

MINUTES

**UTAH
BOARD OF NURSING**

November 13, 2008

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

CONVENED: 9:00 a.m.

ADJOURNED: 1:18 p.m.

Bureau Manager:

Laura Poe

Secretary:

Shirlene Kimball

Conducting:

Joel Allred

Board Members Present:

Peggy Brown
Diane Forster-Burke
Mary Williams
Joel Allred
Debra Schilleman
Pamela Rice
John Killpack
Barbara Jeffries
Laurie Simonsen
Susan Kirby

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

October 9, 2008 minutes:

The minutes were tabled until next month.

NEW BUSINESS:

Ronda Trujillo, Compliance report:

Ms. Trujillo reported the following individuals are in compliance with their Orders: Betty Long, Glenda Salas, Jeffrey Swyers and Kathleen King.

Ms. Trujillo reported the following individuals are out of compliance: Karen Chlarson, Lori Niven, Luisa Lyman, Stacy Roberts, Rhandi Robertson, Karen Baker, Desirae Larson, Tyler Miller, Michelle Peterson, Erin Crocket, Britney Harvey and Traci Johnson.

Group One

Secretary: Shirlene Kimball

Members present: Mr. Allred, Mr. Killpack, Dr. Williams and Ms. Forster-Burke.

Jason VanDaam,
New Order:

Ms. Forster-Burke conducted the interview. Mr. VanDaam explained the circumstances that brought him before the Board. Mr. VanDaam indicated his drug of choice was alcohol and he has now been sober 74 days. He indicated he completed treatment at Positive Adjustments. He indicated Positive Adjustments is willing to allow him to complete one year of aftercare. Mr. VanDaam indicated he completed the substance abuse evaluation through Positive Adjustments and he requested this evaluation be considered for both the substance abuse and psychological evaluations. Committee members indicated the evaluator is a licensed substance abuse counselor and the evaluation would not be accepted for the psychological evaluation. Mr. VanDaam indicated he is moving to the Ogden area and will contact the Board with a new address. Committee members gave him permission to wait until next week after he moves to sign up with CVI; however he must sign up with CVI within the next week. Mr. VanDaam stated he is not taking any medications not lawfully prescribed for him. He stated he does not have a primary prescribing practitioner or pharmacy, but will call once he has found a practitioner. Mr. VanDaam stated he is not currently employed and is concerned with the cost of the urine screens. Committee members stated they understand the financial difficulties, but the Board needs to protect the public and he will need to comply with the terms and conditions of his Order if he wants to keep his license. He stated he attends three meetings per week, but has not yet attended PIR meetings. He stated he is taking one day at a time and feels he would have to make a conscious decision to drink at this point. **Mr. VanDaam is out of compliance with the terms and conditions of his Order. Committee members indicated he needs to sign up with CVI, set up a payment plan for his fine, complete the psychological and physical evaluations and find employment in nursing.**

Tyson Dawson,
Probation Interview:

Dr. Williams conducted the interview. Mr. Dawson stated he continues to work at Salt Lake Regional Medical Center and is going to school to become a psychiatric nurse practitioner. He has completed the nursing ethics course and submitted all paperwork.

Mr. Dawson questioned whether or not he could request early termination of probation. He stated he will graduate in May and would like a clear license to apply for the certification exam. He has been in complete compliance and all his reports have been good. Mr. Allred suggested Mr. Dawson put his request in writing and indicate the progress he has made and what he has learned. **Mr. Dawson is in compliance with all terms and conditions of his Order.**

Karen Carter,
Board request:

Mr. Allred conducted the interview. Ms. Carter indicated her husband had a heart attack last night and she has been at the hospital most of the night. Ms. Carter met with the Committee to explain why she went to Bloomquist and Hale for her stress management evaluation. She indicated last time she met with the Board she had no insurance and was told by Board members she could go to an employee assistance program. Committee members indicated the concern is the original evaluator indicated she needed stress management therapy and the employee assistance program evaluators are indicating she does not need stress management based on her response to them that she does not have any stress. Ms. Carter stated her stress has been alleviated and she feels she has no need for stress management therapy. Mr. Allred indicated she needs to find an evaluator and call the Division to find out if the evaluator is approved, or the Division can send her a list of approved therapists. Committee members indicated she will need to have the evaluation provided by an approved evaluator. **Ms. Carter is out of compliance with the terms and conditions of her Order.**

Kathleen King,
New Order:

Ms. Schilleman conducted the interview. Ms. King stated she understands the terms and conditions of the Memorandum of Understanding. Ms. King explained the circumstances that brought her before the Board. She stated she is not currently employed. Ms. King indicated her prescribing practitioner is a physician assistant in a medical group and she questioned whether or not she could receive prescriptions from any of the providers in the group. Committee members indicated she must have only one prescribing practitioner. She reported her original sobriety date was August 2, 2005, and then she messed up after 3

years of sobriety for a period of 6 months. She reported her new sobriety date is February 22, 2007. She stated she understands she must abstain from alcohol. She stated she has no thoughts of relapse and has not relapsed. She indicated she is attending 12-step meetings and is working on step 2. She stated she needs to find a sponsor and has not yet attended PIR meetings. She stated she is not taking any medications not lawfully prescribed for her. She indicated she deals with stressors by reading and cleaning. She questioned whether or not her probation could be terminated early. Committee members indicated she can request early termination, but she needs to establish a track record of compliance for a period of time. **Ms. King is not in compliance with the terms and conditions of her Order.**

Glenda Salas,
Annual Interview:

Ms. Salas was excused and will be scheduled next month. **Ms. Salas is in compliance with the terms and conditions of her Order.**

Bambi Koeller,
Board request:

Ms. Koeller did not appear for her scheduled interview. **Ms. Koeller is out of compliance with the terms and conditions of her Order and will be scheduled for next month.**

Group Two
Minute taker: Laura Poe

Members present: Ms. Jeffries, Ms. Schilleman, Ms. Brown, Ms. Simonsen, Ms. Rice and Ms. Kirby.

Ann Rooney,
Annual Interview:

Ms. Rooney did not appear for her scheduled interview. **Ms. Rooney is out of compliance with the terms and conditions of her Order and will be scheduled to meet with the Board next month.**

Dorothy Evans,
Annual Interview:

Ms. Evans was unable to meet with the Board and will be scheduled to meet with the Board next month. **Ms. Evans is in compliance with the terms and conditions of her Order.**

Nora Mitchell,
Annual Interview:

Ms. Mitchell met with the Committee and was interviewed by Ms. Rice. Ms. Mitchell has not completed her criminal probation because she has not completed the community service. She reported she has physical issues and is limited to the activities she can do. Ms. Mitchell is no longer seeing a probation officer. She reported she currently works at Willow Wood Care Center and enjoys her job. She will send

in employer reports and self assessment monthly for four more months. The Committee will not require the probation officer report. **Ms. Mitchell appears to be in compliance with the terms and conditions of her Order.**

Karen Christiansen,
Board request:

Ms. Christiansen did not appear for her scheduled interview. **Ms. Christiansen is out of compliance with the terms and conditions of her Order and will be scheduled for next month.**

Janet Wells,
New Order:

Ms. Wells met with the Committee and was interviewed by Ms. Brown. She explained to the Committee the events that led up to her probation. Ms. Wells currently works for a temporary agency approved in the Stipulation. Ms. Wells indicated she understands the terms and conditions of her Order. **Ms. Wells is in compliance with the terms and conditions of the Order.**

Michelle Jensen,
New Order:

Ms. Jensen met with the Committee and was interviewed by Mr. Killpack. She stated she understands the terms and conditions of her Order and Committee members answered her questions. Ms. Jensen is currently not working as a nurse. **Ms. Jensen is in compliance with the terms and conditions of her Order.**

Reconvened to full Board at 11:00 a.m.

Sandy Piatt,
Re-licensure request:

Ms. Piatt met with the Board to request re-licensure as an RN. Ms. Piatt was initially placed on probation in 1984 for a controlled substance violation; in 1997 for diverting controlled substances; and in 2003 for controlled substance addiction. On January 3, 2005 she surrendered her license admitting to abusing controlled substances and having a difficult time remaining in compliance with the terms and conditions of her Order. The surrender document indicated that Ms. Piatt could not reapply for licensure for three years and she must document one year sobriety prior to making application for licensure. Ms. Piatt submitted her application, a current substance evaluation and indicated she has been clean since December 27, 2004. Ms. Piatt stated she has received counseling from A&D Psychotherapy since April

2004. She indicated she attends 12-Step meetings, has a sponsor, and has completed 30 hours of continuing education. Ms. Piatt stated that when she surrendered her license she was not sure if she wanted it back. However, she indicated she misses having the license and the sense of entitlement. She stated she has a new appreciation for things in life and for her family. Ms. Piatt indicated she is not looking to step back to a setting where drugs are available. Board members questioned whether or not she has completed a treatment program after the surrender of her license? Ms. Piatt stated she did not complete a formal treatment program after surrendering her license, but has been in treatment and attending aftercare. She stated she would not be able to get into a formal treatment program because she has four years of sobriety. Ms. Piatt indicated she feels she will succeed, she has not had anyone watching her for the last four years and she has been able to maintain sobriety. She indicated she has made an internal decision to change and is in recovery for herself and not for the Board.

Ms. Schilleman made a Motion to grant the license on probation for a period of five years with the standard terms and conditions. She will need to complete a psychological evaluation and follow the recommendations of the evaluator. Ms. Jeffries seconded the Motion. Mr. Killpack and Ms. Forster-Burke abstained. All other Board members in favor of the Motion.

