

# **ALABAMA BOARD OF NURSING**

## **REGULAR BOARD MEETING**

Fiscal Year 2008-2009

Suite 326, RSA Plaza

770 Washington Ave

Montgomery, Alabama

May 21-22, 2009

### **I. CALL TO ORDER**

#### **A. Roll Call**

The meeting was called to order at 9:03 a.m. on May 21, 2009, with the following Board members present: 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., RN, Director, Center for Nursing; Charlene Cotton, MSN, RN, Advanced Practice; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Katie Drake-Speer, MSN, RN, Continuing Education; Carolyn Morgan, MSN, RN, Practice; Carol Smith, Administrative Support Assistant; Frank Mitchell, Chief Special Investigator; David Pinnock, Special Investigator; Danny Bond, Special Investigator; Wyatt Gantt, Special Investigator; Nate Nunnelley, Special Investigator; Cathy Boden, MSN, RN, Legal Nurse Consultant; Moniaree Jones, MSN, RN, Legal Nurse Consultant; and Alice Maples, Deputy Attorney General/General Counsel.

#### **B. Declaration of Quorum**

A quorum was declared with eleven Board members present on May 21, and eleven members present on May 22. Mike Harper, CRNA, JD, President, and Susan F. Sheffield, CRNP, MSN, were not present on May 21. Sylvia Nobles, MSN, CRNP, arrived at 9:46 a.m. on May 22.

Susan F. Sheffield, CRNP, MSN, resigned from her position on the Board effective May 22, 2009.

D. Review of Agenda

1. Additions, Modifications, Reordering

X.A. NCSBN Annual Meeting is in Philadelphia, PA not Chicago, IL

XII.A. 21 Butler, Cynthia Renae Martin was deleted from the agenda

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. March 19-20, 2009 Board Meeting Minutes
- II.B. April 16, 2009 Board Meeting Minutes
- III. OLD BUSINESS/FOLLOW-UP
- III.A. Board Action Follow-up
- V.A. FY 09 2<sup>nd</sup> Quarter NCLEX-PN Results
- V.B. FY 09 2<sup>nd</sup> Quarter NCLEX-RN Results
- VI.A. Executive Officer
- VI.A.2. FYI
- VI.D.1. General Counsel/Deputy Attorney General
- VI.D.2. Voluntary Disciplinary Alternative Program
- VI.D.3. Probation Monitoring
- VI.E. Operations/Personnel Report
- VI.F. Licensing Division
- VI.H. Board Member Attendance
- VII.A. 2009-2013 Strategic Plan Update
- VIII.B.1. Practice Report
- VIII.D.1. Continuing Education Report
- VIII.E.1. Center for Nursing/Research

**On May 21, Ms. Linsky moved that the Board adopt the Consent Agenda. Ms. Pugh seconded. Motion carried.**

3. Adoption of Agenda

**On May 21, Ms. Linsky moved that the Board adopt the Agenda, as amended. Ms. Price seconded. Motion carried.**

## II. REVIEW OF MINUTES

### A. March 19-20, 2009 Board Meeting Minutes

The March 19-20, 2009, Board Meeting Minutes were accepted on the Consent Agenda.

### B. April 16, 2009 Board Meeting Minutes

The April 16, 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. Election of Delegates to Annual Meeting

Ms. Lee reported that the National Council of State Boards of Nursing, Inc. (NCSBN) will have its annual meeting in August 2009. The ABN, a member of NCSBN, has two votes as do other jurisdictions. In addition to voting, the NCSBN pays for two delegates to attend the annual meeting.

The Board elected Dr. Autrey and Ms. Pugh as delegates and Ms. Hopkins and Ms. Nobles as alternate delegates.

### B. Board of Directors: Greg Howard

Mr. Howard reported on the Board of Directors meeting.

### C. Continued Competency Committee: Dr. Pam Autrey

Dr. Autrey reported on the Continued Competence Committee meeting.

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. FY 09 2<sup>nd</sup> Quarter NCLEX-PN® Results

The 2<sup>nd</sup> Quarter NCLEX-PN® Results for FY 2009 were accepted on the Consent Agenda.

B. FY 09 2<sup>nd</sup> Quarter NCLEX-RN® Results

The 2<sup>nd</sup> Quarter NCLEX-RN® Results for FY 2009 were accepted on the Consent Agenda.

C. NCLEX® Lag Times: Current Research

Ms. Lee reported that ABN Administrative Code, Rule 610-X-3-.04(2) states, "Graduates, as a composite of first time writers, shall achieve no less than an eighty percent (80%) pass rate on a board selected national licensure exam. The Board shall establish the reporting time period." The Board reviews NCLEX® scores when they are available each quarter and the nursing programs are evaluated based on Fiscal Year NCLEX® results. If the program does not meet the 80% standard, a Notice of Deficiency is given to the program with a specified time period to correct the deficiency.

Deans and program directors periodically raise the issue of whether the Board should require new graduates to test within a certain time period. The Board has, historically, not required new graduates to test within a certain time period or return to school. While some states require individuals to go back through a program if they do not successfully pass NCLEX® within a certain time period, those decisions are not based on research as far as ABN staff could ascertain.

