

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2013-2014

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

July 17-18, 2014

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:00 a.m. on July 17, 2014. The following Board members were present: Catherine Dearman, RN, PhD, President; E. Laura Wright, PhD, MNA, CRNA, Secretary; Pamela Autrey, PhD., MSN, RN; Cheryl Bailey, RN, BSN, MBA; Melissa Bullard, LPN; Miriam Ellerbe, LPN; Gladys Davis Hill, MSN, RN; Gregory Howard, LPN; Chrystabell King, LPN; Vicki P. Karolewics, Ed.D.; Amy Price, MSN, RN; and Carol Stewart, CRNP, MSN. Genell Lee, MSN, RN, JD, Executive Officer and Leslie Vinson, Executive Secretary/Recorder were present. Staff members attending portions of the meeting were: Peggy Benson, MSN, RN, Deputy Director; Charlene Cotton, MSN, RN, Advanced Practice; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Christie Davis, Chief Financial Officer; Meagan Clifton, Legal Research Assistant; Honor Ingels, Governmental Relations Manager; Joyce Jeter, MSN, RN, Practice/Continuing Education Nurse Consultant; Cathy Russell, MSN, RN, PhD, Nursing Education Consultant; Brad Jones, IT Systems Specialist; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Patrick Samuelson, Assistant General Counsel; and Alice Maples Henley, General Counsel.

B. Declaration of Quorum

A quorum was declared with twelve Board members present on July 17, and ten members present on July 18. Francine Parker, EdD, MSN, RN, Vice-President, was not present for the meeting. Vicki P. Karolewics, Ed.D. was not present on July 18. Pamela Autrey, PhD., MSN, RN, arrived at 8:38 a.m. on July 18.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was posted on the Secretary of State's web site in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. May 15-16, 2014 Board Meeting Minutes
- II.B. June 19, 2014 Board Meeting Minutes
- III.A. Board Action Follow-up
- VI.A.1. Report
- VI.A.2. FYI
- VI.D.1. General Counsel/Deputy Attorney General
- VI.D.2. Assistant General Counsel Report
- VI.D.3. Voluntary Disciplinary Alternative Program
- VI.D.4. Investigations Report
- VI.D.5. Legal Nurse Consultant Report
- VI.D.6. Probation Monitoring Report
- IX.A.1. Practice Report
- IX.B.1. Continuing Education Report
- X.A. Education Report

On July 17, Ms. Price moved that the Board adopt the Consent Agenda. Dr. Wright seconded. Motion carried without objection.

3. Adoption of Agenda

On July 17, Ms. Bailey moved that the Board adopt the Agenda. Ms. Stewart seconded. Motion carried without objection.

II. REVIEW OF MINUTES

A. May 15-16, 2014 Board Meeting Minutes

The May 15-16, 2014 Board Meeting Minutes were accepted on the Consent Agenda.

B. June 19, 2014 Board Meeting Minutes

The June 19, 2014 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.

A. Recommendations for Annual Meeting

Ms. Benson reported that various activities of National Council of State Boards of Nursing, Inc. (NCSBN) occur each year between Annual Meetings. Recommendations of changes come before the Delegate Assembly each year. Associate member applications are likely not necessary to discuss. The proposed changes to the Model Act and Rules as well as the 2014 Slate of Candidates is important.

Ms. Lee suggested that the Delegates ask the NCSBN to clarify if they are attempting to approve distant education for pre-licensure and what they are trying to accomplish since only two states are approving out of state nursing programs with a large fee.

The Board reviewed each section of the summary of recommendations and provided direction for the Delegates.

Dr. Autrey reported that she supports Betsy Houchen for President, Julie George for Treasurer, and Joe Baker and Gloria Damgaard for Director at Large position.

