

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

Fiscal Year 2008-2009

Suite 326, RSA Plaza

770 Washington Ave

Montgomery, Alabama

March 19-20, 2009

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:00 a.m. on March 19, 2009, with the following Board members present: Mike Harper, CRNA, JD, President; Debra Davis, DSN, RN, Vice-President; Gregory Howard, LPN, Secretary; Pamela Autrey, PhD., MSN, RN; Harry Brown, Jr., MA, MBA, CFP®; Melissa Bullard, LPN; Maggie Lee Hopkins, LPN; Patricia LeCroy, MSN, RN; Rose Linsky, MSN, RN; 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: Allison Terry, Ph.D., Director, Center for Nursing; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Katie Drake-Speer, MSN, RN, Continuing Education; Carolyn Morgan, MSN, RN, Practice; Jennifer Weaver, Chief Fiscal Officer; Frank Mitchell, Chief Special Investigator; David Pinnock, Special Investigator; Wyatt Gantt, Special Investigator; Nate Nunnelley, Special Investigator; Ginny Pettway, Docket Clerk; Cathy Boden, MSN, RN, Legal Nurse Consultant; Alice Maples, Deputy Attorney General/General Counsel.

B. Declaration of Quorum

A quorum was declared with twelve Board members present on March 19, and twelve members present on March 20. Susan F. Lovett, CRNP, MSN, was not present.

D. Review of Agenda

1. Additions, Modifications, Reordering

XII.A.8. O'Bar, Patty Edmonson – RN, 1-069575 was deleted from the agenda.

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. January 22-23, 2009 Board Meeting Minutes
- II.B. February 19, 2009 Board Meeting Minutes
- III. OLD BUSINESS/FOLLOW-UP
- III.A. Board Action Follow-up
- V.A. FY 09 2nd Quarter NCLEX-PN Results
- V.B. FY 09 2nd Quarter NCLEX-RN Results
- VI.A. Executive Officer
- VI.A.2. FYI
- VI.D.1. General Counsel/Deputy Attorney General Report
- 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.A.1. Education Report
- VIII.B.1. Practice Report
- VIII.D.1. Continuing Education Report
- VIII.E.1. Center for Nursing/Research

On March 19, Ms. Pugh moved that the Board adopt the Consent Agenda. Mr. Howard seconded. Motion carried.

3. Adoption of Agenda

On March 19, Mr. Brown moved that the Board adopt the Agenda, as amended. Mr. Howard seconded. Motion carried.

II. REVIEW OF MINUTES

A. January 22-23, 2009 Regular Board Meeting Minutes

The January 22-23, 2009, Regular Board Meeting Minutes were accepted on the Consent Agenda.

B. February 19, 2009 Board Meeting Minutes

The February 19, 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.

A. Leadership Succession Committee

Ms. Lee reported that the ABN is a member of the National Council of State Boards of Nursing, Inc (NCSBN). Leadership positions within the organization will be voted on at the August 2009 Annual Meeting. Mr. Howard presently serves on the NCSBN Board of Directors in a Director at Large position but will not run for office this year.

Ms. Lee provided copies of the NCSBN Brochure for the Board's information and review.

After discussion, Dr. Autrey decided to run for a Director at Large position.

B. Report from Board of Directors: Greg Howard

Mr. Howard reported on the Transition to Practice Committee meeting and provided copies of the handouts for the Board's information and review.

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. FY 09 2nd Quarter NCLEX-PN® Results

The 2nd Quarter NCLEX-PN® Results for FY 2009 were not available.

B. FY 09 2nd Quarter NCLEX-RN® Results

The 2nd Quarter NCLEX-RN® Results for FY 2009 were not available.

VI. REPORTS

A. Executive Officer

1. Report

Ms. Lee provided a written report to the Board outlining her activities from January 1, 2009, through February 28, 2009.

In addition to her report, Ms. Lee reported that the Governor signed the Sunset Bill and took care of the issues the Board has with unsafe practice related to mental illness and physical ability.

Ms. Lee provided an update on HB 47, SB 51, SB 257, SB 359, and SB 215. Ms. Lee also provided an update on the movement to remove the Board of Nursing from the oversight of the nursing education programs in Georgia and Florida.

Ms. Lee reported that she and the IT staff met with Cyberbest Technologies to discuss the development of a licensing database that would meet all of the Boards needs and expects a proposal next week.

Ms. Lee met with RSA about building a Board room with more seating space for visitors.

Ms. Lee reported that Moniaree Jones, MSN, RN, accepted the Legal Nurse Consultant position and starts March 30.

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>
Mitchell, Tracy Lynn	1-065437	01/08/2009
Martin, Mary Malaena	1-094559	01/12/2009
Waldrop, Julia	2-057457	01/12/2009
Slaton, John Wesley	1-087836	01/12/2009
Smith, Carrie Leah	1-107695	01/15/2009
Nevels, Cynthia Marchelle	2-046238	01/20/2009