Nursing programs in Alabama have, over the course of the last nine years, requested that the Board evaluate programs with a small number of graduates differently than those with a large number. In addition, discussion occurred with the last rules change regarding evaluating cohorts of graduates but it was determined that was not administratively feasible. Comments received from nursing programs ask that the Board not count graduates who do not test promptly. The amount of time was not recommended but rather than compelling new graduates to take NCLEX® within a specified time period, the comments ask the Board to not consider results for those graduates who wait an extended period of time before testing.

A survey was sent to other jurisdictions to ask if they had a time period required for new graduates to test.

Ms. Lee provided copies of an article regarding lag times and comments from Lawson State Community College, Jefferson State Community College, and a copy of the survey from other Boards of Nursing for the Board's information and review.

The Board reviewed and discussed the information provided.

## VI. REPORTS

### A. Executive Officer

#### 1. Report

Ms. Lee provided a written report to the Board outlining her activities from March 1, 2009, through April 30, 2009.

In addition to her report, Ms. Lee provided a legislative update.

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>
King, Marie Annette	1-038605; CNS	3/09/2009
Stevens, Rebecca Samina	1-080744	3/13/2009
Miller, Hugh Dickson	1-116323	3/18/2009
White, Melody Dawn	2-055333	3/19/2009
Kelley, Creola	1-054819; 2-013140	3/20/2009
Clements, Amy W.	2-051719	3/23/2009
Taylor, Wendy Louise	2-059042	3/24/2009
Cooper, Julia M.	2-010415	3/25/2009
White III, Charles Cavet	1-082622	3/27/2009
Brown, Richard Dean	1-063525	4/01/2009
Hill, Rhonda Darlene	2-053979	4/06/2009

Hampton, Ginger Kay	1-070673	4/06/2009
Hicks, Terry Smart	1-057445	4/07/2009
Lewter, Kristen Nicole	1-109540	4/08/2009
Stagg, Lisa D.	1-042171	4/28/2009
Fowler, Ellyn Marie	2-043806	5/04/2009
Farrar, Alison Michele	2-041504	5/04/2009

2. FYI

Ms. Lee provided the following items for the Board's information: (1) an email from Virginia College reporting that Stephanie Mitchell, MSN, RN, is serving as the Interim Program Director for the Montgomery campus; (2) highlights of the NCSBN Board of Directors meeting; and (3) an article "Commitment to Quality Health Reform: A Consensus Statement from the Nursing Community".

3. Board of Medical Examiner's Opinions

Ms. Lee reported that during the course of review of Standards of Nursing Practice, opinions from the Board of Medical Examiners (BME) were identified that seemed to address nursing practice rather than medical practice.

Because the opinions related to histories and physicals and discharge summaries address nursing practice, a letter was sent to Mr. Larry Dixon, Executive Director of the BME, requesting the context of the opinions. A return letter was received. Although the letter sent by Mr. Dixon in response to the Executive Officer's inquiry on behalf of the Board addressed that organizations requested an opinion from BME regarding what a physician could delegate, the opinions issued in January 2009 do not address the physician at all but appear to address nursing practice. A written request was sent to BME for the Executive Officer and Pat LeCroy, Board member, to attend the May 20 meeting of the BME. A return letter invited them to attend the Credentials Committee on June 23.

There are two points to clarify: (1) the BME increasingly issues opinions about nursing practice when in fact they only have jurisdiction to address physician practice and their opinions should be addressed based on those jurisdictional

issues; and (2) the act of dictation is not the issue. Apparently the BME is stating that an RN is not allowed to dictate a history and physical. Such opinion does not take into account that until the physician signs off on the history and physical, there is a collection of data about the patient that nurses may collect and dictate. Before any future misunderstanding occurs, clarification of their opinions is necessary.

Ms. Lee reported that she was informed that BME discussed the issue at their May 20, Board Meeting, but she has not been informed of the decision.

Ms. LeCroy reviewed her concerns and summarized the letter she received from Mr. Dixon.

Ms. Lee provided copies of the April 9, 2009 letter to Larry Dixon, the letter from Larry Dixon, the April 24, 2009 letter to Larry Dixon, the letter from Larry Dixon, and BME opinions for the Board's information and review.

#### 4. Rules Education Day

Ms. Lee reported that the Board cancelled the two-day Summit in October 2009. Once the Nurse Consultants looked at what some of the gaps were identified by phone calls and emails sent to the Board's offices, the lack of comprehension and application of chapters of the ABN Administrative Code specific to nursing education and nursing practice came to the forefront. A discussion was held at a division meeting about having educational programs in seven different locations around the state that focused on the Nurse Practice Act and ABN Administrative Code.

If the Standards of Nursing Practice and Disciplinary Actions chapters stay on track, by Fall 2009 those chapters are likely to be in effect. The CE rules chapter was covered at the May 14, 2009 CE Provider Day but covering the significant changes in the CE Rules at an educational day could also be incorporated into an educational program set up for seven different locations.

Included in the presentations could be how to apply for a Board position and incorporating the changes to the Nurse Practice Act in Act 2009-15 (specific to mental illness, physical ailments, inebriation, etc). An email was sent to

11,000 individuals/organizations on the Board's list serves about the upcoming Board vacancies and at least ten registered nurses contacted the Executive Officer to find out about the time commitment to the Board and the application process.

The Board has not held statewide meetings to discuss a broad range of rules in quite some time. The opportunity to hold meetings at locations that are free to the Board would be explored so that attendees would not have to pay a fee to attend. CE contact hours could be offered as well.

