

MINUTES

**UTAH
BOARD OF NURSING
MEETING**

November 10, 2011

**Room 474 – 4th Floor – 9:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:55 a.m.

ADJOURNED: 5:32 p.m.

Bureau Manager:
Board Secretary:
Compliance Assistant:

Debra Hobbins
Shirlene Kimball
Connie Call

Conducting:

Diana Parrish, Chair-elect

Board Members Present:

Peggy Brown
Debra Schilleman
Mary Williams
Joel Allred
Sue Kirby
Alisa Bangerter
Diana Parrish

Board Members Excused:

Barbara Jefferies
Marie Partridge
John Killpack
Pam Rice

Guests:

Roger L'Estrange
Sabrina Gallegos

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS
October 13, 2011 MINUTES:**

A Motion was made to approve the October 13, 2011 minutes with corrections. The Motion was seconded. All Board members in favor.

Compliance Report:

Ms. Call reported the following individuals are out of compliance with the terms and conditions of probation: Beverly Stewart Miller, Britney Harvey, Jaimee Anderson, Jason VanDaam, Jennifer

Fredrickson, Julie Versteeg, Kay Tate Dellinger, Kaylyn Thompson, Michael Gearheart, Sandra Piatt, Synthia Carter, Lacy Turley, Shauna Tall, Heather Holmes, Katherine Roach, Tricia Schmidt, Betty Long, Taylor Simmons and Barbara Raymond-Hicks.

Group 1
Conducting: Joel Allred
Secretary: Shirlene Kimball

Members present: Debra Hobbins, Joel Allred, Debbie Schilleman and Sue Kirby.

Katherine Roach,
Quarterly Interview:

Ms. Roach reported she is doing well. Committee members indicated that the mental health evaluation submitted was not accepted and she will need to have the evaluator provide a more detailed evaluation. The evaluation did not include a complete report with diagnosis, recommendations, or treatment plan. Ms. Roach stated she has not been pleased with the evaluator and will contact another therapist. She indicated she is employed by the University of Utah doing radiology research. She is not employed as a nurse. Ms. Roach reported her sobriety date is May 19, 2011. She stated she has no thoughts of relapse and has not had a relapse. She stated she is not taking any medications not lawfully prescribed for her. Ms. Roach missed calling into the drug screen company twice in October and has not submitted a copy of her prescription. **Ms. Roach is out of compliance with the terms and conditions of her Order.**

Nora Mitchell,
Annual Interview:

Ms. Mitchell did not appear for her scheduled interview.

Heather Holmes,
Quarterly Interview:

Ms. Holmes missed calling into the drug screen company once in October. She is in compliance with all other terms and conditions of her Order. Ms. Holmes reported her sobriety date is April 24, 2011. She stated she has no thoughts of relapse and has not relapsed. Ms. Holmes submitted a copy of the 12-step program offered by her church, K-2. She reported she will continue to attend traditional AA meetings. Committee members approved the 12-step program offered by the K-2 Church. Ms. Holmes requested she be allowed to attend either PIR or AA meetings. **Ms. Holmes appears to be doing well; however is out of compliance due to a missed call to Affinity in October.**

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Minutes
Board of Nursing
November 10, 2011
Barbara Raymond-Hicks,
New Order:

Ms. Raymond-Hicks missed a meeting with the Board last month and indicated she is unavailable to meet with the Board again this month. She has indicated she will surrender her Utah license. A document will be drafted and sent to her.

Jaimee Anderson
Quarterly Interview:

Ms. Anderson stated it has been difficult the last several months. She stated she has been sick, ended a 1 ½ year relationship and can no longer attend meetings at Odyssey House. Ms. Anderson stated it has been a very emotional period for her and she is trying to find new meetings that will not interfere with her work schedule. Ms. Anderson only attended three PIR or 12-step meetings in October. She stated she had been on vacation in Hawaii and made up the missed meeting when she returned. Ms. Anderson reported her sobriety date is December 12, 2006. She reported she does have a good support system at work. She again stated it has been a difficult last six month since she was released from Odyssey House. She reported she feels she is just doing okay, trying to stay in the moment and taking one day at a time. **Ms. Anderson is out of compliance for the missed 12-step meetings.**

Karen Chlarson:

Ms. Chlarson did not meet with the Board.

