

**MINUTES**

**UTAH  
BOARD OF NURSING  
July 18, 2008**

**Room 474 – 4<sup>th</sup> Floor – 10:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 10:05 a.m.

**ADJOURNED:** 3:30 p.m.

**Bureau Manager:**  
**Secretary:**

Laura Poe  
Shirlene Kimball

**Conducting:**

Joel Allred

**Board Members Present:**

Barbara Jeffries  
Debra Schilleman  
Joel Allred  
Peggy Brown  
Mary Williams  
Susan Kirby  
Diane Forster-Burk  
John Killpack

**Board Members Excused:**

Laurie Simonson  
Pam Rice  
Marie Partridge

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

June 26, 2008 and June 27, 2008 Minutes:

Tabled until next meeting.

**NEW BUSINESS:**

Connie Call,  
Compliance report:

Ms. Call reported the following individuals are out of compliance: Karen Christiansen, Dale Hullinger, Bambi Koeller, Nancy Stone, Rhandi Robertson, Kaylynn Thompson, Michelle Larson and Tyler Miller. Mr. Hullinger hasn't submitted any paperwork and it appears he is working for a staffing agency. He was told three months ago he could not work for a staffing agency and if he has continued to work there, he will be referred to investigations and be requested to surrender his license.

Kaylynn Thompson: For clarification for the record, the board did not say she must find a new therapist, Board members only ask her to explore with the therapist the issues she has with the therapist. Michael Jorgenson will remain in Arizona and we will wait the 120 days for them to decide if they will transfer the information and have the court probation followed in Utah rather than Arizona.

Environmental Scan:

Ms. Poe reminded Board members that the meetings have been moved to the second Thursday of the month. The next meeting will be held August 14, 2008.

Ms. Poe reported the NCSBN is seeking members to serve on all National Council Committees. Committee members must be a member of a Board. If interested in serving on one of the Committees, there is a form to be filled out and submitted.

Ms. Poe reported NCSBN will hold a two day hearing to discuss core requirement for licensure. Ms. Poe will send out the information as soon as she receives it. Funding for two Board members will be provided.

Divided into groups at 10:25 a.m.

Group 1 - Marie Partridge conducting  
Shirlene Kimball, Secretary:

Board members present: Mr. Allred, Ms. Partridge and Dr. Williams.

Mark Dudley,  
New Order:

Mr. Allred conducted the interview. Mr. Dudley explained the circumstance that brought him before the Board. He stated he understands the terms and conditions of the Order. He indicated the Order states he does not have a controlled substance license, but he does and would like to have this reflected in the Order. Mr. Dudley stated he had a boundary issue with a patient. Mr. Allred questioned whether or not he still has contact with the patient. Mr. Dudley stated he no longer works at the Tooele agency and still speaks with the patient on occasion. Committee members voiced concern that he does not understand the boundary issues that brought him before the Board. Mr. Dudley stated he understands the terms and conditions of the Order and understands there should be no contact with the ex-patient. **Mr. Dudley is in**

**compliance with the terms and conditions of the Order.**

Kate Alleman,  
Annual meeting – telephone interview:

Dr. Williams conducted the interview. Ms. Alleman stated she has paid her fine, but has not completed the required course work in professional and legal liability. She stated she has not been working in nursing and did not think there was a push to complete these courses. Dr. Williams indicated that the Order required she complete the course within a specific time frame and she has not met that requirement. Committee members questioned whether or not she plans on going back into nursing. Ms. Alleman stated she would like to keep the license, but just can not find employment as a nurse. She stated she does understand that the time does not count toward reducing the probationary period if she is not working as a nurse. Dr. Williams indicated since she is out of compliance with the Order, she needs to submit the self assessment reports on a monthly basis. Ms. Alleman stated she was not aware that she was out of compliance and had discussed submitting quarter reports with Ms. Call. Ms. Call was invited into the meeting and she stated she had informed Ms. Alleman the reports were due quarterly because Ms. Alleman was not employed in nursing. Dr. Williams stated if she wants to have her license returned unrestricted, she needs to establish a pattern of compliance, and to do this she will need to complete the continuing education courses. Ms. Alleman, Ms. Call and Committee members agreed she will continue to submit reports quarterly until she returns to work as a nurse. **Ms. Alleman is in compliance with the terms and conditions of her Order.**

