September 14, 2004
Codd, Beverly Sparks	RN# 456283	TOC 301.452(b)(1)	Enforced Suspension	September 14, 2004
Colbert, Beverly Ann	LVN# 120300	TOC 302.402(a)(8)&(10) 22 TAC §217.39(1)(10)&(28)	Enforced Suspension	August 10, 2004
Copeland, Deborah Gayle	RN# 588962	TOC 301.452(b)(10) 22 TAC §217.12(3)&(4)	Reprimand with Stipulations	August 10, 2004



**DISCIPLINARY ACTION**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Courson, Linda Dale	RN# 562198	TOC 301.452(b)(8)	License Revoked	September 14, 2004
Couturie, Donna Jane	RN# 447319	TOC 301.452(b)(8)	Suspend/Probate	September 14, 2004
Cummings, Lily K.	LVN# 75970	TOC 302.402(a)(8)	License Revoked	September 14, 2004
Current, Anne Marie	RN# 659679	TOC 301.452(b)(1)	License Revoked	September 14, 2004
Davis, Stephen Lee	RN# 655759	TOC 301.452(b)(10) 22 TAC §217.12(12)	Remedial Education	August 5, 2004
Deaton, Lisa Jeanette	LVN# 153763	TOC 301.452(b)(1)(2)&(10) 22 TAC §239.11(8)(29)	License Revoked	September 14, 2004
Derington, Patti Lynn	LVN# 105954	TOC 302.402(a)(10) 22 TAC §239.11(4)	Warning with Stipulations	August 10, 2004
Dodd, Philip Lynn	LVN# 178865	TOC 302.402(a)(7)&(10) 22 TAC §239.11(8)(29)(A) (iii)(iv)	Reprimand with Stipulations	July 22, 2004
Dycus, Sheila Gail	LVN# 125933	TOC 302.402(a)(10) 22 TAC §239.11(1)(6)(10)(27) (B)&(28)	License Revoked	September 14, 2004
Edmonson, Lisa Lynne	LVN# 181074	TOC 301.452(b)(8)	License Revoked	September 14, 2004
Figueroa, David Ray	LVN# 138438	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)(4)(27) (A)(27)(K)	Reprimand with Stipulations	September 14, 2004
Flores, Thelma	LVN# 119370	TOC 302.402(a)(1)&(10) 22 TAC §239.11(29)	Enforced Suspension	August 10, 2004
Garcia, Fermin Laing	RN# 620835	TOC 301.452(b)(10) 22 TAC §217.12(2)(4)&(22)	Reprimand with Stipulations	August 10, 2004
Garcia, Patricia Ann	LVN# 138464	TOC 302.402(a)(10) 22 TAC §239.11(4)	Warning with Stipulations	July 22, 2004
Gillespie, Robert Roy	RN# 639127	TOC 301.452(b)(10) 22 TAC §217.12(1)	License Revoked	September 14, 2004
Gonzalez, Graciela	LVN# 187096	TOC 302.402(a)(10) 22 TAC §239.11(4)(27)(A)	Warning with Stipulations	August 10, 2004
Greene, Jason Lee	RN# 601013	TOC 301.452(b)(10) 22 TAC §217.12(2)(3)&(4)	Warning with Stipulations	July 22, 2004
Grimes, Deanna C.	RN# 431184	TOC 301.452(b)(10) 22 TAC §217.12(1)	Warning with Stipulations	September 14, 2004
Gutierrez, Armando	RN# 567804	TOC 301.452(b)(1)(9)	License Revoked	August 10, 2004
Gutierrez, Lance Douglas	RN# 562765	TOC 301.452(b)(10) 22 TAC §217.12(1)	License Revoked	August 10, 2004
Hacker, Nelia A.	RN# 540406	TOC 301.452(b)(10) 22 TAC §217.12(1)	Warning with Stipulations	August 10, 2004
Hamilton, Donna Louise	LVN# 125539	TOC 302.402(a)(10) 22 TAC §239.11(1)(4)(27) (G)&(28)	Warning with Stipulations	August 10, 2004
Hand, Floyd Newton	RN# 661983	TOC 301.452(b)(13) 22 TAC §217.11(3)&(4)	Warning with Stipulations	July 22, 2004
Hansen, Victoria Elaine	LVN# 148185	TOC 302.402(a)	License Revoked	August 10, 2004
Harrison, Suzanne E.	LVN# 108038	TOC 302.402(a)(2)(9)(10) 22 TAC §239.11(10)	License Revoked	August 10, 2004
Hartshorn, Jeanette C.	RN# 512105	TOC 301.452(b)(10) 22 TAC §217.12(15)	Warning with Stipulations	July 22, 2004
Heilman, Lisa Anne	RN# 601121	TOC 301.452(b)(8)	License Revoked	August 10, 2004
Hicken, Kelly S.	RN# 525626	TOC 301.452 (b)(1)	License Revoked	August 10, 2004

