

**MINUTES**

**UTAH  
BOARD OF NURSING**

**July 9, 2009**

**Room 474 – 4<sup>th</sup> Floor – 9:15 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:18 a.m.

**ADJOURNED:** 1:51 p.m.

**Bureau Manager:**  
**Secretary:**  
**Division Director:**

Laura Poe  
Shirlene Kimball  
Mark B. Steinagel

**Conducting:**

Debra Schilleman

**Board Members Present:**

Peggy Brown  
Mary Williams  
Joel Allred  
Marie Partridge  
Laurie Simonson  
Sue Kirby  
Barbara Jeffries

**Board Members Excused:**

Diane Forster-Burke  
Pam Rice  
John Killpack

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

June 11, 2009 Board minutes:

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

**NEW BUSINESS:**

Introduction of Mark B. Steinagel,  
Division Director:

Mr. Steinagel has been appointed as the new Division Director. Mr. Steinagel presented a brief history and was welcomed by Board members.

Report from Education Committee:

Dr. Williams reported on actions from the Education Committee. Dr. Williams reported Everest College letter of intent to begin a BSN program was accepted by the Education Committee. Committee members recommend Everest College move forward to begin the BSN program in 2010 with a cohort of no more

than 20 students. All Board members in favor.

Dr. Williams reported a site visit was conducted to the University of Southern Nevada – South Jordan campus. Dr. Williams reported the program meets the criteria outlined in Rule. Committee members recommend the program be granted provisional approval pending receipt of clinical placement contracts, rotation times and faculty vita. This information must be received by November 1, 2009 and will be reviewed at the November Education Committee meeting. All Board members in favor.

Dr. Williams reported the NCLEX monthly pass rates and the written reports for the provisionally approved programs were reviewed.

Connie Call,  
Compliance report:

Ms. Call reported the following individuals were in compliance with the terms and conditions of their Order: Kate Alleman; Christine Amos; Susan Barrus; Andrew Decker; Mark Dudley; Jennifer Eva; Susan Merryweather; Keith Moslak; Brent Pace; Michelle Peterson; Chris Singer; Marsha Taylor; Judy Teerlink; Kent Wilkinson; Rhandi Robertson; Kathleen King; Dee Ann Taylor; Michael Gearheart; Theresa Brewer; Troy Cady; Linda Killian; Kim Baker; Gaylynn Pope; Kay Tate and Amy Dansie.

Ms. Call reported the following individuals were out of compliance with the terms and conditions of their Order: Steven Booth; Karen Christiansen; Erin Crockett; Dale Hullinger; Kimberli Johnson; Bambi Koeller; Michelle Larson; Sherry Mack; Angie Mangelson; Nora Mitchell; Amy Stone; Nancy Whittemore; Jason VanDaam; Pamela Sinnett; Fyodor Emelyantsev and Sandy Piatt.

Ms. Call reported Dale Hullinger has never been compliant due to late paperwork. Board members recommend he be scheduled to meet with the Board next month to determine whether or not to refer him for an Order to Show Cause Hearing.

Ms. Call reported Kimberli Johnson called and reported a relapse. She has been in compliance with the terms and conditions of her Order and Board

members would like to meet with her to help her refocus on her recovery. She will be scheduled to meet with the Board next month.

Ms. Call reported Bambi Koeller missed calling into CVI and continues to be out of compliance with the terms and conditions of her Order. Dr. Williams made a Motion to refer Ms. Koeller for an Order to Show Cause Hearing based on a pattern of non compliance. Ms. Partridge seconded the Motion. All Board members in favor.

Ms. Call reported Ms. Mack has not submitted any paperwork since October and has missed calling CVI 25 times. Ms. Call explained that Ms. Mack is not working and has numerous health problems. Ms. Mack was granted an exception that she would not have to appear for urine screens as long as she called the Division and requested she be excused. She was informed she still needed to call CVI every day. Ms. Brown made a Motion to offer Ms. Mack an indefinite suspension or to surrender her license and have Division staff meet with her to explain her options. If Ms. Mack chooses to continue on probation without surrendering the license or accepting an indefinite suspension, she will be referred for an Order to Show Cause Hearing due to non-compliance to the terms and conditions of her Order. Ms. Jeffries seconded the Motion. All Board members in favor.