Christine Amos,  
Annual Probation Interview:

Ms. Amos reported things are going very well. She submitted a list of the new medications she is receiving. She stated her sobriety date is July 28, 2004. She stated she attends 12-step meetings and has a sponsor. Ms. Amos would like to request termination of probation. She stated she never went to work impaired, was never a danger to patients. She was placed on probation March 2002, relapsed on alcohol and was placed on a 5 year probation in April 2005. Her probation is scheduled to terminate April 2010. She stated she is a different person than she

was 6 ½ years ago. Committee members indicated she appears to be doing well, however; research shows that an individual with substance abuse problem is more likely to be successful if monitored clean for at least five years. **Ms. Amos is in compliance with the terms and conditions of her Order.**

Ann Deering,  
New Order:

Ms. Deering did not appear for her scheduled interview. **Ms. Deering is out of compliance and if she does not respond regarding the missed meetings within the next month, she will be referred to investigations for non compliance to her Order.**

Karen Baker,  
Interview:

Ms. Baker and her attorney Hal Reiser met with Committee members. Ms. Forster-Burke conducted the interview. Ms. Baker stated she has not been able to obtain employment because of the supervision requirement. She stated she was offered a position, but there was no on-site supervision and could not accept the position. She stated she has completed the intensive inpatient program. Ms. Forster-Burke stated there are number of probationers who have the supervision requirement and have found work. She stated she realizes the time does not count until she has a nursing position. Ms. Baker stated she entered the treatment program (Journey at Willow creek) because she started drinking again and was self medicating with alcohol. She stated she is in aftercare at Willow creek now. She stated she is now attending PIR and 12-step meetings. She sees a therapist, and Committee members requested the therapist discuss her progress with the aftercare counselor and include that discussion with the therapy report. Ms. Baker missed calling CVI a number of times in November, December, January, June and July. She missed a urine screen test June 9, 2008. She stated her surgery was June 2, 2008. Ms. Baker indicated she feels she is in a catch 22, she can not find a job; can not afford the urine screens.

Ms. Baker also indicated she would like to request access to controlled substances be returned. She stated if the Board does not want to return access and terminate the supervision requirement, she would rather have the access returned. Mr. Reiser stated for Ms. Baker to make progress, she needs to have some

sort of access. He questioned what Ms. Baker needs to do in order to have the onsite supervision conditions lifted. Committee members indicated she will need to provide a track record of compliance for a period of time. There is nothing objective for the Board to look at in her file at this point because she has never been in compliance and a therapist report indicates she is depressed. She needs to provide a track record of calling into CVI everyday, submit a therapist report and have the therapist indicate he/she is aware of the work Ms. Baker is doing in aftercare, have a sponsor, and a support system. Ms. Baker indicated her sobriety date is March 26, 2008. She stated she hopes not to relapse, some days she does have thoughts of relapse. She stated she is not drinking alcohol, does not take any street drugs or any medication that has not been lawfully prescribed for her. She needs to be working the steps. Committee members stated they would like to see at least two to three months of compliance before they consider any modifications. Committee members indicated she should be taking Antibus every day, not just once in a while. **Ms. Baker is out of compliance with the terms and conditions of her Order. She has missed calling CVI and missed a urine screen.**

Group 2  
Barbara Jeffries conducting  
Connie Call, Compliance specialist

Members present: Ms. Schilleman, Ms. Jeffries, Mr. Rice, Ms. Brown and Ms. Simonson.