Ms. Lee provided copies of the summary of Board of Directors recommendations, proposed revision to the NCSBN Model Practice Act and Rules, proposed revision to the NCSBN Bylaws, proposed advanced practice registered nurse compact statute, proposed advanced practice registered nurse compact rules, College of Licensed Practical Nurses of Newfoundland and Labrador associate member application, Nurses Association of New Brunswick associate member application, Nursing and Midwifery

Council of New South Wales associate member application, Yukon Registered Nurses Association associate member application, and the 2014 Slate of Candidates for the Board's information and review.

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. FY 2014 3rd Quarter NCLEX-PN® Results

The 3rd Quarter NCLEX-PN® Results for FY 2014 were not available.

B. FY 2014 3rd Quarter NCLEX-RN® Results

The 3rd Quarter NCLEX-RN® Results for FY 2014 were not available.

VI. REPORTS

A. Executive Officer

1. Report

A written report outlining the Executive Officer activities was accepted as information on the Consent Agenda.

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>
Haymon, Kelley Dianne	2-039355	04/29/2014
Baker, Kimberly Jean	1-073330	04/29/2014
Sims, Sharon Marie	1-053866	04/29/2014
Jones, Cory Shane	1-112266	04/30/2014
Bell, Amy Lynne	2-036294	05/01/2014
Hulse, Kristen Renee	1-135772	05/14/2014
Smith, Jennifer Joan	2-060723	05/14/2014

Leiser, Erin Marie	1-101653	05/15/2014
Copeland, Sandra Lynn	1-080916; 2-037829	05/15/2014
Spradlin, Sandra Leann	1-070540	05/30/2014
Boone, Sandra Gale	2-047751	06/03/2014
Thomas, Robin L.	1-054870	06/03/2014
Frost, Monica Leigh	2-063700	06/03/2014
Martin, Tiffany Marie	2-055050	06/09/2014
Crouch, Eileen C.	2-018312	06/11/2014
Burt, Trisha	2-043942	06/11/2014
Tharpe, Shannon Elizabeth	1-130333	06/11/2014
Nelson, Candice N.	2-053304	06/12/2014
Weese, Tabitha Jean	1-115268	06/12/2014
Cutrell, Whitney Anne	1-053600	06/23/2014
Holmes, Calisa Dawn	2-041617	06/23/2014
Mosley, Joy Elizabeth	1-102233; 2-051082;	06/25/2014
Watts, Tiffany Ann	2-056784	06/26/2014
Isbell, Laura Lucille	2-044094	06/26/2014
Ford, Inell Lorane	1-118089; 2-057865	06/26/2014

2. FYI

There were no FYI items.

3. Organizational Chart

Ms. Lee reported that the Board last approved a current organizational chart on March 20, 2014. Since that time, additional changes occurred. The support staff in the Legal Division has been Docket Clerks for a considerable period of time. There are fewer and fewer names appearing on the Docket Clerk register. As a result, a position required re-classification to Legal Research Assistant. The Legal Research Assistant is someone with a paralegal certificate who can function with more responsibility than a docket clerk. There are now three Legal Research Assistants and three docket clerks. The organizational chart was changed to reflect that each lawyer has a Legal Research Assistant

providing support and one responds to all public document requests and prepares for hearings.

Ms. Lee provided copies of the proposed amendments for the Board's review and approval.

On July 17, Mr. Howard moved that the Board approve the amendments to the Organizational Chart. Ms. Bullard seconded. Motion carried without objection.

B. Executive Committee

C. Financial Reports

1. Reports

Ms. Davis, Chief Fiscal Officer, provided a report of Revenues Expenditures Summary, Revenues, Expenditure Budget Comparison, and a comparison chart for year-end 2012, 2013 and 2014 as of May 31, 2014.

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

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from April 26, 2014 through June 27, 2014, 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. Assistant General Counsel

A written report on the number of pending cases on the docket of the Assistant General Counsel as of June 27, 2014 was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of June 26, 2014 was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of June 26, 2014 was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on the number of open cases assigned to each legal nurse consultant as of June 27, 2014 was accepted, as information, on the Consent Agenda.