Sandra Piatt,
Quarterly Interview:

Ms. Piatt reported she has seven years of sobriety. She reported she had surgery in September and received a prescription which she filled at the nearest Costco Pharmacy. Ms. Kirby stated Ms. Piatt has been on probation long enough to know she can only fill prescriptions at one pharmacy. Ms. Piatt has been non-compliant for almost two years. Ms. Piatt stated she does not agree, she was told she was excused from meeting with the Board for the last nine months because she was in compliance and does not understand how she has now been out of compliance for two years. Ms. Piatt stated she routinely communicates with Ms. Call and thought she was in compliance with her probation. Ms. Piatt reported her sobriety date is December 22, 2004. She stated she has no thoughts of relapse and has not relapsed. Ms. Call came into the meeting and stated with the changes in Bureau Managers, those probationers who were in compliance were not seen. Ms. Call stated she didn't have the results from CVI, but had thought Ms. Piatt

was in compliance with her Order. Ms. Kirby stated the paperwork has been late and she is concerned that Ms. Piatt may be heading toward a relapse. Ms. Piatt stated she is doing well, thought she was in compliance and will make compliance a priority. **Ms. Piatt is out of compliance with the terms and conditions of her Order.**

Kaylyn Thompson
Quarterly Interview:

Ms. Thompson stated she feels she is in compliance with the terms and conditions of her Order. She stated she has not missed any drug screens and submitted all her paperwork. She indicated she did have a problem with Affinity and money in her account, but she indicated she took care of that problem last night. She indicated she continues to be employed at Painted Hills, but has applied to Milford Hospital. She stated she has no thoughts of relapse and has not relapsed. She stated she is not taking any medications not lawfully prescribed for her. She is requesting that her next interview be by telephone and she is also requesting that her access to controlled substances be returned. **Committee members indicated that if she has taken care of the financial issues with Affinity, she would be in compliance with the terms and conditions of her Order.**

Lunch Break at 12:10 p.m.
Reconvened at 12:50 p.m.

Charlene Espindola,
Quarterly Interview:

Ms. Espindola reported things are still going well and she continues to pay restitution. **Ms. Espindola is in compliance with the terms and conditions of her Order and she will be seen again March 8, 2012.**

Julie White Hall,
Quarterly Interview:

Ms. Hall reported her sobriety date is January 2010. She reported she has no thoughts of relapse and has not relapsed. She stated she attends 12-step meetings but does not have a sponsor. She indicated she has a good support system and manages stress by swimming and with therapy. Ms. Hall questioned if she could request early termination of probation. Committee members indicated she may request early termination at any time, however, she has only completed one year of the five year probation and Committee members indicated it would be too early in the probation to grant the request. Ms. Hall is currently under direct supervision and requested she be allowed to work

Lori Laird,
Quarterly Interview:

under general supervision. Committee members will recommend to the full Board to grant the request for general supervision, but deny the request for early termination of probation. **Ms. Hall is in compliance with the terms and conditions of her Order.**

Ms. Laird was scheduled in error and is excused. She will be seen February 2012.

Tyler Miller,
Quarterly Interview:

Mr. Miller was interviewed by telephone. He stated he currently works at a sleep study center as a sleep technologist and is in the process of applying for a nursing position. His therapist indicates he is doing well and is a good candidate for release from therapy. Mr. Miller reported his sobriety date is February 2010. He stated he does have thoughts of relapse, but has not relapsed. He indicated he is attending four 12-Step meetings per month. He stated he has a sponsor and also a mentor and feels he has a very good support system. He stated his main stressors are financial and the restructuring at work. Mr. Miller stated he discusses his stressors with his family and has open communication at work. Committee members will discuss the request for termination of therapy with the full Board. **Mr. Miller is in compliance with the terms and conditions of his Order and will be scheduled to meet with the Board March 8, 2012.**

Tricia Schmidt,
Quarterly Interview:

Ms. Schmidt reported everything is going well. She recently began employment at the Department of Health and is reconciling with her husband. She reported her sobriety date is January 1, 2011. She stated she has no thoughts of relapse and has not relapsed. She stated she has a sponsor and speaks with the sponsor everyday. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Schmidt is out of compliance with the terms and conditions of her Order because we did not receive a therapist report.**

Julie Versteeg,
Quarterly Interview:

Ms. Versteeg stated she has had thoughts of relapse, but has not relapsed. She stated she is now attending two 12-step meetings in person and two 12-step meetings online each month. She indicated she has a sponsor and speaks with her once a week. Ms. Versteeg reported her sobriety date is December 2, 2003. She stated work is going well and she is

Jeness Morgan,
Quarterly Interview:

working about 30 hours per week. Ms. Versteeg stated she is not taking any medications not lawfully prescribed for her. **Ms. Versteeg was late submitting her therapist report and is out of compliance with the terms and conditions of her Order.** She will be seen again February 2012.

