

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2008-2009

Suite 326, RSA Plaza

770 Washington Ave

Montgomery, Alabama

September 17-18, 2009

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:00 a.m. on September 17, 2009, with the following Board members present: Mike Harper, CRNA, JD, President; Gregory Howard, LPN, Secretary; Pamela Autrey, Ph.D., MSN; Harry I. Brown, Jr., MA, MBA, CFP®; Melissa Bullard, LPN; Maggie Lee Hopkins, LPN; Rose Linsky, MSN, RN; Sylvia Nobles, MSN, CRNP; 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: Charlene Cotton, MSN, RN, Advanced Practice; Katie Drake-Speer, MSN, RN, Continuing Education; Carolyn Morgan, MSN, RN, Practice; Jennifer Weaver, Chief Fiscal Officer; Frank Mitchell, Chief Special Investigator; Wyatt Gantt, Special Investigator; Danny Bond, Special Investigator; David Pinnock, Special Investigator; Ginny Pettway, Docket Clerk; Cathy Boden, MSN, RN, Legal Nurse Consultant; Ladonna Patton, MSN, RN, Legal Nurse Consultant; Alice Maples, Deputy Attorney General/General Counsel.

B. Declaration of Quorum

A quorum was declared with ten Board members present on September 17, and ten members present on September 18. Debra Davis, DSN, RN, Vice-President; and Patricia LeCroy, MSN, RN; were not present.

C. Review of Agenda

1. Additions, Modifications, Reordering

VIII.C.2. Appointment to Joint Committee was moved to September 18

XII.A.31 Cox, Aubrey Stephen – RN, 1-084844; 2-033817 was deleted from the agenda

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. July 16-17, 2009, Board Meeting Minutes
- II.B. August 20, 2009 Board Meeting Minutes
- III. OLD BUSINESS/FOLLOW-UP
- III.A. Board Action Follow-up
- V.A. 4th Quarter NCLEX-PN Results
- V.B. 4th Quarter NCLEX-RN Results
- VI.A. Executive Officer
- VI.A.2. FYI
- VI.B.1. President's Report
- 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

On September 17, Mr. Howard moved that the Board adopt the Consent Agenda. Ms. Pugh seconded. Motion carried.

3. Adoption of Agenda

On September 17, Ms. Nobles moved that the Board adopt the Agenda, as amended. Mr. Howard seconded. Motion carried.

II. REVIEW OF MINUTES

A. July 16-17, 2009 Regular Board Meeting

The July 16-17, 2009, Board Meeting Minutes were accepted on the Consent Agenda.

B. August 20, 2009, Board Meeting Minutes

The August 20, 2009, Board Meeting 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.

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. FY 09 4th Quarter NCLEX-PN® Results

The 4th Quarter NCLEX-PN® Results were not available.

B. FY 09 4th Quarter NCLEX-RN® Results

The 4th Quarter NCLEX-RN® Results were not available.

VI. REPORTS

A. Executive Officer

1. Report

Ms. Lee provided a written report to the Board outlining her activities from July 1, 2009, through August 31, 2009.

In addition to her written report, Ms. Lee reported that she received notice that the Governor appointed Monica Cauley, Chair, Health Sciences, Lurleen B. Wallace Community College-MacArthur Campus, to fill the vacant Board member position.

Ms. Lee reported that Ms. LeCroy resigned her Chief Nursing Officer position at Gadsden Regional Medical Center and accepted a position with Tenet Healthcare.

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:

<u>Licensee's Name</u>	<u>License Number</u>	<u>Date of Acceptance</u>
Rice, Jessica Ann	1-103478	07/02/2009
Peace, Traci Leigh	1-061609	07/09/2009
Phillips, Sarah Marie	1-114325	07/09/2009
George, Tracey Dianne	1-087319	07/10/2009
Campbell, Tina	1-098140	07/10/2009
Foley, Angela Marie	1-093018	07/13/2009
McAnalley, Terri Kim Gilley	2-048568	07/15/2009
Davis, Cynthia Lee	1-038866	07/20/2009
Osteen, Amanda Susan	2-048256	07/20/2009
Harkins, Babette Boshell	2-032727	07/21/2009
Lindsey, Regina Anne	2-057375	07/21/2009
Young, Ramona Adkinson	1-034532	07/21/2009
Cooper, Chasta Amber	2-056109	07/22/2009
Saliba, Michelle Leigh	1-078787	07/22/2009
Roberts, Michael Brandon	1-117409	07/22/2009
Humber, Mary Kathryn	1-056051; 2-028255	07/27/2009
Gilbert, Christy Lynn	2-043685	08/06/2009
Edmonds, Linda Louise	1-079806; 2-042835	08/10/2009
Spence, Candace Day	1-085757	08/19/2009
Miller, Mary Anne	1-116893	08/20/2009
Boler, April Denis	2-048093	08/20/2009
Turner, Jeanne Lashae	1-110750	08/20/2009
Gurley, Melanie Fran	1-061288	08/21/2009
Goff, Leslye Gayle	2-053994	08/31/2009
Scofield, Kaythe Jean	1-067405	08/31/2009

2. FYI

Ms. Lee provided the following items for the Board's information:
(1) a letter introducing the National Association of Neonatal Nurse

Practitioners (NANNP), a division of National Associates of Neonatal Nurses (NANN); and (2) a letter from Central Alabama Community College announcing that Dr. Dee Fuller has been appointed as temporary Director of Nursing at Coosa Valley School of Nursing.

3. Reduction in Services

Ms. Lee reported that the Governor proposed a budget passed by the legislature that will take \$2.5 million from the Board of Nursing Trust Fund in FY 2010. Equal amounts will be transferred to the General Fund at the end of each quarter. In addition to proposed fee increases, there is a need to cut services to save money so that the fee increases are not excessive.