Boles, James Thomas	1-098076	01/20/2009
Preyer, Bessie Mae	2-023266	01/21/2009
Terry, Alvin Lee	1-084775; 2-044484	01/21/2009
Dykes, Michael Dwayne	2-050037	01/22/2009
Bridges, Lisa Cathrine	1-095337; 2-039207	01/27/2009
Kirkland, Jason Mack	1-066775	01/27/2009
Loewen, Laura Ellen	1-089483	01/28/2009
McMullan, Beth Ann	2-055068	02/02/2009
Owens, Christopher Michael	1-102377	02/02/2009
Hinton, Rebecca	1-060383	02/02/2009
Chaffin, Frances D.	1-021355	02/10/2009
Hicks, Sheila Elaine	1-101033; 2-039007	02/10/2009
McDaniel, Arvol Lynn	1-056151	02/13/2009
McCracken, Debra Ann	1-032324	02/13/2009
Robertson, Elizabeth Ann	1-059553	02/17/2009
Page, Jessica Leigh	1-114287	02/17/2009
Bailey, Francesca Nicole	2-050563	02/19/2009
Terrell, John Charles	1-025369; CRNA	02/20/2009
Hudson, Shanda Sawyer	2-048606	02/20/2009
Littrell, Mollie Laura	1-094292	02/23/2009
Beard, Stephanie Diane	2-055997	02/25/2009
Johnson, Vanessa Darlene	2-024502	02/25/2009
Herrin, David Eugene	1-036989	02/25/2009
Watson, Mina Yariya	2-051925	02/25/2009
Hampton, Melody Lynn	1-068725	02/25/2009
Ford, Regina Darlene	1-080268; 2-026489	02/25/2009
Peterson, Kimberly Ann	2-031147	02/26/2009

2. FYI

Ms. Lee provided copies of a letter from Wallace Community College announcing Dr. Stan Aman as the Dean of

Academic Affairs and Health Sciences, for the Board's information.

3. Web Posting of Public Information

Ms. Lee reported that at the October 2008 strategic planning retreat, the Board discussed the posting of public information on the Board's web site. The Board approved the strategic plan at the November 2008 Board meeting and included two strategies relevant to the topic of public information: 1) determine which decisions (including minutes) are posted for public review; and 2) explore posting of discipline orders to the web site.

A survey through the NCSBN was sent to all executive officers in January 2009. According to the responses, twenty-seven states do post their Board meeting minutes to the web. The second question related to posting of disciplinary orders to the web site revealed that twenty out of thirty-nine states post their discipline orders.

Ms. Lee provided copies of the survey results from other states for the Board's information and review.

The Board reviewed and discussed the survey results.

On March 19, Ms. Linsky moved that the Board approve posting of the Board meeting minutes to the Board's web site following Board approval of the minutes. Ms. LeCroy seconded. Motion carried.

On March 19, Dr. Autrey moved that the Board approve posting of the discipline orders to the web site. Mr. Brown seconded. Motion failed with eleven oppositions (Ms. LeCroy, Ms. Price, Ms. Nobles, Ms. Linsky, Ms. Hopkins, Dr. Davis, Ms. Pugh, Ms. Bullard, Mr. Brown, Dr. Autrey, and Mr. Howard.

4. SB 483: CRNP, CNM Practice

Ms. Lee reported that the Nurse Practitioner Alliance of Alabama (NPAA) had legislation prepared in the 2008 Regular Legislative Session but it was never introduced. Senate Bill 483 was introduced by Senator Linda Coleman and is scheduled on the Health Committee agenda for Thursday March 26, 2009. The key points of the proposed

bill are: 1) autonomous practice without physician collaboration; 2) sole regulatory authority is the Board of Nursing; 3) change in the make of the Joint Committee; 4) change in the functions of the Joint Committee; 5) scope of practice added to the statute; 6) addition of prescriptive authority for Schedule II-V controlled substances; and 7) the Board of Nursing is listed as the certifying body for controlled substances prescriptive authority permit.

The Board of Nursing's official position on the bill may be requested at the Health Committee and there may be other calls related to the Board's position.

Ms. Lee provided copies of the proposed bill for the Board's review.

The Board reviewed and discussed the proposed bill.

Dr. Davis provided talking points for discussion at the Health Committee.

B. Executive Committee

1. President's Report

There was no President's report.

C. Financial Reports

1. Reports

Ms. Weaver, Chief Fiscal Officer, provided a Revenue and Expenditure Summary for FY 2009. Revenues and expenditures for FY 2009, and a spreadsheet reflecting payments for all in-state and out-of-state travel-related expenses through January 31, 2009, was presented. Ms. Weaver also provided a cost allocation report with a breakdown of expenditures by program and object codes, along with a report of dishonored checks through January 31, 2009. Ms. Weaver provided a variance report reflecting actual expenditures and revenue variances from the budget through January 31, 2009 and a cash balance as of February 27, 2009.

The Board reviewed and discussed the reports presented.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from January 6, 2009 through February 27, 2009, and the number of open disciplinary cases was accepted, as information, on the Consent Agenda.

2. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of February 28, 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 February 26, 2009 was accepted, as information, on the Consent Agenda.

4. LPN Renewal Regulatory Questions

Ms. Maples reported that in order to determine whether LPNs continue to meet the requirements for licensure, the Board needs to ask questions to screen applicants for continued eligibility and previously unreported violations of the Board's law and rules.

Ms. Maples reported that based on the 2008 RN renewal, the staff suggest revisions to the questions.

Ms. Maples provided the revised questions for the Board's review and approval.

The Board reviewed and discussed the proposed questions for 2009 renewal.

On March 19, Dr. Davis moved that the Board approve the proposed questions for 2009 LPN renewal as presented. Mr. Howard seconded. Motion carried.

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 February 25, 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. WORK SESSION/COMMITTEE REPORTS

A. Education

1. Report

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

2. Calhoun Community College ADN Program Improvement Plans: Angela Watkins, MSN, RN, Program Director

Ms. Lee reported that Calhoun Community College's ADN Program received a Notice of Continued Deficiency in 2008 based on the percentage of first-time writers for NCLEX-RN® below the standard of 80%. The FY 2007 percentage was 78.8%. The FY 2008 percentage was 79%.

