

# ALABAMA BOARD OF NURSING

## REGULAR BOARD MEETING

Fiscal Year 2008-2009

Suite 326, RSA Plaza

770 Washington Ave

Montgomery, Alabama

January 22-23, 2009

### I. CALL TO ORDER

#### A. Roll Call

The meeting was called to order at 9:01 a.m. on January 22, 2009. The following Board members were present: Mike Harper, CRNA, JD, President; Gregory Howard, LPN, Secretary; Pamela Autrey, PhD., MSN, RN; Harry Brown, Jr., MA, MBA, CFP®; Melissa Bullard, LPN; Maggie Lee Hopkins, LPN; Patricia LeCroy, MSN, RN; Rose Linsky, MSN, RN; Susan F. Lovett, CRNP, MSN; Amy Price, MSN, RN; and Sharon Pugh, LPN. Genell Lee, MSN, RN, JD, Executive Officer and Leslie Vinson, Executive Secretary/Recorder were present. Staff members attending portions of the meeting were: Allison Terry, Ph.D., Director, Center for Nursing; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Katie Drake-Speer, MSN, RN, Continuing Education; Carolyn Morgan, MSN, RN, Practice; Jennifer Weaver, Chief Fiscal Officer; Frank Mitchell, Chief Special Investigator; David Pinnock, Special Investigator; Wyatt Gantt, Special Investigator; Nate Nunnelley, Special Investigator; Danny Bond, Special Investigator; Ginny Pettway, Docket Clerk; Cathy Boden, MSN, RN, Legal Nurse Consultant; and Alice Maples, Deputy Attorney General/General Counsel.

#### B. Oath of Office

On January 22, Mr. Harper led members in the Oath of Office. A written "Oath of Office" was provided to each Board member for signature.

#### C. Declaration of Quorum

A quorum was declared with eleven Board members present on January 22, and eleven members present on January 23. Debra

Davis, DSN, RN, and Sylvia Nobles, MSN, CRNP, were not present.

D. Review of Agenda

1. Additions, Modifications, Reordering

X.H. 2<sup>nd</sup> National Doctor of Nursing Practice Conference, March 24-27, 2009, Hilton Head, SC was added to the agenda.

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. November 20-21, 2008 Annual Board Meeting Minutes
- II.B. December 18, 2008 Work Session Minutes
- III. OLD BUSINESS/FOLLOW-UP
- III.A. Board Action Follow-up
- VI.A. Executive Officer
- VI.A.2. FYI
- VI.D.1. General Counsel/Deputy Attorney General
- VI.D.2. Voluntary Disciplinary Alternative Program
- VI.D.3. Probation Monitoring
- VI.E. Operations/Personnel Report
- VI.F. Licensing Division
- VI.H. Board Member Attendance
- VII.A. 2009-2013 Strategic Plan Update
- VIII.B.1. Practice Report
- VIII.D.1. Continuing Education Report
- VIII.E.1. Center for Nursing/Research

**On January 22, Ms. Linsky moved that the Board adopt the Consent Agenda. Mr. Howard seconded. Motion carried.**

3. Adoption of Agenda

**On January 22, Mr. Brown moved that the Board adopt the Agenda, as amended. Ms. Linsky seconded. Motion carried.**

II. REVIEW OF MINUTES

A. November 20-21, 2008 Annual Board Meeting Minutes

The November 20-21, 2008, Annual Board Meeting Minutes were accepted on the Consent Agenda.

B. December 18, 2008 Work Session Minutes

The December 18, 2008, Work Session Minutes were accepted on the Consent Agenda.

III. OLD BUSINESS/FOLLOW-UP

A. Board Action Follow Up

Ms. Lee's report of Board action follow up was accepted, as information, on the Consent Agenda.

IV. NATIONAL COUNCIL OF STATE BOARDS OF NURSING, INC.

A. Report from Board of Directors

Mr. Howard reported on his attendance at the Transition to Practice Committee meeting.

The Board reviewed and discussed the Transition to Practice Fact Sheet.