6. Probation Monitoring

A written report on the number of nurses monitored on probation, the number of outstanding probation violations, the number of nurses released from probation, and the number of cases resulting in revocation by Board Order as of June 26, 2014 was accepted, as information, on the Consent Agenda.

VII. OPEN FORUM

A. Aggression and Bullying in the Workplace: A Qualitative Study

Dr. Autrey conducted a power point presentation on Aggression and Bullying in the Workplace.

Ms. Price was not present from 10:40 to 10:43 a.m.

Mr. Howard was not present from 10:40 to 10:42 a.m.

VIII. ADVANCED PRACTICE

A. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Board of Medical Examiners (BME) met on July 16, 2014 to review the fast track applications.

The roster includes 53 applications for collaborative practice that meet the criteria for fast track approval without Joint Committee review.

Applications for remote site practice, additional duties and/or special formulary will be presented to the Joint Committee at the meeting scheduled for August 19, 2014.

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

On July 17, Dr. Wright moved that the Board approve the applicants for collaborative practice as listed in the roster. Ms. Bullard seconded. Motion carried without objection.

IX. PRACTICE AND CONTINUING EDUCATION

A. Practice

1. Report

A written report on nursing practice was accepted, as information, on the Consent Agenda.

2. Standardized Procedure Request from UAB: Pelvic Examinations

Ms. Jeter reported that Dr. Schewebke and her physician colleagues within the STD Program of the UAB Division of Infectious Disease will conduct clinical research on sexually transmitted disease and vaginitis funded by federal and private agencies.

RNs will conduct STD examinations to include pelvic examinations with collection of genital specimens and bimanual examinations. There are currently two RNs on staff and one RN may be added. An estimated number of patients to be seen is 50 per month. RNs will work independently and consult with Dr. Schewebke or her designee as needed via phone or in person.

The pelvic exam procedure is limited to Registered Nurses who completed training and have demonstrated competence. In the performance of a pelvic examination a bimanual examination will also be conducted. The policy and procedure states all abnormal findings during the exam will be referred to the physician.

The proposed method of instruction is classroom and clinicals. Dr. Schewebke will provide direction for the classroom and clinical training. The educational material was developed with the STD Program of the UAB Division of Infectious Disease in conjunction with the CDC-sponsored STD Section Training Center at UAB and the Jefferson County Department of Health. The training consists of didactic and practicum components in the examination of both males and females presenting for STD care. The clinical training time will include a 2 hour observation period and 20 hours of supervised clinical practice. There is a written exam with the requirement that the nurse scores 85 percent or better. Upon completion of the organized program of study and passing the written exam, skill validation will occur between the registered nurses and the instructor.

Ms. Jeter provided copies of the application, policy and procedures, male and female history examination and STD medical update power point slides, and the skill validation checklist for the Board's information and review.

On July 17, Dr. Wright moved that the Board approve the standardized procedure application from UAB. Mr. Howard seconded. Motion failed with all opposed.

The Board discussed the procedure being outside the scope of practice for RNs.

Dr. Autrey requested to see the research.

Ms. Lee will send a letter with the Board's concerns.

Ms. Bailey was not present from 11:08 to 11:10 a.m.

B. Continuing Education

1. Report

A written report on Continuing Education Provider applications and continuing education programs was accepted, as information, on the Consent Agenda.

X. EDUCATION

A. Report

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

B. New Education Program Application Templates

Dr. Russell reported that a review of previous new program application packets submitted to the Board identified that there is not a systematic application process and no set format to follow for submission. Nursing programs typically utilize the education rules as an outline. Some applications are more complete than others resulting in a lack of consistency of information provided to the Board.

The purpose of the application templates for Phase I and Phase II is to provide the Board with systematic and comprehensive information submitted in a consistent format by all agencies.

