

MINUTES

**UTAH
BOARD OF NURSING**

April 25, 2008

**Room 474 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05 a.m.

ADJOURNED: 2:53 p.m.

Bureau Manager:
Secretary:

Laura Poe
Shirlene Kimball

Conducting:

Joel Allred, Chair

Board Members Present:

Joel Allred
Peggy Brown
Diane Forster-Burke
Debra Schilleman
Marie Partridge
Laurie Simonsen
Susan Kirby
Barbara Jeffries

Board Members Excused:

Pam Rice
Mary Williams
John Killpack

Division Staff:

Connie Call, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

March 28, 2008 minutes:

The March 28, 2008 minutes were approved with corrections. All Board members in favor.

NEW BUSINESS:

Connie Call, Compliance Specialist
Compliance Report:

Ms. Call reported the following individuals are non-compliant: Christine Amos, Teresa Brewer, Karen Christiansen, Todd Gardner, Dale Hullinger, Bambi Koeller, Susan Merryweather, Keith Moslak, Chris Singer, Nancy Stone-Whittemore, Teresa Williams, Karen Chlarson, and Via Panter. The following individuals were non-compliant with their monthly reports: Stacie Powell-Wood, Betty Long, Karen

Carter, Rhandi Roberson, Karen Baker, Lori Niven, Lillian Howell, Carmen Maloy, Amy Stone, Rachel Lucia, Desirae Larsen and Kaylynn Thompson. Desirae Larsen will be invited to meet with Ms. Poe and Ms. Call.

Environmental Scan:

Ms. Poe reported a Hearing will be scheduled for May 23, 2008. The May 30, 2008 Board meeting will be canceled. Ms. Schilleman, Ms. Kirby, Ms. Jeffries, Dr. Williams, Ms. Brown and Ms. Rice will be available for the May 23, 2008 Hearing.

Ms. Poe also reported a two day Hearing will be held June 26-27, 2008. Ms. Brown, Ms. Schilleman, Mr. Allred, Ms. Simonsen and Ms. Partridge indicated they would be available for the Hearing. Ms. Poe indicated there may also be a Hearing scheduled for July.

Ms. Poe indicated the Rules Hearing regarding the administration of insulin to students in a school setting has been scheduled for June 6, 2008, 10:00 a.m. in room 474 of the Heber Wells Building. Members of the Board do not have to be in attendance.

Ms. Poe reported on a new DNP exam that has been developed. At this time, the law requires an applicant for APRN licensure to graduate from an approved graduate level education program. Although a DNP program graduate may qualify for licensure, so would a person who graduates with a master's degree. The only exam(s) required are the certification exams listed in Rule. Ms. Brown indicated the University of Utah will be admitting DNP students into a generic DNP program in August. Ms. Poe stated this program should have notified the Board one year prior to starting a program that leads toward licensure.

Divided into two groups at 9:37 a.m.

Group 1: Conducting: Marie Partridge
Secretary: Shirlene Kimball

Members present: Ms. Schilleman, Ms. Forster-Burke, Mr. Allred and Ms. Partridge.

Marsha Taylor,
New Order:

Ms. Forster-Burke conducted the interview. Ms. Taylor explained the circumstances that brought her before the Board. She indicated she will be working at

the State Hospital starting in June. She indicated she may be hired with Mountainland ATC teaching in the CNA program. Committee members indicated this would be acceptable as long as she had RN supervision. Ms. Taylor provided the Board with the names of her prescribing practitioner, pharmacy, and a list of the medications she is receiving. She indicated she currently attends PIR meetings and will be looking for a 12-step meeting to attend. Ms. Taylor stated she understands the terms and conditions of the Memorandum of Understanding. She stated she is not taking any medications not currently prescribed for her. She stated she is not taking any street drugs. She stated she has not relapsed and has no thoughts of relapse. She indicated she has been clean since February 2006. Committee members discussed with her the urine sample that the lab reported was “hot”. Ms. Taylor submitted a letter of explanation indicating she did not know why the urine sample would be hot, but assumed it was because she had been sick. She indicated she went to the lab in Orem, not the lab in South Jordan and did not understand why the documentation indicated she had appeared at both places. She will meet with the Board in one year if she remains in compliance with the terms and conditions of her Order. **Ms. Taylor is in compliance with the terms and conditions of her Order.**

Teresa Williams,
Interview:

Mr. Allred conducted the interview. Ms. Williams is missing the therapist report. She stated she has talked to her therapist and will have the therapist submit the report as soon as possible. Ms. Williams indicated there have been no changes in her prescribed medications. Ms. Williams stated she is struggling because she can not find a job due to her restrictions on her license, and since she is not working, the probation will be extended. Mr. Allred indicated she missed calling CVI and missed a urine screen. Ms. Williams stated she was in the hospital at that time and submitted the documentation regarding the hospitalization. Mr. Allred indicated she had been excused while in the hospital and the missed screen and missed calls to CVI was for a different period of time. Ms. Williams stated she has no thoughts of relapse, has not relapsed and is not taking any

medications not lawfully prescribed for her. She stated she has been clean over two years. **Ms. Williams is out of compliance with the terms and conditions of her Order. She needs to submit the therapist report and was reminded to call CVI everyday.**

Judy Teerlink,
Annual Interview:

Mr. Allred conducted the interview. Ms. Teerlink stated she has completed the ethical standards course and is working toward paying off her fine. She will be scheduled to meet with the Board in one year if she continues to remain in compliance with the Order. **Ms. Teerlink is current on all reports and appears to be in compliance with the terms and conditions of her Order.**

Tricia Bateman,
Interview:

Ms. Forster-Burke conducted the interview. Ms. Bateman reported things are going great. She is employed at Granite Peaks and her employer reports are good. Ms. Bateman stated she likes her PIR meetings and is more into recovery now than she was initially. She stated she is not taking any medications not lawfully prescribed for her. She stated she is not drinking alcohol and is not taking any street drugs. Ms. Bateman stated she has no thoughts of relapse and has not relapsed. She stated she has been clean 488 days and her sobriety date is December 23, 2006. Ms. Bateman has completed one year of probation and is requesting that her access to controlled substances be returned. **Ms. Bateman appears to be in compliance with the terms and conditions of her Order.**

Troy Thorum,
Interview:

Ms. Partridge conducted the interview. Mr. Thorum introduced his wife. Mr. Thorum stated he has been clean and sober since March 3, 2003. He stated he has been in complete compliance with all terms required of him. He stated he has been on probation since May 2006 and feels he is ready to move on. His access to controlled substances was returned 10 months ago, he has good employer reports, attends all meetings and has a good support system at home. He stated he has not taken any medications not lawfully prescribed for him. He stated he has not relapsed and has no thoughts of relapse. **Mr. Thorum is in compliance with the terms and conditions of his Order.**

Karen Carter,

Mr. Allred conducted the interview. Committee

Interview:

members indicated she has not submitted employer reports for January or February. Committee members also discussed with Ms. Carter the therapist evaluation which indicated she would benefit from individual therapy. Committee members indicated since this is a recommendation from the therapist, she will need to participate in therapy. Ms. Carter stated she is taking care of her mother and it will be hard to add another meeting to her schedule. She stated she realizes it would be beneficial to have someone to talk to, but with the added financial cost and time involved it would be extremely stressful to her to add an additional meeting. Mr. Allred indicated Ms. Carter will need to have either a therapist report or a letter indicating therapy is no longer necessary. This documentation would need to be submitted to the Board by the end of next week. Ms. Carter stated she has no thoughts of relapse and has not relapsed. She stated she is not taking any medications not lawfully prescribed for her. She indicated her sobriety date is June 2007. **Ms. Carter is out of compliance because she needs to submit a therapist report.**

Karen Chlarson,
Interview:

Ms. Schilleman conducted the interview. Ms. Chlarson submitted copies of her prescriptions. She stated she is not currently working as a nurse. She indicated she attends 12-step meetings online as suggested by Dr. Crookston. She indicated she is a flight attendant and is aware that her probation will be extended for the period of time she is not employed as a nurse. She stated she likes to travel, but also wants to keep her nursing license. She stated she has missed urine screens because of her travel. Committee members indicated she is choosing to be non compliant by not testing when called and has been provided with test sites in cities where she will be. Ms. Chlarson stated she has done what she can; sometimes she arrives in a city after the testing center has closed, or she doesn't have a car. Committee members indicated she may need to choose between flying or nursing. She stated she has no thoughts of relapse, and has not relapsed. She stated she is not taking any medications not lawfully prescribed for her. Ms. Chlarson stated she has faxed in the copies of the prescriptions. She stated she is upset and she would like to keep her nursing license, but does not feel she

has any support from the Board. She stated she feels like she is doing every thing she can. Committee members indicated the Division would send her a letter outlining her options at this point. **Ms. Charlson is non compliant for missing calling CVI, missing urine screens, missing prescriptions.**

Joleen Gibbs,
Interview:

Ms. Gibbs did not appear for her scheduled interview.