Jan Peek, MSN, RN, Program Director, retired. Angela Watkins, MSN, RN, is the new Program Director. Calhoun also employed a new Dean of Health Sciences. A site visit was conducted on January 20, 2009.

The program admitted a large number of students, at the direction of the President Marilyn Beck, even though there were insufficient faculty to provide the instruction and clinical oversight needed by the students. The rules require that an institution provide adequate resources, financial and personnel, for the program.

Ms. Lee reported that if the first-time writers of NCLEX-RN® for FY 2009 are not up to the 80% passing standard, Calhoun Community College's ADN Program will require an administrative hearing.

Angela Watkins, Program Director, presented Calhoun's improvement plan to the Board and provided copies of the plan. Bret McGill, Dean of Health Sciences, Deborah Miller, Sophomore Liaison, and Sybil Roark, Freshman Liaison, were also present.

Ms. Lee provided copies of Calhoun Community College's May 2008 improvement plan for the Board's information and review.

The Board reviewed and discussed the plan.

3. Chattahoochee Valley Community College ADN Program Improvement Plans: Melliny Macklin, MSN, RN, Program Director

Ms. Lee reported that Chattahoochee Valley Community College's ADN Program received a Notice of Continued Deficiency in 2008 based on the percentage of first-time writers for NCLEX-RN® below the standard of 80%. The FY 2007 percentage was 69.7%. The FY 2008 percentage was 69.4%.

Sometime in 2008, Melliny Macklin, MSN, RN, was named the new Program Director. The Board did not receive notice of the change in the program director as required by rule.

Melliny Macklin presented Chattahoochee Valley Community College's improvement plan to the Board. Dr. Laurel Blackwell, President, and Dr. Greg Labyak, Dean of Instruction, were also present.

Ms. Lee reported that Chattahoochee Valley has until the end of FY 2009 to bring the NCLEX-RN® scores up to the

80% standard. If they do not meet the 80% pass rate, the next step will be an administrative hearing.

Ms. Lee provided copies of the May 2008 improvement plan for the Board's information and review.

The Board reviewed and discussed the improvement plan.

4. Calculation of Graduation Rates in the Nursing Education Annual Report

Ms. Lee reported that the Academic Year 2007-2008 Nursing Education Annual Report contained a new data element from previous reports: graduation rate. Each program was asked to provide data on their graduation rate for academic year 2007-2008 and also to provide the formula used for the calculation. The initial review revealed low graduation rates and that no program seemed to calculate the rates the same.

Dr. Terry was tasked to analyze the formulas used by the various programs to calculate graduation rates. Information was provided to Dr. Davis for her review as she was instrumental in the development of the instrument and data elements in the report. Dr. Davis identified that what we received was somewhat expected since the programs did not receive a definition of graduation rate nor were they advised on how to calculate the graduation rate.

The Board has never established a standard for graduation rates, but since discussion occurs about evaluating a program using something other than NCLEX® scores, perhaps an outcome for graduation rates can be considered in the future.

Dr. Terry presented her analysis of the formulas used for the graduation rates and provided copies for the Board's review.

The Board discussed the information and provided direction to the staff.

B. Practice

1. Report

A written report on the standardized procedures activity as of February 27, 2009, and a quarterly report from Helicopter

Medical Transport Companies were accepted, as information, on the Consent Agenda.

2. Standardized Procedure: Echocardiographic Bubble Study – Thomas Hospital

Ms. Morgan reported that Thomas Hospital submitted a standardized procedure application for registered nurses that work in Medical Intensive Care Unit (MICU), Surgical Intensive Care Unit (SICU), Cardiovascular Lab and the Cardiovascular Unit to assist the physician in the Echocardiographic Bubble Study with limitations. The Echocardiographic Bubble Study is performed in order to ascertain right to left cardiac shunt. The procedure is performed during an Echocardiographic study under the direction of a cardiologist with the injection of an agitated air/fluid mixture.

Ms. Morgan provided copies of the standardized procedure application, the policy and procedures, organized program of study, competency checklist, and an article on air embolism for the Board's information and review.

The Board reviewed and discussed the information provided.

On March 19, Dr. Davis moved that the Board approved the standardized procedure application from Thomas Hospital for registered nurses that work in MICU, SICU, Cardiovascular Lab and the Cardiovascular Unit to assist the physician in the Echocardiographic Bubble Study with the limitations listed in the facility's policy. Mr. Howard seconded. Motion carried.

3. Standardized Procedure: Verification of Fetal Presentation via Ultrasound – Thomas Hospital

Ms. Morgan reported that Thomas Hospital submitted a standardized procedure application for RNs to perform verification of fetal presentation via ultrasound. Thomas Hospital proposes that the verification of vertex presentation using ultrasound will be performed prior to the initiation of Oxytocin or cervical ripening agents. They further propose that the RN will be limited to verification of fetal presentation that was clarified to mean the situation where the head is the presenting part in the pelvis. The nurses would not be determining the position of the head.

Ms. Morgan provided copies of the application, policy and procedure, organized program of study, and the competency checklist for the Board's information and review.

The Board reviewed and discussed the information provided.

On March 19, Ms. Nobles moved that the Board approve the standardized procedure application from Thomas Hospital for verification of fetal presentation via ultrasound performed by registered nurses in the birth center. Ms. Linsky seconded. Motion carried.