Dr. Russell provided copies of the new education program application templates for Phase I and II for the Board's information and review.

The Board reviewed the application templates and thinks it will be very helpful.

Ms. Stewart was not present from 11:20 to 11:24 a.m.

C. Nursing Education Annual Report

Dr. Dearman reported that the Education Committee met on July 17 to review proposed changes to the Nursing Education Annual Report.

On July 18, Dr. Autrey moved that the Board defer the proposed changes until the next Board meeting in order for Board members to have time to review the changes. Ms. Bullard seconded.

After discussion Dr. Autrey withdrew her motion.

Dr. Russell reported that the information reported in the faculty section of the Nursing Education Annual Report (2012-2013) did

not capture the number of faculty employed on a full-time/part-time basis, nor did it address faculty qualifications. The draft has been modified to capture the number of faculty employed, their educational preparation, years of experience in nursing practice, and years of experience as an educator. Five years was selected as a measure for the years of nursing practice and three was selected for the years of practice as a nurse educator based on Pat Benner's novice to expert where one year is an advanced learner and five years is an expert.

Curriculum information was streamlined to incorporate the number of hours of simulation being used for each course. The curriculum grid was modified to include simulation hours along with other curriculum data.

Some programs may have more than one site/campus functioning under the same program code. The modified form will capture data regarding the number of sites, students at each site/campus, and faculty/ clinical supervisors at each site/campus. In the section labeled program outcomes, a table has been inserted to capture information regarding the number of students that wrote and passed the exam at each site/campus. This modification will provide essential information about the program and the extent to which each site is meeting the standards as outlined in the ABN Administrative Code, Chapter 610-X-3, Nursing Education Programs.

The proposed 2013-2014 Nursing Education Annual Report was modified to capture the data in a systematic way to include campus/ site, program coordinator, as well as the number of students, faculty qualifications and the number of faculty/clinical supervisors at each site. Standardizing the information requested will facilitate comparison among like programs.

Dr. Russell reviewed each section of the Nursing Education Annual Report.

The Board reviewed the proposed changes and made minor changes.

Dr. Russell provided copies of the proposed changes for the Board review and approval.

On July 18, Dr. Wright moved that the Board approve the 2013-2014 Nursing Education Annual Report, as amended. Mr. Howard seconded. Motion carried without objection.

Ms. Price was not present from 8:55 to 8:57 a.m.

Ms. Bailey left at 9:34 a.m. and was not present for the motion or vote.

XI. BOARD TRAVEL

A. International Nurse Regulator Collaborative Symposium, Chicago, IL – October 28-30, 2014

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

XII. DISCIPLINARY CASES

On July 18, Ms. Price 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. King seconded. Motion carried without objection.

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

The Board reconvened in open session at 8:37 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Healey, Suzanne Kolene – RN, 1-071358 (Lapsed)

Ms. Healey 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 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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

2. Lewis, Cheryl Diane Jackson – RN, 1-041566

Ms. Lewis signed a Consent Order that would terminate her VDAP Agreement, and place her RN license on probation. Said probation is stayed, and her RN license will be placed on Board-lapsed status due to her medical condition.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

3. Cothran, Susan Carol – RN, 1-056831 (Lapsed)

Ms. Cothran signed a Consent Order that would approve her reinstatement of a lapsed license application and place her RN license on probation concurrent with her Tennessee probation but not less than twenty-four months, with illegal/illicit drug-use stipulations, and she will be required to pay a fine in the amount of \$600.00.

On July 18, Ms. Price moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

4. Edmondson, Cheryl Ann – RN, 1-140604

Ms. Edmondson signed a Consent Order that would suspend her RN license until such time as she provides evidence of an unencumbered license in all states in which she holds license. Upon reinstatement, Ms. Edmondson will be required to pay a fine in the amount of \$300.00.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Price seconded. Motion carried without objection.