The locations proposed are: Decatur, Tuscaloosa, Birmingham, Gadsden, Montgomery, Dothan, and Mobile. At each location, at least one Board member could attend if at all possible and greet the attendees and talk about being a Board member.

5. October Board Meeting Date

Ms. Lee reported that when the Board established 2009 Board Meeting dates, there was intention to have a practice/advanced practice summit in October 2009. The Board voted at the March meeting to cancel the practice/advanced practice summit. Now that the summit has been cancelled, the Board needs to establish a Board meeting date for October.

**On May 21, Ms. Pugh moved that the Board establish the October 2009 Board Meeting as October 15, 2009. Ms. Linsky seconded. Motion carried.**

6. Agency Restructuring Plan

Ms. Lee reported that the Board directed her to provide a restructuring plan for the agency. A review of the organizational charts occurred as well as asking the Board administrative staff questions specific to core business functions.

One of the recent changes is moving an ASA III from the licensing section to the operations section. The ASA III will supervise the call center personnel. She is in the process of orientation and will develop policies and procedures for the call center.

At the time the organizational charts were developed in 2000, the Board requested two different charts: authority and functional. The functional shows the distribution of staff for various areas of the agency while the authority shows the line authority for various positions.

Ms. Lee provided copies of the revised organizational charts: authority and functional for the Board's review and approval.

**On May 21, Mr. Howard moved that the Board approve the revised organizational chart for the ABN. Ms. Linsky seconded. Motion carried.**

**On May 21, Mr. Howard moved that the Board abolish the functional organizational chart. Ms. Pugh seconded. Motion carried.**

Ms. Lee provided a proposed agency restructuring plan, should the need arise.

B. Executive Committee

1. President's Report

There was no President's report.

C. Financial Reports

1. Reports

Ms. Weaver provided a Revenue and Expenditures 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 April 30, 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 March 31, 2009. Ms. Weaver provided a variance report reflecting actual expenditures and revenue variances from the budget through March 31, 2009, and a cash balance as of April 30, 2009.

The Board reviewed and discussed the reports presented.

2. Scholarship Recipient

Ms. Weaver reported that Shunda Wilburn is a recipient of the Nursing Instructor Scholarship from FY 2008. She received \$10,000 in two payments of \$5,000 following receipt of her grades in January 2008 and May 2008. In April 2009, Ms. Wilburn made contact with Ms. Weaver to let her know she would be graduating in May. She stated she was looking for a job teaching and was having a hard time finding one because of proration. Ms. Wilburn stated that she had been offered a position by Baptist Hospital in Montgomery that would include teaching newly graduated nurses in a hospital setting. Ms. Weaver informed Ms. Wilburn that, according to her scholarship agreement, she must teach in an Alabama college or university for one year after graduation. Ms. Wilburn wanted to know if she could get her situation reviewed by the Board of Nursing and was instructed to write a letter outlining her situation.

Ms. Weaver provided copies of the letter from Ms. Wilburn and a copy of the scholarship agreement for the Board's information and review.

The Board reviewed and discussed the information presented.

**On May 21, Mr. Howard moved that the Board enforce the scholarship agreement with Shunda Wilburn and require one year of employment with an Alabama College or University. Ms. LeCroy seconded. Motion carried.**

D. Legal Division

1. General Counsel/Deputy Attorney General

A revised written report of the activities of the Legal Division from February 28, 2009 through April 30, 2009, the number of open disciplinary cases, and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of

April 30, 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 May 1, 2009, was accepted as information, on the Consent Agenda.

E. Operations/Personnel Report

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

F. Licensing Division

A written report on the number of licenses issued from October 1, 2009 through April 30, 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.

B. Clarification of Specific Strategies

Ms. Lee reported that the Board approved the FY 2009-2013 Strategic Plan at the November 2008 meeting. A retreat held in October 2008 led to new strategies and some new performance measures for the strategic plan. The nursing staff in Practice, Advanced Practice, Continuing Education and Research met with the Executive Officer to review the strategic plan in April 2009 to identify timelines for activities. Some of the strategies were unclear

to the staff.

Under the Practice section: Develops, implements, and enforces standards of nursing practice, a specific strategy is “Develop and implement interpretive guidelines for rules with input from licensees.” While interpretive guidelines are a part of some associations’ and agencies’ documents, being a state agency has some restrictions on interpretive guidelines. The Board does not have the statutory authority to issue interpretive guidelines because it is telling individuals how to apply the rules. The expectation is that the rules speak for themselves. A better solution might be the review of the rules with licensees across the state and allow the input for areas of the rules that need clarification.

**On May 21, Ms. Nobles moved that the Board delete “Develop and implement interpretive guidelines for rules with input from licensees”. Ms. Hopkins seconded. Motion carried.**

Under the Advanced Practice section: Enforces laws specific to advanced practice nursing, a specific strategy is “Make information available for all collaborative practice on web site.” Staff believe that is to include the individual CRNP or CNM and list all their collaborating and covering physicians. However, the staff is unclear exactly what the Board wants in this particular strategy. The rules are on the web site, frequently asked questions are on the web site, and the intent is to have the application online before the end of 2009.

The Board directed staff to delete “Make information available for all collaborative practice on the web site”, since the rules and frequently asked questions are on the web site.

Also under advanced practice is the strategy, “Collaboration regarding models of delivery to see what the Board could endorse.” As we begin to work with the Nurse Practitioner Alliance of Alabama, it would be helpful to the staff to know if the Board endorses this proposed model of delivery.