The proposed changes include no out-of-state travel for Board members or staff (other than NCSBN meetings); limiting in-state travel to the investigators and education program site visits; requiring all transactions to be online; postponing the development of a marketing plan; canceling subscriptions to periodicals and membership dues, except for NCSBN; eliminating staff presentations throughout the state; and leaving most vacant positions vacant.

The Board reviewed and discussed the proposed changes in services.

On September 17, Ms. Nobles moved that the Board approve the reduction in services. Ms. Pugh seconded. Motion carried.

4. Board Member Compensation

Ms. Lee reported that at each September meeting, the Board sets the amount of daily compensation to be received by Board members for the subsequent fiscal year.

The current Board member compensation is \$161 per day plus an additional \$161 per month for the President. With the transfer of \$2.5 million to the General Fund in FY 2010, it is recommended that Board member compensation be maintained at \$161 per day.

On September 17, Mr. Brown moved that the Board approve Board member compensation at \$161 per day with an

additional \$161 per month for the President. Mr. Howard seconded. Motion carried.

5. Emergency Preparedness

Ms. Lee reported that at the August 2009 Board meeting, the Board directed that emergency preparedness be placed on the September agenda to discuss. There are two main issues with emergency preparedness: internal (agency) preparedness in the event there are problems internally such as fire, pandemic, etc. and external preparedness that impacts the agency when there are situations external to the Board such as hurricanes, tornadoes, etc.

The Board added a rule to address special circumstances in 2007. To invoke the rule, the Governor declares or proclaims a state of emergency.

One of the key issues relates to availability of our licensure data in the event of a disaster. In addition to daily back up tapes being stored at a facility off-site, staff recently developed an off-site unattended back up solution. A server is stored off-site and data will be available should the server room at the Board office be inaccessible. Information technology staff are comparing the NCSBN All-Hazards Emergency Operations Guidelines with the ABN plan.

Ms. Lee reported that the web site is critical and she has asked Information Services Division (ISD) to have an alternate site, but she was told that the Governor's web site comes first.

Ms. Lee provided copies of the current plan and identification of critical functions form for the Board's review. Ms. Lee asked that the Board provide input on the critical functions of the agency.

On September 17, Dr. Autrey moved that the Board table this item until September 18. Ms. Hopkins seconded. Motion carried.

On September 18, the Board reviewed the plan and each Board member completed the identification of critical functions form.

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 from October 1, 2008, through July 31, 2009, was presented. Ms. Weaver also provided a cost allocation report with a breakdown of expenditures by program and objects codes, along with a report of dishonored checks by fee type, dishonored checks by license type, dishonored checks financial history through July 31, 2009, and a report on the number of out-of-state trips to date for each Board member. Ms. Weaver provided a variance report reflecting actual expenditures and revenue variances from the budget and a cash balance as of July 31, 2009.

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

2. FY 2011 Proposed Budget

Ms. Weaver reported that the FY 2011 budget will be due in the budget office on November 1, 2009. The proposed budget is presented so that it can be submitted by the deadline without requiring a special meeting of the Board.

Ms. Weaver provided copies of the FY 2011 proposed expenditure budget worksheet, FY 2011 proposed revenues budget worksheet, and the FY 2011 proposed budget assumptions for the Board's review.

The Board reviewed and discussed the proposed FY 2011 budget.

On September 17, Ms. Linsky moved that the Board approve the FY 2011 proposed ABN Trust Fund expenditure budget. Mr. Howard seconded. Motion carried.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from June 30, 2009 through August 28, 2009, the number of open disciplinary cases, 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 August 31, 2009 was accepted, as information, on the Consent Agenda.

3. Probation Monitoring

A written report on the number of nurses monitored on probation as of August 28, 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 August 27, 2009, 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

VIII. EDUCATION, PRACTICE, ADVANCED PRACTICE AND RESEARCH

A. Education

1. Report

Ms. Drake-Speer provided a written report on nursing education programs.

2. Nursing Education Annual Report

Ms. Drake-Speer reported that the nursing education annual report is utilized as a review for compliance with standards in ABN Administrative Code, Chapter 610-X-3, Nursing Education Programs and to collect data. The Board reviewed the Annual Analysis of Nursing Education in Alabama: 2008 at its July 2009 meeting. The report is completed online. After initially entering the program information, the same information is available and the school can edit and verify the information with each annual report.

The Board discussed elements of the report at its August meeting. The Board instructed staff to work on data elements and bring ideas back to the Board.

Ms. Drake-Speer provided copies of the proposed nursing education annual report form for the Board's review. Ms. Lee reported that Dr. Davis reviewed the proposed report form prior to the Board meeting.

The Board reviewed the proposed nursing education annual report form and made minor changes.

On September 17, Ms. Linsky moved that the Board approve the data elements for the 2008-2009 nursing education annual report, as amended. Mr. Howard seconded. Motion carried.

B. Practice

1. Report

A written report on the standardized procedures activity as of August 28, 2009, was accepted, as information, on the Consent Agenda.

2. Medical Transport RSA Reports

Ms. Morgan reported that in May 2007, the air transport companies began submitting standardized procedure applications to the ABN to perform rapid sequence intubation (RSI) or drug assisted intubation (DAI) and were followed in July 2008 and in August 2009 by the submission of standardized procedure applications to perform RSI by two ground medical transport units. All were subsequently approved by the ABN.

In approving the submitted standardized procedure applications to perform RSI, the ABN included the requirement that quarterly reports be submitted to the ABN that included the following: 1) the number of total flights, scene and transfer, made by each of the company's bases in Alabama; 2) the number of flights, scene and transfer, requiring intervention with RSI and outcome of the patient; and 3) the number of intubations, live and simulated, performed by each flight nurse.

Ms. Morgan provided a summary of the quarterly reports for the Board's review.

On September 17, Ms. Price moved that the Board discontinue the requirement for medical transport companies to report to the ABN on a quarterly basis and require an annual report and in the interim, report any negative patient outcomes related to RSI. Mr. Howard seconded. Motion carried.

