

MINUTES

UTAH BOARD OF NURSING

November 12, 2009

Room 474 – 4th Floor – 8:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 8:07 a.m.

ADJOURNED: 11:54 a.m.

Bureau Manager:

Laura Poe

Secretary:

Shirlene Kimball

Compliance Specialist:

Connie Call

Conducting:

Debra Schilleman

Board Members Present:

Peggy Brown

Mary Williams

Joel Allred

Laurie Simonson

Sue Kirby

Barbara Jeffries

Pam Rice

Board Members Excused:

Marie Partridge

John Killpack

Diane Forster-Burke

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

October 8, 2009 Board minutes:

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

NEW BUSINESS:

Connie Call,

Compliance report:

Ms. Call reported the following individuals are out of compliance with the terms and conditions of their Order: Betty Long, Karen Chlarson, Lori Niven, Terri Judd, Vai Panter, Kent Wilkinson, Dee Ann Taylor (Ms. Taylor will be invited to meet with Ms. Poe and Ms. Call), Jason VanDaam, Kathleen King, Kim Baker, Monica Murdock (will be scheduled to meet with Ms. Poe and Ms. Call), Nichole Clark (scheduled for January), Sandy Piatt, Stephanie Thomas and Veronica Banks.

Julie Versteeg,
Request for re-licensure:

Ms. Versteeg met with the Board to request re-licensure. Ms. Versteeg submitted documentation of attending online AA meetings. She indicated she does not have an AA sponsor, but will find one. She indicated she is drug screened through the courts and submitted documentation of four years of urine screens. She also indicated she submits to hair analysis twice a year. She had a current substance abuse evaluation and it indicated a low probability of current substance dependency. Ms. Versteeg stated she has been clean since December 2003. She indicated she last worked in nursing December 9, 2003, but has been completing continue education hours.

Dr. Williams made a Motion to issue a license on probation for five years, which can be reduced after three years, allow her access to controlled substances, and to call prescriptions into a pharmacy. All other standard terms and conditions would be required. The online AA meetings will be acceptable as long as she submits documentation of attendance. Ms. Brown seconded the Motion. All Board members in favor.

Divided into Groups at 9:15 a.m.

Group 1
Conducting: Joel Allred
Secretary: Shirlene Kimball

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

Veronica Banks:
Probation Interview:

Dr. Williams conducted the interview. Ms. Banks reported she relapsed at the beginning of July by ingesting her husband's pain medication. She indicated that since that time she has been attending meetings and has now been clean 137 days. She submitted documentation of attendance at 12-step meetings and a copy of the psychological evaluation. She indicated she has completed the physical exam and is waiting for the physician to finish his report. Committee members reminded her she needs to submit all paperwork on time. She is not currently working and has not signed up with CVI. She committed to signing up with CVI when she leaves the meeting and will call every day. She stated she understands what she needs to do to come into compliance and to remain

in compliance. She reported her sobriety date is July 4, 2009. She stated she has thoughts of relapse, but has not relapsed since the July 4, 2009 relapse. She indicated she now has a good support system in place and calls them when needed. She reported she is on level 2 in Drug Court and on Step 2 in AA and she meets with her counselor once a week. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Banks is out of compliance with the terms and conditions of her Order and stated she understands the seriousness of remaining out of compliance. She committed to bringing all paperwork up to date and coming into compliance with the terms of her probation.**

Kathleen King,
Probation Interview:

Mr. Allred conducted the interview. Ms. King reported things are going well; however, she is not currently employed in nursing. She indicated she can not find a position because her license is on probation. She stated she has not been working in nursing since May 2009. She stated she is currently going to school. Ms. King stated she has a sponsor and attends a Tuesday night women's 12-step group meeting. She stated her sobriety date is October 13, 2008. She stated she has had no thoughts of relapse and has not relapsed. She is requesting termination of probation. **Ms. King is in compliance with the terms and conditions of her Order.**

Kent Wilkinson,
Annual Probation interview:

Dr. Williams conducted the interview. Mr. Wilkinson stated he missed the meeting last month because he did not open his mail. He submitted documentation of completion of the ethics course. Dr. Williams expressed concern with the employer report that indicated he was below average in clinical judgment for not following physician's orders. Mr. Wilkinson explained the circumstances of why he did not follow the order. He stated he felt the order came from the wound nurse, not the physician, and he did not feel it was in the best interest of the patient. Committee members indicated he is on probation for not following orders. He stated he feels he took the appropriate action to care for the patient, but stated he understands he was in the wrong and should have contacted the physician. He stated he has a good working relationship with the physician and will

contact the physician in the future. **Mr. Wilkinson submitted documentation of continuing education and he is now in compliance with the terms and conditions of his Order.**