The Board changed the strategy to: “Investigate models of advanced practice regulation to support a Board of Nursing position regarding advanced practice collaboration”.

Also under advanced practice is the specific strategy, “Collect data relative to outcomes with APN and other boards’ experiences with autonomous control and controlled substances.” The staff would find it helpful for the Board to clarify the outcome data we should

collect and review. Also, we may have limited information of outcomes because many Boards of Nursing do not collect data pertinent to outcomes.

The Board requested to see an executive summary of disciplinary actions against advanced practice nurses once a year.

## VIII. EDUCATION, PRACTICE, ADVANCED PRACTICE AND RESEARCH

### A. Education

#### 1. Report

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

#### 2. Letter of Intent and Feasibility Study: South University BSN Program

Ms. Lee reported that South University in Montgomery submitted a letter of intent and a feasibility study to begin a BSN program in Alabama. South University is accredited by SACS and its BSN programs in Florida and Georgia are accredited by CCNE. Communication occurred with the President and Dr. Dan Coble, former executive director of the Florida Board of Nursing who left the Florida Board to become President of the institution in Tampa, about two years ago. Dr. Coble worked to assist those South University campuses who wanted a BSN program to meet the requirements.

The anticipated enrollment date of students in the South University BSN program is June 2010 after new facilities are constructed. The feasibility study includes commitments from clinical agencies in the Montgomery area to allow student rotations. The financial resources are adequate to begin a program. Although no curriculum is required at this stage in the process, because other campuses have BSN programs, the curriculum is going to be standardized.

Ms. Lee provided copies of the Letter of Intent and Feasibility Study for the Board's information and review.

The Board reviewed and discussed the information provided.

3. Improvement Plan: Bishop State Community College ADN Program

Ms. Lee reported that Bishop State Community College's ADN program received a Notice of Deficiency based on FY 2008 NCLEX-RN® composite of 75% for first-time writers. The program was directed to submit a plan for improvement to the Board by May 1, 2009. The program has until September 30, 2010 to correct the deficiency.

It is unclear if Bishop State Community College submitted a plan for improvement based on their systematic plan of evaluation. The improvement plan addresses decisions made by the faculty to substitute ATI for HESI as a predictor exam. As often happens, the students appealed their failure on HESI and a college committee upheld the students' appeal. Four of five did not pass NCLEX®.

A concern is the determination that practical nurses (PN) enrolling in the ADN program lack skills and didactic theory. Mobility students go to a program with an expected skill set as well as a basic foundation of nursing. If the PN students are not entering the program with the foundation of knowledge and skills, perhaps that is an indication that the Board's approval of PN programs needs review.

Some other areas identified in the improvement plan relate to use of technology and faculty. It is difficult to identify how the strategies are based on the systematic evaluation of the program.

Ms. Lee provided copies of Bishop State Community College's program plan for the Board's information and review.

The Board reviewed and discussed the information provided.

The Board directed Ms. Lee to send Bishop State Community College a letter informing them that for all future reports, the improvement plan should tie into the systematic plan of evaluation with an analysis of the data elements.

4. Improvement Plan: Spring Hill College BSN Program

Ms. Lee reported that Spring Hill College's BSN Program received a Notice of Deficiency based on FY 2008 NCLEX-

RN® pass rate of 79.2% as a composite of first-time writers. Spring Hill was given until September 30, 2010 to correct the deficiency. The program was directed to submit an improvement plan no later than May 1, 2009.

Dr. Carol Harrison, Director of the Nursing Program, notified the Board that she was retiring May 15, 2009, and that Dr. Meg Cole will replace her as the Director of the Nursing Program.

The improvement plan is comprehensive in nature and uses AACN standards for baccalaureate programs to analyze the expected goals, where the program meets or does not meet standards, and what actions were taken. Although not addressed in the improvement plan, Dr. Harrison did indicate that some students who failed, appealed their failure and a new Vice-President of the College overturned the faculty decision in failing the students. Those students failed NCLEX-RN®.

Ms. Lee provided copies of Spring Hill College's BSN Program plan for the Board's information and review.

The Board reviewed and discussed the information provided.

The Board directed Ms. Lee to send Spring Hill College BSN Program a letter informing them that the Board has reviewed and accepted their comprehensive report.

5. Improvement Plan: Herzing College PN Program

Ms. Lee reported that Herzing University (formerly College) practical nursing program received a Notice of Deficiency for failure of first-time graduates to meet the 80% passing standard on NCLEX-PN®. Herzing College-Birmingham received provisional approval to offer a practical nursing program in 2006. In November 2006, Herzing College-Birmingham practical nursing program received a Notice of Deficiency for failure to meet several standards including a lack of adequate equipment. In March 2007, a Notice of Correction was issued. In FY 2007, Herzing College-Birmingham had a 92.3% pass rate for first time writers of NCLEX-PN® and received full approval.

The FY 2008 NCLEX-PN® pass rate was 74.4%. Forty-three graduates sat for NCLEX-PN® and thirty-two passed on the

first attempt. The program received until September 30, 2009 to correct the deficiency in NCLEX-PN® scores.

A site visit was made to the program on January 14, 2009. In addition to a change in program leadership, the new program director indicated that significant changes were needed in the level of testing. The program had suspected cheating occurring as well and continues to deal with issues of students attempting to cheat.

The educational effectiveness of the program can not be identified without a systematic plan of evaluation that allows the program to collect data and trend that data to make determinations of changes to the program.

