

MINUTES

**UTAH
BOARD OF NURSING
MEETING**

September 8, 2011

**Room 474 – 4th Floor – 8:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:35 a.m.

ADJOURNED: 1:51 p.m.

Bureau Manager:

Dave Taylor

Board Secretary:

Shirlene Kimball

Compliance Assistant:

Connie Call

Conducting:

Diana Parrish

Board Members Present:

Peggy Brown

Debra Schilleman

Mary Williams

Joel Allred

Sue Kirby

Pam Rice

Alisa Bangerter

Marie Partridge

Barbara Jefferies

Board Members Excused:

John Killpack, Board chair

Guests:

Kelli Smith, Eagle Gate College

Mark Davis

Steve Hall

Nate Griffiths

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS

August 11, 2011 MINUTES:

A Motion was made to approve the August 11, 2011 minutes with corrections. The Motion was seconded. Ms. Rice and Ms. Bangerter abstained. All other Board members in favor.

Compliance Report:

Ms. Call reported the following probationers are out of compliance with the terms and conditions of their

Orders: Dale Hullinger, Karen Carter, Karen Chlarson, Kim Baker, Steven Booth, Synthia Carter, Teresa Williams, Veronica Banks, Kaylyn Thompson, Lacy Truly Tanner and Shauna Tall.

Group 1
Conducting: Marie Partridge
Secretary: Shirlene Kimball

Members present: Joel Allred, Marie Partridge, Pam Rice, Debbie Schilleman and Sue Kirby.

Veronica Banks,
Probation interview:

Ms. Banks' license expired January 31, 2011. She reported her husband had been laid off and she could not afford to pay for the renewal. She stated she thought she should concentrate on paying for the urine screens. Ms. Banks stated her husband is now working and she has been able to submit the renewal fee. She reported she is not in therapy because she can not afford to pay the therapist. Ms. Banks reported her sobriety date is July 3, 2009. Ms. Banks stated she has not relapsed and has had no thoughts of relapse. Ms. Banks questioned whether or not the Board would consider lifting the narcotics restriction. Committee members indicated she needs to work for a period of time prior to the Board giving her access to controlled substances. **Ms. Banks is out of compliance with the terms and conditions of her Order until her license is renewed and she sees her therapist.** Ms. Banks will be seen in one year.

Julie Versteeg,
Probation interview:

Ms. Versteeg indicated she spoke with her therapist regarding the recommendation for her to attend face-to-face 12-step meetings rather than online meetings. Ms. Versteeg stated the therapist indicated the recommendation for face-to-face meetings was only as a suggestion, not as a requirement. Ms. Partridge stated the Board feels it is important to meet face-to-face for the social interaction. Ms. Versteeg stated attending face-to-face meetings would cause her more stress because she would have to find a babysitter and take more time away from her family. She indicated she has a good support system and feels the online meetings work well for her. She requested she be allowed to continue attending online 12-step meetings. Committee members indicated her request would be discussed with the full Board. Ms. Versteeg reported her sobriety date is December 29, 2003. She reported she has had no thoughts of relapse and has not had a relapse. She stated she is not taking any medications

not lawfully prescribed for her. **Ms. Versteeg is in compliance with the terms and conditions of her order.** Her next meeting will be scheduled for November.

Shauna Tall,
New Order:

Ms. Tall explained the circumstances that brought her before the Board. She stated she has read and understands the Order. She stated she has not relapsed but is still taking the prescribed medication that caused her to receive the DUI. She indicated she is not currently working because her Order does not allow her to pass narcotics. **Ms. Tall is out of compliance with the terms and conditions of her Order because she failed to meet with the Board as scheduled last month.** She will be seen in November.

Kaylyn Thompson,
Probation interview:

Ms. Thompson reported things are going well, however, she stated she feels the Board looks at her as being rebellious. She stated she doesn't think she is rebellious, she stated she just feels stuck and unable to move forward because the Board continues to insist she is out of compliance with her Order. Ms. Schilleman stated Ms. Thompson has been non-compliant from the beginning. Ms. Thompson stated she feels she was compliant from her last meeting with the Board until the Division switched over to Affinity in May. Ms. Thompson admitted she does not do well with change and missed calling Affinity ten times. She stated she takes full responsibility for the missed calls. However, she feels she was compliant prior to that date and Ms. Call had sent her an e-mail indicating she was compliant with her paperwork. Ms. Schilleman stated she reviewed the chart thoroughly and Ms. Thompson has missed calling in, is missing a prescription, had indicated she had given the therapist a urine screen when she did not. The Board does not consider her compliant at this time. She was non-compliant in February and non-compliant in May. She may have been compliant for a month or two with her paperwork, but she has been non-compliant with the urine screens.

