

MINUTES

**UTAH
BOARD OF NURSING**

August 12, 2010

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

CONVENED: 9:07 a.m.

ADJOURNED: 3:09 p.m.

Bureau Manager:

Laura Poe

Secretary:

Shirlene Kimball

Compliance Specialist:

Connie Call

Conducting:

John Killpack

Board Members Present:

Peggy Brown

Pam Rice

Marie Partridge

John Killpack

Board Members Excused:

Mary Williams

Joel Allred

Debra Schilleman

Sue Kirby

Guests:

Mary Anne Q Wood, Attorney

Summer Grant

Andrea Weisenbeck, Provo College student

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

Ms. Poe stated that since the Board does not have a quorum, no actions will be taken today and the minutes will be tabled until next month. However, the Board will continue with probation interviews and recommendations will be discussed at the next meeting.

NEW BUSINESS:

Connie Call,

Compliance report:

Ms. Call reported the following individuals are out of compliance with the terms and conditions of their Orders: Dee Ann Taylor, Heather Deering, Karen Chlarson, Karen Shelton, Lori Wright, Sandy Piatt,

Stacy Roberts, Tamara Jones, Bryn Norman, Nichole Clark, Carrie Frampton, Brittini Petry, Catherine Odom, Ashlie Lindley, Wendi Rees, Sharon Bishop and Michele Dawnn Bernardy.

Dietrich Quiring,
Probation Interview:

Ms. Rice conducted the interview. Mr. Quiring reported he continues to be employed at Olympus Rehab Center. He reported work is going well even with all the changes in administration. **Mr. Quiring is in compliance with the terms and conditions of his Order and will be seen in six months.**

Julie Versteeg,
Probation Interview:

Ms. Partridge conducted the interview. Ms. Versteeg indicated she was terminated from Highland Ridge in May and has not been able to find nursing employment. Ms. Versteeg stated since her name appears on the Office of Inspector General list (OIG), she can not work with Medicare or Medicaid patients. She indicated her name should be taken off the OIG list in October and she hopes to find employment at that time. Ms. Versteeg stated she is not sure why she was terminated from Highland Ridge; however, the termination came after she had written an incident report. She indicated the employer told her the termination was not associated with her nursing skills but did not give her a reason for the termination. She reported the last day she worked as a nurse was May 20, 2010. She reported her sobriety date is December 29, 2003. She stated she is not currently taking any medications not lawfully prescribed for her. **Ms. Versteeg is in compliance with the terms and conditions of her Order.**

Kellie Roring,
Probation Interview:

Ms. Partridge conducted the interview. Ms. Roring reported things are going well. She stated she continues to look for employment that doesn't involve a lot of walking. She stated she has no idea of her sobriety date, but it was six or seven years ago. She stated she has no thoughts of relapse and has not relapsed. She reported she attends 12-step meetings, but is not working on the steps and does not have a sponsor. She reported she has a great family support system. She stated she is not taking any medications that have not been lawfully prescribed for her. **Ms. Roring is in compliance with the terms and conditions of her Order and will be seen again in**

November.

Sandy Piatt,
Probation Interview:

Ms. Partridge conducted the interview. Ms. Piatt stated she is not currently working and is waiting to be taken off the OIG list before returning to work. Ms. Piatt missed calling CVI and Board members questioned why she is not calling everyday. Ms. Piatt stated she is calling everyday and does not feel she has missed a day. Ms. Call asked her to provide a copy of her phone bill. Ms. Call also indicated the system does not record a call if the introduction is skipped. Ms. Piatt reported her sobriety date is December 22, 2004. She reported she has had no thoughts of relapse and has not relapsed. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Piatt is out of compliance for missing calls to CVI.**

Nancy Whittemore,
New Order:

Ms. Brown conducted the interview. Ms. Whittemore violated the terms of her probation and a new Order was issued. She stated she understands the terms and conditions of the new Order. Ms. Whittemore indicated she is grateful for the second chance to keep her license and she committed to stay focused on her recovery and on her probation. Ms. Whittemore has missed calling CVI and Ms. Call requested Ms. Whittemore check with CVI to make sure she is entering the right number. Ms. Whittemore reported her sobriety date is November 22, 2009. She reported she has had thoughts of relapse, especially when she is stressed, but stated she has not relapsed. She stated she is refocusing, attending her meetings and speaks with her sponsor every day. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Whittemore is in compliance with the terms and conditions of her Order.**

Heather Deering,
Probation Interview:

Mr. Killpack conducted the interview. Ms. Deering had a positive urine screen for ETG and she indicated she has no idea why it was positive. She stated she does not drink alcohol and doesn't think she has used any products with a high level of alcohol. Board members cautioned her to read all labels carefully. She reported her sobriety date is January 21, 2008. She stated the only thoughts of relapse she has are ones of why she doesn't want to relapse. She stated she attends her meetings, but does not have a sponsor.

She indicated she speaks with family members regarding her addiction. Board members indicated she needs to speak with someone who understands addiction and has been dealing with addiction. Ms. Deering questioned whether or not her Order could be amended to allow her to work under general supervision. Mr. Killpack stated he is concerned with the positive ETG and she needs to determine what she is doing to cause the positive urine screen. **Ms. Deering is current on all paperwork; however, she is out of compliance with the terms and conditions of her Order because of the positive urine screen for ETG. She will be seen again in one year.**

Michael Jorgensen,
Probation Interview:

Ms. Rice conducted the interview. Mr. Jorgensen stated his sobriety date is January 9, 2008 and reported he has had thoughts of relapse but has not relapsed. He stated he attends his meetings and has a sponsor that he speaks with three times a week. He stated he is not taking any medications not lawfully prescribed for him. Mr. Jorgensen stated he was promoted to the assistant director position and questioned whether or not his Order could be amended to allow him to work under general supervision. He indicated as assistant director, he may need to go into work in the middle of the night and another RN would not be available. **Mr. Jorgensen is in compliance with the terms and conditions of his Order and his next meeting will be scheduled for October 14, 2010.**

Beverly Stewart,
Probation Interview:

Ms. Stewart was interviewed by telephone. Ms. Stewart stated things are going well. Ms. Stewart stated she is not taking as many medications as she had been in the past, and will be completing her continuing education. She will be seen November 18, 2010. **She is in compliance with the terms and conditions of her Order.**

Karen Shelton,
Probation Interview:

Ms. Shelton missed calling CVI and did not submit a self assessment report. She stated she has programmed her telephone alarm to remind her to call CVI. She indicated she will submit the self assessment report. Ms. Shelton has successfully completed the women's group. When questioned regarding her sobriety date she stated she does not have a date. She stated she is not addicted and had

only picked up her boyfriends Tramadol because she did not want to make a co-payment for her own prescription. She continues to work the night shift and stated she enjoys her work. She requested she be allowed to work 60 hours per week. She will be seen in October 2010. **Ms. Shelton is out of compliance with the terms and conditions of her Order for missed calls to CVI and for not submitting her self assessment report.**

Britney Harvey,
Probation Interview:

Ms. Harvey reported she is doing well. She reported she has had no thoughts of relapse and has not relapsed. She reported her sobriety date is June 4, 2004. Board members indicated the only issue with her urine screens is that they are out of range. Ms. Harvey stated she drinks a lot of water and exercises a lot. **Ms. Harvey is in compliance with the terms and conditions of her Order and Board members recommend she been seen yearly.** Her paperwork will still be due quarterly. Ms. Harvey's next interview will be scheduled for August 2011.

Ms. Rice left the meeting at 11:20 a.m.