4. Standardized Procedure: Lap Band Adjustment by LPNs – Advanced Surgeons

Ms. Morgan reported that Advanced Surgeons, PC, submitted a standardized procedure application requesting approval for LPNs and RNs to perform the lab band adjustments. There is currently no RN on staff.

The technical skill required for accessing the Lap Band port is essentially the same as accessing a vascular port (Port-a-cath). The connection tube carries the solution from the port to the inner band, low-pressure inner tube. The outer rim of the ring is semi-rigid silicone. The procedure is not technically difficult. The consequence of incorrect filling may not be evident for several hours after the patient leaves the office.

Ms. Morgan provided copies of the application, policy and procedure, correspondence from Dr. Touliatos, correspondence from the office manager, program agendas, information on Lap-Band System, the organized program of study, and a sample lap band for the Board's information and review.

The Board discussed the information provided and directed Ms. Morgan to find out if the physician writes an order and if there is a competency checklist.

C. Advanced Practice Nursing

1. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Joint Committee met on March

17, to review the roster of applications for collaboration. The Alabama Board of Medical Examiners (ABME) met on March 18 and accepted the recommendations of the Joint Committee.

Ms. Cotton reported that the Joint Committee reviewed the issue of having a physician policy for unlicensed personnel performing injections in CRNP/CNM practice sites. The Committee recommends: 1) add a statement to the collaborative practice application as an option on new practice agreements; 2) provide a format for adding this policy to current collaboration agreements without requiring a full application and fee for this change; 3) notify currently approved collaborating CRNPs/CNMs and physicians regarding the option to add this policy to existing collaborative practice agreements; and 4) send written notification by US Postal Service from the ABN to CRNPs/CNMs in collaborative practice, in addition to email notification, with requirements for adding the policy to existing collaborative practice agreements.

Ms. Cotton reported that the committee accepted a draft signature page in the application form for the collaborative practice, accepted a draft of an application for physician and CRNP/CNM to add this policy to current collaboration agreements, and the ABME plans to send written notice to collaborating physicians regarding the physician's responsibility and requirements for instituting this policy.

On March 19, Ms. Price moved that the Board accept the recommendation to provide written notice by US mail to CRNPs and CNMs in collaborative practice about the policy and application forms. Dr. Davis seconded. Motion carried.

The committee reviewed a summary of incomplete or incorrect applications that were returned to the applicant. The ABN staff monitored incoming applications and problems that require the application to be returned to the applicant. As follow-up on send backs, they also monitor for incomplete applications that are not resubmitted or officially withdrawn.

Of 321 applications received between December 1, 2008 – February 28, 2009, twenty-nine percent were returned for incomplete or unacceptable information. Twenty-two

applications had more than one deficiency. Incomplete physician information and collaboration schedules account for more than half of the problems.

On March 19, Dr. Davis moved that the Board accept the recommendation of the Joint Committee, subject to developing procedures that would assure that both Boards are reviewing the same information, that applications meeting all requirements be submitted directly to the respective Board for approval on a monthly schedule, without direct review by the Joint Committee. Ms. Linsky seconded. Motion carried.

The committee recommends approval of the following collaborations that were terminated prior to final Board action: 1) Laura Kathleen Partin, 1-072755 and Ruby Washington-Moore, 00028483, temporary approval for January 26, 2009 through March 9, 2009; 2) Carol, Richmond-Stevens, 1-076440, and Ritu Chandra, 00026862, temporary approval for January 21, 2009 through March 17, 2009; 3) Aurora A. Dunn, 1-036879 and Joseph Hildreth Hastie, Jr., 00022943, temporary approval for February 9, 2009 through February 19, 2009; 4) Cynthia L. Bridgewater, 1-029931, and Joseph Harold Chewning III, 00028233, temporary approval for January 1, 2009 through February 27, 2009; and 5) Alice Susan Keeton, 1-052368, and Therese M. Lango, 0023786, modified protocol, terminated February 1, 2009.

On March 19, Mr. Howard moved that the Board approve each collaboration from the date of temporary approval through date of termination. Ms. Hopkins seconded. Motion carried.

As of March 17, 2009, the ABME physician fee had not been paid for the following applications: 1) item 75, Tracy Lynn Porter, 1-099444 and Jerry Robbins, II, 0021372; and 2) item 96, Amy Hilburn Mills, 1-079830, and Maria Bernardo, 00022602.

On March 19, Ms. Linsky moved that the Board approve the collaborative practice for items 75 and 96 contingent upon the physician meeting the qualifications of the ABME. Mr. Howard seconded. Motion carried.

On March 19, Mr. Howard moved that the Board accept

the recommendations of the Joint Committee and approve the remaining CRNP and CNM applicants for collaboration listed in the published roster. Ms. Linsky seconded. Motion carried.

D. Continuing Education

1. Report

A written report on continuing education providers, CE audit, and a continuing education plan update was accepted, as information, on the Consent Agenda.

E. Center for Nursing/Research

1. Report

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

IX. POLICY

A. Staff Guidelines: Reinstatement of Revoked License

Ms. Boden reported that the law provides that a revoked license may be considered for reinstatement after one year in accordance with Board rules.