5. Barraza, David Gerardo – RN, 1-091621; CRNP

Mr. Barraza signed a Consent Order that would place his RN license on probation until such time as he provides evidence of: (a) payment of a fine in the amount of \$1,000.00; (b) successful completion of a Board-approved educational course on professional accountability; and (c) the employer notification has been received by the Board.

On July 18, Ms. Price moved that the Board accept the

Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

6. Eady, Angela Michelle – RN, 1-076613; CRNP

Ms. Eady signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$1,000.00; (b) successful completion of a Board-approved educational course on professional accountability; and (c) the employer notification has been received by the Board.

On July 18, Ms. Price moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

7. Lilly, Candace Lee – RN, 1-106649; LPN, 2-052655 (Lapsed)

Ms. Lilly 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 Board-approved educational courses on substance use disorder and professional accountability, and pay a fine in the amount of \$300.00. Should Ms. Lilly attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

8. Lyman, Tamika Annabelle – RN, 1-131875; LPN, 2-054537 (Lapsed)

Ms. Lyman signed a Consent Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on critical thinking, ethics of nursing practice, and the ABN Mandatory Class Part 2 Standards of Practice and Scope of Practice. Upon reinstatement, Ms. Lyman'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. Should Ms. Lyman attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

9. Palmer, Amy Suzanne – RN, 1-125742; LPN, 2-060574 (Lapsed)

Ms. Palmer signed a Consent Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on professional accountability. Upon reinstatement, Palmer'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. Should Ms. Palmer attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

10. Veluz, Milagros M. – RN, 1-024344

Ms. Veluz signed a Consent Order that would suspend her RN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$1,000.00; (b) successful completion of Board-approved educational courses on ethics of nursing, chemical dependency, and the ABN Mandatory Class Part 2 Standards of Practice and Scope of Practice; and (c) the employer notification has been received by the Board. 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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

11. Eads, Lori – RN, 1-087190

Ms. Eads signed a Consent Order that would terminate her September 21, 2012 Order upon the Board's acceptance of this instant Order that would suspend her RN license until such time as she provides evidence of successful completion of Board-approved educational courses on substance use disorder and professional accountability, and pays a fine in the amount of \$500.00. Upon reinstatement, Ms. Eads' license will be placed on probation for a period of twenty-four 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 July 18, Ms. Bullard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

12. Morris, Jessica Leigh – LPN, 2-049301

Ms. Morris signed a Consent Order that would terminate her January 17, 2014 Order upon the Board's acceptance of this instant Order that would suspend her LPN license until such time as she provides evidence of successful completion of Board-approved educational courses on substance use disorder, professional accountability, and ethics, and pays a fine in the amount of \$800.00. Upon reinstatement, Ms. Morris' 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 July 18, Ms. Bullard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

13. Stanley, Sarah Elizabeth – RN, 1-122353

Ms. Stanley signed a Consent Order that would terminate her July 19, 2013 Order upon the Board's acceptance of this instant 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) and payment of appropriate fees. Upon reinstatement, Ms. Stanley'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 July 18, Ms. Bullard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

14. Brooks, Kristi Lynn – RN, 1-088177; LPN, 2-041240 (Lapsed)

Ms. Brooks 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 substance use disorder, and pay a fine in the amount of \$300.00. Should Ms. Brooks attempt to renew her LPN license, it too would be subject to the same terms and conditions.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

15. Cain, De Anna Kay – RN, 1-110047

Ms. Cain 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) and payment of appropriate fees. Upon reinstatement, Ms. Stanley'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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

16. Garrick, Mary E. – RN, 1-122378

Ms. Garrick 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 substance use disorder, and pay a fine in the amount of \$900.00.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

17. Gibson, Sandra Kay – RN, 1-090421

Ms. Gibson 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) and payment of appropriate fees. Upon reinstatement, Ms. Gibson'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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

18. McCollum, Timothy Carver – RN, 1-087011; CRNP

Mr. McCollum signed a Consent Order that would suspend his 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) and payment of appropriate fees. Upon reinstatement, Mr. McCollum's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and he 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, his license status will be considered as and listed as revoked.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

19. Rainer, Judith Lee – RN, 1-079116

Ms. Rainer 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) and payment of appropriate fees. Upon reinstatement, Ms.

