

# MINUTES

## UTAH BOARD OF NURSING

September 10, 2009

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

**CONVENED:** 9:04 a.m.

**ADJOURNED:** 5:07 p.m.

**Bureau Manager:**

Laura Poe

**Secretary:**

Shirlene Kimball

**Compliance Specialist:**

Connie Call

**Division Staff:**

Mitchell Jones, Assistant Attorney General  
Irene Woodford, Investigator

**Conducting:**

Debra Schilleman

**Board Members Present:**

Peggy Brown  
Mary Williams  
Joel Allred  
Marie Partridge  
Laurie Simonson  
Sue Kirby  
Barbara Jeffries  
Diane Forster-Burke  
Pam Rice  
John Killpack

### TOPICS FOR DISCUSSION

### DECISIONS AND RECOMMENDATIONS

#### **ADMINISTRATIVE BUSINESS:**

July 9, 2009 Board minutes:

The minutes were approved as written. Mr. Killpack abstained. All other Board members in favor.

Mitchell Jones, Assistant Attorney General

Mr. Jones introduced himself to Board members. Board members thanked Mr. Jones for meeting with them.

#### **NEW BUSINESS:**

Connie Call,  
Compliance report:

Ms. Call reported the following individuals are out of compliance with the terms and conditions of their Order: Julia Gillingham for late paperwork; Karen Chlarson missed three urine screens and has not submitted any paperwork; Lori Niven has not

submitted a therapist report; Sherry Mack was mailed an indefinite surrender document; Stacy Roberts missed calling CVI and needs to submit a copy of a prescription; Vai Panter missed calling CVI five times and needs to submit copies of prescriptions; Jason VanDaam missed calling CVI eight times; Kathleen King did not submit employer or therapist reports; Kim Baker did not respond to her non-compliance letter but has now submitted all paperwork; Michael Gearheart did not submit the employer report; Pam Sinnett missed calling CVI three times and did not submit employer or therapist report; Sandra Piatt missed two urine screens and needs to submit a copy of a prescription; Steve Booth was late submitting the required paperwork; Terri Judd missed two urine screens and did not submit a therapist, PIR or 12-step report; Donna Cook missed calling CVI five times, missed two urine screens, has not submitted therapist report since March 2009 and did not submit copies of prescriptions received at an emergency room within the 48 hours; Karen Carter needs to submit a copy of her prescription and an employer report; Kaylyn Thompson missed calling, CVI six times, missed four urine screens, did not notify the division she was no longer employed within 10 days and has not submitted a therapist report; Rachel Lucia was sent an indefinite suspension document and is expect to sign the document due to health problems; Rocky Fritts submitted his employer report late; Teresa Whitebread missed calling CVI six times and needs to submit copies of four prescriptions; Teresa Williams missed calling CVI once and needs to submit documentation regarding a controlled substance injection; Tyler Miller needs to submit a copy of a prescription; Veronica Banks has not submitted any documentation and has let her license lapse, she will be scheduled to meet with Ms. Poe and Ms. Call; Randi Robertson missed calling CVI however, her account had been placed on hold for non-payment; Michelle Peterson has not submitted a therapist report and her urine screen was positive for a high level of ETG.

Ms. Call reported the following individuals are in compliance with the terms and conditions of their Orders: Barbara Jolley-Mumm; Betty Long; Britney Harvey; Heather Deering; Tricia Bateman/Schmidt;

Tyson Dawson; Amy Dansie; Dee Ann Taylor; Gaylynn Pope; Kay Tate; Linda Killian; Michelle Jensen; Theresa Brewer; Troy Cady; Anjanette Alleman; Blaine Campbell; Cesar Garcia; Christine Bulloch; Lillian Howell; Robert Adams and Steven Larsen.

Divided into Groups at 10:03 a.m.