Consent Order shells approved by the Board are used in conjunction with Staff Guidelines for the Informal Disposition of Applications/Disciplinary Cases. Shells specifically used with applications for reinstatement of a revoked license are: Shell 16 (reinstatement no sanctions); Shell 17 (reinstatement drug probation); Shell 18 (reinstatement practice probation); and Shell 21 (mental health-psychiatric). Three of these shells provide that upon licensure, the license will be placed on probation for a period of time. However, the issuance of a license is contingent upon the submission of an application and fee to reinstate a lapsed license.

In FY 2008, the Board approved eight applications for reinstatement of a revoked license which provided for the license to be placed on probation following licensure. Of these, two were issued a license two months after their Board Order and one was issued a license three months after their Board Order. In FY 2009, the Board has approved three applications for reinstatement, but only one

applicant has been issued an active/probation license.

Since the majority of applicants have been issued a license within one month of the issuance of an Order, it would seem that a two month time frame for the submission of a complete application for reinstatement of a lapsed license would be reasonable.

Ms. Boden provided copies of the Consent Order Shells for the Board's information and review.

The Board reviewed and discussed the information provided.

On March 19, Dr. Davis moved that the Board approve the addition of "Should Respondent fail to submit a complete application for reinstatement of a lapsed license within two months of the effective date of this Order, Respondent's licensure status will be considered as and listed as revoked" to the Order section of Consent Order Shell 17, Shell 18, and Shell 21. Ms. Price seconded. Motion carried.

X. BOARD MEMBER TRAVEL

A. 2009 AFLPN, Tuscaloosa, AL – June 11-12, 2009

Mr. Howard, Ms. Pugh, and Ms. Bullard were approved to attend.

B. ALN Annual Meeting, Point Clear, AL – April 2-3, 2009

No Board members requested to attend.

C. 2009 UAB Comprehensive Nursing Conference, Birmingham, AL – April 2-3, 2009

No Board members requested to attend.

D. 8th Annual International Nursing Simulation/Learning Resource Centers Conference, St. Louis, MO – June 11-13, 2009

No Board members requested to attend.

E. Building Partnerships to Eliminate Health Disparities: Effective Chronic Disease Management Models to Improve Health Outcomes, New Orleans, LA – April 19-21, 2009

No Board members requested to attend.

XI. REPORTS OF MEETINGS ATTENDED

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

Mr. Howard reported on his attendance at the NCSBN Mid Year Meeting and provided copies of the handouts for the Board's review.

Mr. Howard reporting that NCSBN has a new web site for member Boards: False Identity Tracking System (FITS).

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

No one attended to American Association of Colleges of Nursing Spring Meeting.

C. ACAPNEP Nursing Student Retention Workshop, Montgomery, AL – March 5, 2009

Ms. Linsky reported on her attendance at the ACAPNEP Workshop and provided a written report.

XII. DISCIPLINARY CASES

On March 20, Mr. Brown 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. Hopkins seconded. Motion carried.

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

The Board reconvened in open session at 9:05 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Fair, Jennifer Powell – RN, 1-104426

Ms. Powell 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 legal/ethical aspects of nursing, patient assessment, and documentation, and pay a fine in the amount of \$300.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

2. Crittenden, Etwa Yvette – RN, 1-097732; LPN, 2-047338
(Lapsed)

Ms. Crittenden 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 professional accountability, documentation, and use of restraints, and pay a fine in the amount of \$600.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

3. Jones, Sandra Kay Roden – RN, 1-067109

Ms. Jones 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 critical thinking, stress management, and professional accountability, and pays a fine in the amount of \$300.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

4. Teske, Nancy Lynn – RN, 1-117547

Ms. Teske 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 medication safety and critical thinking, and pay a fine in the amount of \$300.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

5. Shipman, Vicky Lynn Martin – LPN, 2-059527

Ms. Shipman 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 medication safety and pays a fine in the amount of \$300.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

6. McGahee, Cynthia Jeannette – RN, 1-119245; LPN, 2-055960

Ms. McGahee 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 on safe administration of medications, and pay a fine in the amount of \$300.00. Should Ms. McGahee attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

7. MacMahon, Angela Marie – RN, 1-106623

Ms. MacMahon signed a Consent Order that would place her RN license on probation for a period of twenty-four months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on appropriate documentation, disciplinary actions, and medication administration safety, and pay a fine in the amount of \$600.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Mr. Brown seconded. Motion carried.

8. O'Bar, Patty Edmonson – RN, 1-069575

Ms. O'Bar was deleted from the agenda.

9. Hall, Shakari Uneice – RN, 1-119689

Ms. Hall signed a Consent Order that would place her RN license on probation for a period of twelve months, with

illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00.

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

10. Del Rivero, Sherrie Lynnette Al-bahrani – RN, 1-118463

Ms. Del Rivero 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 evaluations 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. Del Rivero'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 March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

11. Dotson, Edward Stephen – RN, 1-112136

Mr. Dotson 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 documentation, and pay a fine in the amount of \$300.00.

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

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

12. Martin, Jennifer K. York – LPN, 2-042450

Ms. Martin 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; (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. Martin'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 March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

13. Kimbrell, April Larae Cherry – LPN, 2-047947

Ms. Kimbrell 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 March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

14. Garrett, Jr., William Howard – RN, 1-081969

Mr. Garrett 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 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, Mr. Garrett'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 March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

15. McBroom, Angela Kelley – RN, 1-117161

Ms. McBroom signed a Consent Order that would place her RN license on probation for a period for 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.

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

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

16. Cason, Debbie G. Neal – LPN, 2-017473

Ms. Cason 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 payment of a fine in the amount of \$300.00.