Rainer'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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

20. Stacy, Lisa Marie – RN, 1-084043 (Lapsed)

Ms. Stacy signed a Consent Order that would approve her reinstatement of a lapsed license application and immediately 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 (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; (g) and payment of appropriate fees. Should Ms. Stacy 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 \$1,300.00. If not deemed in need of treatment, Ms. Stacy'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 substance use disorder, 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.

Ms. Bullard recused herself from the discussion and vote concerning Ms. Stacy.

On July 18, Mr. Howard moved that the Board accept the

Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

21. Taylor, Elizabeth Edna – RN, 1-094432

Ms. Taylor 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) and 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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

22. Tucker, Shanna Lynn – LPN, 2-062302

Ms. Tucker 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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

23. Barton, Morgan Marie – RN, 1-070314

Ms. Barton signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational

courses on critical thinking, medication safety, and the ABN Mandatory Class Part 2 Standards of Nursing Practice and Scope of Practice; and (c) the employer notification has been received by the Board.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

24. Batchelor, Martha Jean – RN, 1-108368; LPN, 2-032396 (Lapsed)

Ms. Batchelor 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 Board-approved educational courses on substance use disorder, medication safety, and critical thinking, and pay a fine in the amount of \$300.00. Should Ms. Batchelor attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

25. Carr, Lisa Marie – RN, 1-131055

Ms. Carr signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing practice and documentation; and (c) the employer notification has been received by the Board.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

26. Chadderdon, Jennifer Lee – RN, 1-118838

Ms. Chadderdon signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on critical thinking and ethics of nursing practice;

and (c) the employer notification has been received by the Board.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

27. Cox, Shane Laurence – RN, 1-113992

Mr. Cox 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, documentation, and medication safety, and pay a fine in the amount of \$300.00.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

28. Fugate, Sheryl Lyn – RN, 1-092960

Ms. Fugate signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on medication errors, professional accountability, and documentation; and (c) the employer notification has been received by the Board.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

29. Griffin, Kathy L. – LPN, 2-063634

Ms. Griffin signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on documentation; medication safety, and ethics of nursing practice; and (c) the employer notification has been received by the Board.

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

without objection.

30. Hawkins, Amber Nicole – RN, 1-121351

Ms. Hawkins 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 Board-approved educational courses on substance use disorder and medication safety, and pay a fine in the amount of \$300.00.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

31. Henderson, Gaylen Michelle – RN, 1-061229

Ms. Henderson signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on documentation and critical thinking; and (c) the employer notification has been received by the Board.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

32. Tucker, Jennifer Kay – RN, 1-057398

Ms. Tucker signed a Consent Order that would suspend her RN license until such time as she provides evidence of successful completion of a Board-approved educational course on critical thinking and pays a fine in the amount of \$500.00. Upon reinstatement, Ms. Tucker'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 July 18, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

33. Bain, Nicole Natasha – LPN Endorsement Applicant

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

On July 18, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

34. Boehm, Timothy Ryan – LPN Endorsement Applicant

Mr. Boehm signed a Consent Order that would approve his LPN endorsement application and issue him a public reprimand.