Group 1  
Conducting: Marie Partridge  
Secretary: Shirlene Kimball

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

Terri Judd,  
Probation Interview:

Mr. Killpack conducted the interview. Ms. Judd stated she had left Cornerstone Treatment Center upon learning that her son had been in a serious accident in Nevada. She indicated she then relapsed due to the stress created by her son's condition. She indicated when she returned to Utah the only help she could find was the Impact Training Program. Ms. Judd provided information regarding the training program and she questioned whether or not the Board would accept this program in lieu of completion of an intensive inpatient program. She stated she has sponsors who help her pay for the training in exchange she provides gardening and housecleaning services. She stated Impact Training has changed her life, has given her empowerment from the inside and she is committed to her recovery. She stated she attends extra meetings and has a large support system. She indicated she is also working 15 hours per week as a waitress. She stated if her license was taken off suspension and placed on probation, she could find work as an intake nurse and would be more financially secure. Ms. Judd indicated she does not have a credit card and CVI placed her account on hold. She questioned whether or not she could do urine screens through Project Reality. Mr. Killpack stated Project Reality does not test for prescription medications. Ms. Judd stated she is trying to comply with the Order. She stated she is in the process of learning new tools and indicated she feels that the Impact Training is intensive. Ms. Judd reported her sobriety date is June 1, 2009. She stated she has thoughts of relapse but has not relapsed since June 1, 2009. She indicated when she has thoughts of relapse she contacts her Impact Training coach and

attends 12-step meetings. She stated she is not taking any medications not lawfully prescribed to her.

Heather Deering,  
Probation interview:

Ms. Forster-Burke conducted the interview. Ms. Forster-Burke stated the only report in the file is the therapist report. Ms. Deering indicated she has submitted all reports and confirmed with Ms. Call that she had received the reports. Ms. Deering indicated she has copies of the reports and will send them in to the Board. Ms. Deering stated she has also paid her fine and will provide a copy of the receipt. Ms. Forster-Burke questioned Ms. Deering regarding the high level of ETG in the drug screen. Ms. Deering stated she does not drink alcohol and can not explain the high level of ETG. Ms. Forster-Burke indicated she must clear up these items or she may be referred for an Order to Show Cause Hearing. Ms. Deering stated she takes her probation very seriously. She stated she does not drink alcohol and does not understand why she tested for a high level of ETG. Ms. Deering must have all reports in by Monday, September 14, 2009. **Ms. Deering appears to be out of compliance with the terms and conditions of her Order. (Note: Ms. Call checked her file and Ms. Deering has submitted her reports and paid her fine, however, she remains out of compliance due to the high level of ETG in the urine screen).**

Britney Harvey,  
Probation Interview:

Mr. Allred conducted the interview. Ms. Harvey reported things are going very well. She reported life is good and she is staying out of trouble. Her employer reports are excellent and she reported she likes her job. She indicated she has a good support system and she loves the PIR meetings. She reported she has had no changes in medications. She stated she does not have thoughts of relapse and has not relapsed. She stated she has more motivation not to use and likes the way she feels now. **Ms. Harvey is in compliance with the terms and conditions of her Order.**

Donna Cook,  
Probation interview:

Ms. Cook was excused and will be scheduled to meet with the Board next month.

Patty Colledge,  
New Order:

Ms. Partridge conducted the interview. Ms. Colledge explained the circumstances that brought her before the Board. She reported she has been sober for two

years. Ms. Colledge stated she understands the terms and conditions of the Order. Ms. Colledge stated she has had a terrible month. She stated she could not financially afford to enter the treatment program at UNI and tried to go off all her pain medications on her own. She indicated she has been seeing a therapist, but has not gone through a treatment program. She indicated she has numerous health problems and is in constant pain. She still needs to complete a chronic pain evaluation and have it submitted to the Board. Ms. College submitted a list of the medications she is currently taking and provided the name of her prescribing practitioner and primary pharmacy. She stated she has not attended any support group meetings because all her effort has been placed in coming off her medications. She stated she continues to take Ritalin but is cutting back on her dose. She stated she has not relapsed and has no thoughts of relapse. She stated she does not have any family other than her husband and small child. She indicated her husband has not been very supportive because of the medications, but he is becoming more understanding. Committee members encouraged Ms. Colledge to attend PIR and 12-step meetings for support. Her evaluations have not been received and the Board will need to see those evaluations to determine what the next step will be. **Ms. College appears to be in compliance with the terms and conditions of the Order.**

Michelle Peterson,  
Annual Probation interview:

Dr. Williams conducted the interview. Ms. Peterson reported she is learning to take accountability for her situation and that in the past she put the blame on her daughter. Dr. Williams questioned why she had a positive urine screen in June and in August. Ms. Peterson stated she had a beer on Memorial Day and on Labor Day. She also indicated she is drinking alcohol on the week-ends. She stated she is struggling because drinking alcohol is legal and drinking is a large part of her family get togethers. Committee members stated they understand alcohol is legal, however her Order does not allow her to drink alcohol and drinking alcohol puts her out of compliance with the terms and conditions of her Order. She needs to let her family know she can not drink if she wants to keep her license. Committee members stated it

appears she has been regularly consuming alcohol and has only been caught on two urine screens. Committee members indicated it would be helpful to her if she called her sponsor when she wanted a drink of alcohol. Ms. Petersen stated her sponsor has moved and she will need to find a new sponsor. Committee members indicated she needs to find a sponsor as soon as possible to help her with her addiction. Mr. Allred stated it appears she is minimizing her problem and she needs to realize that if she continues being non-compliant, she may lose her license. Ms. Peterson indicated her last drink was September 7, 2009 and her sobriety date is September 8, 2009. She stated alcohol is like oxygen and it is hard to accept that it is an addiction and she stated she is overwhelmed. Mr. Allred suggested she check with employee assistance at work to see if there is some counseling she can receive. She also needs to sit down with her family and explain why she can not drink and Mr. Allred suggested she find a non-drinking support system. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Peterson is out of compliance because of her drinking and Committee members suggested she find a sponsor, don't consume alcohol, build up a non-drinking support system, find help with her stress, make some life changes and consider therapy in addition to the substance abuse counseling.**

Stephanie Thomas,  
New Order:

Mr. Allred conducted the interview. Ms. Thomas explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of the Order. She indicated she has not found a PIR meeting in Ogden and is willing to come to Salt Lake City for the PIR meetings; however she questioned whether or not she could attend AA meetings three times a month and PIR meetings once a month. That way, she would only have to travel to SLC once a month for the PIR meeting. Committee members indicated her request will be presented to the Total Board. She indicated she has completed therapy and Committee members indicated she does not need to attend therapy. However, if the Board ever decides to require therapy, she would need to find a therapist. Ms. Thomas stated she understands. She indicated she is employed at Eagle Gate College teaching

anatomy in the Nursing Assistant program. Dr. Mark Smith is her supervisor and he would need to fill out the employer report. She reported her sobriety date is May 7, 2008. She stated she has had no thoughts of relapse and has not relapsed. She indicated she is attending AA meetings and is looking for a sponsor. She indicated she deals with stress by exercising and reported she has a good support system. **Ms. Thomas is in compliance with the terms and conditions of her Order.**

Rocky Fritts,  
Probation Interview:

Ms. Forster-Burke conducted the interview. Mr. Fritts stated work is going well. He reported his only stressor is that his wife is expecting and her due date is the middle of October. **Mr. Fritts has submitted all paperwork and is in compliance with the terms and conditions of his Order.**

Nichole Clark  
New Order:

Mr. Allred conducted the interview. Ms. Clark explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of the Order. She questioned whether or not the meeting with her psychiatrist would count toward one of the required AA or PIR meetings. Committee members indicated it would not count and she must attend aftercare meetings, 2 PIR and 2 12-step meetings per month. Ms. Clark stated she is not a fan of AA and questioned whether or not she could attend more PIR meetings. She stated she does not like the AA meetings because you have to state your name and say "I am an addict". She stated she realizes she is a recovering addict, but saying it at every meeting does not help her and she feels it puts an additional weight on her shoulders. She requested she be allowed to attend four PIR meetings in lieu of AA meetings. She stated she enjoys the Monday night PIR meetings and has a sponsor which she contacts every other day or every third day. She indicated her sobriety date is March 2, 2009. She stated she has no thoughts of relapse and has not relapsed. She indicated she is not currently employed, however indicated ETNA Insurance interviewed her and she questioned if she could take the position. She stated she would be reviewing patient charts and would be an inpatient consultant working from home. Committee members indicated she would not have on-site supervision and would not be able to accept the

position. **Ms. Clark is in compliance with the terms and conditions of her Order.**

Group 2  
Conducting: Barbara Jeffries  
Minute taker: Connie Call  
DOPL Staff: Laura Poe

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

Lori Niven,  
Probation interview:

Ms. Niven did not appear for her scheduled interview.

Blaine Campbell,  
Probation interview:

Ms. Rice conducted the interview. Mr. Campbell has submitted all paperwork and is doing very well with his probation. He is requesting termination of probation and Committee members will recommend to the Total Board to terminate the probation. **Mr. Campbell is in compliance with the terms and conditions of his Order.**

Christine Bulloch,  
Probation interview:

The telephone number in the file had been disconnected and Ms. Bulloch was not interviewed. Ms. Bulloch had contacted Ms. Kimball with a new phone number; however, it was not placed in the file. Ms. Bulloch will be contacted next month.