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

17. Sansing, Tangelia Carol Finch – RN Endorsement Applicant

Ms. Sansing signed a Consent Order that would approve her RN endorsement application and her license, when issued will be placed on probation for a period of twelve months, with illegal/illicit drug-use stipulations, and require her to successfully complete a Board-approved educational course on chemical dependency.

On March 21, Mr. Howard moved that the Board accept

the Consent Order. Ms. Hopkins seconded. Motion carried.

18. Clifton, Winnie Clayton – RN, 1-037901

Ms. Clifton 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, require her to successfully complete a Board-approved educational course on professional accountability and pay a fine in the amount of \$300.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

19. Russell, Kristi Michelle Kennamore – RN, 1-073814

Ms. Russell 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 legal/ethical aspects of nursing and documentation, and pay a fine in the amount of \$300.00.

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

20. Rich, Steve Jackson – RN, 1-112362

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

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

21. Steele, Judy Lynn Edwards – LPN, 2-056256

Ms. Steele 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 anger

management, and pay a fine in the amount of \$300.00.

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

22. Hendry, Michael Warren – RN, 1-097033 (Lapsed); CRNA

Mr. Hendy signed a Consent Order that would suspend his RN license until such time as he provides evidence of an unencumbered license in all states in which he holds a license.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

23. Pelletier, Lisa Marie Sarvis – RN, 1-091819; LPN, 2-040366 (Lapsed)

Ms. Pelletier signed a Consent Order that would place her RN license on probation for a period of twelve months, with practice-related stipulations, and require her to successfully complete Board-approved educational courses on professional accountability and critical thinking.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

24. Berry, Angelia Denise – RN, 1-092937

Ms. Berry signed a Consent Order that would place her RN license on probation for a period for a period of 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 \$600.00.

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Dr. Davis seconded. Motion carried.

25. West, Ginger Diane Crawford – RN, 1-063014; LPN, 2-017609 (Lapsed)

Ms. West 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 ethics of nursing, professional accountability, and chemical dependency, and pay a fine in the amount of \$300.00. Should Ms. West attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Dr. Davis seconded. Motion carried.

26. McRoy, Patricia Cheryl Parmer – LPN, 2-033656

Ms. McRoy 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 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. McRoy 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. McRoy'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.

On March 21, Ms. Pugh moved that the Board accept the Consent Order. Dr. Davis seconded. Motion carried.

27. Talley, Stacey Lee Tate – RN, 1-098174; LPN, 2-047629 (Lapsed)

Ms. Talley signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) successful completion of a

Board-approved educational course on legal/ethical aspects of nursing; (b) payment of a fine in the amount of \$1,000.00; (c) accrual of requisite continuing education contact hours; and (d) payment of appropriate fees. Upon reinstatement, Ms. Talley'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. Talley attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

28. Strickland, Laura Ann Anderson – RN, 1-084202; LPN, 2-038401 (Lapsed)

Ms. Strickland signed a Consent Order that would place her RN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing, and pays a fine in the amount of \$600.00. Should Ms. Strickland attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

29. Jimerson, Vikki Dianne Childress – RN, 1-059324 (Lapsed); LPN, 2-027581 (Lapsed)

Ms. Jimerson signed a Consent Order that would suspend her RN license for a minimum of three months, and until such time as she provides evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing and pays a fine in the amount of \$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. Should Ms. Jimerson attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Mr. Howard moved that the Board accept

the Consent Order. Ms. Pugh seconded. Motion carried.

30. Raper, Elizabeth Anne Baker – RN, 1-083190; CRNP

Ms. Raper 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 legal/ethical aspects of nursing and pays a fine in the amount of \$1,000.00.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

31. Lovelady, Cynthia Diane Sheffield – RN, 1-057370; LPN, 2-030268 (Lapsed)

Ms. Lovelady signed a Consent Order that would place her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete a Board-approved educational course on legal/ethical aspects of nursing and pay a fine in the amount of \$500.00. Should Ms. Lovelady attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

32. Sievers, Lynn Allison Fletcher – RN, 1-070317

Ms. Sievers 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 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. Sievers' 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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

33. Allison, Wendy Alicia Mitchell – RN, 1-081828 (Lapsed)

Ms. Allison 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 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. Allison'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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

34. Stone, Dana Joy Brown – LPN, 2-048068

Ms. Stone signed a Consent Order that would suspend her LPN license for a minimum of three months, and until such time as the Board is in receipt of satisfactory documentation of (a) payment of a \$150 CE compliance fee; (b) payment of a fine in the amount of \$600.00; (c) successful completion of a Board-approved educational course on professional accountability; (d) accrual of requisite continuing education contact hours; and (e) payment of appropriate fees. Upon reinstatement, Ms. Stone's license will be placed on probation for a period to run concurrently with her Court-ordered probation, but not less than twenty-four months. 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 March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

35. Johnson, Carol Rebecca Bagwell – LPN, 2-036806

Ms. Johnson signed a Consent Order that would suspend her LPN license for a minimum of three months and until such time as she provides evidence of successful completion of a Board-approved educational course on professional accountability and pays 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 March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

36. Goodwin, Cynthia Ann Riddle – LPN, 2-055148

Ms. Goodwin signed a Consent Order that would suspend her LPN license for a minimum of three months and until such time as she provides evidence of successful completion of a Board-approved educational course on professional accountability and pays 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 March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

37. Lawder, Stacey Carol Gilam – LPN, 2-053152

Ms. Lawder signed a Consent Order that would terminate her March 9, 2007 Order upon the Board's acceptance of this 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 disciplinary actions and pay a fine in the amount of \$300.00.