On July 18, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

35. Goke, Leslee Lynne – RN, 1-069986 (Lapsed)

Ms. Goke signed a Consent Order that would approve her reinstatement of a lapsed license application, issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On July 18, Dr. Wright moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

36. Harrell, Kristie W. – LPN, 2-065142; RN Exam Applicant

Ms. Harrell signed a Consent Order that would allow her to take the NCLEX-RN®, and if successful, will issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On July 18, Ms. Ellerbe moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

37. Jones, Crystal Antoinette – LPN, 2-053791; RN Exam Applicant

Ms. Jones signed a Consent Order that would allow her to

take the NCLEX-RN®, and if successful, will issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On July 18, Ms. Ellerbe moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

38. Barefield, Alison Danita – LPN, 2-061208

Ms. Barefield signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

39. Franklin, Kaylie Breann – RN, 1-113850; CRNP

Ms. Franklin 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 July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

40. Horn, Melissa Leigh – RN, 1-108850

Ms. Horn signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$700.00.

On July 18, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

41. Martin, Tina Marie – LPN, 2-050934

Ms. Martin signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$700.00.

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

without objection.

42. Law, Barbara Joyce – RN, 1-077153; LPN, 2-040275 (Lapsed)

Ms. Law 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 July 18, Dr. Wright moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

B. Reinstatement: Consent Orders

1. Green, Alanda Woods – LPN, 2-053412

Ms. Green signed a Consent Order that would approve her reinstatement of a revoked license application, issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On July 18, Dr. Wright moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

2. Hankins, Laquita Tawan – RN, 1-106637

Ms. Hankins signed a Consent Order that would approve her reinstatement of a revoked license application and reinstate 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 substance use disorder, and pay a fine in the amount of \$500.00.

On July 18, Dr. Wright moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

3. Kite, Sherri Turner – RN, 1-062993; LPN, 2-027147

Ms. Kite signed a Consent Order that would approve her reinstatement of a revoked license application and reinstate her license on probation for a period of sixty months, with chemical dependency stipulations, require her to

successfully complete a Board-approved educational course on professional accountability and pay a fine in the amount of \$1,000.00. Should Ms. Kite attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On July 18, Dr. Wright moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

C. Formal Hearings

On July 18, Mr. Howard 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. Wright seconded. Motion carried without objection.

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

The Board returned to open session at 8:46 a.m.

1. Battles, Pamela Annette – LPN, 2-056232 (Lapsed/Probation)

On July 18, Ms. Stewart moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Battle's license. Ms. Hill seconded. Motion carried without objection.

2. Campbell, Latrice Rene – LPN, 2-043361 (Lapsed/Probation)

On July 18, Ms. Stewart moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Campbell's LPN license. Ms. Bullard seconded. Motion carried without objection.

3. Curry, Melissa Bea – LPN, 2-057818 (Lapsed)

On July 18, Ms. Ellerbe moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms.

Curry's LPN license. Mr. Howard seconded. Motion carried without objection.

4. Hughes, Brandy – LPN, 2-058606 (Lapsed)

On July 18, Ms. Price moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hughes' LPN license. Ms. Bullard seconded. Motion carried without objection.

5. Jones, Roy Wilbert – RN, 1-022613 (Active/Probation)

On July 18, Dr. Wright moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Jones' RN license. Ms. Stewart seconded. Motion carried without objection.

6. Rowland, Jennifer Lynn – RN Endorsement Applicant

On July 18, Ms. Stewart moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and approve Ms. Rowland's RN endorsement application and issue her license on probation for a period of sixty months, with chemical dependency stipulations, and require her to pay a fine in the amount of \$1,000.00. Dr. Wright seconded. Motion carried without objection.

7. Stewart, Bernadette – LPN, 2-043370 (Lapsed/Probation)

On July 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. Stewart's LPN license. Ms. Hill seconded. Motion carried without objection.

8. Tatum, Latonya Nicole – LPN, 2-057886 (Lapsed)

On July 18, Dr. Wright moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Tatum's LPN license. Ms. Hill seconded. Motion carried without objection.

9. Weber, Nancy – RN Endorsement Applicant

On July 18, Dr. Autrey moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and deny Ms. Weber's RN endorsement application. Ms. Stewart seconded. Motion carried without objection.