Michelle Jensen,
Probation Interview:

Mr. Allred conducted the interview. Ms. Jensen stated things are going well. She continues to work at the St. George Care Center and reported she has no stressors at this time. She indicated she has completed the ethics course. She stated she has a great support system. **Ms. Jensen appears to be in compliance with the terms and conditions of her Order.**

Karen Shelton,
New Order:

Ms. Rice conducted the interview. Ms. Shelton explained the circumstances that brought her before the Board. She indicated her last day of employment was October 2, 2009. She indicated she can not afford to sign up with CVI and doesn't have a credit card. She indicated she is considering signing an indefinite suspension and questioned what that would involve. Ms. Poe explained to Ms. Shelton her options. Ms. Shelton stated she is thinking of changing the type of work she does and no longer wants to practice nursing. She stated she does not feel her punishment fits her crime and stated the process has been humiliating. Ms. Poe indicated Ms. Shelton should submit the chemical dependency and psychological evaluations for review. Ms. Shelton stated she does not have the money to pay for the evaluations and emotionally, doesn't feel she can handle the probation. Committee members indicated she has to get the evaluations or she will be non-complaint and may lose her license. Ms. Poe indicated that after the Board has reviewed the evaluations, Ms. Shelton could meet with the Committee and discuss her options. Ms. Shelton also requested she be allowed to work in home health. Mr. Allred indicated there is no supervision in home health and Committee members would recommend that this request be denied. Committee members indicated Ms. Shelton will need to determine what direction she would like to go. She will need to comply with the terms and conditions, or after the evaluations, make a decision whether or not to place the license on an indefinite suspension. **Ms. Shelton is currently in compliance with the terms and conditions of her Order.**

Jaimee Anderson,
New Order:

Mr. Allred conducted the interview. Ms. Anderson explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of the Order. Ms. Anderson indicated she has signed up with CVI and her first urine screen was on Monday. She reported she attends Odyssey House group meetings. She submitted the names of her primary pharmacy and prescribing practitioner. She indicated she has applied to have Medicare and Medicaid lift the exclusion that does not allow her to work with Medicare/Medicaid patients. She indicated this should be completed within 120 days from the date she submitted her request to lift the exclusion. She reported her sobriety date is December 12, 2006. She stated she has had no thoughts of relapse and has not relapsed. She indicated her stressors are in the transition from Odyssey House and finding a job. She stated she deals with the stress by attending meetings and talking with her sponsor and therapist. **Ms. Anderson is in compliance with the terms and conditions of her Order.**

Ashlie Lindley,
New Order:

Ms. Rice conducted the interview. Ms. Lindley explained the circumstances that brought her before the Board. Ms. Lindley indicated she failed Diversion and has had numerous health issues. She reported her sobriety date is June 6, 2006. Ms. Rice indicated that a review of the file indicates she took Diludid in 2008 without a prescription. Ms. Lindley stated she took the Diludid from the facility; however, she did not ingest the drug. Ms. Rice indicated that since she took the drug with the intention of using it, her sobriety date should change. Ms. Lindley stated she has destroyed all of the old medications. Ms. Lindley stated she understands the terms and conditions of the Order. She questioned whether or not she could continue to work in home health, assisted living doing diabetic care. Mr. Allred indicated home health and assisted living is unsupervised and there would be access to patient medications and she would not be able to continue to work there. She indicated she has not gone through intensive treatment yet, but will be doing so. She stated she is not using any medications not lawfully prescribed for her. She stated she has only one

primary prescribing provider and one pharmacy. **Ms. Lindley 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.

Pamela Sinnett,
Division request:

Ms. Sinnett did not appear for her interview. She will be re-scheduled for next month.

Jason VanDaam:
Annual probation interview:

Mr. VanDaam did not appear for his scheduled interview. He will be re-scheduled for next month.