**DISCIPLINARY ACTION**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Hodges, Susan Christine	RN# 580248	TOC 301.452(b)(1)	Reprimand with Stipulations	August 10, 2004
Hopkins, Mary Alice	LVN# 90490	TOC 302.402(a)(10) 22 TAC §239.11(8)(9)&(26)	License Revoked	September 14, 2004
Johnson, Barbara Gable	RN# 504889 LVN# 65019	TOC 301.452(b)(10) 22 TAC §217.12(20)	Warning with Stipulations	September 14, 2004
Jones, Toby Samuel	RN# 664232	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)	Suspend/Probate	August 10, 2004
Key, Tracy Denise	RN# 572730	TOC 301.452(b)(3)&(10) 22 TAC §217.12(1)&(21)	License Revoked	August 10, 2004
King, Theresa Renee	RN# 583165	TOC 301.452(b)(10) 22 TAC §217.12(3)&(22)	Remedial Education & Fine	August 19, 2004
Kirby, Robert Charles	LVN# 125310	TOC 302.402(a)(10) 22 TAC §239.11(27)(A)	Remedial Education	August 24, 2004
Koepp, Tammy Germany	RN# 673736	TOC 301.452(b)(10) 22 TAC §217.12(1)&(21)	Warning with Stipulations	September 14, 2004
Kohler, Sherrie Renee	RN# 578245	TOC 301.452(b)(12)	Reprimand with Stipulations	September 14, 2004
Ludlow, Kathleen Anne	RN# 564884	TOC 301.452(b)(10) 22 TAC §217.12(20)	Warning with Stipulations	July 22, 2004
Machicek, Sherri Ann	LVN# 141689	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)	License Revoked	August 10, 2004
Madison, Lisa Justine	LVN# 135369	TOC 302.402(a)(9)&(10) 22 TAC §239.11(3)(10) &(27)(B)	License Revoked	August 10, 2004
Martinez, Mary P.	LVN# 114481	TOC 302.402(a)(10) 22 TAC §239.11(1)	Limited License	August 10, 2004
Mayor, Dorothy Emverda	RN# 614818	TOC 301.452(b)(10) 22 TAC §217.12(3)	Remedial Education	July 9, 2004
McCann, Lori Lee	RN# 601534	TOC 301.452(b)(10)&(13) 22 TAC §217.12(3)(18)&(19)	Reprimand with Stipulations	July 22, 2004
McClure, Vickie Kay	LVN# 135575	TOC 302.402(a)(9)&(10) 22 TAC §239.11(1)(6)(10) &(28)	License Revoked	August 10, 2004
McCurdy, James L.	RN# 534075	TOC 301.452(b)(10) 22 TAC §217.12(1)&(22)	Warning with Stipulations	July 23, 2004
McFadden, Linda Lou	LVN# 158977	TOC 302.402(a)(10) 22 TAC §239.11(1)(2)(4) &(27)(G)(K)	License Revoked	September 14, 2004
McKenzie, Tonya Edette	RN# 640324	TOC 301.452(b)(1)	Suspend/Probate	August 10, 2004
Meadows, Marsha Lynne	RN# 626320	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)	Enforced Suspension	September 14, 2004
Medina, Celia	LVN# 38807	TOC 301.452(b)(8)	License Revoked	September 14, 2004
Mendez, Freda Diane (Hurt)	RN# 615760	TOC 301.452(b)(1)(9)(10) &(12) 22 TAC §217.12(1)&(12)	License Revoked	August 10, 2004
Milner, Wanda Lee	LVN# 45292	TOC 302.402 (a)	License Revoked	August 10, 2004
Monroe, Marcia Sue	RN# 224978 LVN# 42590	TOC 301.452(b)(10)&(12) TOC 302.402(a)(10)&(12) 22 TAC §217.12(12)	Limited License	August 10, 2004
Monroe, Sandra Kay	RN# 249361 LVN# 42590	TOC 301.452(b)(10) 22 TAC §217.12(2)(3)&(4)	Warning with Stipulations	July 22, 2004
Morales, Rosa N.	RN# 516531	TOC 301.452(b)(10) 22 TAC §217.12(4)&(20)	Remedial Education & Fine	July 6, 2004
Moravits, Walter	RN# 629625	TOC 301.452(b)(1)	License Revoked	August 10, 2004