Ms. Thompson stated she is working at Painted Hills and would like to request access to controlled substances so she can pass ADHD medications. Ms. Thompson also questioned if she would be allowed to work online. She indicated one position would be

auditing charts and the other position she found was working for an insurance company to determine if the patient should go to the emergency room etc. Ms. Thompson stated she spoke with the nurse practitioner who is her supervisor in her current position and she is willing to sign the supervisor reports. Ms. Thompson reported her sobriety date is December 16, 2008. She stated she has no thoughts of relapse and has not relapsed. Committee members indicated they would present her requests to the full Board. **Ms. Thompson is out of compliance with the terms and conditions of her Order.**

Charlene Espindola,
Probation interview:

Ms. Espindola reported things are going well and she has a great support system. She stated she is not taking any medications not lawfully prescribed for her. Ms. Espindola indicated she is currently working in Vernal and would like to find a job closer to home. **Ms. Espindola is in compliance with the terms and conditions of her Order** and will be seen in December.

Julie White Hall,
Probation interview:

Ms. Hall reported she is doing very well. She was recently married and her husband was present for the interview. Ms. Hall reported her sobriety date is October 2010. She stated 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. Hall is in compliance with the terms and conditions of her Order** and will be seen on an annual basis.

Lori Laird,
Probation interview:

Ms. Laird reported she has found nursing employment and she is doing very well. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Laird is in compliance with the terms and conditions of her Order** and Committee members recommend she meet with the Board on an annual basis.

Stephanie Thomas,
Annual probation interview:

Ms. Thomas reported her sobriety date is May 7, 2008. She reported she has no thoughts of relapse and has not relapsed. She stated she has a few stressors, such as finances, but nothing she has not been able to deal with. She stated she is not taking any medications not lawfully prescribed for her. Ms. Thomas indicated there is a job opening in infection control at her place

of employment and she is thinking about applying for the position. However, her Order would need to be amended to allow her to work under general supervision. **Ms. Thomas is in compliance with the terms and conditions of her Order.** She will be seen in one year.

Britney Harvey,
Probation interview:

Ms. Harvey reported things are going well. She reported she is currently working at 1st Choice. She stated she is not taking any medications not lawfully prescribed for her. Ms. Harvey reported her sobriety date is June 4, 2004. She reported no thoughts of relapse and she has not relapsed. She stated she does not have any major stressors. Ms. Harvey indicated she attends meetings and has a good support system. Ms. Harvey questioned when she could request termination of probation. Mr. Allred indicated the four year mark for sobriety is critical. She could submit her request during the fourth year on probation and the Board would review where she is at in her recovery. **Ms. Harvey is in compliance with the terms and conditions of her Order.**

Karen Chlarson,
Probation interview:

Ms. Chlarson did not appear for her scheduled interview.

Michelle Peterson,
Probation interview:

Ms. Peterson reported things are going well. She stated since her last meeting with the Board she has been able to face her family and let them know her circumstances. She reported her family has been very supportive and she continues to meet with her therapist once a month. She reported her sobriety date is June 2010. She stated she has no thoughts of relapse and has not relapsed. **Ms. Peterson is in compliance with the terms and conditions of her Order.**

Group II
Conducting:
Minute Taker: Connie Call

Members present: Ms. Brown, Ms. Parrish, Ms. Jeffries, Ms. Bangerter, Ms. Rice and Dr. Williams.