Bryn Norman,
Probation Interview:

Ms. Brown conducted the interview. Ms. Norman stated she has applied for a lot of jobs but has not found nursing employment. She indicated she has not been calling CVI because she cannot afford the testing and she has missed several urine screens. Ms. Norman has not submitted any paperwork. The therapy reports she has submitted have been unacceptable because she is only changing the date on the forms and the reports must be signed by the therapist at Cornerstone. Board members also indicated her self assessment reports need to be filled out and should reflect progress and changes she has made. Board members stated she has shown a complete disregard for the Board and Ms. Norman was reminded to re-read her Order. She needs to understand what is expected from her. Board members questioned how can she practice nursing safely if she can not be organized enough to submit the correct paperwork. She stated she is not sure of her sobriety date, some time between Jan and Feb, but not sure of the year. She stated she has not had a relapse and has no thoughts of relapse. She stated she has been depressed and will seek help. She stated she is

not taking any medications not lawfully prescribed for her. She stated she really wants to become compliant. Board members indicated she must communicate with Ms. Call and start from here on to submit the reports in a timely manner. **Ms. Norman is out of compliance with the terms and conditions of her Order.**

Barbara Jolley-Mumm,
Probation interview:

Ms. Brown conducted the interview. Ms. Jolley-Mumm reported things are going well. She is not currently employed in nursing and continues to work as a correctional officer. She stated she does not provide medical care to the inmates. Ms. Jolley-Mumm is in compliance with the terms and conditions of her Order. Her next meeting with the Board is scheduled for August, 2011. **Ms. Jolley-Mumm is in compliance with the terms and conditions of her Order.**

John Paulsen,
Probation interview:

Mr. Killpack conducted the interview. Mr. Paulsen submitted documentation of 30 hours of continuing education. He reported he is attending 12-step meetings and has found he enjoys them more than he thought he would. He has not found a sponsor and Board members indicated he must have a sponsor by his next meeting. Mr. Paulsen reported his sobriety date is 3 ½ years ago. He reported he has no thoughts of relapse and has not relapsed. Mr. Paulsen reported his family is a great support and his daughter came to the meeting with him today. He stated he is not taking any medications that have not been lawfully prescribed for him. However, Ms. Call questioned why he tested positive for Tramadol when he does not have a prescription. He indicated he took his father's Tramadol. Mr. Killpack stated that combined with the previous positive urine screen for alcohol and the positive for Tramadol, it does not appear Mr. Paulsen is in recovery. Mr. Paulsen stated taking the Tramadol was an unthoughtful action. He reported he hurt his back taking care of his father and took the medication. He stated he did not think Tramadol was a controlled medication. Board members stated it is not currently controlled, but it is a mood altering drug and his Order does not allow him to take a mood altering drug without a current valid prescription and he can not take a prescription medication that was written for

another individual. Mr. Killpack stated the Board is already concerned with his commitment to sobriety. Mr. Paulson questioned when he could request his access to controlled substances be returned. He stated he feels the reason he can not find a job is because of the narcotics restriction. He also stated he has had a job offer to go into homes to take care of pediatric patients on respirators. Board members indicated this is not allowed under the Order. Mr. Paulsen is out of compliance with the terms and conditions of his Order. He needs to find a 12-step sponsor by the next scheduled interview. He will be seen November 18, 2010. **Mr. Paulsen is out of compliance with the terms and conditions of his Order.**

Catherine Odom,
Probation Interview:

Ms. Odom, and her aunt who is also her attorney, Mary Anne Q Wood, met with the Board. Ms. Wood requested all correspondence regarding Ms. Odom be sent to her law office. Ms. Odom provided written permission for the Division to send correspondence to Ms. Wood.

Ms. Odom is requesting her suspension be terminated and her license placed on probation according to her Order. She indicated the University of Utah denied her request for disability and she will lose her medical insurance. She stated she feels that if the suspension on her license was lifted, she could make an appeal to the University for assistance.