**DISCIPLINARY ACTION**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Nagel, Tiffany Joelle	RN# 590506	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)(3)(4) (19)(20)	License Revoked	September 14, 2004
Nahkunst, Carl Duane	RN# 642936 LVN# 150689	TOC 301.452(b)(10)(12)&(13) 22 TAC §217.11(3) and §217.12(16)	License Revoked	September 14, 2004
Navarrette, Mary Lujan	LVN# 30303	TOC 302.402(a)(10) 22 TAC §239.11(2)(4)(27)(G)	License Revoked	August 10, 2004
Nutley, Veronica Mary	RN# 578094	TOC 301.452(b)(10)	License Revoked	August 10, 2004
Oneil, Jr., Jimmie Levis	LVN# 152318	TOC 302.402(a)(8)	License Revoked	September 14, 2004
Parker, Kirsten Shawn	LVN# 164384	TOC 301.452(b)(1)(2)&(10) 22 TAC §239.11(8)(27)(H)	License Revoked	August 10, 2004
Payton, Carolyn Ann	RN# 245488	TOC 301.452(b)(10) 22 TAC §217.12(15)	Warning with Stipulations	July 22, 2004
Perkins, Johnnie M.	RN# 245865	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)(3)(4)(19) &(23)	Reprimand with Stipulations	July 22, 2004
Potts, Nicki L. Warren	RN# 423725	TOC 301.452(b)(10) 22 TAC §217.12(1)&(21)	Enforced Suspension	July 22, 2004
Potts, Teri Anne	RN# 656798	TOC 301.452(b)(1)	License Revoked	September 14, 2004
Powell, Barbara Ann	RN# 251637	TOC 301.452(b)(9)(10)&(12) 22 TAC §217.12(1)&(12)	License Revoked	August 10, 2004
Prough, Gerilyn K.	LVN# 103620	TOC 302.402(a)(10) 22 TAC §239.11(4)	License Revoked	August 10, 2004
Quan-Aston, Lina Marie	RN# 514763	TOC 301.452(b)(8)&(10) 22 TAC §217.12(1)&(21)	Warning with Stipulations	September 14, 2004
Rowland, Laurie J.	RN# 526609	TOC 301.452(b)(10) 22 TAC §217.12(1)	Limited License	July 22, 2004
Ryan, Ruby A.	RN# 251433	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)	Enforced Suspension	July 22, 2004
Sanchez, Dana Dee	LVN# 166544	TOC 302.402(a)(9) &(10) 22 TAC §239.11(5)(6)(7)(10) &(28)	Reprimand with Stipulations	July 22, 2004
Sarasin, Michael Francis	RN# 596754	TOC 301.452(b)(10) 22 TAC §217.12(3)&(4)	Reprimand with Stipulations	September 14, 2004
Schaefer, Brenda S.	RN# 541280	TOC 301.452(b)(1)	Reprimand with Stipulations	July 23, 2004
Selman, Shanna Hicks	RN# 670931	TOC 301.452(b)(10)&(13) 22 TAC §217.11(18) & §217.12(2)&(3)	Reprimand with Stipulations	September 14, 2004
Smith, Story Latrese	LVN# 173503	TOC 302.402(a)(10) 22 TAC §239.11(3)(4)&(27)	Reprimand with Stipulations	September 14, 2004
Smith, Scott Andrew	RN# 684239	TOC 301.452(b)(13) 22 TAC §217.11(2)(3)(4) &(18)	Warning with Stipulations	July 22, 2004
Soles, Robert Dean	RN# 564328	TOC 301.452(b)(8)	Enforced Suspension	September 14, 2004
Sparling, Karen Lyn	LVN# 171535	TOC 302.402(a)(1)(2)&(10) 22 TAC §239.11(5)(8) &(29)(A)	License Revoked	August 10, 2004
Spencer, Donald Ray	LVN# 127013	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)(27) (A)(F)	Remedial Education	July 9, 2004
Springer, Sharon M.	RN# 604393	TOC 301.452(b)(10) 22 TAC §217.12(3)&(20)	Warning with Stipulations	July 22, 2004