Ms. Lee provided copies of Herzing University's PN Program improvement plan for the Board's information and review.

The Board reviewed and discussed the information provided.

The Board directed Ms. Lee to send Herzing University a letter informing them that for all future reports, the improvement plan should tie into the systematic plan of evaluation.

## 6. Accreditation Reports

Ms. Lee reported that the Board periodically receives accreditation notices from either the Commission on Collegiate Nursing Education (CCNE) or the National League for Nursing Accreditation Commission (NLNAC). Two reports were received from NLNAC related to the Tuskegee University BSN program and Jefferson State Community College ADN and PN programs.

ABN Administrative Code, Rule 610-X-3-.04(3) states, "There shall be a written plan for the systematic evaluation of the total program that is comprehensive, demonstrates ongoing evaluation, is based on program outcomes and incorporates continuous improvement. The systematic evaluation plan shall include: (a) collection, aggregation, analysis and trending of data; (b) programmatic outcomes, levels of achievement, evaluative criteria, assignment of responsibility, frequency of assessment, methods of achievement, actions taken and quantitative data collected; and (c) ongoing evaluation and revisions based on the

evaluation.”

The NLNAC indicated that neither program is using the systematic evaluation plan to trend data and make revisions based on that evaluation. Each program needs to demonstrate improvement in the use of the systematic evaluation plan. Tuskegee also failed to meet the standard of the accrediting agency for integrity based on information that is not consistent and understandable to the public.

Although often the Board receives the report without any action requested, since these two reports indicate areas of the Board’s rules that the accrediting agency finds deficient, direction is needed to know if this area of the rules should be addressed with the nursing program. Clearly educational effectiveness and the analysis of systematic plans of evaluation is an area of weakness in the Board’s monitoring of educational programs and will be addressed with the new nursing education consultant.

Ms. Lee provided copies of Tuskegee University BSN NLNAC report and Jefferson State Community College NLNAC report for the Board’s information and review.

The Board reviewed and discussed the information provided.

The Board directed Ms. Lee to conduct site visits for Tuskegee University and Jefferson State Community College.

7. Improvement Plan: Jacksonville State University BSN Program

Ms. Lee reported that Jacksonville State University BSN program received a Notice of Deficiency for a FY 2008 NCLEX-RN® composite score of 75.5% for first-time writers when the standard is 80%. The program has until September 30, 2010 to correct the deficiency.

The improvement plan is comprehensive in nature and addresses items from the program’s systematic plan of evaluation. Faculty development and academic integrity were a major focus. Cheating schemes were uncovered and one faculty had an exam loaded on to a public access computer without password protection.

Ms. Lee provided copies of Jacksonville State's BSN Program improvement plan and the letter accompanying the plan for the Board's information and review.

The Board reviewed and discussed the information provided.

The Board directed Ms. Lee to send Jacksonville State University BSN Program a letter informing them that the Board has reviewed and accepted their comprehensive report.

8. Improvement Plan: Lawson State Community College ADN Program

Ms. Lee reported that Lawson State Community College's ADN program received a Notice of Deficiency for an NCLEX-RN® composite pass rate of 68.3% for FY 2008. The program received an expected date of correction of September 30, 2010.

The plan is divided into sections specific to students and faculty. The program switched from ERI to ATI. Also, money was awarded for purchase of simulators. Remediation is addressed in the plan if the students do not score a certain level on ATI exams. Testing was addressed and once a review of exams occurred, some of the exams test at the level of knowledge. Since NCLEX-RN® tests at the level of application or higher in Bloom's taxonomy, student exams at the level of knowledge and comprehension do not properly prepare students for a higher level of testing.

Complaints have been received from students as well, specific to test security and unavailable resources. A site visit by Katie Drake-Speer, MSN, RN, occurred February 20, 2009 and a report was provided to the Board at the March 2009 Board meeting.

The improvement plan is not in the form of review in accordance with the systematic plan of evaluation. The plan does not address if any of the data or strategies came from a review of collected data.

Ms. Lee provided copies of Lawson State's ADN Program plan for the Board's information and review.

The Board reviewed and discussed the information provided.

The Board directed Ms. Lee to send Lawson State Community College a letter informing them that for all future reports, the improvement plan should tie into the systematic plan of evaluation.

B. Practice

1. Report

A written report on the standardized procedures activity as of April 30, 2009, an update on the 2009 Annual Report of Standardized Procedures, and a quarterly report from Helicopter Medical Transport Companies was accepted, as information, on the Consent Agenda.

C. Advanced Practice Nursing

1. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Joint Committee met on May 19, 2009 to review the applications for collaboration with Alabama physicians.

Ms. Cotton reported that the following applications were withdrawn: 1) item 19, Rachel Ann Gonce and Dr. Jerry Christopher Blevins; and 2) item 30, Amy Hilburn Mills and Dr. Rodd Daniel Whitaker.