Robert Adams,  
Probation interview:

Ms. Simonson conducted the interview. Mr. Adams informed the Committee he had purchased Midtown Manor, which is where he is employed. Committee members discussed concerns regarding supervisory reports because he is the employer and the individual completing the report may not feel comfortable filling out the employer report appropriately. Mr. Adams stated he does not feel this will be a problem. Committee members indicated they are comfortable with the current administrator of the facility and feel he would accurately fill out the report. Mr. Adams is requesting early termination of his probation. Committee members will recommend denial of the request. **Mr. Adams is in compliance with the terms and conditions of his Order.**

Steven Booth,  
Probation interview:

Ms. Brown conducted the interview. Mr. Booth is doing much better at submitting his paperwork; however, he is still late in submitting the paperwork to the Division. Mr. Booth is requesting that his access to controlled substances be return. **Mr. Booth is out**

**of compliance with the terms and conditions of his Order due to late submission of paperwork.**

Julia Gillingham,  
Annual Probation interview:

Ms. Kirby conducted the interview. Ms. Gillingham is current on all paperwork; however it was late in getting to the Division. She also needs to submit documentation of successful completion of her criminal probation. **Ms. Gillingham is out of compliance with the terms and conditions of her Order because the paperwork was submitted late.**

Suzanne Irish,  
New Order:

Ms. Kirby conducted the interview. Ms. Irish explained the circumstance that brought her before the Board. She indicated she completed Dayspring Inpatient Treatment May 2008 and again in December 2008. She indicated she admitted herself to ARC for three months and just finished the treatment program. She reported her sobriety date is May 17, 2009. **Ms. Irish is in compliance with the terms and conditions of her Order.**

Ryan Murry,  
New Order:

Ms. Brown conducted the interview. Mr. Murry explained the circumstance that brought him before the Board. Committee members discussed with Mr. Murry their concern that he has not been forthcoming with the Committee or with Ms. Call. Committee members questioned why he continued to work after his license was suspended. He stated he had been concerned about how he would take care of his family. Committee members requested he have Highland Ridge send the Board the entire admission evaluation so it can be reviewed. He stated his family is very supportive and he deals with stress by talking to his wife, exercising, trying to change his attitude and focusing on the positive. **Mr. Murry is out of compliance with the terms and conditions of his Order and he needs to be more forthright and honest in his communication with the Committee and Division.**

Rebecca Davis,  
New Order:

Ms. Jeffries conducted the interview. Ms. Davis's husband was present for the interview. Ms. Davis explained the circumstances that brought her before the Board. She indicated she is currently working for the Ogden Family Clinic. She requested that her Order be amended to allow her to administer

testosterone in her employment setting. Testosterone is the only controlled substance stored at the clinic. She stated she understands the terms and conditions of the Order. **Ms. Davis is in compliance with the terms and conditions of the Order.** Committee members will recommend to the total Board amending her Order and allow her to account for and administer Testosterone.

Andrea Despain:

Ms. Despain met with the Committee to request the Board reconsider the rule that stated anyone out of nursing practice for more than 10 years has to repeat a nursing education program. Ms. Despain stated she last worked in nursing in 1997 and does not feel it is fair to require her to retake a nursing education program. She stated basic nursing has not changed that much. She indicated she had spoken with the Division at one time and was told she would need to take a refresher course and retake the NCLEX examination. She stated she was studying to retake the NCLEX exam and then found out the Rule had changed and she would now need to retake the nursing education program. Ms. Forster-Burke stated there is concern with the rapid changes in nursing it is difficult to keep up to date and if an individual has not practiced or kept the license current by completing continuing education, it is necessary to repeat the education program. Ms. Despain stated she feels it is extremely unfair and discriminatory to make her go back to school after she has worked in the field for 12 years and stopped to raise her family. Mr. Despain stated he feels the rule punishes a very select population, women who raise a family and then want to return to their profession. Ms. Despain stated she is asking for an exemption. Mr. Killpack stated he is sympathetic but the Board's role is to protect the public. There have been a lot of changes even in the last five years and this is the best way we have found to ensure the safety of the public. Mr. Allred stated there is a personal/professional responsibility to know the rules and keep up with the changes. All Board members agree that there are no exceptions and Ms. Despain will need to complete another nursing program. Board members offered several suggestions regarding programs and people she could contact to help her resolve this issue.