10. Wise, Lori Lane – LPN, 2-028196 (Lapsed)

On July 18, Ms. Bullard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and deny Ms. Wise's reinstatement of a lapsed license application and revoke her LPN license. Mr. Howard seconded. Motion carried without objection.

D. Reinstatements – Formal Hearings

There were no formal hearing reinstatements.

XIII. POLICY

A. Final Certification, ABN Administrative Code, Chapter 610-X-13, Voluntary Disciplinary Alternative Program

Ms. Lee reported that the Board reviewed proposed amendments to Chapter 610-X-13, Voluntary Disciplinary Alternative Program at the May 2014 meeting. The proposed amendments were filed with the Legislative Reference Service and published in the *Alabama Administrative Monthly*. The proposed amended rules were also placed on the Board's website. July 7, 2014 was the last day for comments and no comments were received.

Ms. Lee provided copies of the proposed amendments for the Board's review and approval.

On July 17, Dr. Wright moved that the Board approve, as final certification, ABN Administrative Code, Chapter 610-X-13, Voluntary Disciplinary Alternative Program. Ms. Bullard seconded. Motion carried without objection.

B. Board Guidelines for Video Transcribing of Administrative Hearings

Ms. Henley reported that each year the Board conducts approximately sixty to seventy administrative hearings regarding disciplinary action against licensees and applicants for licensure. Although it would be cost-prohibitive to provide video transcription of every hearing, there are circumstances in which Board staff members believe that video transcription would aid the Board in reaching an appropriate disposition of disciplinary cases. Board staff members have used video transcription in a few cases in recent years, and this spring Board members expressed that it would be beneficial for the Board to establish some guidelines for when video transcription of administrative hearings would be done. In response to this request, staff members developed proposed guidelines which would aid them in determining when video transcription would be appropriate for cases.

Ms. Henley provided copies of the proposed guidelines for the Board's information and review.

The Board reviewed the proposed guidelines and made minor changes.

On July 17, Dr. Wright moved that the Board approve the guidelines, as amended. Ms. Price seconded. Motion carried without objection.

Ms. Price was not present from 11:30 to 11:32 a.m.

XIV. NEXT MEETING DATE

August 21, 2014, RSA Plaza, 770 Washington Ave, Suite 350, Montgomery, AL

XV. OTHER

- Ms. Benson reported that the meeting Ms. Lee had with Senator Bussman was related to a CRNP certification. The Board did not receive a copy of the national certification. The collaborative practice approval for the CRNP lapsed because ABN did not have current certification. After this was discovered, IT ran a query and found four more that had lapsed. ABN has been sending email reminders but the email address was not correct. Automated emails will be sent to all advanced practice nurses seven days before the certification expires.

The advanced practice nurse has to request that a copy of the national certification be sent to their Board.

- Mr. Ingels reported that the meeting with Senator Bussman was very nice. Ms. Lee told him the ABN would take care of the issue and make it right.
- Ms. Lee reported that the Home Builders Board set up a separate fund to purchase a building. The Board may want to think about that and ask the Legislature to set up a building fund for ABN.
- Ms. Lee reported that she met with the Director of State cars but ABN can't use the services because there is no law that allows him to enter into contracts.
- Ms. Lee introduced Meagan Clifton, Legal Research Assistant.

XVI. BOARD MEETING DEBRIEFING

- Dr. Dearman reported that the Alabama Healthcare Action Coalition will speak to the Board at the August Board meeting.
- Dr. Dearman thanked Ms. Benson and Dr. Russell for making changes that have improved processes.
- Ms. Price reported that the standardized procedure report has been very helpful for her.
- Dr. Dearman reported that the discipline guidelines are extremely useful.

XVII. ADJOURNMENT

The meeting adjourned at 9:51 a.m. on July 18.

Catherine Dearman, President

E. Laura Wright, Secretary

Submitted by: _____
Recorder: Leslie Vinson
07/17-18/2014