C. Advanced Practice Nursing

1. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Joint Committee met on September 15, to review the roster of applications for collaboration. The roster includes applications that met all requirements by August 26, 2009.

Ms. Cotton reported that Mary Ellen Caughran, 1-070978, and James Arthur Posey, 00021191, was added to the roster.

Ms. Cotton provided copies of the roster for the Board's review and approval.

On September 17, Ms. Pugh moved that the Board accept the recommendations from the Joint Committee and approve the CRNP and CNM applicants for collaboration listed in the published roster, noting specific recommendations on the following applications: approve the collaborative practice and defer action on the request for additional duties for Rachel Mechelle Handley, 1-097491, and Annalise Sorrentino, 00022302; and Kim Yeager Hughes, 1-084230, and Jose Antonio Tallaj, 00021499; and approve the collaboration for the period from date of temporary approval through date of termination for Deborah Carlisle, 1-064520, and Shankar Das, 29435. Ms. Hopkins seconded. Motion carried.

2. Appointment to Joint Committee for RN Position

Ms. Cotton reported that *The Nurse Practice Act* defines the membership and functions of the Joint Committee for Advanced Practice Nursing. The committee currently meets every other month prior to the meeting of the Board of Nursing and Board of Medical Examiners. Members are appointed to three-year terms, and may be reappointed for one additional term. The Board of Nursing appoints the nurse members, and the Board of Medical Examiners appoints the physician members.

The nurse members must include at least one CRNP in collaborative practice and one CNM in collaborative practice. The third position requires a registered nurse, but does not require the RN to have approval as a CRNP or CNM. The term for the open nurse position on the Joint Committee is October 1, 2009 through September 30, 2012.

The committee elects a chairperson from the six members. The position of chairperson alternates between physician members and nurse members. At the September meeting, a nurse member will be selected as chair for FY 2010.

In 2007, the Board identified several factors for evaluating candidates for the Joint Committee: 1) full-time practice as CRNP or CNM; 2) specialty of clinical preparation and certification; 3) current and previous clinical practice as CRNP or CNM; 4)

familiarity with Alabama statutes and regulations for advanced practice and collaboration; 5) affiliation with professional organizations for CRNPs or CNMs in Alabama; 6) experience in negotiating policy and practice parameters, such as institutional credentialing; and 7) representation of Alabama population and geographical regions.

The Board received eighteen applications in response to an email announcement sent by ABN list serve. All applicants meet the regulatory requirements for appointment to the committee. Each applicant holds an unencumbered active RN license with approval for advanced practice nursing as a CRNP in collaborative practice.

Ms. Cotton provided copies of the applications for the Board's review.

On September 18, Dr. Autrey moved that Ms. Nobles, Ms. Cotton and Mr. Harper review the applications, select two or three to interview in order to learn more about the applicants and bring recommendations to the October Board meeting. Ms. Nobles seconded.

After discussion, Dr. Autrey amended her motion.

On September 18, Dr. Autrey moved that the Board choose three applicants to invite to the October 15, Board meeting for an interview with the full Board. Ms. Nobles seconded. Motion carried.

On September 18, Ms. Linsky moved that the Board invite Theresa Wadas, Grace Vacheresse, and Mae Carlisle to the October 15, 2009 Board meeting to interview for the Joint Committee position. Ms. Nobles seconded. Motion carried.

Board staff will draft the questions and send to the Board members via email.

3. Clinical Nurse Specialist Core Examination

Ms. Cotton reported that the American Nurses Credentialing Center (ANCC) and the National Association of Clinical Nurse Specialists (NACNS) have developed a certification examination for clinical nurse specialists to test essential core content areas published by NACNS in the Statement on Clinical Nurse Specialist Practice and Education. The material provided by

ANCC and NACNS addresses the dilemma of state licensure/recognition for CNS based on national certification, although national exams are not available in all clinical content areas. The two organizations request the Board's recognition of this certification examination as meeting the requirements of CNS certification.

There is controversy among some members of NCSBN as to whether the Core CNS Exam adequately meets their state requirements for specialty practice in a clinical area with CNS prescribing authority. The legal designation for CNS in Alabama does not carry the subtitle of the clinical specialty, as is the case in some states. The Alabama CNSs do not have prescribing authority.

If the Board recognizes the CNS Core Examination as meeting the requirement for national certification, it will be necessary to set a time-line for the Obstetrics/Women's Health CNSs to achieve certification on the examination.

The current RN license and APN approval expires December 31, 2010. The pending revisions of ABN Administrative Code, Chapter 610-X-9 may include a deadline of December 31, 2010, and give a twelve month notice to the clinical nurse specialists. Upon the effective date of rule change, new applicants for CNS approval in Maternal Child Health would be required to submit evidence of national certification.

Ms. Cotton provided copies of the ANCC request for approval and frequently asked questions, the national validation of NACNS core competencies, the CNS core exam outline, and the CNS exam validation for the Board's information and review.

The Board reviewed and discussed the information provided.

On September 17, Ms. Linsky moved that the Board recognize the clinical nurse specialist core examination as meeting the requirement of national certification examination for approval of advanced practice nursing as a clinical nurse specialist; require all clinical nurse specialists currently exempted from national certification to provide evidence of national certification by December 31, 2010, as a condition for renewal of approval for clinical nurse specialist; and require all applicants for initial approval as maternal child clinical nurse specialist to provide evidence of national certification effective with revisions to the ABN

Administrative Code, Chapter 610-X-9, Advanced Practice Nursing. Ms. Hopkins seconded. Motion carried.

D. Continuing Education

1. Report

A written report on continuing education providers was accepted, as information, on the Consent Agenda.

IX. POLICY

A. ABN Administrative Code, Rule 610-X-4-.14, Fees

Ms. Lee reported that the Board reviews the fee schedule annually at each September meeting. The transfer of \$2.5 million to the general fund from the Board of Nursing Trust Fund in FY 2010 requires an increase in some fees to offset the loss of funds. The staff reviewed the current fees and proposes some increases.