Michael Gearheart:

Mr. Gearheart stated he has not worked since the Stipulation and Order was signed. He stated he has applied for five or six positions per week. Board members indicated he is out of compliance because he has failed to call CVI. He stated this is incorrect because he calls every day. He stated he will check his phone log and will provide the information to Ms. Call.

Mr. Gearheart met with the Board to discuss the following requests:

First request: allow him to teach in a clinical setting as an adjunct professor at Salt Lake Community College nursing program. Ms. Poe reported that an e-mail was sent to Board members and the unanimous decision was to deny the request because there would not be supervision. He indicated this request is mute at this time.

The second request was to have his access to controlled substances returned. He stated he has been on probation for seven months and it has been 11 months since he diverted medications. Ms. Jeffries stated she would like to see a period of time working in nursing and under supervision before returning access. Mr. Killpack made a Motion to return access to controlled substances. Ms. Forster-Burke seconded the Motion. Ms. Forster-Burke, Mr. Killpack and Dr. Williams in favor. Members opposed: Ms. Schilleman, Ms. Brown, Ms. Jeffries, Ms. Partridge; Mr. Allred, Ms. Simonson, Ms. Kirby and Ms. Rice. The Motion failed.

The third request is whether or not he can be self employed as a nurse consultant. Board members indicated if he worked as a nurse consultant he would not have supervision as required in the Order. There is also the question of how to count nursing hours toward probation. Ms. Partridge questioned whether or not he would be an independent consultant or part of a group. If he is independent, who would monitor his practice, who would provide supervision and who would fill out the employer reports? Ms. Brown questioned whether or not the unsupervised hours would count toward the probation. Ms. Poe indicated he would have to keep a record to see how many hours are nursing practice and

how many hours are related to the business administration such as marketing. Ms. Poe suggested if he wants to pursue this option, he would need to provide the Board with a business model for review. Ms. Poe indicated that we could say that part of the business model would be that no more than 20% can be administrative. Mr. Killpack stated this sets a precedent because some of the hours would be in business administration and not in nursing practice. Ms. Partridge stated he would have to have supervision and have an employer to provide employer reports. Ms. Poe questioned whether or not it would be worth him pursuing a business model. Board members indicated that if the business was already established, they would be more comfortable in approving such a request. Board members indicated if he wants to begin to develop a model, he should do so, but the hours won't count until the model has been approved by the board. He would need to provide a business model, provide how supervision would take place and who would provide the employer reports.

Dietrich Quiring,  
Re-Licensure application:

Ms. Quiring met with the Board to discuss his application for re-licensure. He explained he had had a domestic violence charge and failed to notify the Arizona Board of the charge. He stated he had a second domestic altercation with his second wife in Arizona. Arizona then sent him a letter requesting information and he failed to submit the information to the Arizona Board because he did not intend to renew the Arizona license and was moving back to Utah. When he submitted his renewal, the Division received notification regarding the revoked status in Arizona and that he had two misdemeanor convictions. He stated he has completed the domestic violence and anger management classes. The psychological evaluation recommended that he be allowed to work as a nurse under probation. He stated he has been in Utah four months. He stated he has a letter of support from his ex-wife. He stated he has been a nurse since 1997 without any complaints. He stated when he acted out physically he felt powerless and used his physical size to protect himself. He stated he knows violence is not an option and his ex-wife knew which buttons to push. Mr. Killpack made a Motion to issue the license on a three year probation, require therapy

and employer reports. He would not be required to submit to random urine screens. Ms. Rice seconded the Motion. All Board members in favor.

Break 3:10 p.m.  
Reconvened: 3:20 p.m.