continued on next page

**DISCIPLINARY ACTION**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Stanley, Jennifer Ruth	LVN# 139650	TOC 302.402(a)(9)&(10) 22 TAC §239.11(1)(10)(28) (29)(A)(iii)	License Revoked	August 10, 2004
Stewart, Misty Dawn	LVN# 176725	TOC 302.402(a)(9)&(10) 22 TAC §239.11(5)(6)(7)(10) &(28)	Enforced Suspension	August 10, 2004
Thompson, Cindy	RN# 611672	NPA 4525(b)(2)(4)&(9) 22 TAC §217.13(17) TOC 301.452(b)(2)(3)(5)(8) &(10) and 22 TAC §217.12(1) & (22)	License Revoked	August 10, 2004
Trout, Kurt Lee	LVN# 156236	TOC 302.402(a)(9)&(10) 22 TAC §239.11(1)(2)(3) (4)(10)	License Revoked	August 10, 2004
Tullous II, Glen E.	RN# 249961	TOC 301.452(b)(13) 22 TAC §217.11(3)&(21)	Reprimand with Stipulations	July 22, 2004
Turner, Shelley Lynn	RN# 696068	TOC 301.452(b)(13) 22 TAC §217.11(1) & §221.13(d)	Remedial Education & Fine	August 17, 2004
Umeh, Uchenna Cecilia	RN# 564565	TOC 301.452(b)(10)&(13) 22 TAC §217.11(18)&(21)and §217.12(2)(3)&(4)	Warning with Stipulations	July 22, 2004
Vanderburg, Linda Denise	RN# 699486	TOC 301.452(b)(10) 22 TAC §217.12(3)	Reprimand with Stipulations	July 22, 2004
Walker, Carla S.	RN# 618665	TOC 301.452(b)(10) 22 TAC §217.12(16)	Remedial Education	July 16, 2004
Wentworth, Clouetta Jones	LVN# 67788	TOC 302.402(a)(10) 22 TAC §239.11(27)(K)	Remedial Education	July 9, 2004
Williams, Rodney	LVN# 145714	TOC 302.402(a)(10) 22 TAC §239.11(2)&(4)	Warning with Stipulations	July 22, 2004
Zaldivar, Lisa Lynn	RN# 594365	TOC 301.452(b)(13) 22 TAC §217.11(2)	Remedial Education	September 1, 2004
Zieglschmid, Heidi Marie	LVN# 142042	TOC 302.402(a)(10) 22 TAC §239.11(2)(4)(27)(G)	License Revoked	August 10, 2004

**VOLUNTARY SURRENDERS***The following individuals have voluntarily surrendered their licenses to practice nursing in the State of Texas.*

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF SURRENDER</u>
Adams, Paula Renee	LVN# 121807	TOC 302.402(a)(9)&(10) 22 TAC §239.11(1)(5)(6)(7)(8)(10)(27)(B) &(28)	September 16, 2004
Allen, Deanna	RN# 643510	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)(3)(4)(12)(19)&(20)	July 26, 2004
Benavidez, Guadalupe S.	RN# 229721 LVN# 45594	TOC 301.452(b)(1)(10)&(13) 22 TAC §217.12(1)(2)(3)(4)(5)(12)(16)&(20) TOC 302.402(8)&(10) 22 TAC §239.11(22)	August 17, 2004
Bowers, Amy F.	RN# 624884	TOC 301.452(b)(9)(10)&(12) 22 TAC §217.12(1)(12)&(21)	September 16, 2004
Carter, Michael Deneen	RN# 622461	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)(4)&(19)	August 30, 2004
Douglass, Rebecca Jane	LVN# 103286	TOC 302.402(a)(10) 22 TAC §239.11(2)&(4)	August 16, 2004