Ms. Lee provided copies of the proposed fee increases, estimated cash balance report if fees are increased, estimated revenue worksheet, and the estimated cash balance report if fees are not increased for the Board's information and review.

The Board reviewed and discussed the proposed fee increases.

On September 17, Mr. Howard moved that the Board approve the proposed fee schedule. Ms. Hopkins seconded. Motion carried.

Ms. Lee reported that the fee schedule will go through the normal rule making process and will go into effect on January 1, 2010.

B. ABN Administrative Code, Rule 610-X-6, Standards of Nursing Practice

Ms. Lee reported that the Board of Nursing reviewed ABN Administrative Code, Chapter 610-X-6, Standards of Nursing Practice over the last year. At the July meeting, the Board approved having the proposed draft rules sent out to interested parties for comments. The proposed draft rules were sent out via email to the members of the ABN list serves. A deadline of August 15, 2009 was given to the individuals to respond.

The Alabama Nursing Home Association has significant proposed changes and also comments about the rules. They requested to be present when the Board discusses the rules at the Board meeting.

Ms. Lee provided copies of the proposed rules, the current rules, and the written comments for the Board's information and review.

Representatives from the Alabama Nursing Home Association were present and shared their concerns with the Board.

The Board discussed the proposed rules and made minor changes.

On September 18, Ms. Linsky moved that the Board repeal the current ABN Administrative Code, Chapter 610-X-6, Standards of Nursing Practice and approve the new Chapter 610-X-6, Standards of Nursing Practice, as amended. Mr. Howard seconded. Motion carried.

C. ABN Administrative Code, Chapter 610-X-7, Standards of Nursing Practice – Specific Settings

Ms. Lee reported that the Board of Nursing reviewed ABN Administrative Code, Chapter 610-X-7, Standards of Nursing Practice – Specific Settings over the last year. At the July meeting, the Board approved having the proposed draft rules sent out to interested parties for comments. The proposed draft rules were sent out via email to the members of the ABN list serves. A deadline of August 15, 2009 was given to the individuals to respond.

Ms. Lee provided copies of the proposed Chapter 610-X-7, and the written comments for the Board's information and review.

The Board reviewed the proposed rules and made minor changes.

On September 17, Ms. Price moved that the Board approve the new ABN Administrative Code, Chapter 610-X-7, Standards of Nursing Practice – Specific Settings, as amended. Mr. Howard seconded. Motion carried.

D. ABN Administrative Code, Rule 610-X-2-.06, Definitions, Standards of Nursing Practice

Ms. Lee reported that the Board reviews rules on a three-year cycle. The Standards of Nursing Practice, Chapter 610-X-6, is on the agenda for the Board's review. New definitions go with the new chapter. As a result, the definitions in Rule 610-X-2-.06, Definitions, Standards of Nursing Practice, require changing as well.

Ms. Lee provided copies of the current Rule 610-X-2-.06, Definitions,

Standards of Nursing Practice and the proposed Rule 610-X-2-.06, Definitions, Standards of Nursing Practice for the Board's information and review.

The Board reviewed and discussed the proposed rule.

On September 18, Mr. Howard moved that the Board repeal Rule 610-X-2-.06, Definitions, Standards of Nursing Practice, and approve the new Rule 610-X-2-.06, Definitions, Standards of Nursing Practice. Ms. Pugh seconded. Motion carried.

E. ABN Administrative Code, Rule 610-X-2-.07, Definitions, Standards of Nursing Practice – Specific Settings

Ms. Lee reported that the Board is enacting a new chapter in the ABN Administrative Code, Chapter 610-X-7, Standards of Nursing Practice – Specific Settings. While there are definitions at the beginning of the chapter, for consistency there need to be definitions in the Chapter on definitions.

Ms. Lee provided copies of the new rule for the Board's information and review.

On September 17, Mr. Howard moved that the Board approve new Rule 610-X-2-.07, Definitions, Standards of Nursing Practice – Specific Settings. Ms. Hopkins seconded. Motion carried.

X. GRADUATE SCHOLARSHIPS

A. Post-Baccalaureate Scholarship Recommendations

Ms. Weaver reported that the **Code of Alabama, 1975**, Section 34-21-60, authorizes the Board to annually award fifteen scholarships in the amount of \$3,800.00 each for post-baccalaureate nursing education. ABN Administrative Code, Chapter 610-X-11 addresses the candidate qualifications, scholarship conditions, selection of recipients, scholarship payments, and consequences of failure to comply with the conditions.

Of the one hundred and four applicants, twelve were ineligible – six did not submit a transcript, one did not meet hourly requirements, four submitted ineligible proofs of residency, one did not submit a graduate admission form. Fourteen applicants applied for both scholarships.

The committee members were supplied with application summaries for

each eligible applicant, a copy of the ABN Administrative Code, Chapter 610-X-11 for qualifications and criteria for selection, and a tally sheet to list their top fifteen choices. Applicant codes were used so the names of the individuals were not known to the committee members. The committee members returned the tally sheet to the Chief Fiscal Officer for tabulation.

Those applicants receiving unanimous or near unanimous approval from the tally sheets were automatically selected. The remainder of the applicants were reviewed to ensure the recipients/alternates were geographically distributed throughout the state as required.

The committee recommended the following applicant codes: 1) 2003021; 2) 4901029; 3) 6204030; 4) 4507031; 5) 3705034; 6) 4905037; 7) 0903040; 8) 3705045; 9) 3705048; 10) 1705051; 11) 5905091; 12) 5106102; 13) 6508163; 14) 4007071; and 15) 4109172; and the following alternates: 1) 3704023; 2) 0201080; 3) 3704109; 4) 2003122; 5) 4807123; 6) 0905162; 7) 5103150; 8) 3606147; 9) 5905126; and 10) 3607133.