Lori Wright
New Order:

Ms. Jefferies conducted the interview. Ms. Wright explained the circumstances that brought her before the Board. Ms. Wright stated she is willing to comply with the terms and conditions of the Order but disagreed with some of the criminal allegations. Ms. Wright reported she is going to school fulltime to obtain a master's in nursing administration. Ms. Wright submitted documentation of completion of continuing education courses, however, they do not meet the requirements of the Order and Committee members recommend she complete the ethics courses on-line through NCSBN. Ms. Wright needs to send in a calendar with the hours she works and needs to have the physician complete her employer evaluation. **Ms. Wright is in compliance with the terms and conditions of her Order.**

Beverly Stewart,
New Order:

Ms. Kirby conducted the interview. Ms. Stewart explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of the Order. Ms. Stewart stated she felt she was pressured into signing the Order because she disagreed with some of the allegations. Ms. Poe explained the seriousness of falling asleep while working in the ICU and explained what is needed in the evaluation because Ms. Stewart is displaying a slow response to the Committee. Ms. Poe explained the Board's responsibility is to protect the public and she may be prohibited from working in specific areas because of her response time. **Ms. Stewart is in compliance with the terms and conditions of her**

Order.

Dietrich Quiring:
New Order:

Ms. Jefferies conducted the interview. Mr. Quiring explained the circumstances that brought him before the Board. He stated he understands the terms and conditions of the Order. He reported he is working at Mt. Olympus Rehab and is requesting he be allowed to work 60 hours per week. Committee members will recommend his request be denied at this time. He just started the probation and Committee members would like to monitor him on probation for a period of time. **Mr. Quiring is in compliance with the terms and conditions of his Order.**

Bryn Norman,
New Order:

Ms. Schilleman conducted the interview. Ms. Norman explained the circumstance that brought her before the Board. She stated she understands the terms and conditions of her Order. She indicated she has an appointment with Cornerstone next week for her evaluation. She reported she runs, skis and exercises to relieve stress. **Ms. Norman is in compliance with the terms and conditions of her Order.**

Report from Probation Peer Committee:

Kathleen King: Ms. King has been on probation for one year. She has requested termination of probation because she can not find a job and does not feel she has a problem with alcohol. Committee members recommended denial of the request. Committee members indicated she needs to be monitored for a longer period of time. All Board members in favor.

Ashlie Lindley. Ms. Lindley requested she be allowed to continue to work in a home health agency in assisted living giving only diabetic medications. Committee members recommended denial of the request and would like to monitor her on probation for a period of time before making any changes to her Order. All Board members in favor.

Dietrich Quiring: Mr. Quiring requested he be allowed to work 60 hours per week. Committee members recommend denial of the request. There is concern he is being pressured to work more hours and he needs to be monitored on probation for a period of time before extending the number of work hours. All Board members in favor.

Robert Adams,
Discontinue aftercare:

A Motion was made to terminate the aftercare requirement based on the therapist indicating aftercare was no longer necessary. Ms. Jeffries seconded the Motion. All Board members in favor.

Ms. Poe indicated that if a therapist recommends that aftercare or therapy is no longer needed for a probationer, a letter will be sent to the individual indicating he/she does not have to attend those meetings unless the Board requires them to. The Orders will not be amended and will not be brought before the Board. The Board agreed to this procedure.

Rebecca Davis, request to attend four 12-step meetings per month in lieu of attending PIR meetings:

Ms. Jeffries made a Motion to approve Ms. Davis' request to attend four 12-step meetings per month in lieu of attending two PIR meetings and two 12-step meetings. Ms. Brown seconded the Motion. All Board members in favor.

Karen Christiansen,
Request to discontinue urine screens while she is not employed in nursing:

Dr. Williams made a Motion to discontinue the urine screens while Ms. Christiansen is not working in nursing, but she must continue to call into CVI everyday. Once she returns to nursing employment, she must contact the Division immediately and urine screens will begin. Mr. Allred seconded the Motion. Ms. Simonson and Ms. Jeffries opposed. All other Board members in favor.

Environmental Scan:

Ms. Poe stated Board members can track bills before the Legislature on the Legislative web site at www.le.utah.gov. She reported that as bills become numbered, e-mail notification can be sent from that website. She reported one of the biggest issues this year will be health care reform. She also reported there will be changes to the Controlled Substance Data Base and Controlled Substances Act.

Irene Woodford,
Investigator:

Ms. Woodford reported Ryan Murry, Anne Rooney and Michael Fritchman surrendered their license.

Board Motion:

Ms. Jeffries made a Motion to allow the Education Committee to make the decisions for the Board regarding provisional approval for the nursing education programs today. The Motion was seconded. All in favor.

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 10, 2009
Date Approved

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

December 10, 2009
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational & Professional
Licensing