Mr. Howard provided copies of the revised Transition to Practice Fact Sheet and the Quality and Safety Education for Nurses (QSEN) competencies for the Board's information and review.

Ms. Lee reported that she has reviewed non-nursing literature regarding transition to practice and will present her findings to the Board at a future meeting.

Mr. Howard also reported on his attendance at the Institute of Regulatory Excellence meeting.

B. Recommended Revisions to NCLEX-RN Test Plan

Ms. Lee reported that the National Council of State Boards of Nursing (NCSBN) conducts a practice analysis every three years

and the NCLEX® is based on the practice analysis. The Examination Committee reviewed the 2009 RN Practice Analysis and proposes revisions to the Test Plan. There are no major changes. The proposed revisions are for clarification purposes.

Ms. Lee provided copies of the letter from NCSBN, the Executive Summary, proposed timeline, Member Board feedback form, and a comparison of the FY 2007 RN Test Plan to the proposed FY 2010 Test Plan for the Board's information and review.

Ms. Lee requested that Board members provide any feedback no later than February 1, 2009.

The Board reviewed and discussed the information provided.

## V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

### A. 1<sup>st</sup> Quarter NCLEX-PN® Results

The 1<sup>st</sup> Quarter NCLEX-PN® Results for FY 2009 were not available.

### B. 1<sup>st</sup> Quarter NCLEX-RN® Results

The 1<sup>st</sup> Quarter NCLEX-RN® Results for FY 2009 were not available.

## VI. REPORTS

### A. Executive Officer

#### 1. Report

Ms. Lee provided a written report to the Board outlining her activities from November 1, 2008, through December 31, 2008.

In addition to her written report, Ms. Lee reported that after the vacant Nurse Consultant positions were advertised in *The Alabama Nurse*, the Governor announced the hiring freeze. The Finance Director approved an IT position and the Administrative Support Assistant III position, but denied the two Nurse Consultant positions. Ms. Lee reported that in addition to her job as the Executive Officer, she is serving

as the Education Consultant and reviewing legal cases. The Board drafted a letter to the Governor requesting an exemption for the vacant Nurse Consultant positions.

Ms. Lee provided copies of the draft Sunset Legislation, HB 109, and reviewed the Sunset Legislation process.

Pursuant to Alabama Board of Nursing Administrative Code, Rule 610-X-8-.05, Ms. Lee accepted the voluntary surrender for revocation for each of the following Alabama nursing licenses:

<b><u>Licensee's Name</u></b>	<b><u>License Number</u></b>	<b><u>Date of Acceptance</u></b>
Burke, Pamela Lajeane Moore	2-038573	11/05/2008
Griffith, Kelley Elizabeth	2-048238	11/06/2008
Fuller, Cheryl Latrica	2-054281	11/06/2008
Robinson, Angela Michelle	1-085009; 2-045548	11/12/2008
Aplin, Laura Lee	1-085781	11/17/2008
Bolling, Margaret Carolyn	1-060143	11/20/2008
Shelley, Tonya Lynn	1-100801	11/20/2008
Homan, Margaret Ann	2-039108	11/24/2008
Penfold, Barbara Ellen	1-077958	11/24/2008
Cofield, Gena Ann	1-090782; 2-041353	11/25/2008
Peavy, Regina L.	1-054747	12/02/2008
Fowler, Audrey Denise	1-058135	12/05/2008
Lovell, Sara Deloris	2-040813	12/11/2008
Key, Julie D. Johnson	2-041050	12/11/2008
Hartley, Allison Cain	1-095450	12/12/2008
Sims, Elizabeth Grace	1-087467	12/12/2008
Huckaby, Belinda Lee	2-033547	12/15/2008
Peeples, Amanda Ann	1-108992	12/19/2008
Jones, Tammy Rachelle	2-056413	12/22/2008
Anderson, Edward Stone	1-069251	12/23/2008
Champion, Lisha Renee	1-082439	12/31/2008
Curry, Kathleen Susan	1-073534; CRNP	01/02/2009

Allen, Tina Diann	1-087420	01/05/2009
Harris, Jr., Morris William	1-071350	01/05/2009

2. FYI

Ms. Lee provided the following items for the Board's information: (1) a copy of a letter from a licensee regarding the late renewal fee; (2) a copy of a letter from a licensee requesting a refund of the late renewal fee; and (3) information from Wound Ostomy and Continence Nurses Society (WOCNCB) regarding wound care.