Ms. Weaver provided copies of an Alabama state map showing the geographic distribution.

The Board reviewed and discussed the proposed recipients and alternates.

On September 17, Mr. Howard moved that the Board award the post-baccalaureate nursing scholarship to the applicants recommended by the staff, and in the event any of those selected either refuse the scholarship or are determined ineligible, approve the ranked alternates to replace them. Ms. Price seconded. Motion carried.

Ms. Lee reported that the post-baccalaureate scholarships are subject to proration, which has not been announced yet, but is expected.

B. Nursing Education Graduate Scholarship Recommendations

Ms. Weaver reported that Legislation was passed during the 2009 legislative session appropriating \$257,000 of Education Trust Funds to the Board of Nursing to administer scholarships for nurses. During FY 2010, ABN will administer two scholarship programs: 1) \$57,000 for the Post-Baccalaureate Nursing Education Scholarship which is covered in the ABN Administrative Code, Chapter 610-X-11; and 2) \$200,000 earmarked to “be expended exclusively for scholarships for advanced

degrees to train instructors to teach nursing classes in Alabama colleges and universities”.

At the July board meeting, the Board approved the following guidelines for the \$200,000 earmarked funds since the only legislative restriction is it be spent for advanced degrees to train instructors to teach nursing classes in Alabama colleges and universities: 1) Forty scholarships in the amount of \$5,000 each for both masters and doctoral recipients; 2) Qualifications: (a) must have been a resident of Alabama for a period of at least one year immediately preceding application with two proofs of residency; (b) must have an active unencumbered Alabama registered nurse license; (c) must have been admitted to an accredited program seeking an advanced degree enabling the candidate to train instructors to teach nursing classes in Alabama colleges and universities, applicants may attend programs outside the state, if professionally accredited; (d) must hold or substantially meet the requirements for a baccalaureate degree in nursing from an accredited school of nursing; an official transcript or certification from the registrar stating requirements were met is required; (e) must agree to teach nursing full-time in an Alabama college or university for at least one year immediately after graduation; (f) must be a person of good character; and (g) must submit a completed application with all required documentation on or before July 31, 2009.

The Board also approved the following scholarship conditions: (a) must teach nursing full-time in an Alabama college or university for at least one year immediately following completion of the graduate program; (b) must attend school for at least six (6) hours for two consecutive semesters and funds must be disbursed prior to October 1, 2010; (c) must sign a promissory note and an agreement to fulfill obligations; and (d) must keep the Board informed of the status of the above conditions and must immediately inform the Board of the failure to comply with the conditions.

The Board recommended the following guidelines for selection of scholarship recipients: (a) students at Alabama schools seeking doctorate in nursing, other doctoral degree in a health related field, MSN or other master’s degree in a health related field; (b) students at schools outside Alabama seeking doctorate in nursing, other doctoral degree in a health related field, MSN, or other master’s degree in a health related field; and (c) recipients of this scholarship may not receive the Post-Baccalaureate Nursing Education Scholarship.

Of the eighty-four applications received, thirteen were ineligible – one has a lapsed license, two did not meet credit hour requirements, five did not submit transcripts, one is receiving a certificate instead of an

advanced degree, four submitted ineligible proofs of residency. Fourteen applicants applied for both scholarships.

The committee members were supplied with application summaries for each eligible applicant, qualifications and criteria for selection, and a tally sheet to list their top choices. Applicant codes were used so the names of the individuals were not known to the committee members. The committee members returned the tally sheet to the Chief Fiscal Officer for tabulation.

Those applicants receiving unanimous or near unanimous approval from the tally sheets were automatically selected. The remainder of the applicants were reviewed to ensure the guidelines listed above were followed.

The committee recommended the following applicant codes: 1) 3007001; 2) 4901004; 3) 2105005; 4) 2805009; 5) 4913014; 6) 3705016; 7) 2403019; 8) 3705020; 9) 4106027; 10) 4906028; 11) 6306036; 12) 4906041; 13) 5505050; 14) 5805055; 15) 6104058; 16) 5117060; 17) 2805061; 18) 3606067; 19) 0206070; 20) 5905075; 21) 6306076; 22) 6306084; 23) 2506085; 24) 3705089; 25) 3704090; 26) 3728097; 27) 4105099; 28) 4905100; 29) 0812110; 30) 5503111; 31) 4901124; 32) 6704137; 33) 4205138; 34) 3705143; 35) 3929159; 36) 2206168; 37) 6010024; 38) 3006038; 39) 0505074; and 40) 4901094; and the following alternates: 1) 1707017; 2) 4906018; 3) 5906043; 4) 0201044; 5) 4901081; 6) 2207087; 7) 3721096; 8) 2806128; 9) 3705151; and 10) 3705006.

Ms. Weaver provided copies of an Alabama state map showing the geographic distribution.

The Board reviewed and discussed the proposed recipients and alternates.

On September 17, Mr. Howard moved that the Board award the education scholarships to the applicants recommended by the staff, and in the event any of those selected either refuse the scholarship or are determined ineligible, approve the ranked alternates to replace them. Ms. Linsky seconded. Motion carried.

Ms. Lee reported that the nursing education graduate scholarships are subject to proration, which has not been announced yet, but is expected.

Ms. Lee reported that the Board may want to revisit the qualifications at a future Board meeting. Applicants seeking MSNs were not selected

because individuals pursuing a doctorate in nursing or related field have first priority.

XI. REPORTS OF MEETINGS ATTENDED

A. 22nd Annual Alabama Governor's Safety & Health Conference, Orange Beach, AL – August 24-26, 2009

Dr. Davis provided a written report.

XII. DISCIPLINARY CASES

On September 18, Dr. Autrey 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. Ms. Pugh seconded. Motion carried.

Mr. Harper reported that the Board would reconvene in open session at approximately 9:15 a.m.