Melissa Hess,  
Reinstatement request:

Ms. Hess met with the Board two years ago to request reinstatement of her license. She was informed she needed to document one year of sobriety. Since it has been two years and she has not yet demonstrated one year of sobriety, she was requested to meet with the Board to discuss her progress. Ms. Poe indicated Ms. Hess met with the Board in November 2007 and between that date and August 8, 2009 CVI had scheduled 25 urine screens. Four urine screens have been positive, 14 urine screens have been negative, 5 urine screens were excused and she missed 2 urine screens. She missed calling CVI 52 times. In reviewing the controlled substance data base, she has had 10 different prescribers and filled prescriptions at 7 different pharmacies. She has had a large number of controlled substances prescribed for her. Ms. Poe indicated there is concern that she is still using her drug of choice. Ms. Hess indicated she was taking a large number of prescriptions and decided to go into treatment for 30 days. She stated she attends aftercare and attends three to five 12-step meetings per week. Mr. Allred stated the Board has requested documentation of one year of sobriety and she has been unable to demonstrate sobriety. Mr. Allred indicated it appears she is currently taking a lot of medications and has numerous prescribers and fills those prescriptions at numerous pharmacies. Mr. Allred stated there is no way to get a feel for how she would do because of the large number of controlled substances she is taking. Ms. Hess reported her mother monitors the medications and she has not taken that many medications. She stated she has tried other medications, injections and is currently going to a pain clinic. Mr. Allred made a Motion to deny the reinstatement request based on the fact she has not demonstrated one year of sobriety. Prior to resubmitting an application she must document one year of sobriety, have only one prescribing practitioner and only one primary pharmacy and she can not be

using such high doses of pain medications, and can not miss calling CVI numerous times. Ms. Partridge seconded the Motion. All Board members in favor. It was suggested she keep track of attendance at all support group meetings, continue to call CVI, provide a plan that will allow her to function. She may want to go through an inpatient detoxification treatment program, then go through an intensive drug treatment program to help her establish sobriety. Once she is clean and sober for at least one year, has control of her pain with a pain clinic fully aware of the addiction she could resubmit the application.

Bryn Norman,  
Reinstatement request:

Ms. Jeffries recused herself from the discussion. Ms. Norman met with the Board to discuss her re-licensure application. She explained the circumstances that led to her license being revoked. She indicated she had criminal issues and the misdemeanor will be expunged December 2009. She indicated her second issue was forgery and theft and she entered a plea in January 2009. She reported she last worked as a nurse June or August 2007. She stated her goal is to get re-licensed in Utah and then she may return to California and become licensed there. She indicated she has had two evaluations completed and both indicated she had a low probability of substance abuse. She stated she never took medications not prescribed for her. Mr. Killpack made a Motion to reinstate the license on a two year probation with the original probation terms and if she moves to California, she could complete the probation in California and we would continue to monitor her probation. Ms. Brown seconded the Motion. Ms. Jeffries and Ms. Forster-Burke abstained. All other Board members in favor. Ms. Poe indicated we need to receive the evaluation and once it is received, a Memorandum of Understanding will be drafted for her signature.

Report from Probation Peer Committee:

Rhandi Robertson: Ms. Robertson has a history of non compliance. If she remains out of compliance next month and if she continues to miss calling CVI and urine screens, she will be referred for an Order to Show Cause Hearing.

Stephanie Thomas has requested she be allowed to attend three 12-step meetings per month and one PIR meeting per month. Committee members recommend

she be allowed to attend four 12-step meetings per month. All Board members in favor.

Nichole Clark has requested she be allowed to attend four PIR meetings per month. Committee members recommend her Order be amended to allow her to attend four support group meetings per month. All Board members in favor.

Steven Booth has requested his access to controlled substances be returned. He has been out of compliance for a long period of time and has only been working for a short period of time. Ms. Jeffries made a Motion to deny his request for access to controlled substances. Once he has been in complete compliance for a period of six months, the Board would reconsider his request. Ms. Partridge seconded the Motion. All Board members in favor. Board members indicated in the denial letter he should be complimented on his progress, but he needs to come into complete compliance before the Board will reconsider the request.

Rebecca Davis has requested she be allowed to account for and administer testosterone. Committee members recommend her request be approved. All Board members in favor.

Report from Education Committee:

Ms. Forster-Burke reported the Education Committee recommends that Utah Career College be changed from provisional status to full approval status. All Board members in favor.

Ms. Forster-Burke indicated Stevens Henager has received initial NLNAC accreditation but based on low pass rates, the Committee will not move the program off provisional status until they have had a period of time to watch the pass rate percentages.

Dixie State College requested approved to stop the 1 plus 1 program and go to a straight two year ADN program. Committee members recommend approval. All Board members in favor.

Idaho State University requested approval for ISU baccalaureate students to participate in learning

experiences in facilities throughout Utah. Committee members recommend the request be denied but to allow ISU to continue capstone summer students at PCMC and at other facilities on a case by case basis. All Board members in favor.