B. Executive Committee

1. President's Report

There was no report from the President.

C. Financial Reports

1. Reports

Ms. Weaver, Chief Fiscal Officer, provided a Revenue and Expenditure Summary for FY 2009. Revenues and expenditures for FY 2009, and a spreadsheet reflecting payments for all in-state and out-of-state travel-related expenses through November 30, 2008, was presented. Ms. Weaver also provided a cost allocation report with a breakdown of expenditures by program and object codes, along with a report of dishonored checks through November 30, 2008. Ms. Weaver provided a variance report reflecting actual expenditures and revenue variances from the budget through November 30, 2008, and ratio analysis and cash balance as of December 31, 2008.

The Board reviewed and discussed the reports presented with Ms. Weaver.

Mr. Brown suggested that the ratio analysis be provided to the Board on a quarterly basis.

2. Review of Financial Policies

Ms. Weaver reviewed and provided copies of the State Bid Laws, the internal controls for accounting and finance, and

the Executive Officer financial parameters for the Board.

The Board discussed placing a web cam in the mail room as another internal control.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from November 4, 2008 through January 5, 2009, the number of open disciplinary cases, the number of RN renewal yes answers per question, and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of December 31, 2008 was accepted, as information, on the Consent Agenda.

3. Probation Monitoring

A written report on the number of nurses monitored on probation as of January 2, 2009 was accepted, as information, on the Consent Agenda.

E. Operations/Personnel Report

A written report of the Board's operations and personnel was accepted, as information, on the Consent Agenda.

F. Licensing Division

A written report on the number of licenses issued from October 1, 2008, through December 31, 2008, and a report on 2008 RN renewal, was accepted, as information, on the Consent Agenda.

G. Legal Counsel

There was no report from Legal Counsel.

H. Board Member Attendance

A written report on Board member attendance was accepted as

information on the Consent Agenda.

## VII. STRATEGIC PLANNING

### A. 2009-2013 Strategic Plan Update

An update of the ABN 2009-2013 Strategic Plan, was accepted, as information, on the Consent Agenda.

### B. Performance Measures for the Center for Nursing

Ms. Lee reported that during the October 2008 Strategic Planning Retreat, the Board reviewed some goals and performance measures from other states. Due to time issues, the Board directed that the performance measures for the Center for Nursing be brought back for consideration and a vote at the January meeting.

Ms. Lee provided proposed performance measures for the Board's review and approval.

The Board reviewed and discussed the proposed performance measures.

**On January 22, Ms. LeCroy moved that the Board approve the Center for Nursing performance measures as presented. Mr. Howard seconded. Motion carried.**

Ms. Lee reported that Dr. Terry will be contacting each Board member by phone to get input on the strategy specific to residency and fellowship for Ph.D. and DNP candidates.

## VIII. WORK SESSION/COMMITTEE REPORTS

### A. Education

#### 1. Report

A written report on Nursing Education Programs was accepted, as information, on the Consent Agenda.

2. Application for New Nursing Program: Virginia College-Mobile

Ms. Lee reported that Virginia College-Mobile submitted a Letter of Intent and Feasibility Study followed by an Application for a new ADN Program in 2008. There were some major concerns with the materials submitted and Virginia College-Mobile requested more time to submit the materials to the Board. In November 2008, Edna Harris, Program Director, submitted a completed application.

The Board approved applications for Virginia College-Birmingham and Virginia College-Montgomery in 2008. Virginia College is accredited by the Accrediting Council for Independent Colleges and Schools (ACICS), an accrediting body recognized by the U. S. Department of Education. Virginia College also has a current private school license issued by the Alabama Department of Postsecondary Education.

Virginia College-Mobile anticipates admitting twenty-four students every other quarter, beginning in April 2009 with the first graduating class in 2011.