Ms. Odom stated she graduated from an intensive outpatient treatment program in April. She reported the treatment program made a recommendation to lift the suspension because it was detrimental for her not to be able to work. Ms. Odom stated all evaluations have been completed and she calls CVI everyday. She reported her sobriety date is February 21, 2010. She stated she has some fleeting thoughts of relapse, but takes one day at a time and has not relapsed. She reported she has a great support system at home. She stated she is not taking any medications not lawfully prescribed for her. She reported her only stressors are financial and returning to work. She stated she feels stronger than she has in a long time and has a better understanding of her Stipulation and Order. She questioned why she has to demonstrate six months of

clean urines and being in compliance before the suspension can be lifted. She stated the Order does not require demonstration of six month period of sobriety. Ms. Poe stated she is suspended until the Board feels she is safe to practice. If she can not demonstrate six months of compliance and clean urine screens, then the Board will not consider her safe to practice. There is concern because she relapsed in the middle of an intensive treatment program. Ms. Wood stated the letter from the Board provided incorrect information. She stated Ms. Odom did not snort Suboxone with her boyfriend as stated in the letter. Ms. Wood indicated Ms. Odom was told her suspension would be lifted sooner if she self reported her relapse; however, she has suffered more because she did self report. Board members indicated there are clear expectations for her to remain in compliance for a period of six months. When she began the process she was informed that if she were compliant, the suspension could be lifted in September. However, she continues with a pattern of non compliance. Ms. Wood stated this is punitive and appears to have no consistency. Ms. Poe indicated since we do not have a quorum, the Board can not make a decision today and the request will have to be tabled. Ms. Wood stated Ms. Odom self reported as requested. She has two small children and her parents, who are on disability, are supporting her and the children. Ms. Wood stated the suspension should be lifted. She indicated the Board can not meet without a quorum and this meeting should have been canceled. Ms. Poe stated it was understood that no action would be taken without a quorum; however, the Division felt it was imported to conduct the scheduled probation interviews. Ms. Poe stated she will speak with the Division Director to see if action can be taken with the recommendation of the Board members who are present. Mr. Killpack questioned Ms. Odom whether or not she is safe to practice. He stated the Boards first priority is to the public. The second priority is for her to be successful, but she needs to be safe. Mr. Killpack stated Ms. Odom has other non-compliant issues. Ms. Wood stated the prescribing physician feels she is safe to return to work, the therapist feels she is safe to go back to work. Ms. Partridge made a recommendation to lift the suspension and begin the

probation as outlined in the Order. Mr. Killpack and Ms. Brown stated they agree. Ms. Poe indicated she would speak to the Division Director for his direction. **Ms. Odom is out of compliance with the terms and conditions of her Order. She will be seen again October 14, 2010 at 10:00 a.m.**

Lori Wright,
Probation Interview:

Ms. Brown conducted the interview. Ms. Wright completed the legal issues course and is working on the NCSBN Ethics course. She will need to submit documentation of completion of the legal issue course. She reported she is employed, however, is only averaging 12 hours or less a week. She reported she is enrolled in a nursing administration program and will graduate in September. She reported she is also volunteering at Utah Valley Hospital completing her community service hours. **Ms. Wright is in compliance with the terms and conditions of her Order.**

Michelle Petersen,
Probation Interview:

Mr. Killpack conducted the interview. Ms. Petersen stated her license is important to her and she has met with an addiction therapist who has helped her tremendously. The therapist has worked with her to set up a care plan including how to deal with cravings, help with life style changes and how to address her issues with her family. She stated she is very encouraged and feels like she has made connection with a therapist who actually knows how to help her and who understands. She stated she is working out her issues with her family and they have been very supportive. Mr. Killpack stated she appears to be taking a step in the right direction and appears to have made good changes. She will be seen again October 14, 2010. **Ms. Petersen is in compliance with the terms and conditions of her Order.**

Sharon Bishop,
New Order:

Ms. Bishop surrendered her license and her interview was canceled.

Ashlie Lindley:

Ms. Lindley's appointment was canceled due to hospitalization. Ms. Call will follow-up and report back to the Board next month.