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

38. Hudson, Tiffany Miles – RN, 1-107955; LPN, 2-052184

Ms. Hudson signed a Consent Order that would terminate her November 17, 2006 Order upon the Board's acceptance of this Order that would place her RN license on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved education course on professional accountability and pay a fine in the amount of \$500.00. Should Ms. Hudson attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

39. Scott, Dawn Chasity King – RN, 1-105777

Ms. Scott signed a Consent Order that would terminate her March 21, 2008 Order upon the Board's acceptance of this Order that would suspend RN license until such time as the Board is in receipt of satisfactory documentation of: (a) release to return to nursing practice by Bradford Health Services; (b) compliance with all treatment recommendations; (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) successful completion of Board-approved educational courses on chemical dependency, professional accountability, and documentation; and (h) payment of appropriate fees. Upon reinstatement, Ms. Scott'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 March 21, Ms. Nobles moved that the Board accept

the Consent Order. Mr. Howard seconded. Motion carried.

40. Mosley, Joy Elizabeth Peppers – RN, 1-102233; LPN, 2-051082

Ms. Mosley signed a Consent Order that would terminate her January 18, 2008 Order upon the Board's acceptance of this Order that would place her RN 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.

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

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

41. Haney, Elsie Jane Anderson – RN, 1-033272 (Lapsed)

Ms. Haney signed a Consent Order that would place her RN license on lapsed status due to a medical condition. Should Ms. Haney's health improve to the point where she is physically able to return to the practice of nursing, her license would be reinstated on probation for a period of time as deemed necessary by the Board.

On March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

42. Breshears, Leanne Myers – RN, 1-062592 (Lapsed)

Ms. Breshears 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 March 21, Ms. Nobles moved that the Board accept the Consent Order. Dr. Davis seconded. Motion carried.

43. Nicholas, Thomas Wade – RN, 1-081893

Mr. Nicholas signed a Consent Order that would issue him a public reprimand.

On March 21, Mr. Brown moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

44. Sparks, Thelma Patricia – LPN, 2-032146 (Lapsed)

Ms. Sparks 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 March 21, Mr. Brown moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

45. Baggett, Jessica Ann Woodhouse – RN, 1-092180

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

On March 21, Mr. Brown moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

46. Franklin, Ricarder – LPN Exam Applicant

Ms. Franklin signed a Consent Order that would approve her to take the NCLEX-PN and if successful, will issue her a public reprimand.

On March 21, Mr. Brown moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

47. Overton, Deanby LaShawn Alford – RN Exam Applicant

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

On March 21, Mr. Brown moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

48. Garner, Kathy Marie Cato – RN, 1-068901; CRNP

Ms. Garner 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.

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

On March 21, Ms. Nobles moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.

49. Helm, Tara Nicole McMahon – LPN, 2-053352

Ms. Helm 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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.

50. Jensen, Lisa Ann Gillespie – LPN, 2-050259
(Active/Probation)

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

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

On March 21, Dr. Davis moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.

51. Cook, Shawn M. Smith – LPN, 2-059009

Ms. Cook 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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried.

52. Parker, Teresa Darlene Gilreath – LPN, 2-037352

Ms. Parker 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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

53. Harper, Robbie Lynn Reeves – RN, 1-109606; LPN, 2-044520 (Lapsed)

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

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

On March 21, Ms. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

54. Robinson, Jr., Earl Gary – RN, 1-108080

Mr. Robinson 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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

55. Smith, Stanley Barton – RN, 1-075791 (Lapsed)

Mr. Smith 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 March 21, Mr. Howard moved that the Board accept the Consent Order. Ms. Pugh seconded. Motion carried.

B. Reinstatement: Consent Orders

1. Royse, Lisa Diane – RN, 1-093282

Ms. Royse signed a Consent Order that would reinstate her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to

successfully complete a Board-approved educational course on professional accountability and pay a fine in the amount of \$1,000.00.

On March 21, Ms. Linsky moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

2. McElyea, Melany Darnell Bowden – RN, 1-076401

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

On March 21, Ms. Linsky moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

3. Gadson-Large, Sheila Denise – LPN, 2-046593

Ms. Gadson-Large signed a Consent Order that would reinstate her LPN license, upon payment of the \$250 fine from the September 27, 2001 Order, on probation for a period of twelve months, with chemical dependency stipulations, require her to successfully complete Board-approved educational courses on chemical dependency and professional accountability, and pay a fine in the amount of \$300.00.

On March 21, Ms. Linsky moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

4. Moore, Keva Aladyce Love – LPN, 2-050177

Ms. Moore signed a Consent Order that would reinstate her LPN 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.

On March 21, Ms. Linsky moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

5. Self, Susan Leann Thornberry – RN, 1-073368; LPN, 2-

038360

Ms. Self signed a Consent Order that would reinstate her RN license on probation for a period of sixty months, with chemical dependency stipulations, require her to successfully complete a Board-approved educational course on professional accountability and pay a fine in the amount of \$1,000.00. Should Ms. Self attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

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

On March 21, Ms. Linsky moved that the Board accept the Consent Order. Dr. Autrey seconded. Motion carried.

C. Formal Hearings

On March 21, Ms. Linsky moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Ms. Pugh seconded. Motion carried.

Mr. Harper reported that the Board would reconvene in open session at approximately 9:45 a.m.