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

**On May 21, Ms. Nobles moved that the Board accept the recommendations from the Joint Committee and approve the CRNP and CNM applicants for collaboration listed in the published roster. Ms. Linsky seconded. Motion carried.**

**On May 21, Ms. Linsky moved that the Board approve the collaborative practice for Kimberly Kay Crow, 1-063609, and Frine Escalona Dedios, MD. Ms. Nobles seconded. Motion carried.**

**On May 21, Ms. Pugh moved that the Board accept the Joint Committee's recommendation and approve the**

**collaborative practice for Cora Lynn Passman, 1-108438, and Robert Irwin Oliver, MD including Laser Hair Removal and Microdermabrasion, deferring action on Skin Rejuvenation and Cellulite Reduction. Ms. Linsky seconded. Motion carried.**

Ms. Cotton reported that the following applicants terminated the collaborative practice prior to final Board action: 1) item 28, Debra Ann Langham, 1-068411, and Charles Vance Buckmaster, MD; 2) item 54, Debra Ann Langham, 1-068411, and Melville Jay Sternberg, MD; 3) item 63, Donna Mae Cordes, 1-044510, and Dolores Villamor Victoria, MD; 4) item 65, Bettina Gardner, 1-076260, and Jerry Christopher Blevins, MD; and 5) item 86, Melissa Sara Anderson, 1-073968, and Afolabi Idowu, MD.

**On May 21, Mr. Howard moved that the Board approve each collaboration from date of temporary approval through the date of termination. Ms. Hopkins seconded. Motion carried.**

Ms. Cotton reported that the following applicants have unpaid collaborating physician fees as of April 19, 2009: 1) item 3, Amy Brooks, 1-061550 and Michael Rosemore, MD; 2) item 21, Lisa Hardy, 1-056461, and David Greer, MD; 3) item 29, Debra Langham, 1-068411, and Charles Buckmaster, MD; and 4) item 67, Kimberly Crow, 1-063609, and Luz J. Crystal, MD.

**On May 21, Ms. Pugh moved that the Board approve each collaboration. Ms. Hopkins seconded. Motion carried.**

Ms. Cotton reported that the application for Roger Darren McLain, 1-070030, and Kenneth Dean Willis, MD, was omitted by error.

**On May 21, Mr. Howard moved that the Board approve the collaborative practice with the additional practice site. Ms. Linsky seconded. Motion carried.**

Ms. Cotton reported that the Joint Committee reviewed the parameters for central line insertion by Pediatric Acute Care CRNP and the specific limitations on duration of placement in pediatrics. The committee recommends removing chronological time limits and adding reference to nationally

recognized clinical standards.

**On May 21, Ms. Linsky moved that the Board accept the changes to the parameters for central line insertion by Pediatric Acute Care Nurse Practitioners. Mr. Howard seconded. Motion carried.**

Ms. Cotton reported that Dr. William L. Golden, on behalf of the physicians of Lee Obstetrics & Gynecology, requested an exemption from the requirement for the collaborating physician to visit each remote site at least quarterly. One physician in the group serves as the collaborating physician for the CRNPs and CNM who provide services at the East Alabama Medical Center Prenatal Clinic in Opelika and the Tuskegee Prenatal Clinic. Collaborating or covering physicians are on site five days a week in Opelika with the CNM and two CRNPs.

The Joint Committee recommended that the Board grant the exception to the rule for quarterly visits by the collaborating physician to the remote site, relieving Dr. Kenneth L. Harris of the requirement to make quarterly site visits to the Tuskegee Prenatal Clinic.

**On May 21, Ms. Nobles moved that the Board grant Dr. Kenneth L. Harris relief from the requirement for quarterly visits to remote collaborative practice site at the Tuskegee Prenatal Clinic as required by the ABN Administrative Code, Rule 610-X-5-8-.08(4). Mr. Howard seconded. Motion carried.**

Ms. Cotton reported that the Joint Committee reviewed the procedures for staff review of applications and submitting "fast track" applications directly to the Boards for approval. Fast track applications include collaborative practice with prescriptive authority, covering physician, no remote sites, no additional duties, and no restricted drug categories.

The Joint Committee recommended approval of the applications for additional covering physicians when the qualifications and clinical practice of the covering physician are consistent with the qualifications and clinical practice of the collaborating physician's qualifications. The committee will review covering physician applications that do not meet these qualifications.

**On May 21, Ms. LeCroy moved that the Board authorize administrative review for Board approval of additional covering physicians to existing collaborative practice. Mr. Howard seconded. Motion carried.**

2. National Council of State Boards of Nursing APRN Consensus Document

Ms. Cotton reported that regulation of advanced practice nursing has evolved over fifty years, producing variation in education and regulation across the country. Differences in legal recognition and authority for practice have created barriers to mobility of advanced practice nurses from state to state, as well as confusion among consumers, payers, potential advanced practice nursing students, and colleagues in other clinical professions.

The APRN Committee of the National Council of State Boards of Nursing (NCSBN) worked with the APRN Consensus Work Group to develop a model for regulation of Advanced Practice Registered Nurses (APRN) in the future. The ABN 2009-2013 Strategic Plan includes the evaluation of the NCSBN consensus documents.