Ms. Morgan reported things are going well. She stated she recently got married and her husband was present for the interview. Ms. Morgan reported she has a very good support system, spends a lot of time with family and has supportive co-workers. She reported her sobriety date is 2006 from alcohol and 2002 from drugs. She stated she has no thoughts of relapse and has not relapsed. Ms. Morgan indicated she is having difficulty with back problems and sitting is very painful. She reported she will be having surgery the first of December. Ms. Morgan indicated she has prescriptions for pain medications, but doesn't take them very often. Ms. Schilleman stated she is concerned to hear Ms. Morgan has all of this going on and feels this will be a very stressful period for Ms. Morgan. Ms. Morgan stated she feels like her life is on hold and would like to request termination of probation. She stated she feels the time period should count from the time she was monitored as a CNA. She indicated she has been sober since 2002 and 2006 and arranged for drug and alcohol testing on her own. She stated she also arranged for therapy on her own. She stated when she applied for the license she knew there would be some stipulations, but did not know there would be so many. When she met with the Board, Board members indicated she needed to submit proof of her sobriety and she feels she has proven herself. She finished her nursing education program, is now in the BSN program and does not think she could have accomplished what she has done if she were using drugs. Ms. Kirby stated this is a process that she needs to go through and the Board needs to know that she is not a threat to the public. Board members understand she is in a good place, but going into surgery is not a good time to be released from probation. **Ms. Morgan is in compliance with the terms and conditions of her probation.** She will be seen February 2012.

Group II

Members present: Peggy Brown, Diana Parrish,

Mary Williams and Alisa Bangerter:

Tina L'Estrange,
Quarterly Interview:

Ms. L'Estrange has been very proactive regarding her recovery. She submitted an evaluation which indicates she is ready to return to work. She completed the outpatient treatment program and reported she has 100 days of sobriety. Her sobriety date is July 19, 2011. She stated she has had no thoughts of relapse and has not relapsed. She is requesting that the suspension be terminated. Committee members will recommend her suspension be lifted. **Ms. L'Estrange is in compliance with the terms and conditions of her Order.**

Beverly Stewart Miller,
Quarterly Interview:

Ms. Stewart Miller did not appear for her scheduled interview.

Dietrich Quiring,
Quarterly Interview:

Mr. Quiring did not appear for his scheduled interview.

Jason VanDaam,
Annual Interview:

Mr. VanDaam reported he feels he has made progress in his recovery. He stated he has no thoughts of relapse and has not relapsed. **Mr. VanDaam discussed the missed urine screen. He is out of compliance with the terms and conditions of his Order due to the missed urine screen.**

Damion Smuin,
Quarterly Interview:

Mr. Smuin reported everything is going well. He submitted his essay and it was accepted by the Board. Committee members recommend early termination of probation. **Mr. Smuin is in compliance with the terms and conditions of his Order.**

Melanie Larsen,
New Order:

Ms. Larsen explained the circumstances that brought her before the Board. Ms. Larsen stated she is in an outpatient treatment program until her Drug Court ends. Committee members will recommend to the full Board to terminate suspension. The Board will also need to consider reducing the number of Division urine screens while she is testing with Drug Court. **Ms. Larsen is in compliance with the terms and conditions of her Order.**

Kellie Roring,
Quarterly Interview:

Ms. Roring reported she has been sober for approximately seven years. She stated she has no thoughts of relapse and has not relapsed. She

indicated her major stressor is not being able to find nursing employment. **Ms. Roring is in compliance with the terms and conditions of her Order.**

Lori Wright,
Quarterly Interview:

Ms. Wright reported things are extremely rough at this time and she is having a struggle financially. She stated she can not find nursing employment and is looking for employment outside of nursing. She indicated she continues to volunteer at Utah County Free Health Clinic as a nurse. Committee members will discuss with the full Board whether or not to accept the volunteer hours as nursing practice hours as long as she is supervised by a registered nurse and meets the terms and conditions of her Order. **Ms. Wright is in compliance with the terms and conditions of her Order.**