Brittini Petry:

Ms. Petry has not submitted her paperwork, has not completed any urine screens and did not submit

documentation of her hospitalization. Ms. Petry will be referred for an Order to Show Cause Hearing if she does not communicate with the Division.

Dawnn Bernardy,
New Order:

Ms. Bernardy did not appear for her scheduled interview. She will be referred for an Order to Show Cause Hearing.

Jaimee Anderson,
Probation Interview:

Ms. Anderson was out of town and will be re-scheduled for next month.

Torri Nilsson,
Re-licensure application:

Ms. Nilsson met with the Board to discuss her application for re-licensure. Ms. Nilsson stated her problems began when she self medicated by using her husbands medications for postpartum pain and depression. She reported she became physically dependent on medications in 1999. She reported she received a DUI and a search of her car, the police officer found medications prescribed for one of her patients. Her license was revoked in 2003 after a default hearing, but she was going through detox and had not been aware of the revocation. She stated she continued to work until her employer found out she did not have a license. She reported she moved to Arizona for a period of time. She stated she returned to Utah, has sought treatment at Odyssey House. She reported her problems since returning to Utah have been speeding tickets, which she failed to pay and a warrant for her arrest was issued; giving two girls a ride after an AA meeting and being pulled over and one of the girls had drugs; and then accepting a ride from another individual from AA who was pulled over and the police found marijuana in the car. She stated all these cases were dismissed against her. She stated she no long associates with individuals from AA and she is more careful who she lets into her car and who she gets into a car with. She reported her sobriety date is July 2004. She reported it has been six years since using street drugs or prescriptions drugs. She stated she last worked as in nursing April 2004 and has not practiced for six years. Ms. Nilsson submitted a current substance evaluation, has a therapist and psychiatrist at Valley Mental Health and takes anti-depressants. Ms. Poe indicated the substance abuse evaluation shows low scores in the alcohol and drug abuse section.

Board members recommended Ms. Nilsson be placed on a 5 year probation with the standard terms and conditions, require both individual and group therapy, require PIR meetings, but no AA meetings, can not work in an acute care setting and no access to controlled substances.

Adjourned to lunch at 1:48 p.m.
Reconvened at 2:39 p.m.

Modification Requests:

Heather Deering requested she be allowed to work under general supervision. Board members present recommended the request be granted and Ms. Deering be allowed to work under general supervision.

Michael Gearheart has requested his access to controlled substances be returned. Mr. Killpack stated his concern is that Mr. Gearheart has not worked as a nurse since his license was placed on probation. Ms. Poe indicated Mr. Gearheart is doing well in recovery and indicated she feels it would be appropriate to return access. Board members recommend that Mr. Gearheart's access to controlled substance be returned.

Bambi Koeller requested she be allowed to work 60 hours per week. Ms. Brown stated the 10 additional hours per week would place additional stress. Board members recommended tabling the discussion until next month when a full Board is present.

Donna Cook is requesting her suspension be lifted and her license placed on probation. Ms. Call reported Ms. Cook has been in compliance with the suspension. Board members recommend the suspension be lifted at the end of the 90 day period.

Michael Jorgensen requested he be allowed to work under general supervision. Ms. Poe stated a better option would be to have his Order modified to allow for supervision of a licensed nurse. This would allow him to work if an LPN or RN were present on site. However, Board members indicated they would like to modify the Order only at a long term care facility. The recommendation would be to allow general supervision at a long term care facility only.

Karen Shelton requested she be allowed to work 60 hours per week. Board members recommend approval of the request to work 60 hours per week.

Ms. Call indicated Barbara Jolly Mumm has been in complete compliance and the Division would recommend termination of probation. Board members agree with the recommendation for termination of probation.

Report from the Education Committee:

Ms. Brown reported Education Committee members made a Motion to allow Provo College to add a cohort of 10 LPN to RN's. A final vote from the Board will be tabled until a quorum is present.

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.

September 9, 2010
Date Approved

(ss) John Killpack
John Killpack, chair-elect, Board of Nursing

September 9, 2010
Date Approved

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