The *Consensus Model for APRN Regulation* offers recommendations for a collaborative effort among APRN educators, accrediting bodies, certifying organizations, professional nursing organizations, and licensure boards. The recommendations include: 1) definition of Advanced Practice Registered Nurse as a provider of direct care to individuals; 2) regulation by Board of Nursing without requirement for supervision or collaboration protocol with physician; 3) licensure based on uniform requirements in all states; 4) delineating four practice roles for the APRN Regulatory Model: Certified Registered Nurse Anesthetist, Certified Registered Nurse Practitioner, Certified Nurse Midwife, and Clinical Nurse Specialist; 5) designation of APRN as a Licensed Independent Provider with prescriptive authority; 6) recognition as a Primary Care Provider in Medicare, Medicaid, and other payers; 7) scope of practice and services is defined by patient need, rather than by setting (hospital, clinic, etc); 8) definition of broad-based APRN education, with graduate level core content; 9) APRN education program prepares for one role and has a population focus in at least one of six populations; 10) accreditation of graduate nursing education programs and

APRN certifying organizations, based on nationally accepted standards; 11) certification for entry to practice, and ongoing certification for renewal of APRN; 12) process for recognizing and evaluating new APRN role and specialty; 13) recommendation for mutual license recognition of APRN through the Nurse Licensure Compact and APRN Compact; and 14) Licensure, Accreditation, Certification, and Education (LACE) organization to support on-going structured communication for licensing boards, accrediting bodies, certifying bodies and educational organizations that set standards for APRN education.

Ms. Cotton provided copies of the Consensus Model, Model Legislative language and a power point summary for the Board's information and review.

The Board reviewed and discussed the information provided.

D. Continuing Education

1. Report

A written report on continuing education providers, and 2008 RN CE audit, 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.

Dr. Terry provided copies of the following articles for the Board's information: "Localization of a Demand for Nursing Model at the Grassroots Level" and "An Analysis of the Opinions of the Alabama Board of Nursing Approved Continuing Education Providers on Regulatory Issues Impacting Their Services."

2. Report of 2008 RN Renewal Workforce Survey

Dr. Terry reported that the Center for Nursing is charged with the collection and dissemination of research on the nursing workforce as well as the regulation of nursing. A survey instrument was developed and distributed to RNs as part of

the online license renewal process. Nurses were asked about their demographics, their current job situation and how the economy is affecting their nursing position, in addition to other factors. Data were then compiled and statistically analyzed.

Dr. Terry provided copies of the 2008 RN Renewal Workforce survey results for the Board's information and review.

The Board reviewed and discussed the survey results.

3. Report of 2008 School Health Services

Dr. Terry reported that the ABN Administrative Code, Chapter 610-X-6-.06, Delegation by School Nurses, states that the school nurse is responsible for the nursing care delivered to the students served by that nurse and also that a registered nurse or a licensed practical nurse may delegate specific tasks to properly trained unlicensed assistive personnel. Part of the mandates of this regulation requires each school system's Lead Nurse or the School Nurse Consultant to submit a report to the ABN in a format specified by the ABN. The results of an annual survey of school nurses have been compiled and analyzed since 2005 by the Center for Nursing. In November 2008 an online survey was distributed to 205 public school systems in Alabama that encompassed 1,432 schools. Survey results were compiled and statistically analyzed.

Dr. Terry provided copies of the 2008 School Health Services survey results for the Board's information and review.

The Board reviewed and discussed the survey results.

4. LPN Workforce Survey

Dr. Terry reported that the Center for Nursing is charged with the collection, analysis, and dissemination of workforce data.

A survey of licensed practical nurses was initiated in 2007 in conjunction with license renewal. The proposed survey for the 2009 license renewal period for LPNs has been revised and updated since the previous survey distribution.

Dr. Terry provided copies of the proposed survey for the Board's review and approval.

The Board reviewed the proposed survey and made minor changes.

**On May 21, Mr. Howard moved that the Board approve the LPN workforce survey as amended. Ms. Linsky seconded. Motion carried.**

## IX. OPEN FORUM

### A. Consumer Study Related to Advanced Practice Nurses: Dr. Jean Lazarus; Dr. Jerry Ingram, Southeast Research, Inc.

Ms. Lee introduced Dr. Jean Lazarus, EdD, RN, Retired State Employee, Dr. Jerry Ingram, CEO, Southeast Research, and Bob Ashurst, Auburn University Montgomery. Mr. Ashurst is working on a marketing plan for the Board.

Dr. Lazarus and Dr. Ingram conducted a power point presentation on Consumer Study Related to Advanced Practice Nurses and provided copies for the Board.

## X. BOARD MEMBER TRAVEL

### A. NCSBN 2009 Annual Meeting, Philadelphia, PA – August 11-14, 2009

Ms. Price, Dr. Autrey, Ms. Pugh, Ms. Nobles, Ms. Linsky, Ms. Bullard and Ms. Hopkins were approved to attend.

### B. 22<sup>nd</sup> Annual Alabama Governor's Safety & Health Conference, Orange Beach, AL – August 24-26, 2009

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

### C. 8<sup>th</sup> Annual Summer Institute on Evidence-Based Practice: Achieving Excellence with Evidence, San Antonio, TX – July 9-11, 2009

Ms. LeCroy was approved to attend.

### D. National Black Nurses Association: Implementing Strategies to

Improve Global Health Outcomes, Toronto, Ontario Canada – August 2-6, 2009

Mr. Howard was approved to attend.

- E. FARB 17<sup>th</sup> Annual Attorney Certification Seminar in Professional Regulatory Law, Chicago, IL – October 2-4, 2009

No Board members requested to attend.

XI. REPORTS OF MEETINGS ATTENDED

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

Dr. Autrey and Ms. Pugh reported on their attendance at the 27<sup>th</sup> Annual International Nursing Computer & Technology Conference and provided written reports.

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

Ms. Linsky reported on her attendance at the 2<sup>nd</sup> National Doctor of Nursing Practice Conference and provided a written report.