Ms. Lee reported that Ms. Drake-Speer conducted a site visit on January 16, 2009 and provided a written report of the site visit.

Edna Harris, Program Director, Virginia College-Mobile; Stephanie Mitchell, Program Director, Virginia College-Montgomery; Jason Mann, Marketing Director; and Eric Berrios, President Virginia College-Mobile were present to answer questions from the Board.

Ms. Lee provided copies of the five-year budget, a letter describing the institution, program administrator qualifications, faculty, policies and procedures, curriculum, clinical, outcome standards, and the systematic plan of evaluation for the Board's information and review.

The Board reviewed and discussed the information provided.

**On January 22, Mr. Howard moved that the Board provide provisional approval to Virginia College-Mobile**

**new ADN Program. Ms. Linsky seconded. Motion carried.**

B. Practice

1. Report

A written report on the standardized procedures activity as of December 31, 2008, and the plan for the 2009 Standardized Procedures Annual Report were accepted, as information, on the Consent Agenda.

C. Advanced Practice Nursing

1. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Joint Committee met on January 20, to review the roster of applications for collaboration.

The Joint Committee recommends approval of the roster of collaborative practice applicants, with the exception of item 50, withdrawn by applicants, and those with unpaid Alabama Board of Medical Examiners (ABME) Physician Fee. The Committee also recommends approval of the Collaborative Practice for Bonnie Robertson, 1-068448, and Dr. Charles Ivy Lee, MS #14864.

Ms. Cotton provided copies of the roster of collaborative practice applicants for the Board's information and review.

**On January 22, Dr. Autrey moved that the Board accept the recommendation from the Joint Committee and approve the collaborative practice for Bonnie Robertson and Dr. Charles Ivy Lee. Mr. Howard seconded. Motion carried.**

**On January 22, Ms. Linsky moved that the Board approve the CRNP and CNM applicants for collaboration listed in the published roster, as recommended by the Joint Committee, with the exception of item 50. Mr. Howard seconded. Motion carried.**

**On January 22, Mr. Howard moved that the Board accept the recommendation from the Joint Committee**

and approve the following collaborations contingent upon payment of the ABME Physician Fee: 1) Sharon Barbour Rhett, 1-116637, and Dr. Marshall McLean Urist, #00009903; 2) Valerie June Cobb, 1-095803 and Dr. Gabruce Alan Young, #00020231; 3) Misty Joan Johnson, 1-083089, and Dr. Lee Thomas Wimberly, #00023248; 4) Raymond Gregory Doty, 1-048453, and Dr. Lawrence Ricardo Ware, #00009296; 5) Dawn Marie McCombs, 1-083534, and Dr. Denyse Penelope Thornley-Brown, #00017551; 6) Victoria Leigh Minter, 1-052450, and Dr. Inkil Hwangpo, DO-0958; 7) Claudia Bradford, 1-100034, and Dr. Zarai Caryl Murrell, #00024678; 8) Marcia Ward Underwood, 1-083376, and Dr. Robert Christian Brunner, #00019600; and 9) Carlie D. Corbin, 1-036756 and Dr. Sreelekha Banerjee, #L-2474. Dr. Autrey seconded. Motion carried.

D. Continuing Education

1. Report

A written report on the Board sponsored continuing education course for nurses licensed by examination after October 1, 2002, a report on continuing education providers, and a continuing education plan update was accepted, as information, on the Consent Agenda.

E. Center for Nursing/Research

1. Report

A written report on the Center for Nursing/Research was accepted, as information, on the Consent Agenda.

IX. POLICY

A. Public Hearing, ABN Administrative Code, Chapter 610-X-10, Continuing Education for Licensure, Chapter 610-X-2-.10, Definitions, Continuing Education for Licensure

A Public Hearing was held for proposed changes to ABN Administrative Code, Chapter 610-X-10, Continuing Education for Licensure, and Chapter 610-X-2-.10, Definitions, Continuing Education for Licensure. The Public Hearing began at 9:35 a.m.

X. BOARD MEMBER TRAVEL

- A. NCSBN Mid Year Meeting, Chicago, IL – March 2-4, 2009

Mr. Howard and Dr. Autrey were approved to attend.