Debbie Kilgrow,
Quarterly Interview:

Ms. Kilgrow indicated she is volunteering at the Mahielh Clinic doing intake and triaging patients. She indicated her sobriety date is June 2004. Ms. Kilgrow stated she has no thoughts of relapse and has not relapsed. **Ms. Kilgrow is in compliance with the terms and conditions of her Order.**

Lillian Howell,
Annual Interview:

Ms. Howell reported things are going well. She indicated she is still looking for nursing employment. Ms. Howell reported her sobriety date is 2001 and she indicated she has a lot of family support. **Ms. Howell is in compliance with the terms and conditions of her Order.**

Sarah Cormier,
Quarterly Interview:

Ms. Cormier reported she finally found a nursing position and began working as an APRN on November 3, 2011. She reported she is doing well. **Ms. Cormier is in compliance with the terms and conditions of her probation.**

Synthia Carter,
Bi-annual Interview:

Ms. Carter reported things are going well with the exception of a missed urine screen. She did not have any money in her account and was not able to pay for the urine screen. Ms. Carter reported her sobriety date is May 24, 2009. **Ms. Carter is out of compliance with the terms and conditions of her Order due to the missed urine screen.**

Taylor Simmons Goodwin,
Quarterly Telephone Interview:

Ms. Goodwin received her Texas license and will continue to fax her quarterly paperwork and complete

urine screen through Affinity until she begins the monitoring process in Texas. Ms. Goodwin stated she has had thoughts of relapse, but has not relapsed.

Ms. Goodwin is in compliance with the terms and conditions of her Order.

Dale Hullinger,
Bi-annual Interview:

Mr. Hullinger reported he continues to look for a nursing position. He stated he is going to go back to Salt Lake Community College to get his associates degree in nursing. He reported his sobriety date is July 24, 2011. He stated he has no thoughts of relapse and has not relapsed. He stated he has a sponsor and contacts them 2-3 times per week. **Mr. Hullinger is in compliance with the terms and conditions of his Order.**

Jana Keetch,
New Order:

Ms. Keetch did not appear for her scheduled interview.

Adjourned to Order to Show Cause Hearing:
Tamara Jones at 3:05 p.m.:
Reconvened to Board meetings at 3:59 p.m.

Default Hearing was held.

Traci Lujan,
Requesting re-licensure:

Ms. Lujan met with the Board August 2010 to request re-licensure. At that time the Board required Ms. Lujan to obtain a psychological evaluation. Ms. Lujan completed the evaluation and submitted it to the Board. Ms. Call indicated Ms. Lujan has been submitting to voluntary random urine screens, however, she did not provide a copy of the prescriptions that appear on the controlled substance database. Dr. Williams made a Motion to accept the evaluation and once copies of the prescriptions are received, Ms. Lujan be approved to sit for the NCLEX-RN examination. Once she passes the examination, her license will be placed on probation for 5 years with the standard terms and conditions. Ms. Schilleman seconded the Motion. All Board members in favor.

Recommendations from Probation Peer
Committee:

Nora Mitchell did not appear for her scheduled interview for the second month. Mr. Allred made a Motion to refer Ms. Mitchell for an Order to Show Cause Hearing. Ms. Schilleman seconded the Motion. All Board members in favor.

Heather Holmes requested she be allowed to attend

either PIR or AA meetings. Committee members recommend approval of the request as long as she attends at least four 12-Step meetings per month. All Board members in favor.

Barbara Raymond-Hicks. Committee members recommend Ms. Raymond-Hicks be referred for an Order to Show Cause Hearing. All Board members in favor.

Kaylyn Thompson: Ms. Thompson needs to submit documentation that she has taken care of the money she owes Affinity. She will need to have this account paid in full by November 18, 2011 or she will be referred for an Order to Show Cause Hearing. Committee members recommend that her request for access to controlled substances and to be allowed to meet with the Board via telephone be denied. All Board members in favor.

Tina L'Estrange: Committee members recommend the suspension on Ms. L'Estrange's license be lifted as long as she remains on her medications. All Board members in favor.

Damion Smuin: Committee members recommend termination of probation. All Board members in favor.