The Board returned to open session at 10:05 a.m.

1. Acker, Patricia Ann – LPN, 2-056023 (Lapsed)

On March 20, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Acker's LPN license. Dr. Davis seconded. Motion carried.

2. Adams, Abubilal Abdul Malik – LPN, 2-055925

On March 20, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Recommendation of the Hearing Officer, and place Mr. Adams' LPN license on probation for a period of thirty-six months, with illegal/illicit drug-use stipulations, and

require him to pay a fine in the amount of \$1,000.00. Ms. Hopkins seconded.

After discussion, Dr. Davis withdrew her motion.

On March 20, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Recommendation of the Hearing Officer, to be consistent with similar cases, and place Mr. Adams' LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require him to successfully complete a Board-approved educational course on chemical dependency and pay a fine in the amount of \$600.00. Ms. Hopkins seconded. Motion failed with eleven oppositions (Ms. LeCroy, Ms. Price, Ms. Nobles, Ms. Linsky, Ms. Hopkins, Dr. Davis, Ms. Pugh, Mr. Brown, Ms. Bullard, Dr. Autrey, and Mr. Howard).

On March 20, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Recommendation of the Hearing Officer, to be consistent with similar cases, and place Mr. Adams' LPN 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 safe medication administration, and pay a fine in the amount of \$600.00. Ms. Hopkins seconded. Motion carried with one opposition (Mr. Howard).

3. Gobin, Paige Anderson – RN, 1-092821 (Lapsed)

On March 20, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Gobin's reinstatement of a lapsed license application and revoke her RN license. Mr. Howard seconded. Motion carried.

4. Hood, Christine Leigh Benson – LPN, 2-056435

On March 20, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hood's LPN license. Mr. Howard seconded. Motion

carried.

5. Huff, Patricia Ann James – LPN, 2-032027

On March 20, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Recommendation of the Hearing Officer, to be consistent with similar cases, and issue Ms. Huff a public reprimand and require her to pay a fine in the amount of \$500.00. Ms. Hopkins seconded. Motion carried.

6. Jackson, Dianette Jean Reynolds – RN, 1-112868

On March 20, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and issue Ms. Jackson a public reprimand. Mr. Howard seconded. Motion failed with ten oppositions (Ms. LeCroy, Ms. Price, Ms. Nobles, Ms. Linsky, Ms. Hopkins, Ms. Pugh, Ms. Bullard, Dr. Autrey, Mr. Brown, and Mr. Howard).

On March 20, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Recommendation of the Hearing Officer, to be consistent with similar cases regarding action taken in another jurisdiction, and suspend Ms. Jackson's RN license until such time as she provides evidence of an unencumbered license in all states in which she holds a license. Dr. Autrey seconded. Motion carried.

7. Parrish, Kenneth Warren – RN, 1-047476

On March 20, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and place Mr. Parrish's RN license on probation for a period of thirty-six months, with chemical dependency stipulations. Ms. Nobles seconded. Motion failed with eleven oppositions (Ms. LeCroy, Ms. Nobles, Ms. Price, Ms. Linsky, Ms. Hopkins, Dr. Davis, Ms. Pugh, Ms. Bullard, Dr. Autrey, Mr. Brown and Mr. Howard).

On March 20, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the

Recommendation of the Hearing Officer to be consistent with similar cases involving recent felony convictions, and revoke Mr. Parrish's RN license. Dr. Autrey seconded. Motion carried with two oppositions (Dr. Davis and Ms. Nobles).

8. Rushing, Regina Kaye Owens – LPN, 2-055761 (Lapsed)

On March 20, Ms. Nobles moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Rushing's LPN license. Ms. Linsky seconded. Motion carried.

9. Shanklin, Ruby Jean Hollis – LPN, 2-044345

On March 20, Ms. Nobles moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Recommendation of the Hearing Officer to be consistent with similar cases, and suspend Ms. Shanklin's LPN license for a minimum of three months, and until such time as she provides evidence of successful completion of twenty-four contact hours of continuing education and pays 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. Ms. Linsky seconded. Motion carried.

- D. Reinstatements – Formal Hearings

There was no reinstatement of a revoked license by formal hearing.

XIII. OTHER

- The Executive Committee reported on their meeting with the Governor's staff regarding the vacant Nurse Consultant position.
- The Board discussed ways to assist the Executive Officer with the nursing education programs and the Education Nurse Consultant position.
- The Board directed Ms. Lee to discuss with the administrative staff the restructuring of the agency personnel with a focus on core business functions.
- Ms. Lee reported that the Examiners of Public Accounts is

conducting the Legal Compliance Audit Exit Conference on March 19 at 2:30 p.m. Ms. Lee invited the Board members to stay for the exit conference.

- **On March 20, Dr. Davis moved that the Board suspend the Practice/Advanced Practice Summit. Ms. Linsky seconded. Motion carried.**

XIV. BOARD MEETING DEBRIEFING

- Ms. Lee reported that she is inviting Mark Wilkerson, Hearing Officer, to attend the April Board Meeting. The Board can not ask questions about individual cases, only general questions.
- Ms. Lee reminded the Board members to read the charges and exhibits for the Formal Hearings. Decisions must be based only on the evidence presented.

XV. ADJOURNMENT

The meeting adjourned at 11:28 a.m. on March 20, 2009.

_____ *_Original Signatures on File_* _____
Michael D. Harper, President Gregory Howard, Secretary

Recorder: Leslie Vinson
03/19-20/2009