- B. Southern Nursing Research Society's Annual Conference, Baltimore, MD – February 11-14, 2009

No Board members requested to attend.

- C. American Association of Colleges of Nursing Spring Meeting, Washington, DC – March 14-17, 2009

Ms. Linksy and Dr. Davis were approved to attend.

- D. American Organization of Nurse Executives 42<sup>nd</sup> Annual Meeting & Exposition, San Antonio, TX – April 15-19, 2009

No Board members requested to attend.

- E. National Organization of Nurse Practitioner Faculties 35<sup>th</sup> Annual Meeting, Portland, OR – April 16-19, 2009

No Board members requested to attend.

- F. 27<sup>th</sup> Annual International Nursing Computer & Technology Conference: Building the Technology Gap Between Nursing Service & Education, Washington, DC – April 24-26, 2009

Dr. Autrey and Ms. Pugh were approved to attend.

- G. American Academy of Nurse Practitioners Annual Region 11 Invitational Leadership Meeting, Orlando, FL – February 7, 2009

No Board members requested to attend.

- H. 2<sup>nd</sup> National Doctor of Nursing Practice Conference, Hilton Head, SC – March 24-27, 2009

Ms. Linsky was approved to attend.

XI. REPORTS OF MEETINGS ATTENDED

There were no reports of meetings attended.

XII. DISCIPLINARY CASES

**On January 23, Ms. LeCroy moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Mr. Howard seconded. Motion carried.**

Mr. Harper reported that the Board would reconvene in open session at approximately 9:30 a.m.

The Board reconvened in open session at 9:00 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Grigsby, Nicole Lee Collier – LPN, 2-057687

Ms. Grigsby signed a Consent Order that would place her LPN license on probation, for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on critical thinking, patient assessment and professional accountability, and pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. LeCroy seconded. Motion carried.**

2. Mize, Joan E. Sweatt Smith – LPN, 2-014616

Ms. Mize signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on chemical dependency, documentation and professional accountability, and pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. LeCroy seconded. Motion carried.**

3. Cornelius, Mary Margaret Packard – LPN, 2-051389

Ms. Cornelius signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing and pays a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. LeCroy seconded. Motion carried.**

4. Banks, Billie Carol Hawkins – LPN, 2-057508

Ms. Banks signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on chemical dependency, documentation and professional accountability, and pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. LeCroy seconded. Motion carried.**

5. Carter, Shelli Jo – RN, 1-087280; LPN, 2-039137 (Lapsed)

Ms. Carter signed a Consent Order that would place her RN license on probation until such time as she provides evidence of successful completion of Board-approved educational courses on professional accountability and nursing management, and pays a fine in the amount of \$600.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. LeCroy seconded. Motion carried.**

6. Buettner, Melanie Lynn – RN, 1-107770; LPN, 2-048224 (Lapsed)

Ms. Buettner signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a

Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) payment of appropriate fees; and (h) successful completion of a Board-approved educational course on legal/ethical aspects of nursing. Upon reinstatement, Ms. Buettner's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

7. Grimes, Christie Lenoa – LPN, 2-052194

Ms. Grimes signed a Consent Order that would place her LPN license on probation, for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

8. Pike, Tifany E. – RN, 1-110406

Ms. Pike signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms.

Pike's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

9. Rickel, Stella Patricia – LPN, 2-046114

Ms. Rickel signed a Consent Order that would suspend her LPN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Rickel's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

10. Bartolome', Tracy Dawn Stensland – RN, 1-116303; LPN, 2-048571

Ms. Bartolome' signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment

provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Bartolome's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

11. Adkison, Tracy Lee Norris – RN, 1-098356

Ms. Adkison signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency and mental health evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Adkison's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

12. Guy, Kristen Leigh Ann Coffey – RN, 1-102716

Ms. Guy signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

13. Eakin, Nicole Griffin – LPN, 2-048228

Ms. Eakin signed a Consent Order that would suspend her LPN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Eakin's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Eakin's license will be reinstated on probation for a period of twelve months, with illegal/illicit drug-use stipulations and she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$900. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

