

MINUTES

**UTAH
BOARD OF NURSING**

March 12, 2009

**Room 474 – 4th Floor –10:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 10:35 a.m.

ADJOURNED: 2:01 p.m.

**Bureau Manager:
Secretary:**

Laura Poe
Amber Cooper

Division Staff:

Connie Call, Compliance Officer

Conducting:

Debra Schilleman

Board Members Present:

Peggy Brown
Diane Forster-Burke
Mary Williams
Joel Allred
Marie Partridge
Barbara Jeffries
Laurie Simonson
Susan Kirby

Members Excused:

John Killpack
Pam Rice

Guests:

Troy Cady

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

February 12, 2009 minutes:

The minutes were approved as written.
All Board Members in favor.

NEW BUSINESS:

Connie Call, Compliance Report:

Ms. Call reported the following individuals were out of compliance with the terms and conditions of their Orders: Karen Carter, Kaylyn Thompson, Michele Peterson, Rachel Lucia, Steven Booth, Teresa Williams, Troy Thorum, Tyler Miller, Stacie Powell, Carolyn Watterson, Heather Deering, Nora Mitchell, Jason VanDaam, Traci Johnson, Terri Judd, Sandra

Piatt and Theresa Brewer.

Divided into groups at 10:50 a.m.

Group 1
Marie Partridge conducting
Amber Cooper Secretary
Convene 11:00

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

Linda Killian
New Order:

Ms. Forster-Burke conducted the interview. Ms. Killian explained the circumstances that brought her before the Committee. Ms. Killian stated she is not currently taking any medications not lawfully prescribed for her. Ms. Killian questioned whether or not she could work more than 48 hours per week. She stated it was up to her to support her family. Ms. Forster-Burke indicated that working more than 48 hours a week would be more stressful for her. Mr. Allred informed her if she follows the terms and conditions of the Order and remains in compliance for a period of time, the Board could consider removing the restriction. Mr. Allred asked if she understands the terms and conditions of the Order. Ms. Killian stated yes. She indicated she has been sober for 2 years. **Ms. Killian is in compliance with terms and conditions of her Order.**

Troy Cady
New Order:

Ms. Williams conducted the interview. Mr. Cady explained the circumstances that brought him to the Committee. Mr. Cady explained he has completed a 6 month aftercare program and requested the aftercare requirement be terminated. Dr. Williams informed him that the Board will discuss his request. He stated he understands the terms and conditions of the Order. He informed the Board he does not have a primary prescribing practitioner. He submitted the name of the pharmacy he will use. He has been sober for 1 year and 9 months. He stated he is not taking any street drugs or medications not lawfully prescribed for him. He is currently not employed. **Mr. Cady is in compliance with terms and conditions of his Order.**

Michael Scott Green
New Order:

Ms. Partridge conducted the interview. Mr. Green explained the circumstances that brought him before the Committee. He affirmed he understands the terms and conditions of his Order. He is working, but not in

the nursing field. Mr. Green will provide copies of court documents when he receives them. He will set up a payment plan for his fine with the Division. **Mr. Green is in compliance with the terms and conditions of his Order.**

Karen Baker
New Order:

Excused and rescheduled for April.

Kim Baker
Questions regarding MOU:

Ms. Baker explained she has been sober for 2 1/2 years without any programs other than attending AL-ANON and AA groups. Before she signs her MOU and Order she questioned if changes could be made to some of terms and conditions. Ms. Forster-Burke explained if she follows the terms and conditions of the Order as written and remains in compliance for a period of time the Board will look at amending the Order. She signed and turned in the MOU.

Group 2
Barbara Jeffries conducting
Connie Call Minute taker

Members present: Ms. Jefferies, Ms. Kirby, Ms. Brown, Ms. Simonson and Ms. Schilleman.

Guests:

Karen Manning attended with Theresa Brewer

Theresa Brewer
New Order:

Ms. Brown conducted the interview. Ms. Brewer explained the circumstances that brought her before the Committee. She questioned if she will need to complete another evaluation by Dr. Brunson or can she use Four Corners Mental Health. Ms. Poe explained she needs to complete the psychological and chemical evaluations with Dr. Brunson. Ms. Brewer stated she will call Dr. Brunson to set up an appointment. She requested access to controlled substances be restored. She also requested her supervision be changed to a licensed nurse or physician instead of only a Registered Nurse or physician. She was informed she missed a urine screen on February 6, 2009 and additional tests will be scheduled. Her sobriety date is August 2, 2006 and she stated she has no thoughts of relapse. **She is non-compliant because she has not obtained the required evaluations. Committee members will recommend she be given access to narcotics and supervision by a licensed nurse or physician in**

Gaylynn Pope
New Order:

good standing with DOPL.

