

MINUTES

**UTAH
BOARD OF NURSING
MEETING**

October 11, 2012

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

CONVENED: 8:30 am

ADJOURNED: 9:55 a

Bureau Manager:

Debra Hobbins, DNP, APRN

Board Secretary:

Hailee Robertson

Shirlene Kimball

Division Staff:

Connie Call, Compliance Specialist

Irene Woodford, Division Investigator

Conducting:

Diana Parrish, Chair

Board Members Present

Barbara Jeffries

Marie Partridge

Cescilee Rall

Diana Parrish

Sue Kirby

Sheri Palmer

Peggy Brown

Tonya Bailey

Alisa Bangerter

Ralph Pittman

John Killpack

TOPICS FOR DISCUSSION

Swearing-in and welcome new Board members, Ralph Pittman, Cescilee Rall and Sheri Palmer:

Dr. Hobbins sworn-in Mr. Pittman, Ms. Rall and Ms. Palmer. The new Board members were welcomed to the Board.

Review and approve September 13, 2012 minutes.

Minutes tabled.

Marc Hancock Interview:

Ms. Bailey recused herself and left the room. Mr. Hancock was brought before the Board to explain the circumstances surrounding his July 2012 relapse. Mr. Hancock stated he ran into an old friend at a social

gathering and used his drug of choice, which was methamphetamine. He indicated he is back on track now and is working his steps. He has contacted his sponsor and attends daily 12-Step meetings. He reported his sobriety date was February 17, 2011; however that has changed to July 31, 2012. Mr. Hancock is not currently employed as a nurse. Mr. Killpack questioned what plan of action has he put into place in case this happens again? Mr. Hancock stated he attends daily 12-Step meetings and is taking one day at a time. Ms. Partridge questioned whether or not he feels attending meetings everyday is enough? He stated yes and he is also working on spiritual growth along with the steps. Board members indicated this is his second relapse and they were both at a social gathering. Ms. Jeffries suggested when he has cravings to focus on being in the chair before the Board and remember how he is currently feeling. Mr. Hancock questioned how he should answer questions during job interviews regarding his probation. Mr. Killpack indicated he needs to be truthful and let them know he has an active license on probation. Mr. Killpack also suggested informing the interviewer that he is being supervised by the Division and is currently having ongoing drug testing. Ms. Call indicated the prospective employer can contact her regarding his compliance. Mr. Killpack stated this is Mr. Hancock's last chance and if he relapses again, he may lose his license. Mr. Hancock stated he is not having any thoughts of relapse. He stated he is not taking any medications not lawfully prescribed for him. Mr. Killpack made a motion that at this time, no fine be issued, but with the understanding that Mr. Hancock will be referred for an Order to Show Cause Hearing to revoke the license if he relapses again. Ms. Jeffries seconded the motion. Ms. Parrish, Ms. Kirby and Ms. Partridge opposed the motion. Ms. Bailey was recused. Seven Board members voted in favor of the motion and the motion passed. Ms. Bailey rejoined the meeting.

Karen Carter,
Interview:

Ms. Carter stated she was requested to meet with the Board because she has been totally out of compliance with the terms and conditions of her Order and has not submitted any paperwork on-time for the last three years. Board members questioned why she has not

submitted the required paperwork in a timely fashion? Ms. Carter stated she has totally spaced-off submitting the paperwork. Board members questioned how “spacing off paperwork” reflects on her nursing ability? Ms. Carter stated her employers would commend her on a job well done because she puts her job first. Ms. Carter stated she understands it is her responsibility to submit the paperwork in on time. She stated she has no excuse for being out of compliance for the last three years. Ms. Bangerter indicated that work appears to be her priority in life, instead of making her license the priority. Mr. Killpack stated that the personal life reflects on the job and time management and organization is an issue. **Ms. Carter is out of compliance with the terms and conditions of her Order** and she will be seen December 2012. Ms. Carter’s probation is due to end April 2013. The Board needs to take action on the license before that date. Board members will continue the discussion after the Hearing.

Nathan Adams,
Discussing regarding propofol.

Mr. Adams requested he be placed on the agenda to discuss propofol administration by an RN. He indicated he filed a complaint with the Division in July 2012. Mr. Adams indicated he has conducted some research and found that RNs in Utah are permitted to administer propofol. He stated he is concerned for the public’s safety. He stated that propofol is not a drug that should be given by individuals that do not have anesthesia knowledge. Mr. Adams stated propofol has a black label for general anesthesia and is a patient specific medication. Mr. Killpack stated that the individual giving sedation needs to be able to resuscitate, no matter the level of sedation. Each employer is allowed to decide if the training is complete. Mr. Killpack stated he has had a few RNs indicate to him that they do not feel sufficiently trained to do a deep sedation. Mr. Killpack also indicated that the joint commission is not comfortable with RNs functioning at this level. Utah is the only state that allows RNs to administer propofol. This issue will be placed on the next Board agenda.

Adjourned to the Stacy Roberts Hearing at
9:55 a.m.

Continued probationer discussions:

Karen Carter: Mr. Killpack made a motion to issue a \$100.00 fine and stated she must be in 100% compliance by the December Board meeting or she will be referred for an Order to Show Cause Hearing. Ms. Jeffries seconded the motion. Ms. Partridge opposed. All other Board members voted in favor of the motion.

Ian Gowans: Mr. Gowans submitted a request for access to controlled substances. Mr. Killpack made a motion to deny the request because he has not submitted the required evaluations. Ms. Jeffries seconded the motion. All Board members voted in favor of the motion. Mr. Killpack recommended that Mr. Gowans pay the evaluator as soon as possible and have the evaluation submitted by December 1, 2012 or he will be subject to a \$200.00 fine. He will be seen in December 2012.

Rod Cromar: Mr. Cromar is requesting he be allowed to attend weekly meetings with his sponsor in lieu of AA/PIR meetings. Mr. Killpack made a motion to deny the request. It is felt that 12-Step meetings would be more beneficial to his recovery, discussing his issues with a group instead of with only one individual. Ms. Jeffries seconded the motion. All Board members voted in favor of the motion.

Jill Smith: Ms. Smith's therapist indicated she has met the therapeutic goals and counseling has been terminated. Board members accepted the recommendation to terminate therapy. The Order does not need to be amended; however, a letter will be sent informing her she no longer needs to attend therapy.

Melaine Larsen: Ms. Larson's therapist submitted a letter stating Ms. Larson has completed therapy. Board members accepted the recommendation to terminate therapy. The Order does not need to be amended; however, a letter will be sent informing her she no longer needs to attend therapy.

Sherry Mack: Ms. Mack indicated last month that she

would be in 100% compliance by this month. Ms. Mack remains out of compliance with the terms and conditions of her Order. Ms. Jeffries made a motion to refer Ms. Mack for an Order to Show Cause Hearing. Ms. Kirby seconded the motion. All Board members voted in favor of the motion.

Diane Crossley: Ms. Crossley has not submitted her revised essay. Ms. Jeffries made a motion to issue a \$100.00 fine for non-compliance with the terms and conditions of her Order. Mr. Pittman seconded the motion. All Board members voted in favor of the motion.

Karen Sharp: Ms. Sharp has not submitted her self-assessment reports for two months. Ms. Jeffries stated it is not normal for Ms. Sharp to be out of compliance and recommended Ms. Sharp be invited to the next Board meeting.

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 13, 2012
Date Approved

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

December 13, 2012
Date Approved

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