Terri Judd,  
Request to have suspension lifted and to accept Impact Training program as meeting the requirement of completion of an intensive inpatient treatment program:

Ms. Judd is out of compliance with the terms and conditions of her suspension. She has not completed the intensive treatment program and is not in therapy. She has indicated she is in a financial bind and can't pay for the urine screens or an intensive treatment program. She is requesting termination of suspension so she can return to work. She is also requesting that we accept the Impact Training program as meeting the requirement for an intensive treatment program. Mr. Allred reported the Committee reviewed the information from Impact Training Program and it appears to be more of a life skills training program. The recommendation from the Committee is to deny termination of suspension and to deny Impact Training program as meeting the requirement of completion of an intensive treatment program and therapy. All Board members in favor.

Theresa Brewer,  
Request to be allowed to contact a pharmacy to fill prescriptions and to attend 12-step meetings in lieu of PIR meetings:

Ms. Brewer is in compliance with the terms and conditions of her Order. Ms. Forster-Burke made a Motion to approve her request to contact a pharmacy and to attend 4 12-step meetings per month in lieu of PIR meetings. Mr. Killpack seconded the Motion. All Board members in favor.

Blaine Campbell,  
Requesting termination of Probation:

Mr. Campbell is in compliance with the terms and conditions of his probation. He is working as an APRN in a long term care facility and is doing well in his probation. Committee members recommend termination of probation. All Board members in favor.

Karen Carter,  
Request to be allowed to work for a temporary nursing agency:

Ms. Carter is in compliance with the terms and conditions of her Order. She has been on probation for two years for substance abuse. Ms. Rice made a Motion to deny the request due to the lack of on-site supervision and no continuity of supervision in this type of work setting. Ms. Jeffries seconded the Motion. All Board members in favor.

Keith Moslak,

Mr. Moslak has missed calling CVI and is currently

Request to be allowed to work for a temporary nursing agency:

out of compliance with his Order. Ms. Jeffries made a Motion to deny the request because he would not have on-site supervision and he is out of compliance with the terms and conditions of his Order. Ms. Rice seconded the Motion. All Board members in favor.

Kimberly Baker,  
Request access to controlled substances be returned:

Ms. Baker has been on probation for six months, but has only been working for two months. Mr. Allred made a Motion to deny the request and monitor her practice for a period of six months while working. Dr. Williams seconded the Motion. All Board members in favor.

Troy Cady,  
Requesting access to controlled substances be returned:

Mr. Cady has never been out of compliance and has been working continuously. Mr. Allred made a Motion to approve the request for access to controlled substances. Dr. Williams seconded the Motion. All Board members in favor.

Robert Adams,  
Request for termination of probation:

Committee members recommend his request be denied because it is too early in the probation. All Board members in favor.

Vai Panter,  
Request to be allowed to conduct home dialysis therapy visits for her employer:

Mr. Allred made a Motion to deny the request because nursing supervision is unavailable. Dr. Williams seconded the Motion. All Board members in favor.

Jason VanDaam,  
Request that time in Alaska count toward probationary period:

Mr. VanDaam indicated while working in Alaska as a safety officer in a warehouse he would provide care to those individuals who had been hurt on the job. However, he did not have an Alaska nursing license and was not supervised by a licensed nurse or physician. He was in Alaska for a period of two months. A Motion was made to deny the request because he did not have nursing or physician supervision and he was not licensed as a nurse in Alaska. The Motion was seconded. All Board members in favor.

Mandy Payant:  
Requesting permission to re-take the NCLEX examination:

Ms. Payant graduated from Weber State nursing program May 2005. She submitted an application before the rule went into effect that requires an applicant to take and pass the exam within 3 years of graduation. She has taken and failed the exam and Board members indicated she could sit for the exam one more time. If she fails the exam, she would need to meet the conditions of the rule currently in effect,

which means she would need to retake a nursing education program.

Governor's Ethics Policy:	Reviewed.
Open and Public Meetings Act training:	Reviewed.
Debra Schilleman, Report from the NCSBN Annual meeting:	Tabled until next month.

*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.*

October 8, 2009 Date Approved	(ss) Debra Schilleman Debra Schilleman, Chair, Board of Nursing
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October 8, 2009 Date Approved	(ss) Laura Poe Laura Poe, Bureau Manager, Division of Occupational & Professional Licensing
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