The Board reconvened in open session at 9:16 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Bivins, Hazel L. Kirkland – LPN, 2-035967

Ms. Bivins 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 a Board-approved educational course on legal/ethical aspects of nursing and pay a fine in the amount of \$300.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

2. Cargill, Debra Ann Brown – LPN, 2-046503 (Lapsed)

Ms. Cargill signed a Consent Order that would approve her reinstatement of a lapsed license application and place her LPN license on probation for a period to run concurrently with her Court ordered probation, but not less than twelve months, with practice-related stipulations, and require her to successfully

complete a Board-approved educational course on professional accountability.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

3. Blevins, Sarah Nichole – LPN Endorsement Applicant

Ms. Blevins signed a Consent Order that would approve her LPN endorsement application and issue her license on probation, until such times as she provides evidence of successful completion of Board-approved educational courses on anger management and professional accountability, and pays a fine in the amount of \$300.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

4. Miller, Leah Shalina Woods – RN, 1-095665 (Active/Probation)

Ms. Miller 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 program; (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. Should Ms. Miller be deemed in need of treatment, her 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. Miller'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 professional accountability and pay a fine in the amount of \$600.00. 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 September 18, Ms. Linsky moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

5. Lucas, Barbara Jean – RN, 1-071483; LPN, 2-031599 (Lapsed)

Ms. Lucas signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete a Board-approved educational course professional accountability, and pay a fine in the amount of \$600.00. Should Ms. Lucas attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On September 18, Ms. Nobles moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

6. Shaddix, Sherri Lamarr – RN, 1-068553

Ms. Shaddix signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on scope of practice and professional accountability, and pay a fine in the amount of \$500.00.

On September 18, Ms. Hopkins moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

7. Wittschen, Julie Light – RN, 1-110279

Ms. Wittschen 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 psychiatric/mental health evaluation from a Board-approved provider; (b) compliance with all treatment recommendations; (c) accrual of requisite continuing education contact hours; and (d) payment of appropriate fees. Upon reinstatement, Ms. Wittschen's license will be placed on probation for a period of twenty-four months, with mental health stipulations, and she will be required to pay a fine in the amount of \$600.00. 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.

Ms. Linsky recused herself from the discussion and vote concerning Ms. Wittschen.

On September 18, Ms. Pugh moved that the Board accept the

Consent Order. Mr. Howard seconded. Motion carried.

8. Wiggins, Tamika Lashawn McCarroll – RN, 1-096476

Ms. Wiggins 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 documentation and professional accountability, and pays a fine in the amount of \$300.00.

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

9. Warren, Sharon Lynne Lipham – RN, 1-062377

Ms. Warren 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 of legal/ethical aspects of nursing and pays a fine in the amount of \$300.00.

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

10. Cranford, Lisa Carol Bryant – LPN, 2-053660

Ms. Cranford 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 safe medication administration, and pays a fine in the amount of \$300.00.

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

11. Gipson-Jones, Shirley Ann – RN, 1-056708

Ms. Gipson-Jones signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on documentation, medication errors and critical thinking, and pay a fine in the amount of \$500.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

12. Griffis, Christine Ann Bolka – RN, 1-087394

Ms. Griffis signed a Consent Order that would place her RN 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 and anger management, and pay a fine in the amount of \$500.00.

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

13. Kennedy, Jocylin Renee Spears – LPN, 2-051929

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

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

14. Tillman, Lashawna Quentel Cox – RN, 1-118427; LPN, 2-057581

Ms. Tillman 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 medication safety and professional accountability, and pays a fine in the amount of \$600.00.

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

15. Kim, Hae Boon Jang – RN, 1-120476

Ms. Kim signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on intravenous therapy, blood administration, dosage calculation, nitroglycerin and professional accountability, and pay a fine in the amount of \$300.00.

On September 18, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

16. Quintana, April Nicole Chaney – RN, 1-095518

Ms. Quintana 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 evaluation for chemical dependency from a Board-approved program; (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. Should Ms. Quintana be deemed in need of treatment, her 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. Quintana'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 a Board-approved educational course on chemical dependency and pay a fine in the amount of \$600.00. 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

17. Dungan, Regina C. Roberts – RN, 1-112137

Ms. Dungan 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 evaluation for chemical dependency from a Board-approved program; (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. Should Ms. Dungan be deemed in need of treatment, her 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, documentation and professional accountability, and pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Dungan'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, documentation and professional accountability, and pay a fine in the amount of \$600.00. 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

18. Price, Melinda Yvonne – LPN, 2-051302

Ms. Price 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

19. Wash, Shelia Jan Carr – LPN, 2-053233

Ms. Wash 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

20. Osborn, Donna Marie Simpson – RN, 1-037775

Ms. Osborn 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 evaluation for chemical dependency from a Board-approved program; (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. Osborn'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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

21. Holt, Michelle Leigh Newman – RN, 1-091349

Ms. Holt 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 program; (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. Holt'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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

22. Taylor, Pamela Yvonne Allen – RN, 1-025072

Ms. Taylor signed a Consent Order that would suspend her RN license for a minimum of six months, and 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 program 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. Taylor'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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

23. Wheat, Sabrina Kay Booth – LPN, 2-033995

Ms. Wheat 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 evaluation for chemical dependency from a Board-approved program; (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. Should Ms. Wheat be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Wheat's license will be reinstated on probation for a period of twelve months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

24. Jackson, Janice Denise – LPN, 2-036230

Ms. Jackson 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

25. Reese, Selina Lillian – RN, 1-074925

Ms. Reese signed a Consent Order that suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (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. Reese'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. 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

26. Stacy, Jennifer Autumn – RN, 1-121017

Ms. Stacy signed a Consent Order that would place her RN license on probation for a period to run concurrent with her Court ordered probation, but not less than twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on chemical dependency and professional accountability and pay a fine in the amount of \$900.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

27. Johnson, Sally Ruth Hankins – RN, 1-075468

Ms. Johnson 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 program; (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. Johnson'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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

28. Beddow, Monica Lynn Heath – RN, 1-105561

Ms. Beddow 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 evaluation for chemical dependency from a Board-approved program; (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. Beddow'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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

29. Smitherman, Jerry Robin – RN, 1-067195

Mr. Smitherman signed a Consent Order that would place his RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require him to successfully

complete Board-approved educational courses on chemical dependency and professional accountability and pay a fine in the amount of \$300.00.