continued on next page

**VOLUNTARY SURRENDERS**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF SURRENDER</u>
Echols, Danette Yvonne	LVN# 122100	TOC 302.402(a)(3)&(10) 22 TAC §239.11(29)	July 23, 2004
El, Carolyn Ann	RN# 576638	TOC 301.452(b)(8)	July 5, 2004
Hulett, Pamela M.	RN# 623281	TOC 301.452(b)(10) 22 TAC §217.12(1)&(19)	July 15, 2004
Jackson, Teri S.	RN# 501891	TOC 301.452(b)(9)(10)&(12) 22 TAC §217.12(1)(12)&(21)	September 16, 2004
James, Carolann	RN# 651667	TOC 301.452(b)(1)(9) & (10) 22 TAC §217.12(1)	August 26, 2004
Johnson, Neona Faye	LVN# 159306	TOC 302.402(a)(3)(A)(9)&(10) 22 TAC §239.11(8)(28)(29)(iv)	July 19, 2004
Jones, Kristi Fisher	RN# 637871	TOC 301.452(b)(3)	July 14, 2004
Lang, Laura Kathleen	RN# 623683	TOC 301.452(b)(10) 22 TAC §217.12(1)(19)&(21)	September 14, 2004
Locklin, Linda	RN# 229838	TOC 301.452(b)(8)	August 19, 2004
Long, Debra Lynn	RN# 595697	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)	August 9, 2004
Marquez, Eulalia Lily	LVN# 26800	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)&(28)	July 29, 2004
McGilvray, Susan A.	RN# 540960	TOC 301.452(b)(10)&(12) 22 TAC §217.12(12)	August 16, 2004
Miller, Kimberly G.	RN# 618426	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)(4)(14)(18)(19)&(22)	July 7, 2004
Millican, Jeffrey Kevin	LVN# 140371	TOC 302.402(a)(10) 22 TAC §239.11(22)	July 9, 2004
Moncrief, Clennon	RN# 650994	NPA 4525(b)(2)&(9) 22 TAC §217.13(7)(15)&(17)	June 30, 2004
Moran, Michael Charles	RN# 230935	TOC 301.452(b)(8)(10)&(13) 22 TAC §217.11(2)&(18) and 22 TAC §217.12(4)	June 28, 2004
Morgan, Ira Keith	LVN# 146893	TOC 302.402(a)(9)&(10) 22 TAC §239.11(2)(3)(4)(5)(6)(7)(8)(27)(B) (28)(29)(A)(iii)&(A)iv)	August 30, 2004
Nichols, Jessica Bevan	RN# 668944	TOC 301.452.(b)(12)	September 3, 2004
Patsch, Michael Wolfgang	RN# 650541	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)&(19)	August 11, 2004
Ristau, Barbara Angela	RN# 462746	TOC 301.452(b)(10) 22 TAC §217.12(1)&(21)	September 14, 2004
Roedersheimer, Marcy Kay	RN# 685792	NPA 4525(b)(9) 22 TAC §217.13(1)§213.27 301.452(b)(1)(9)&(10) and 22 TAC §217.12(1) & §213.27	August 9, 2004
Rudolph, Nancy Leigh (Dayton)	RN# 542565	TOC 301.452(b)(8)	August 4, 2004
Sayres, Rhonda	RN# 647949 LVN# 163034	TOC 301.452(b)(8)	August 18, 2004
Schenk, Amy Sue	RN# 676697	TOC 301.452(b)(10) 22 TAC §217.12(1)&(22)	July 21, 2004
Shalan, Jodi Marlane	RN# 590855	TOC 301.452(b)(1)(9)(10)&(12) 22 TAC §217.12(1)(12)&(22)	August 27, 2004
Shelton, Marian Denise	RN# 618574	TOC 301.452(b)(8)	July 23, 2004

continued on next page

**VOLUNTARY SURRENDERS**

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF SURRENDER</u>
Taylor, Donna N.(Norwood)	LVN# 74613	TOC 302.402(a)(10) 22 TAC §239.11(5)	August 30, 2004
Utuk, Becalo Effiong	RN# 586549	TOC 301.452(b)(10) 22 TAC §213.27 & §217.12(1)&(22)	August 13, 2004
Winburne, Danielle Renee	LVN# 162721	TOC 302.402(a)(3) 22 TAC §239.11(29)(A)	July 12, 2004
Wynn, Martha Ann	RN# 602415	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)	August 13, 2004

**VOLUNTARY SURRENDERS - MULTISTATE PRIVILEGE**

*The following individuals have voluntarily surrendered their Multistate Licensing Privilege to practice nursing in the State of Texas.*