14. Hodgin, William Shaddock – LPN Exam Applicant

Mr. Hodgin signed a Consent Order that would allow him to

take the NCLEX-PN®, and if successful, his license when issued will be placed on probation for a period for twelve months, with illegal/illicit drug-use stipulations, require him to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

15. Childers, Anne Margaret McCary – RN, 1-059408; CRNP

Ms. Childers signed a Consent Order that would place her RN license on probation for a period to run concurrent with her Court-ordered probation, require her to successfully complete a Board-approved educational course on professional accountability, and pay a fine in the amount of \$600.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

16. Jenkins, Yuletta Laverne – LPN, 2-038064

Ms. Jenkins signed a Consent Order that would suspend her LPN license until such time as the Board is in receipt of evidence of successful completion of a Board-approved educational course on professional accountability, payment of fees in the amount of \$230, and payment of a fine in the amount of \$1,300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. Linksy seconded. Motion carried.**

17. Wilson, Ashley Lasawn – RN, 1-113074

Ms. Wilson signed a Consent Order that would suspend her RN license for a minimum of three months and until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects

of nursing and pays a fine in the amount of \$300.00. Upon reinstatement, Ms. Wilson's license will be placed on probation for a period of twelve months, with practice-related stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

18. Connelly, L. Lynne Parmer – RN, 1-081194

Ms. Connelly signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency and mental health evaluation from a Board-approved provider; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Connelly's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, she will be required to successfully complete Board-approved educational courses on chemical dependency and ethics of nursing practice, and pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Connelly's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete Board-approved educational courses on chemical dependency and ethics of nursing practice, and pay a fine in the amount of \$600. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

Ms. LeCroy recused herself from the discussion and vote concerning Ms. Connelly.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

19. Lewis, Susan Louise Utterback – LPN, 2-044413

Ms. Lewis signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion Board-approved educational courses on behavior management and critical thinking, and pays a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

20. George, Tracey Dianne Lippi – RN, 1-087319

Ms. George signed a Consent Order that would place her RN license on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on professional accountability, chemical dependency and documentation, and pay a fine in the amount of \$600.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

21. Garrett, Melissa Dawn Kenney – LPN, 2-038532

Ms. Garrett signed a Consent Order that would place her LPN license probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

22. Robinson, Brenda L. Walker – LPN, 2-015205

Ms. Robinson signed a Consent Order that would place her LPN probation for a period of time to run concurrent with her

Court-Ordered probation, but not less than twenty-four months, require her to successfully complete Board-approved educational courses on ethics of nursing, professional accountability and nursing care of the elderly, and pay a fine in the amount of \$600.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

23. Davis, Deanna Renee Fleming – LPN, 2-053915

Ms. Davis signed a Consent Order that would suspend her LPN license until such time as she provides evidence of successful completion of Board-approved educational courses on documentation, professional accountability and chemical dependency and pay a fine in the amount of \$500.00. Upon reinstatement, Ms. Davis' license will be placed on probation for a period of twelve months, with illegal/illicit-drug-use stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

24. Smith, Mary Ann – LPN, 2-036038

Ms. Smith signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.**

25. Allen, Sandra Ebenezer – RN, 1-092939 (Lapsed)

Ms. Allen signed a Consent Order that would approve her reinstatement of a lapsed license application and place her RN license on probation for a period of time to run

concurrent with the June 11, 2008 Arizona Board of Nursing Order, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.**

26. Martin, Wendy Michelle Alvison – LPN, 2-047451

Ms. Martin signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing and pays a fine in the amount of \$600.00.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

27. Mayo, Crystal Dionne Perdue – LPN, 2-057118

Ms. Mayo signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing and pays a fine in the amount of \$600.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

28. Cooper, Gary Dale – RN, 1-073498

Mr. Cooper signed a Consent Order that would place his RN license on probation until such time as he provides evidence of successful completion of a Board-approved educational course on professional accountability and pays a fine in the amount of \$300.00.