Divided into Groups at 10:03 a.m.

Group 1  
Conducting: Marie Partridge  
Secretary: Shirlene Kimball

Members present: Dr. Williams, Ms. Partridge and Mr. Allred.

Keith Moslak,  
Annual Interview:

Mr. Allred conducted the interview. Mr. Allred questioned Mr. Moslak regarding the report from the lab indicating his urine screen was unobserved and the lab had discarded the sample. Mr. Moslak reported he did not go to his usual lab and the individual at the lab was busy and in a hurry and was rushing him to give the specimen. Mr. Moslak indicated he has always had a shy bladder and normally has a difficult time giving a urine sample. The lab where he normally goes works with him and allows him time to give the

urine sample. He stated he requested a refund from the lab and then went to the lab where he normally goes. He stated he was able to give a urine sample at that time. Mr. Moslak stated he is attending support group meetings and enjoys the PIR meetings. However, he indicated his work schedule sometimes conflicts with the PIR meeting schedule. Committee members indicated they will recommend he be allowed to attend 4 support group meetings per month.

He stated his stressors are work. He indicated there are a lot of new graduates and LPNs at his work and there is a high turn over rate. Mr. Allred questioned how he deals with his frustrations. Mr. Moslak stated his temper is getting shorter; he internalizes and bites his tongue a lot. However, he does not think he will be able to find a different position while his license is on probation. He indicated he is applying to the Nurse Practitioner program at the University of Utah and will retake statistics while on probation, then once off probation he will enter the NP program. He reported his sobriety date is May 17, 2006. He stated he has no cravings, but once in a while he thinks about having a beer with dinner, but realizes the path that would take him down. He stated he has not relapsed. He stated he does not have a support system, but has a 12-step sponsor whom he speaks with weekly. He indicated he is looking at becoming certified as an Emergency Nurse. **Mr. Moslak is in compliance with the terms and conditions of his order.**

Christine Amos Pounds,  
Annual Interview:

Ms. Partridge conducted the interview. Ms. Pounds stated her job is going well, she is happy and feels she is in a good place. She is requesting early termination of probation. She reported her sobriety date is July 28, 2004. She stated she has no thoughts of relapse and has not relapsed. She indicated she will continue with her 12-step program after her probation is terminated and will continue in the same job. She stated she is not taking any medications not lawfully prescribed for her. She reported her only stressor is when she has to meet with the Board. She stated she has worked very hard to remain in compliance and she likes who she is now. **Ms. Pounds is in compliance with the terms and conditions of her Order and Committee members will recommend that her probation be**

Kate Alleman,  
Annual Interview:

**terminated.**

Dr. Williams conducted the interview. Ms. Alleman indicated she has looked for a nursing position, but because of the probation she has been unable to find nursing employment. She indicated her last working date as a nurse was June 12, 2006. She has not completed the continuing education requirement and was given the web site for the National Council of State Boards of Nursing continuing education. She indicated she is very frustrated with her situation. Committee members indicated they would like to see her move forward, find nursing employment and complete the continuing education. **Ms. Alleman is in compliance with the terms and conditions of her Order.**

Mark Dudley,  
Annual Interview:

Mr. Allred conducted the interview. Mr. Dudley reported he has a good support system from family and friends. He stated he has paid his fine in full and has completed the continuing education, He stated he is not taking any medications not lawfully prescribed for him. **Mr. Dudley is in compliance with the terms and conditions of his Order.**

Group 2  
Conducting: Barbara Jeffries  
Minute taker: Connie Call

Members present: Barbara Jeffries, Peggy Brown, Laurie Simonson, Debra Schilleman and Sue Kirby.