Melanie Larsen: Committee members recommend the suspension be lifted and Ms. Larsen placed on probation according to the terms and conditions in her Order. Mr. Allred abstained. All other Board members in favor.

Lori Wright: Ms. Wright requested she be allowed to count the volunteer hours toward the probation period. Committee members recommended approval of the request and allow Ms. Wright to volunteer a minimum of 5 hours per week as long as she meets the terms and conditions of the Stipulation to count toward her probation. The minimum of 5 volunteer hours per work week can only be for a period of one year. All Board members in favor.

Julie Hall: Ms. Hall requested general supervision of a physician instead of direct supervision. Committee members recommend the Order be amended to allow

for general supervision. All Board members in favor.

Lori Laird: Ms. Laird is requesting termination of urine screens and to request termination of attendance at 12-step meetings. Ms. Schilleman made a Motion to deny both requests because she just recently became employed and Board members would like to monitor her on probation for a longer period of time. Ms. Kirby seconded the Motion. All Board members in favor.

Tyler Miller: Mr. Miller is requesting termination of the therapy requirement at the recommendation of the therapist. Committee members recommend termination of therapy. All Board members in favor.

Jeness Morgan: Ms. Morgan is requesting termination of probation. Ms. Morgan stated she has turned her life around and claims 5 years of sobriety. However, she has only been monitored on probation for a short period of time. Committee members recommend denial of her request to terminate probation. All Board members in favor.

Debbie Kilgrow: Ms. Kilgrow requested she be allowed to volunteer as a nurse at Miala and count those hours toward the probation period. Committee members recommended approval and allow Ms. Kilgrow to volunteer a minimum of 5 hours per week as long as she meets the terms and conditions of the Stipulation. The minimum of 5 volunteer hours per work week can only be for a period of one year. All Board members in favor.

Kim Baker, requesting approval to fill prescriptions at two pharmacies:

A Motion was made to approve the request for two pharmacies for the requested medication only. The Motion was seconded. All Board members in favor.

Discussion Items:

Dr. Hobbins indicated that the Board of Pharmacy has proposed changes to the Pharmacy Vaccine Protocol. The names of the vaccines will be eliminated. Ms. Brown stated her concern is with the travel vaccines because a large number of people receiving those vaccines have allergic reactions. The proposed changes will be presented to the Board for recommendations.

Discuss regarding Agenda:

Dr. Hobbins stated she would like to make changes to the agenda and place discussion items before scheduled probationers. Dr. Hobbins also requested the Board consider issuing a fine for those individuals who are out of compliance with the terms and conditions of their Orders.

Report from Education Committee:

Ms. Brown reported that Western Governors University had been approved for an innovative nursing education program but has not started the program. Education Committee members made a Motion to recommend to the full Board that a non-disciplinary MOU be issued withdrawing approval until the program is ready to move forward and accept students. Ms. Jones-Schenk presented the Division with a letter just prior to the Board of Nursing meeting and requested the issue regarding Western Governors University innovative nursing education program be re-addressed at the December meeting. This discussion will be placed on the December Education Committee agenda for discussion.

Ms. Brown also reported on Broadview University and the MOU that the Division and the Board will be presenting to Broadview University. Broadview University has accreditation problems and low pass rates on the NCLEX-RN examination. Program administrators have agreed not to admit anymore students at this time. They have submitted a plan for remediation and improvement. Program administrators will need to notify students of the MOU, and if the pass rates do not improve, or if they lose national accreditation, the program will need to close down. Dr. Williams stated the concern of the Education Committee is for the students. The articulation agreement with the University of Phoenix has to do with general education prerequisites, rather than which program will accept students if the program is closed. The original articulation agreement was written in Rule for general education courses. If the program is closed down, the Board cannot require an agreement because it is not written in Rule. Board members would like to know what types of arrangements have been made for the students. Ms. Brown stated the Motion from the Education Committee is to recommend the Division move forward with the MOU to have Broadview come into

compliance with the Statute and Rules. There will be one final warning and if there is one more NCLEX pass rate more than 5% below the national average, the program will need to cease and the students would be able to continue only until the end of the semester. All Board members 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 7, 2011
Date Approved

(ss) Diana Parrish
Diana Parrish, Chair-elect, Utah Board of Nursing

December 7, 2011
Date Approved

(ss) Debra Hobbins
Debra Hobbins, Bureau Manager, Division of Occupational
& Professional Licensing