Vaiola Panter,
Probation Interview:

Ms. Panter submitted all required evaluations. She stated she has good family support and has enjoyed starting up a PIR meeting. Ms. Panter stated she feels the meetings are going well. **Ms. Panter is in compliance with the terms and conditions of her Order.**

Sarah Cormier,
Probation Interview:

Ms. Cormier stated she is waiting to be accepted on insurance panels so that she can begin seeing patients. Kathy Baxter will be her peer supervisor and Brian Zehner is the owner of the facility. **Ms. Cormier is in compliance with the terms and conditions of her Order.**

Tyler Miller,
Probation Interview:

Mr. Miller is working in a non-nursing position and stated he is aware that the time not employed as a nurse will not count toward probation. Mr. Miller completed a sleep evaluation and he indicated the evaluation has been very beneficial in helping him realize there is a connection between depression and sleep apnea and its impact on behavior. He reported his sobriety date is February 2010. He stated he has a sponsor and checks with him week. **Mr. Miller is in compliance with the terms and conditions of his Order.**

Rebecca Davis,
Probation Interview:

Ms. Davis reported her sobriety date is June 8, 2008. She stated she has a sponsor and contacts her at least once every two weeks. **Ms. Davis is in compliance with the terms and conditions of her Order.**

Jennifer Fredrickson,
Interview – Her request:

Ms. Fredrickson requested a meeting with the Board. She stated she has found employment at Cottonwood Surgery Center and her start date was August 31, 2011. Mr. Fredrickson is requesting she be allowed to use two pharmacies. She indicated her primary pharmacy does not carry one of the medications she needs and she has to obtain that medication from a different pharmacy. Committee members indicated her request would be discussed with the full Board. **Ms. Fredrickson is in compliance with the terms and conditions of her Order.**

Christine Bulloch,
Probation Interview:

Ms. Bulloch stated she is having health problems and has not worked as a nurse. Committee members questioned whether or not she has completed continuing education hours. Ms. Bulloch responded she did not know what continuing education hours were. She reported she did not complete continuing education for the renewal period 2008 and 2010. **Ms. Bulloch is out of compliance with her Order** and she will be referred to investigations for falsifying her renewal applications for 2008 and 2010.

Steven Booth,
Probation Interview:

Mr. Booth stated he understands his probation has been extended for two years. Mr. Booth stated he is attending 12-step meetings three times a week. He indicated he has a sponsor and speaks with him every day. Mr. Booth reported his sobriety date is July 18, 2007.

Lacy Tanner,
Probation Interview:

Ms. Tanner was requested to meet with the Board because she is out of compliance with the terms and conditions of her probation. Ms. Jeffries explained the Board will be referring her for further disciplinary action. Ms. Jeffries also explained the difference between her criminal sanctions and her administrative sanctions. Ms. Tanner stated she understands she can have an addiction when on pain medication. Ms. Tanner stated she is thinking about beginning a PIR meeting in Cache Valley. She has the opportunity to give flu shots but unless she can have another nurse with her at all times this will not meet the conditions of her Order. **Ms. Tanner is out of compliance with the terms and conditions of her Order.**

Adjourned to Lunch at 12:00 noon
Reconvened at 12:33 p.m.

Recommendations from Probation Peer
Committee:

Lacy Tanner: Ms. Tanner requested she be allowed to work in home health. Ms. Tanner was recently placed on probation and Committee members recommend her request be denied until she is further along in the probation. All Board members in favor.

Julie Versteeg: Last month Board members made a motion that Ms. Versteeg must attend face-to-face 12-step meetings other than online meetings. That motion was based on a therapist report submitted last month. Ms. Versteeg contacted the therapist and the therapist submitted clarification that face-to-face attendance would be helpful, but not necessary. Ms. Jeffries made a Motion to allow Ms. Versteeg to attend two 12-step meetings online and 2 12-step meetings face to face. Ms. Partridge seconded the Motion. All Board members in favor.

Jennifer Fredrickson: Ms. Fredrickson requested she be allowed to fill prescriptions at two pharmacies because her primary pharmacy does not sell one of the

medications she needs. Committee members recommended approval of her request to fill prescriptions at two pharmacies. All Board members in favor.

Heather Holmes: Board members accepted the essay.

Kim Baker: Ms. Baker is requesting she be allowed to attend four 12-step meetings in lieu of two 12-Step and two PIR meetings. Ms. Brown made a Motion to approve the request and allow Ms. Baker to attend four 12-Step meetings. Ms. Jeffries seconded the Motion. All Board members in favor.

Victor Venegas: Mr. Venegas completed 13 months of the 18 month probation and is in compliance with the terms and conditions of his Order. Mr. Allred made a Motion to terminate the probation. Ms. Brown seconded the Motion. All Board members in favor.