Suzanne Irish,  
New Order:

Ms. Irish is currently in an inpatient treatment program and unable to attend this meeting. She will be scheduled for next month.

Susan Merryweather,  
Annual Interview:

Ms. Brown conducted the interview. Ms. Merryweather stated she has not been able to find employment. She reported she has been clean and sober for 8 years. Committee members will recommend her Order be amended to allow her to call in prescriptions and to terminate supervision. She will still be required to submit employer evaluations. **Ms. Merryweather is in compliance with the terms and conditions of her Order.**

Stacy Roberts,  
Board Request:

Ms. Simonson conducted the interview. Ms. Roberts was questioned why she did not notify Ms. Call that her employment was terminated as required in her Order. Ms. Roberts stated she thought the employer

would have notified the Division and did not realize she was also required to notify the Division. She was reminded she needs to get her paperwork in by the first day of the month. **Ms. Roberts is out of compliance with the terms and conditions of her Order.**

Brent Pace,  
Annual Interview:

Ms. Jeffries conducted the interview. Mr. Pace reported his sobriety date is June 1, 2008. He reported he has a sponsor and speaks with the sponsor every couple of days. Mr. Pace requested that his access to controlled substances be returned. Committee members will recommend that access to controlled substances be returned. **Mr. Pace is in compliance with the terms and conditions of his Order.**

Reconvened to full Board at 11:09 a.m.

Lori Laird,  
Re-licensure Request:

Ms. Laird met with the Board to request reinstatement of her license. Her license expired 1/31/2007. She has a criminal history and currently has a felony for retail theft. She has indicated that the felony may be reduced to a Class A misdemeanor. She stated she has completed an evaluation, is currently working on continuing education and reported she has been sober since August 2007. She stated she has a history of substance abuse and has had nine arrests since 2002. She indicated in 2006 she went to jail for retail theft to help supply her drug habit. At that time she stated she was taking up to 30 Lortab per day. She stated she went to Jail in 2007 in Utah County for 72 days, and then was sent to the Utah State Prison for 6 months. She stated she entered the DORA program, went into aftercare and is currently on parole with AP&P. She indicated she was drug screened thru DORA and her last drug screen was February 2009. She submitted a letter from her parole officer indicating she will be through with probation once she has paid the \$130.00 fine. She indicated she last worked as a nurse in 2006. Mr. Allred questioned why the Board should return her license and questioned whether or not the public would be safe in her care. Ms. Laird indicated she is stronger now and in a good place and feels she is a safe nurse. She stated she would like to work with the elderly. Mr. Allred stated the elderly population is very vulnerable and she may be in a good place now, but what about in a year or two? Ms. Laird stated she has good morals, good judgment and has safeguards in

place and feels she will remain in a good place. She indicated she is not currently attending any support group meetings, but has completed the 12-step program and finished treatment. Mr. Allred questioned what she is doing to support her sobriety and maintain recovery. She stated she is working and spending time with her family. Ms. Jeffries questioned how she would protect herself if the stressors become overwhelming. She is not attending meetings and does not appear to have support systems in place. Ms. Jeffries stated she would like to see her more in active recovery. Mr. Allred indicated that if she is given the license back, it would be on probation and she would have to attend support group meetings and submit urine screens. Ms. Laird stated she is willing to do whatever is necessary to get the license back. She stated she does not use any substances and does not drink alcohol.

Ms. Poe indicated her license expired just over two years ago; however, she began the process of reapplying before the two year period was up. Ms. Poe indicated she will have to discuss with the AG whether or not the 5 year rule regarding the felony will apply to her case. Ms. Brown stated we need more current urine screens and suggested she contact Ms. Call and sign up with CVI to begin urine screens. Ms. Poe indicated first, she would need to find out if she can even be issued a license. She may not be able to have the license for five years after completion of everything associated with the felony. However, Ms. Laird could contact the courts to find out about reducing the felony to a misdemeanor. If the AG rules she has a property right, she then can call CVI. If not, she will need to wait until the five year period is completed.