Ms. Jeffries conducted the interview. Ms. Poe explained the circumstances that brought Ms. Pope before the Committee. Ms. Poe asked her what changes she has made and how will this time be different from the last Order. Ms. Pope stated she reached bottom and realizes drinking is not an option. Her nursing career is very important to her and she doesn't want to lose her license. She reported her sobriety date is Sept 8, 2007. She has no thoughts of relapse. She attends 3 AA meetings a week and contacts her sponsor at least once a week. She requested the narcotic restriction be lifted. She was told her request would be taken to the full board. Committee members will recommend the narcotic restriction be lifted. **Ms. Pope is in compliance with the terms and conditions of her Order.**

Larry Scott Carter

Mr. Carter did not appear for his scheduled interview and is **out of compliance with the terms and conditions of his Order.**

Adjourned to Lunch at 12:04 p.m.
Reconvened Full Board meeting at 12:43 p.m.

Action from the Probation Peer Review
Committee:

Troy Cady requested termination of after care. All Board members in favor.

Kim Baker signed her Order. Committee members recommended her request to attend AL-ANON in lieu of 12 step meetings be denied on the basis that she needs to focus on her recovery. All Board members in favor.

Theresa Brewer requested access to controlled substances, and supervision by a licensed nurse or physician. All Board members in favor of both requests.

Gaylynn Pope requested access to controlled substances, and termination of therapy. Mr. Allred opposed requests, all other Board members in favor of both.

Helen Gillit

Ms. Gillit requested termination of suspension. She

Interview:

stated she has completed 5 months of inpatient and outpatient treatment. She has been sober since March 5, 2008. She also requested to be monitored in Idaho. She has contacted the Idaho board and handed in documents regarding that contact. Ms. Brown made the motion to lift suspension and place on probation with the terms and conditions of the Order. Ms. Forster-Burke seconded the motion. All Board members in favor. Ms. Kirby made a motion to work with the Idaho Board to monitor her probation. Mr. Allred seconded the motion. All Board members in favor. Ms. Poe will contact the Idaho Board.

M. Kay Tate
Interview:

Ms. Poe gave background information. Ms. Tate stated she has been sober since December 2007. Board members questioned what changes she has made. She stated she attends AA meetings three times a week, works out at the gym and teaches Sunday school. Ms. Brown made a motion to place her license on 5 year probation with standard terms, except allow access to controlled substances and calling in prescriptions. Ms. Williams seconded the motion. All Board members in favor.

Brittany Harvey
Request for access to controlled substances
and to be allowed to call in prescriptions.

Ms. Harvey is requesting access to controlled substances and to be allowed to call in prescriptions. Her supervisor stated she does not make home visits because she works in the office. Ms. Forster-Burke made a motion to allow her to call in medications. Mr. Allred seconded the motion. All Board members in favor. Ms. Forster-Burke moved to deny her request for access to controlled substances. Stating that she needs to be monitored for a longer period of time. Mr. Allred seconded the motion. All Board members in favor.

Lori Niven
Request:

Ms. Niven requested she be allowed to use 2 pharmacies. Ms. Jeffries made a motion to approve the request. Ms. Kirby seconded the motion. All Board members in favor.

Scott Carter
Request:

Mr. Carter requested he be allowed to work in an assisted living facility. Ms. Brown moved to deny the request based on the following; he just signed his Order; there is no supervision in that type of facility; and he failed to appear for his interview. Ms. Forster-

Burke seconded the motion. All Board members in favor.

Susan Barrus
Request:

Ms. Barrus requested termination of probation. Ms. Jeffries moved to deny the request because it is too soon and she needs to finish 2 years of probation. Ms. Brown seconded the motion. All Board members in favor.

Karen Carter
Request:

Ms. Carter requested termination of probation. She had a rocky start and has had eight noncompliance letters. Mr. Allred made a motion to deny the request based on noncompliance to the terms and conditions of the Order and the length of time she has been on probation. Ms. Jeffries seconded the motion. All Board members in favor.

Jennifer Budge
Request:

Ms. Budge submitted a re-licensure application which had been tabled until letters were received from a psychologist and physician. The letters have been received and both practitioners feel it is safe for her to have her license returned. Ms. Simonson made a motion to approve 5 year probation with standard terms and conditions. Ms. Partridge seconded the motion. All Board members in favor.

Environmental Scan:

Ms. Poe reported the Anesthesia Assistant bill did not pass. Many State Boards are cutting services because of budget restrictions. Ms. Brown passed out a copy of the article "Who's Watching" from The American Journal of Nursing.

Education Committee report:

Ms. Forster-Burke reported Stevens Henager College just finished their NLNAC site visit. The NLNAC site visitors made several recommendations and gave the program an overall grade of C. However, the site visitors are recommending initial accreditation of the program.

DOPL Practice Plan
Guidelines:

Mr. Allred made a motion to accept the Practice Plan Guidelines. Ms. Partridge seconded the motion. Ms. Foster-Burke abstained. All other Board members in favor.

Rules:

May 1, 2009 Temporary LPN and RN licenses will no longer be available.

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.

April 9, 2009
Date Approved

(ss) Debra Schilleman
Debra Schilleman, Chair Board of Nursing

April 9, 2009
Date Approved

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