Ms. LeCroy recused herself from the discussion and vote concerning Mr. Cooper.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded.**

**Motion carried.**

29. Bryant, Lisa Cheryl Grier – LPN, 2-024514

Ms. Bryant signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing and pays a fine in the amount of \$1,000.00.

**On January 23, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

30. Rinehart, Julie Ann Cammon – RN, 1-119900

Ms. Rinehart signed a Consent Order that would place her RN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on professional accountability and pays a fine in the amount of \$1,000.00.

**On January 23, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

31. Humphries, Cheryl Linn Brown – RN, 1-042062

Ms. Humphries signed a Consent Order that would suspend her RN license until such time as she provides evidence of successful completion a Board-approved educational course on professional accountability and pays a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

32. Eggerd, Annette Gatlin – RN, 1-084520

Ms. Eggerd signed a Consent Order that would suspend her RN license for a minimum of six months and until such times as the Board is in receipt of satisfactory

documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider and compliance with all treatment recommendations; (b) entry into and full participation in an aftercare program; (c) negative random monthly urine drug screens; (d) active participation in Twelve Step Meetings; (e) accrual of requisite continuing education contact hours; and (f) payment of appropriate fees. Upon reinstatement, Ms. Eggerd's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. Linksy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

33. Collier, Kelli Rae Zirlott – RN, 1-075941

Ms. Collier signed a Consent Order that would place her RN license on probation for a period of forty months, with chemical dependency stipulations.

**On January 23, Ms. Linksy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

34. Hunt, Shirley Elana – LPN, 2-052900

Ms. Hunt signed a Consent Order that would suspend her RN license for a minimum of three months and until such times as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive chemical dependency evaluation from a Board-approved provider and compliance with all treatment recommendations; (b) entry into and full participation in an aftercare program; (c) negative random monthly urine drug screens; (d) active participation in Twelve Step Meetings; (e) accrual of requisite continuing education contact hours; and (f) payment of appropriate fees. Upon reinstatement, Ms. Hunt's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of

\$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On January 23, Ms. Linksy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

35. Wade, Lori Lynn Murphree – RN, 1-088309

Ms. Wade signed a Consent Order that would issue her a public reprimand.

**On January 23, Dr. Autrey moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.**

36. Jenkins, Kellie Rene – LPN, 2-040067

Ms. Jenkins signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$1,000.00.

**On January 23, Ms. Linksy moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.**

37. Taylor, Tammy Ann Roberts – RN, 1-100658; LPN, 2-042492 (Lapsed)

Ms. Taylor signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On January 23, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

38. Phillips, Cassandra Elaine Taylor – RN, 1-062893

Ms. Phillips signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On January 23, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

39. Henley, Carolyn Jean Jenkins – RN, 1-037516

Ms. Henley signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.**

40. Jennings, Crystalyn Annette Strickland – RN, 1-050315; LPN, 2-023894 (Lapsed)

Ms. Jennings signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.**

41. Buckner, Donna Sue Frazier – RN, 1-062602

Ms. Buckner signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

**On January 23, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.**

42. Sender, Gwenetta Evetta Allen – RN Endorsement Applicant

Ms. Sender signed a Consent Order that would approve her RN endorsement application and issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

- B. Reinstatement: Consent Orders

1. Smith, Jillian Leigh – RN, 1-094299

Ms. Smith signed a Consent Order that would reinstate her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete a Board-approved educational course on medication safety and pay a fine in the amount of \$1,000.00.

**On January 23, Ms. LeCroy moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

C. Formal Hearings

**On January 23, Mr. Brown moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Ms. Linksy seconded. Motion carried.**

Mr. Harper reported that the Board would reconvene in open session at approximately 9:35 a.m.

The Board returned to open session at 9:45 a.m.

1. Carter-Allen, Jocelyn Ja'Nae – LPN, 2-051889

**On January 23, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Carter-Allen's LPN license. Ms. Hopkins seconded. Motion carried.**

2. Estes, Constance Luellen Franklin – RN, 1-045265  
(Active/Probation)

Dr. Autrey recused herself from the discussion and vote concerning Ms. Estes.