Stephanie Thomas,  
Re-licensure Request:

Ms. Thomas met with the Board to explain why she surrendered her license in 2006 and why she is requesting reinstatement. Ms. Thomas reported she had developed an addiction to pain medications, but has made positive changes and has an average of eight urine screens per month. Ms. Call indicated Ms. Thomas signed up with CVI August 2008 and all urine screens have been negative. Karen Smith, president Eagle Gate College, voiced her support of Ms.

Thomas. Ms. Thomas reported her sobriety date is May 7, 2008. She stated she attends NA meetings and has completed eleven hours of continuing education. She reported she still has back pain, but it is controlled with ibuprofen and rehab exercises. Mr. Allred made a Motion that upon completion of the required 30 hours of continuing education; issue a probationary license for 5 years with the standard terms and conditions. Ms. Brown seconded the Motion. All Board members in favor.

Dietrich Quiring,  
Renewal application:

Mr. Quiring submitted a renewal form indicating he had a simple assault charge. He did not respond to the request to meet with the Board and he will be scheduled for next month.

Report from Probation Peer Committee:

Keith Moslak: Committee members recommend approval of his request to allow attendance at 4 support group meetings per month in lieu of attendance at two PIR and two 12-step meeting. All Board members in favor.

Christine Amos Pounds: Committee members recommend approval of her request for early termination of probation. All Board members in favor.

Susan Merryweather: Committee members recommend her request to call in prescriptions be approved. Ms. Simonson opposed. All other Board members in favor. Committee members also recommend her Order be amended to allow for general supervision instead of direct supervision. Ms. Partridge, Mr. Allred, Dr. Williams, Ms. Simonson and Ms. Schilleman opposed. In favor: Ms. Jeffries, Ms. Brown and Ms. Kirby. Recommendation to allow for general supervision failed.

Stacy Roberts: Board members indicated that if Ms. Roberts remains out of compliance she will need to meet with the Board again next month.

Brent Pace: Committee members recommend his access to controlled substances be returned. All Board members in favor.

Rhandi Robertson:

Ms. Robertson requested her suspension be

terminated. Her license has been suspended since September 4, 2007 and she has completed the all evaluations and treatment program. The recent evaluation indicates she is safe to practice. She has been compliant for six continuous months. Dr. Williams made a Motion to lift suspension and place her license on probation with the terms and conditions set forth in the Order. Mr. Allred seconded the Motion. All Board members in favor.

Angie Mangelson:

Ms. Mangelson's therapist indicated therapy goals have been met and therapy is no longer necessary. Ms. Kirby made a Motion to terminate therapy. Ms. Jeffries seconded the Motion. All Board members in favor.

Amy Stone:

Ms. Stone's therapist indicated therapy is complete. However, there was a question regarding the employer report and the Board requested Ms. Call follow up with the employer to clarify the issue regarding an area on the report.

Bambi Koeller:

Ms. Koeller's therapist indicated therapy was complete. Ms. Jeffries made a Motion to terminate therapy. Mr. Allred seconded the Motion. All Board members in favor.

Nora Mitchell:

Ms. Mitchell is requesting early termination of probation. She has been on probation since September 2006 and was placed on a five year probation. She was terminated from employment and did not notify the Division or the Board of the termination. Mr. Allred made a Motion to deny the request because she has not worked in nursing and has not practiced under supervision to determine whether or not she would be safe to practice. Dr. Williams seconded the Motion. All Board members in favor.

Environmental Scan:

Board members indicated they would support the position statements from the Council on Accreditation of Nurse Anesthesia Education Programs (COA) to begin accepting doctoral degrees in 2015 and that after 2022 no masters degrees will be accepted. Ms. Poe will send a letter of support.

September 10, 2009  
Date Approved

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

September 10, 2009  
Date Approved

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