Ms. Price recused herself from the discussion and vote concerning Mr. Smitherman.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

30. Williams, Amy Michelle Crouch – LPN, 2-057831; RN Exam Applicant

Ms. Williams signed a Consent Order that would approve her to take the NCLEX-RN®, and suspend her LPN license until such time as she provides evidence of successful completion of a Board-approved educational course on medication safety and pays a fine in the amount of \$300.00. If Ms. Williams fails to complete all terms and conditions of this Order at the time of issuance of her RN license, it too, would be subject to the same terms and conditions. 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

31. Cox, Aubrey Stephen – RN, 1-084844; LPN, 2-038817 (Lapsed)

This item was deleted from the agenda.

32. Garst, Sherri Lynne Wood – RN, 1-081024

Ms. Garst 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 psychiatric/mental health evaluation from a Board-acceptable provider; (b) compliance with all treatment recommendations; (c) accrual of requisite continuing education contact hours; and (d) payment of appropriate fees. Upon reinstatement, Ms. Garst's license will be placed on probation for a period of twenty-four months, with mental health stipulations, and she will be required to pay a fine in the amount of \$600.00. 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.

Ms. Price recused herself from the discussion and vote concerning Ms. Garst.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

33. Robinson, Lawanda Diane Washington – LPN, 2-049291

Ms. Robinson 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

34. Kniola, David John – RN, 1-068065

Mr. Kniola signed a Consent Order that would place his RN license on probation for a period of twelve months, with practice-related stipulations, require him to successfully complete Board-approved educational courses on documentation, professional accountability and scope of practice, and pay a fine in the amount of \$300.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

35. Littlefield, Tara Lane Hatfield – RN, 1-061311

Ms. Littlefield 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 evaluation for chemical dependency from a Board-approved program; (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. Littlefield'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 September 18, Ms. Linsky moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

36. Kelly Cristal Jean – RN, 1-099286

Ms. Kelly signed a Consent Order that would suspend her RN license for a minimum of six months, and 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 program 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. Kelly'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 \$500.00. 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 September 18, Ms. Linsky moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

37. Kelley, Joyce Carol Holland – RN, 1-068360

Ms. Kelley signed a Consent Order that would suspend her RN license for a minimum of six months, and 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 program 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. Kelley'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 \$500.00. 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 September 18, Ms. Linsky moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

38. Jones, Clarence David – RN, 1-077105

Mr. Jones signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$300.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Price seconded. Motion carried.

39. Lewis, Belinda Joyce – LPN, 2-052213

Ms. Lewis 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Price seconded. Motion carried.

40. Keel, Lenora Iness Vickers – RN, 1-046497I; LPN, 2-026356 (Lapsed)

Ms. Keel signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300 and a late CE compliance fee in the amount of \$600.00.

On September 18, Ms. Hopkins moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried.

41. Romine, Sherry Ann – LPN, 2-052155

Ms. Romine 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 September 18, Ms. Hopkins moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried.

42. Valentine, Sherri Ann Bonds – LPN, 2-053848

Ms. Valentine 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 September 18, Ms. Hopkins moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried.

43. Mills, Robert Eugene – RN, 1-070058

Mr. Mills signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$700.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

44. Castrillo, Doris Jean Prater – RN, 1-050528; CRNA

Ms. Castrillo 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

45. Reed, Mary Louise Conwall – RN, 1-032657; CNM

Ms. Reed 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 September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

46. Tolbert, Edna Jane Harris – LPN, 2-060189

Ms. Tolbert 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 September 18, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

47. Smith, Desiree' Angelina Crusoe – LPN, 2-059924

Ms. Smith 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 September 18, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

48. McNease, Jennifer Leigh O'Bryant – RN, 1-096789; CRNP

Ms. McNease 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 September 18, Ms. Price moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

49. Jones, Cory Shane – RN, 1-112266

Mr. Jones signed a Consent Order that would issue him a public reprimand and require him to pay a fine in the amount of \$300.00

On September 18, Ms. Price moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

50. Williams, Sherry Kaye Fish – RN, 1-066193

Ms. Williams 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 September 18, Ms. Price moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

B. Reinstatement: Consent Orders

1. Coari, Kathy Jo Brown – RN, 1-035281

Ms. Coari 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 RN Refresher Course and pay a fine in the amount of \$1,000.00.

On September 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

C. Formal Hearings

On September 18, Ms. Nobles 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. Dr. Autrey seconded. Motion carried with all in favor (Ms. Price, Ms. Nobles,

Ms. Linsky, Ms. Pugh, Dr. Autrey, Ms. Bullard, Mr. Brown and Mr. Howard). Ms. Hopkins was not present for the vote.

Mr. Harper reported that the Board would reconvene in open session at approximately 10:00 a.m.

The Board reconvened in open session at 10:20 a.m.

1. Atkins, Heather Leigh – LPN, 2-054966

On September 18, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Atkins' LPN license. Mr. Howard seconded. Motion carried. (Ms. Hopkins was not present for the vote).

2. Beam, Vandi Carroll – LPN, 2-049013

On September 18, Ms. Pugh moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and require Ms. Beam to complete a comprehensive chemical dependency evaluation and place her LPN license on probation for a period of thirty-six months with chemical dependency stipulations. Mr. Howard seconded. Motion failed with seven oppositions (Ms. Price, Ms. Nobles, Ms. Linsky, Ms. Hopkins, Dr. Autrey, Ms. Bullard, and Mr. Brown).