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF SURRENDER</u>
Burns, Pamela Raye	RN# 633647	TOC 301.452(b)(9)(10)&(12) 22 TAC §217.12(12)	September 9, 2004
Haynie, William Booth	RN# 460449	TOC 301.452(b)(1)(3)(4)&(10)	August 9, 2004

**Insufficient Funds**

As of October 25, 2004, 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 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>
Hiatt, Martha	TL 88174
Hite, Donald	RN536116
Humphrey, Anthanett M.	LVN53929
Johnson, Vickie	TL 87956
Mack, Sharon Ewers	LVN92609

<u>NAME</u>	<u>LICENSE #</u>
Moseley, Julia	RN251209
Perez, Rose Ann	RN644138
Trevino, Maria	LVN172297
Vosburg, Susan Allison	TL94545

**E-Mail Notification Service Available for Newsletter Readers, Businesses, and Organizations**

The Board of Nurse Examiners (BNE) would like to send you an e-mail notifying you when the latest BNE newsletter is available for reading and providing a link directly to the newsletter's location on the internet. This service will be available at no cost and will be sent out on a quarterly basis as soon as the newsletter is available for reading. The e-mail address that you provide will be used in the strictest confidence and will only be used for the purpose of informing you when the newsletter can be downloaded and providing a direct link to the newsletter's location.

If you would like to add your personal e-mail address or the e-mail address for your business or organization to the BNE's e-mail mailing list, simply send an e-mail indicating that you wish to receive the newsletter notification service to: [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us).

**Workshop Update**

***Overview of Current Regulations:  
A Foundation for Safe Nursing Practice***

Two workshops addressing nursing jurisprudence and ethics issues are currently scheduled.

**Holiday Inn - Lubbock  
801 Avenue Q  
Lubbock, Texas 79401**

and

**El Paso Marriott  
1600 Airway Blvd.  
El Paso, Texas 79925**

**November 2, 2004**

**November 4, 2004**

These workshops have been approved for seven Type I contact hours. The registration fee for this workshop is \$90 pre-registered and \$105 at the door. Workshop brochures with registration forms may be accessed via the BNE website under "BNE Events."

***Registration Information***

Pre-registration is accepted 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 are unable to download the brochure from our website, you may request one by contacting us. Our phone number for workshop information is (512) 305-6844 and the e-mail address is [workshops@bne.state.tx.us](mailto:workshops@bne.state.tx.us).

**Board Meeting Dates: 2005**

January 20-21

April 21-22

July 21-22

October 20-21

All meetings to be held in Austin

**BNE HELPFUL NUMBERS**

MAIN NUMBER.....(512) 305-7400  
 FAX.....(512) 305-7401  
 -- 24 Hour Access  
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 -- General Information

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CUSTOMER SERVICE.....(512) 305-6809  
 -- License Renewals  
 -- Endorsement/Examination  
 -- Continuing Education for LVNs & RNs

SALES OF LISTS.....(512) 305-6848  
 -- Computerized RN & LVN 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 and rules and regulations  
 -- Monitoring of disciplined RNs and LVNs

**PROFESSIONAL AND VOCATIONAL NURSING**

ADVANCED PRACTICE.....(512) 305-6843  
 -- APN application and  
 Prescriptive Authority procedures  
 -- Application Requests.....(512) 305-6867  
 (Voice Mail Only)

NURSING PRACTICE.....(512) 305-6802  
 -- Nursing practice issues  
 -- Legislation

Workshop Information.....(512) 305-6844

LVN/RN/APN Program Approval.....(512) 305-6816  
 -- Distance Education Initiatives



The purpose of the *Texas Board of Nursing Bulletin* is to disseminate information to 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 nursing. The *Texas Board of Nursing Bulletin* 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: 333 Guadalupe, Suite 3-460, Austin, Texas 78701-3944. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for designated holidays.

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#### Change of Address

Notification of change of address as required by Rule 217.7 can be by three different routes: 1. Mail to: Board of Nurse Examiners, 333 Guadalupe, Suite 3-460, Austin, Texas 78701-3944 ; 2. E-Mail to: [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us) ; or 3. Fax to: Board of Nurse Examiners (512) 305-7401.

#### **Notifications must include:**

1. RN or LVN License Number, 2. Social Security Number, 3. Old and New Address, and
4. Your Name.

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