Lunch at 11:20 a.m.
Reconvened to Full Board at 11:47 a.m.

Probation Peer Committee Reports:

Bambi Koeller did not appear for her scheduled interview and will be scheduled for next month.

Karen Carter will be required to see an approved evaluator for her psychological evaluation regarding stress management.

Ann Rooney did not appear for her scheduled interview and will be scheduled for next month.

Dorothy Evans will be scheduled for next month.

Karen Christiansen did not appear for her scheduled interview and will be scheduled for next month.

Modification requests:

Rocky Frits is requesting his therapy requirement be terminated. Ms. Forster-Burke made a Motion based on the recommendation from the therapist to terminate the therapy requirement. Ms. Brown seconded the Motion. All Board members in favor.

Jeff Swyers has completed 4½ years of his 5 year probation and is requesting early termination. Mr. Swyers is in compliance with the terms and conditions of his Order. Ms. Forster-Burke made a Motion to terminate the probation. Ms. Schilleman seconded the Motion. All Board members in favor.

Betty Long requested termination of suspension. She has been compliant since March and completed the requirements of the suspension. Ms. Jeffries made a Motion to terminate suspension and place on probation as outlined in her Order. Ms. Simonsen seconded the Motion. All Board members in favor.

Karen Christiansen has requested she be allowed to have general supervision instead of direct supervision. Mr. Killpack made a Motion to deny her request because she is out of compliance with the terms and conditions of her Order. Ms. Kirby seconded the Motion. All Board members in favor.

Amy Stone requested the urine screen requirement be terminated. She has had positive urine screens for ETG twice, however, she indicated she had been prescribed cough medicine and this may have caused the positive screen. Ms. Poe indicated urine screening is an objective way to determine whether or not an individual is in compliance and it would set precedence if we terminated the urine screen requirement. Ms. Poe indicated the Board could reduce the frequency because the therapist indicates Ms. Stone does not meet the criteria for substance abuse. Ms. Brown made a Motion to deny the request to terminate urine screens given her criminal conviction, however, recommends a decrease in the number of urine screens. Ms. Forster-Burke seconded

the Motion. All Board members in favor.

Lori Niven requested she be allowed to work in home health. Ms. Forster-Burke made a Motion to deny the request based on non-compliance to the terms and conditions of her Order. Ms. Schilleman seconded the Motion. All Board members in favor.

Ann Rooney is requesting early termination of probation. Ms. Schilleman made a Motion to table the request until she meets with the Board. Ms. Brown seconded the Motion. All Board members in favor.

Education Committee report:

Ms. Forster-Burke reported Traci Hardell, Stevens Henager College, met with the committee to clarify graduation cycles and to request the program be allowed to increase the number of students accepted. The Education Committee approved the request.

Katherine Dimmock, Ameritech College met with the Committee to discuss the program's pass rates. The pass rates are still down and they will be issued a Memorandum of Understanding, which will outline the process they need to complete.

Mountainland and Utah Career College submitted written reports and both programs appear to be doing well.

There was a visitor from Everest College who is looking at completing a feasibility study to open a BSN nursing program. The program is CCNE approved, but not approved by an accrediting body that is listed in rules. The Education Committee made a Motion to accept any regional or national accreditation from an organization authorized by the U.S. Department of Education and recognized by CCNE, NLNAC or COA. All Board members in favor.

Report from NCSBN Uniform Core Licensure Requirements:

Dr. Williams, Ms. Forster-Burke and Ms. Brown reported on the NCSBN Uniform Core Licensure Requirement Conference held in Chicago. The focus of the meeting was to look at how similar and dissimilar licensure requirements are and to determine what the current core requirements should be. Dr.

Williams reported there was a lot of discussion on LPN equivalency and whether or not these individuals practice beyond the LPN scope of practice. The other major discussion was background checks. Dr. Williams indicated there was also discussion regarding equivalency for generic masters programs. Dr. Williams stated the problem is with schools that don't give bachelors degree and go straight to the masters program.

Ms. Poe questioned what the next step would be. Do we look at the changes that we feel are best for Utah, or will NCSBN be establishing a task force to study the issues? Dr. Williams indicated both. Ms. Poe indicated that for future agenda items, the Education Committee can look at core requirements and make recommendations to the full Board. Dr. Williams indicated she would like to see the direction the NCSBN is going.

Medication Administration in Schools:

Ms. Poe reported the schools are being asked to administer additional medications for seizures, one is inhaled versed and another is a medication that is administered rectally. The schools are being asked to have a non health care person determine what to do for the seizure, the type of seizure, etc. Ms. Poe questioned whether or not the rules need to address whether certain routes are not acceptable for medication administration in schools. Ms. Poe suggested the wording be generic to keep individuals from coming back and requesting they be allowed to do this in the school setting. The Board needs to examine the effects of the drugs and routes of administration for safety.

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.

December 11, 2008
Date Approved

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

December 11, 2008
Date Approved

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