On September 18, Dr. Autrey moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer's Recommendation, to be consistent with similar cases, and suspend Ms. Beam's LPN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (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. Should Ms. Beam be deemed in need of treatment, her 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. Beam's license will be reinstated on probation for a period of thirty-six months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$900.00. 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. Mr. Howard seconded. Motion carried.

3. Chapa, Rosa M. B. – RN Endorsement Applicant

On September 18, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Chapa's RN endorsement application. Ms. Pugh seconded. Motion carried.

4. Cleghorn, Heidi Janella Brenner – RN, 1-109566

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

On September 18, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Cleghorn's RN license. Ms. Hopkins seconded. Motion carried.

5. Downey, Julia Mary Castleberry – RN, 1-066457
(Active/Probation)

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

On September 18, Ms. Pugh moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Downey's RN license. Ms. Bullard seconded. Motion carried.

6. Graham, Kristi Long – LPN, 2-053159

On September 18, Ms. Nobles moved that the Board accept

the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Graham's LPN license. Ms. Hopkins seconded. Motion carried.

7. Hill, Mitzy Gale – RN, 1-063227 (Lapsed)

On September 18, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hill's RN license. Ms. Pugh seconded. Motion carried.

8. Morgan, Doris Jean Kinsey – RN, 1-112089

On September 18, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and issue Ms. Morgan a public reprimand. Mr. Howard seconded. Motion failed with six oppositions (Ms. Nobles, Ms. Linsky, Ms. Hopkins, Ms. Bullard, Dr. Autrey, and Mr. Brown).

On September 18, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer's Recommendation, to be consistent with similar cases, and issue Ms. Morgan a public reprimand and require her to pay a fine in the amount of \$300.00. Mr. Howard seconded. Motion carried.

9. Robbins, Deanna Sue Bowling – LPN Endorsement Applicant

On September 18, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and approve Ms. Robbins' LPN Endorsement application and issue her license on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations. Ms. Hopkins seconded. Motion failed with seven oppositions (Ms. Price, Ms. Nobles, Ms. Pugh, Dr. Autrey, Ms. Bullard, Mr. Brown, and Mr. Howard).

On September 18, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer's Recommendation, to be consistent with addiction cases, and approve Ms. Robbins endorsement application and immediately suspend her LPN license until

such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (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. Should Ms. Robbins be deemed in need of treatment, her 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. Robbins' 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 a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$600.00. 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. Dr. Autrey seconded. Motion carried with one opposition (Ms. Price).

10. Sims, Brandy Elizabeth – LPN, 2-049689 (Active/Probation)

On September 18, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Sims' LPN license. Ms. Pugh seconded. Motion carried.

11. Spears, Gregory Jerome – LPN, 2-032705 (Lapsed)

On September 18, Ms. Nobles moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Spears' LPN license. Ms. Hopkins seconded. Motion carried.

12. Turner, Valerie Yvette Robinson – LPN, 2-052207 (Lapsed)

On September 18, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and issue Ms.

Turner a public reprimand. Mr. Howard seconded. Motion carried.

13. Welch-Williams, Sabrina M. – RN Exam Applicant

On September 18, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Welch-Williams' RN Exam Application. Mr. Howard seconded. Motion carried.

D. Reinstatements – Formal Hearings

1. Nix, Carmen Regenia Cook – LPN, 2-049917

On September 18, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Nix's reinstatement application. Mr. Howard seconded. Motion carried.

XIII. OPEN FORUM

A. Kelley Parris-Barnes, MSM, Director, Alabama Department of Child Abuse and Neglect Prevention

Ms. Lee reported that the Board received a letter from Kelley Parris-Barnes, MSM, Director of the Alabama Department of Child Abuse and Neglect Prevention, requesting that the Board participate in one of their committees related to shaken baby syndrome and unsafe sleeping environments. The Primary Care Committee wanted to offer education to nurses in Jefferson County (and eventually the state) related to reducing preventable deaths. Joy Deupree, MSN, RN, from UAB and a former Board member, is on the committee and suggested that Ms. Parris-Barnes contact the Board to survey nurses during license renewal. At the time of the request, it was too late to do anything with renewal and we request a tremendous number of workforce survey questions during renewal so the recommendation is to develop a survey to send out via the list serve.

The EO developed a proposed survey for the Board's review (it has been sent to the Primary Care Committee already) and requested that Ms. Parris-Barnes come and speak to the Board about their activities and projects.

Ms. Parris-Barnes conducted a power point presentation and answered questions from the Board.

Ms. Lee provided copies of the proposed survey for the Board's information and review.

On September 17, Dr. Autrey moved that the Board approve the proposed survey of nurses and approve sending it out via the list serve. Ms. Price seconded. Motion carried.

B. State of Alabama Administrators of Colleges of Nursing (SAACN): Sarah Latham, Chair

Ms. Lee reported that SAACN, baccalaureate and higher deans, wanted to persuade the Board to fill the Center for Nursing Director position. They were invited to speak to the Board at Open Forum. After explaining why the position would not be filled at this time, SAACN decided to send a letter instead of coming to the Board meeting.

The Board reviewed the letter from SAACN and directed Ms. Lee to draft a letter in response.

XIV. OTHER

- Mr. Harper welcomed the students from Alabama Southern Community College.
- Dr. Autrey reported that she attended her first NCSBN Board Meeting. LPNs that can't find jobs are working as certified nursing assistants or patient care technicians. Ms. Lee reported that if they make an error, they are held to their highest level of education.

XV. BOARD MEETING DEBRIEFING

XVI. ADJOURNMENT

The meeting adjourned at 11:24 a.m. on September 18, 2009.

Mike Harper, President

Gregory Howard, Secretary

Recorder: Leslie Vinson
09/17-18/2009