Brent Pace,  
New Order:

Ms. Jeffries conducted the interview. Mr. Pace explained the circumstance that brought him before the Board. He indicated his employer has not seen the new Stipulation and does not know he had a relapse. Committee members indicated he will need to provide a copy of the Order to his employer and have the employer acknowledge he has seen the Order. This will need to be done within the next week. Mr. Pace reported his sobriety date is June 1, 2008. He indicated he has nightly contact with his sponsor and is attending his meetings. **Mr. Pace is not in compliance with the terms and conditions of his Order.**

Dale Hullinger,  
Probation Interview:

Ms. Jeffries conducted the interview. Mr. Hullinger reported his sobriety date is July 24, 2007. He indicated he has no thoughts of relapse. Mr. Hullinger

reported he has been working at Sandy Regional since May 2, 2008. However, he has not submitted an employer report or any other paper work. He has not been calling CVI and missed urine screens. Committee members indicated he needs to decide whether or not to surrender his license or come into compliance with the Order. If he does not come into compliance with the Order the Board will refer him for an Order to Show Cause Hearing. **Mr. Hullinger is out of compliance with his order for not submitting the required reports, not calling CVI and missing urine screens.**

Kelli Northern,  
Annual Interview:

Ms. Brown conducted the interview. Ms. Northern reported she had been sober since 2004. She stated she has no thoughts of relapse and has not relapsed. **Ms. Northern is current on all reports and appears to be in compliance with the terms and conditions of her Order.**

Keith Moslak,  
Annual Interview:

Ms. Schilleman conducted the interview. Mr. Moslak stated he has been sober since May 17, 2006. He indicated he attends 12-step and PIR meetings. He stated he does not feel AA meetings are as helpful as the PIR meetings. He stated he has a sponsor, but never calls him. He stated he does not have any family support and only stays sober to keep his livelihood. **Mr. Moslak is in compliance with the terms and conditions of his Order.**

Erin Crockett,  
New Order:

Ms. Kirby conducted the interview. Ms. Crockett explained the circumstances that brought her before the Board. She indicated she has been sober since December 20, 2007. She stated she has a limited income and can not afford to sign up with CVI. She questioned whether or not she could wait until her suspension is over before signing up with CVI? She was told to sign up with CVI immediately and to make appointment for the evaluation within the next week. Ms. Crockett was told she could not work in a home health care agency. She also requested additional time to get the evaluations completed. Ms. Crockett questioned whether or not she could work for a Home Health Care doing intake once her suspension is lifted. She stated she would have no contact with patients or with medications. **Ms. Crockett is in compliance with the terms and conditions of her Order.**

Joleen Gubler:

Mr. Killpack conducted the interview. Ms. Gubler met with the Board to explain her relapse. She indicated she is taking additional steps now so that it does not happen again. She has had three dilute urine screens during the past several months and she stated she drinks a lot of water and is surprised that all the urine screens are not dilute. She stated her sober date was July 10, 2004 when she took her husband's Tramadol. She stated she has not taken anything since that day. **Ms. Gubler is out of compliance with the terms and conditions of her Order due to the relapse.**

Reconvened to Full Board at 12:35 p.m.:

Britney Harvey,  
Request for re-licensure:

Ms. Harvey submitted a current substance abuse evaluation as directed by the Board last month. The evaluator reported Ms. Harvey does not have a problem with alcohol. Ms. Harvey reported the last time she drank was June 9, 2008. Ms. Jeffries made a Motion to issue the license on a 5 year probation with the standard terms and conditions and allow her to work in the office of the home health care agency where she is currently employed, but she can not do home visits. Ms. Brown seconded the Motion. All Board members in favor.

Report from Probation Peer Groups:

Christine Amos: Ms. Amos requested termination of probation. Committee members stated she is in a good place, but it has been found that the fourth year is when the second most common time when relapses occur. Committee members recommend denial of the request. All Board members in favor.

Dale Hullinger: Mr. Hullinger is out of compliance with his Order. He has a new employer and has not submitted paperwork from that employer indicating the employer is aware of the Stipulation and Order. Mr. Hullinger has a casual attitude of the process and Committee members had informed him he needs to have all the paperwork in by the end of today. If the paperwork does not come in, refer him for an Order to Show Cause Hearing. All Board members in favor.