Group 2
Conducting: Barbara Jeffries
Secretary: Connie Call

Members present: Ms. Simonsen, Ms. Kirby, Ms. Jeffries, Ms. Brown.

Rhandi Robertson,
Interview:

Ms. Simonsen conducted the interview. Ms. Robertson missed urine screens on March 3 and April 15, 2008 and she stated it was because of financial problems. She indicated she has found a way to pay for the urine screens. She stated she has completed the required paperwork, she just has not submitted it. She stated after the suspension is terminated she plans to work in a doctor's office. She stated she relapsed about two months ago on cough medicine. She stated she has now been clean 72 days. **Ms. Robertson is out of compliance and needs to submit her paperwork and remain substance free.**

Terryl Dale Hullinger,
Interview:

Ms. Jeffries conducted the interview. Mr. Hullinger stated he is currently working at Rock Canyon Rehab in Provo and is working 80 hours per week. He was reminded that his Order only allows him to work 48 hours per week. He has been forgetting to call into CVI everyday, has not submitted employer reports and has not attended PIR or 12-step meetings. He claims he has not relapsed. He stated he is not taking any medications not lawfully prescribed for him. It does not appear that complying with the Order is important to him and he was reminded he needs to make compliance a priority or he may lose his license. Committee members recommend he be scheduled to meet with the Board in three months. **Mr. Hullinger is out of compliance with the terms and conditions of his Order.**

Christopher Singer,
Annual Interview:

Ms. Kirby conducted the interview. Mr. Singer reported things are going well and he is very busy. He stated he moved into a new clinic in Monument Valley

and is working with a new physician, Gene Key. He stated he works 40 hours per week. The controlled substance data base report indicated he had written a controlled substance prescription; however, he does not have a controlled substance license. After reviewing the data base report, it appears the prescription was written by another practitioner in Clearfield. Mr. Singer reported he has been accepted into the DNP program at the University of Utah. **Mr. Singer appears to be in compliance with the terms and conditions of his Order.**

Mark Gunty,
Annual Interview:

Ms. Simonsen conducted the interview. Mr. Gunty stated he is employed at Lakeview Hospital and also works at Intermountain Medical Center two days a week. He stated he has been clean 5 years this month. He stated he is not taking any medications not lawfully prescribed for him. He stated he has absolutely no thoughts of relapse and has not relapsed. **Mr. Gunty appears to be in compliance with the terms and conditions of his Order.**

Dustin Jasmer,
Interview:

Ms. Brown conducted the interview. Mr. Jasmer continues to be employed at Ogden Regional Hospital. Mr. Jasmer requested he be allowed to work one additional 12 hour shift per week. He stated he has been clean for four years this week. He stated he is not taking any medication not lawfully prescribed for him. He stated he has thoughts of relapse and when he does he calls his sponsor and works the steps. Mr. Jasmer stated as long as he works his recovery program he thinks he will be fine with his stress. **Mr. Jasmer is current on all reports and appears to be in compliance with the terms and conditions of his Order**

Steven Larsen,
Interview:

Ms. Kirby conducted the interview. Mr. Larsen reported he has been clean two years in June. His employer reports are very good and all paperwork has been received. Ms. Poe indicated his Order could be amended to terminate the requirement to submit triplicate prescriptions for the Board's review. Ms. Poe also questioned whether or not he would like to have his controlled substance license returned. Mr. Larsen stated his current situation is working for him and indicated there are benefits and drawbacks to getting his controlled substance license back. He stated he

appreciates the Board's confidence in him, but he does not think it is the time to request that his controlled substance license be re-issued. He stated he will always think about relapse but has no intention of relapsing. **Mr. Larsen is in compliance with the terms and conditions of his Order.**

Susan Merryweather,
Interview:

Ms. Brown conducted the interview. Ms. Merryweather reported she had some medical issues last fall, but is doing better now. She was requested to provide a letter from the dentist explaining why she received the prescription for codeine. She stated she is not currently working, but is looking for employment. She claims to have been clean for 5 years. She stated she is considering becoming a paralegal nurse consultant because she has not been able to find employment. Ms. Merryweather updated her medication list. Ms. Poe suggested her Order be amended to suspend the requirement of attending NANSAs meetings until she is employed. **Ms. Merryweather is in compliance with the terms and conditions of her Order.**

Report from Education Committee:

Ms. Forster-Burke reported the Education Committee met with the nursing directors from the four provisionally approved programs. All programs are working on candidacy status with NLNAC. Committee members also reviewed NCLEX examination results for the last quarter.

Presentation by Dr. Walton:

Dr. Walton gave his presentation on Licensee Interviews.