Vaiola Panter: Committee members recommend Ms. Panter's suspension be terminated on September 13, 2011 and her license placed on probation in accordance with the terms and conditions outlined in the Order. All Board members in favor.

Christine Bulloch: Ms. Bulloch is out of compliance with the terms and conditions of her Order because she has not been working and has not completed the required continuing education. She had signed the renewal applications indicating she met the requirements, but it appears she has falsified two renewal applications. This will be discussed with investigations.

Kaylyn Thompson: Ms. Schilleman stated she thoroughly reviewed Ms. Thompson's file. Ms. Thompson has been out of compliance August 2010, January 2011, February 2011, May 2011 and September 2011. Ms. Schilleman stated Ms. Thompson has routinely been out of compliance at every interview. Ms. Schilleman made a Motion to refer Ms. Thompson for an Order to Show Cause Hearing. Ms. Jeffries seconded the Motion. Discussion: Ms. Partridge stated that Ms. Call indicated Ms. Thompson is in compliance with her paperwork and Ms. Thompson does appear to be doing

better in her probation. Ms. Schilleman, Ms. Jeffries and Ms. Parrish in favor of referring Ms. Thompson for an OSC Hearing. All other Board members opposed. Motion failed. Ms. Partridge indicated Ms. Thompson showed improved behavior today, but if she is out of compliance one more time, she should be referred for an Order to Show Cause Hearing. Ms. Thompson also requested whether or not working online with an insurance company or auditing charts would be acceptable. Board members expressed concern that Ms. Thompson would be at home and if she received a call, she could be impaired and no one would know. Board members indicated they would like to see a job description before approving the request. Ms. Thompson also requested she be allowed to have access to controlled substances and pass ADHD medications. Committee members made a recommendation to allow Ms. Thompson to pass ADHD medications at Painted Hills Academy. All Board members in favor.

Karen Chlarson: Ms. Chlarson did not appear for her scheduled interview. She is out of compliance and Committee members recommend she be referred for an Order to Show Cause Hearing for non-compliance to the terms and conditions of her Order. All Board members in favor.

Stephanie Thomas: Ms. Thomas requested her order be amended to allow general supervision instead of direct supervision. Committee members recommended her request be approved and allow general supervision of a nurse or physician licensed in good standing. All Board members in favor.

Damin Sunin: Mr. Sunin requested his Stipulation and Order be dismissed. Board members indicated that since he signed the Stipulation and Order agreeing to the terms and conditions of the Order, the request be denied. All Board members in favor.

Karen Shelton: Ms. Shelton is requested she be allowed to work in home health, requesting termination of urine screens and requesting termination of probation. Ms. Schilleman made a Motion to deny all requests because she has not been monitored on probation for a long enough period of

time. The Motion was seconded. All Board members in favor.

Report from NCSBN Annual Meeting:

Ms. Brown reported that the Unified Licensure requirements passed and will be published in NCSBN's October Nursing journal. Ms. Brown also indicated that Deans and Directors would like to have a standardized policy of which criminal charges would eliminate an individual from obtaining a license so that there is consistency among the nursing education programs. At the NCSBN meeting delegates discussed the likelihood of a sexual predator re-offending and suggested denial of an individual who has a conviction of a sexual predator nature. Dr. Williams suggested that the new Bureau Manager attend the Deans and Directors meetings and coordinate what will be acceptable and what will not. Ms. Brown stated her concern is that some programs are accepting students who would not qualify for licensure because of their criminal background.

Ms. Brown also reported that Medication Aides were discussed at the NCSBN meeting. There is concern that there is no place to report the errors made by medication aides. Ms. Schilleman stated she attended the NCSBN Medication Aide meeting and feels this is something that needs to be readdressed. Ms. Schilleman stated Medication Aides are also being assigned duties in addition to passing medications and the intent of the rule was to only allow the medication aide to pass the medications.

Pam Rice – Report from Weber State University:

Ms. Rice indicated that once approved by the University, Weber State will discontinue the PN program and will focus on the ADN program.

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 13, 2011
Date Approved

(ss) Diana Parrish
Diana Parrish, Chair Elect, Utah Board of Nursing

October 13, 2011
Date Approved

(ss) Dave Taylor
Dave Taylor, Bureau Manager, Division of Occupational & Professional Licensing