Steve Stewart, request for early termination of probation:

Mr. Stewart's therapist submitted a letter indicating he feels therapy is no longer necessary and questioned the

Board where they would like him to go from here?  
Board members recommend that Mr. Stewart return to the original evaluator and have him/her make a recommendation.

Vai Mackay Panter, request to attend 12-step meetings in lieu of PIR meetings:

Ms. Forster Burke made a Motion to allow Ms. Panter to attend 12-step meetings in lieu of PIR meetings. She must attend at least four 12-step meetings per month. Mr. Killpack seconded the Motion. All Board members in favor.

Ms. Panter also requested she be allowed to work at the new Bonneville dialysis center as charge nurse without the on-site supervision of an RN or physician licensed in good standing. Ms. Forster-Burke made a Motion to allow Ms. Panter to work at the Bonneville Dialysis center without the on-site supervision of an RN or physician but the dialysis technician (or unlicensed individual) working at Bonneville Dialysis must be informed in writing that questionable behavior must be reported to the director of nursing immediately. Ms. Jeffries seconded the Motion. All Board members in favor.

Dustin Jasmer,  
Request to be allowed to phone in prescriptions:

Ms. Jeffries made a Motion to amend the Order to allow Mr. Jasmer to call in prescriptions. Ms. Brown seconded the Motion. All Board members in favor.

Kaylynn Thompson,  
Request for termination of suspension:

Ms. Thompson again requested her suspension be lifted. She missed a urine screen on June 11, 2008 and remains out of compliance with the terms and conditions of her Order. She has found a new therapist and the therapist indicated she is in the early stage of treatment and he is in the process of constructing a treatment plan. Ms. Jeffries made a Motion to table her request until she has had enough time with the new therapist for the therapist to make a recommendation to the Board on whether or not she is safe to practice. Ms. Kirby seconded the Motion. Ms. Forster-Burke abstained. All other Board members in favor.

Judy Teerlink,  
Request to approve the facility administrator as her supervisor in lieu of an RN or physician:

Dr. Williams made a Motion to approve the request and allow the facility administrator to supervise Ms. Teerlink and to provide employer reports. Mr. Killpack seconded the Motion. All Board members in

favor.

Rules:

Ms. Poe indicated she received Rules comments regarding the APRN intern license and a request to extend the intern license from 90 days to 180 days so that the individual can take a review course. Ms. Poe indicated the APRN can sit for the exam at any time, but she has no problems with extending the intern license. Board members agreed. Ms. Poe indicated the rules hearing could go ahead, and then if adopted, the change could be made at a later date and then file a new rule change. The next comment was regarding offering temporary licenses for graduates of out of state programs. Board members stated not to offer the temporary license to out of state graduates because we do not know what the educational program is like. Some programs may not have any clinical hours.

Ms. Poe also indicated in the education program rules we gave the faculty three years to meet the requirements, but did not give the administrator of the program any time. Board members indicated it would fine to add that an administrator currently in the position will have three years to meet the requirements.

The other concern was to add 900 clock hours in the definition of an academic or calendar year.

Adjourned to Rules Hearing at 1:00 p.m.

Rules Hearing was held.

Rules discussion:

Most comments were in regard to the Medication Aide-Certified section.

The suggestions were as follows. 40 hours of clinical experience with one-on-one training with a med nurse in a clinical facility, with general supervision by the training program's clinical instructor at a ratio of 1 to 8. Supervision would be one nurse to 2 MA-Cs in facilities requiring 24 hour nursing service and a 1:4 ratio for facilities not required to have 24 hour nursing services. Allow the LPN to teach in the didactic portion of the MA-C program. Provide a definition of supervision of the MA-C.

Ms. Poe indicated the changes will be made and presented to the Board next month for review.

Education Committee Report:

Ms. Forster-Burke indicated Utah Career College continues with a low pass rate on the NCLEX exam. She indicated Ameritech College will be placed on a Memorandum of Understanding. Education Affiliates submitted intent to begin a new program, which will be further discussed in August.

*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.*

August 14, 2008  
Date Approved

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

August 14, 2008  
Date Approved

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