Report from Committees:

Tricia Bateman is requesting her access to controlled substances be returned. Ms. Bateman is in compliance with her Order and the Committee recommends that her access to controlled substances be returned. All Board members in favor.

Troy Thorum is requesting early termination of probation. He is in compliance with the terms and conditions of his Order; however, he has only been on probation for two years of the five year probation. Committee members indicated it is too soon to request the termination and would like to monitor him for a longer period of time. Committee members recommended denial of the request to terminate

probation based on the length of time on probation.
All Board members in favor.

Karen Carter is requesting access to controlled substances be returned. She has been on probation for approximately one year. Ms. Forster-Burke made a Motion to return access to controlled substances. Ms. Jeffries seconded the Motion. All Board members in favor.

Dustin Jasmer requested he be allowed to work up to 60 hours per week under general supervision. Committee members recommended his Order be amended to allow him to work up to 60 hours per week under general supervision. All Board members in favor.

Steven Larsen: Committee members recommend his Order be amended to eliminate the requirement to submit copies of triplicate prescriptions to the Board. All Board members in favor.

Susan Merryweather: Committee members recommended that the requirement to attend NANSA meetings be suspended until she finds employment as a nurse. All Board members in favor of the recommendation.

Keith Moslak,
Request to be allowed to work more than 48
hours per week:

Mr. Moslak appears to be doing well in his probation. Ms. Jeffries made a Motion to approve the request and allow Mr. Moslak to work one additional 12 hour shift per week, up to 60 hours per week. Ms. Kirby seconded the Motion. All Board members in favor.

Kent Wilkinson,
Request for early termination of probation:

Ms. Wilkinson has completed one year of his five year probation. Prior to his Utah license being placed on probation, action had been taken on his Oregon license. Ms. Forster-Burke made a Motion to deny the request due to the extensive history of substance abuse and he needs to be monitored for a longer period of time. Ms. Schilleman seconded the Motion. All Board members in favor.

Sherry Mack,
Requesting restrictions be lifted:

Last month Ms. Mack met with Committee members and requested her access to controlled substances be returned. The request was denied. She then met with Ms. Poe to request all restrictions be lifted; however,

she stated she would be willing to continue to be monitored. Ms. Poe indicated that if all restrictions were lifted, there would be nothing to monitor. Ms. Mack was informed that the Division would not lift the urine screen requirement.

A staff member of Legacy Staffing Agency was present at the meeting with Ms. Mack and indicated the agency is willing to hire Ms. Mack. The agency would be willing to provide a contract with only one facility, on one floor. There would be a supervisor from the facility and also an individual provided by the agency who would be willing to be her mentor. However, the mentor would not be another RN, but a nursing assistant. Two supervisor reports could be submitted. Ms. Poe expressed concern that the nursing assistant could not provide supervision. The other concern would be only the agency individual would know Ms. Mack could not pass medications and the nursing staff at the facility would not be aware of the terms of probation.

Board members expressed concern with Ms. Mack working in home health, or for an agency. The Board could deny the request to work in home health or for an agency and return access to controlled substances Ms. Kirby made a Motion to deny her request to work in home health or agency setting, but to return access to controlled substances. Ms. Forster-Burke seconded the Motion. Ms. Schilleman abstained. All other Board members in favor.

Michelle McArdle,
Request for Termination of Probation:

Board members indicated that research has found that an individual who is closely monitored and remains sober for at least five years is more likely to remain sober long-term. She has been on probation for 4 ½ years. Ms. Forster-Burke made a Motion to deny her request for termination of probation. Ms. Schilleman seconded the Motion. All Board members in favor.

Tyler Miller,
Application for licensure:

Mr. Miller submitted a re-licensure application as directed from the March meeting with the Board. Mr. Miller submitted documentation of negative urine screens and a current substance abuse evaluation. The evaluation indicated Mr. Miller would benefit from participation in self help groups, such as the 12-step program, participate in a bereavement group and to be

reevaluated in three months. Ms. Jeffries made a Motion to issue the license on probation for a period of five years with the standard substance abuse conditions and include bereavement counseling. Ms. Brown seconded the Motion. All Board members in favor.

Review correspondence from the Utah Nurses' Association regarding nurses keeping their licenses active by contributing or working in schools with a school nurse:

Ms. Forster-Burke, Ms. Brown and Ms. Schilleman will work with the Utah Nurses Association to study this issue.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

May 23, 2008
Date Approved

(ss) Joel Allred
Joel Allred, Chair, Board of Nursing

May 23, 2008
Date Approved

(ss) Laura Poe
Laura Poe, Bureau Manager, Division of Occupational & Professional Licensing