**On January 23, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Estes' RN license. Mr. Brown seconded. Motion carried.**

3. Layton, Onna Sha Helm – LPN, 2-044525

**On January 23, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Layton’s LPN license. Mr. Howard seconded. Motion carried.**

4. Santiago, Tamara Kay McDonald – LPN, 2-050447

Ms. LeCroy recused herself from the discussion and vote concerning Ms. Santiago.

**On January 23, Ms. Pugh moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Santiago’s LPN license. Ms. Lovett seconded. Motion carried.**

5. Turner, Waylon Brent – RN Exam Applicant

Ms. LeCroy recused herself from the discussion and vote concerning Mr. Turner.

**On January 23, Ms. Lovett moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and allow Mr. Turner to take the NCLEX-RN®, and if successful, his license, when issued, will be placed on probation for a period of thirty-six months, with practice-related stipulations. Ms. Hopkins seconded. Motion carried with three oppositions (Dr. Autrey, Ms. Linsky and Ms. Lovett).**

6. Walker, Jessica Lynn Herring – RN, 1-093091 (Lapsed)

**On January 23, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Walker’s RN license. Ms. Linsky seconded. Motion carried.**

D. Reinstatements – Formal Hearings

1. Maske, Michael Willis – LPN, 2-049430

**On January 23, Ms. Linsky moved that the Board accept the Findings of Fact, with the correction to Findings of Fact #10 her should be his, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Mr. Maske's reinstatement application. Ms. Hopkins seconded. Motion carried.**

XIII. OPEN FORUM

A. CMS Regulations for End Stage Renal Dialysis (ESRD), Debbie Hultquist,

Debbie Hultquist, RN, Fresenius Medical Care, and Joan MacWilliam, RN, Birmingham Regional Manager, conducted a power point presentation on dialysis and changes to the regulations. Ms. Hultquist highlighted the changes to the Center for Medicaid/Medicare Services Conditions of Coverages.

Ms. Hultquist provided copies of the CMS frequently asked questions for the Board's information.

Carolyn Duck, Alabama Department of Public Health (ADPH) Surveyor, and Carter Sims, ADPH Surveyor, were present and answered questions from the Board.

The Board discussed the issue of RNs delegating to unlicensed personnel in the dialysis and at home setting and will discuss it further at the February Board meeting when reviewing the ABN Administrative Code, Chapter 610-X-7, Standards of Nursing Practice, Specific Settings.

B. Late Renewal Fee, Susan E. Finch

Ms. Finch failed to show for the Open Forum.

The Board directed Ms. Lee to send Ms. Finch a letter regarding her failure to show for the scheduled Open Forum.

XIII. OTHER

- Ms. Lee introduced Cassaundra Henderson, graduate student; Amy Price and Melissa Bullard, Board members.
- Mr. Harper requested that Board members let Ms. Lee know if they are unable to attend the Board meetings.

- Mr. Harper congratulated Ms. Johnson and Ms. Lee for a perfect property audit.
- Dr. Terry provided an update on Team Alabama. Dr. Terry reported that Team Alabama chose Student MAX as the clinical placement software. The Board requested to review the cost items associated with this at the February Board meeting.
- Ms. Lee reported that NCSBN has a web survey service and she has surveyed Executive Officers and Education Consultants on how they evaluate Nursing Education Programs. She will provide the results of the survey at the February Board meeting.
- Ms. Lee reported that Dr. Autrey teaches a Healthcare Marketing class for the MBA/MHSA Program at UAB. They are going to do some research on how to communicate with the different generations of licensees.
- Dr. Autrey requested that Ms. Lee send the Board members the history of trying to get vacant positions filled.
- Mr. Harper suggested that Board members contact their representatives in regards to the vacant positions.

#### XIV. BOARD MEETING DEBRIEFING

#### XV. ADJOURNMENT

The meeting adjourned at 10:13 a.m. on January 23, 2009.

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Michael D. Harper, President

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Gregory Howard, Secretary

Recorder: Leslie Vinson  
01/22-23/2009