XII. DISCIPLINARY CASES

**On May 22, Dr. Autrey moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Mr. Howard seconded. Motion carried.**

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

The Board reconvened in open session at 9:18 a.m. and voted on the Consent Orders.

- A. Consent Orders

1. Smith, Valeria Michelle Dawson – RN, 1-106762

Ms. Smith 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 professional accountability, and pay a fine in the amount of \$300.00.

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

2. Butler, Shirley L. Conaway – RN, 1-108925

Ms. Butler 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 geriatric care, legal/ethical aspects of nursing and critical thinking, and pays a fine in the amount of \$300.00.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

3. Milton, Latressa Darshe – LPN, 2-058354

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

4. Cahela, Tabitha Anne Garrison – LPN, 2-047810

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

5. Gilliam, Gloria Jean Clements – RN, 1-049644

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linksy seconded. Motion carried.**

6. Bolden, Melba Jean Powell – LPN, 2-044856

Ms. Bolden signed a Consent Order that would suspend her LPN license until such time as she provides evidence of successful completion of Board-approved educational courses on legal/ethical aspects of nursing and proper documentation, and pays a fine in the amount of \$600.00. Upon reinstatement, Ms. Bolden's license will be placed on probation for a period of twenty-four 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

7. Gooden, Claudia Moffett – RN, 1-026967

Ms. Gooden 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 legal/ethical aspects of nursing and post-operative care, and pays a fine in the amount of \$300.00.

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

**On May 22, Mr. Howard moved that the Board accept the**

**Consent Order. Ms. Linsky seconded. Motion carried.**

8. Likely, Lyndia Joyce Kent – RN, 1-109654; LPN, 2-049638 (Lapsed)

Ms. Likely 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 Board-approved educational courses on legal/ethical aspects of nursing and patient assessment, and pays a fine in the amount of \$900.00. Upon reinstatement, Ms. Likely's license will be placed on probation for a period of twenty-four 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. Likely attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

9. Kosan, Cheryl Desiree – RN, 1-053723; LPN, 2-022652 (Lapsed)

Ms. Kosan 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 chemical dependency evaluation from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if recommended); (c) entry into and full participation in an aftercare program (if recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. If deemed in need of treatment, Ms. Kosan's license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, she will be required to successfully complete Board-approved educational courses on chemical dependency, documentation, and medication safety, and pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Kosan's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete Board-approved educational courses

on chemical dependency, documentation, and medication safety, 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. Should Ms. Kosan attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

10. Bell, Alexis E. – LPN, 2-058668

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

11. Gurley, Melanie Fran Hamlin – RN, 1-061288

Ms. Gurley 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 chemical dependency evaluation from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if recommended); (c) entry into and full participation in an aftercare program (if 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. Gurley be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, she will be required to successfully complete Board-approved educational courses on chemical dependency, professional accountability, and documentation, and pay a fine in the amount of \$1,000.00. If no deemed in need of treatment, Ms. Gurley's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to

successfully complete Board-approved educational courses on chemical dependency, professional accountability, and documentation, and pay a fine in the amount of \$600.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

12. Pippin, Angela Dale Clack – LPN, 2-051256

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

**On May 22, Dr. Davis moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

13. Bogo, Tamara Ann Aanderud – RN, 1-084581

Ms. Bogo 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 May 22, Dr. Davis moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

14. Byrd, Linda Gail Goode – RN, 1-072614; LPN, 2-034019

(Lapsed)

Ms. Byrd 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. Should Ms. Byrd attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On May 22, Dr. Davis moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

15. Sullivan, Cornella Leann – LPN, 2-058050

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

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

16. Holden, Virginia Ann Cagle – RN, 1-062610; CRNA

Ms. Holden signed a Consent Order that would place her RN license on probation until such time as she provides evidence of successful completion of a Board-approved educational course on professional accountability, and pays a fine in the amount of \$900.00.

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

17. Smith, Brian Ethridge – RN, 1-105429

Mr. Smith signed a Consent Order that would place his 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 \$300.00.

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

18. Beabout, Lisa Georgia – RN, 1-110989

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

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

19. LeCroy, Shannon S. – RN, 1-078848

Ms. LeCroy 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 chemical dependency and legal/ethical aspects of nursing, and pay a fine in the amount of \$300.00.

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

20. Moore, Diana Lynn – RN, 1-111767

Ms. Moore 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 May 22, Ms. Pugh moved that the Board accept the Consent Order. Ms. Howard seconded. Motion carried.**

21. Butler, Cynthia Renae Martin – RN, 1-076396

Ms. Butler was deleted from the agenda.

22. Phillips, Pauline Ann Boegemann – RN, 1-033576

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

23. King, Mary Kay Herrin – LPN, 2-029587

Ms. King signed a Consent Order that would suspend her LPN 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. Upon reinstatement, Ms. King'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.

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

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

24. Brannon, Sheila Rae Clement –LPN, 2-053843

Ms. Brannon signed a Consent Order that would terminate her January 18, 2008 Board Order, upon the Board's acceptance of this instant Order that would place her LPN license on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on professional accountability and disciplinary actions, and pay a fine in the amount of \$600.00.

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

25. Anderson, Ginger Gay Dabbs – RN, 1-111177; LPN, 2-050105

Ms. Anderson signed a Consent 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. Should Ms. Anderson attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

26. Ware, Trimekia Lynette – LPN Endorsement Applicant

Ms. Ware signed a Consent Order that would approve her LPN endorsement application and issue her a public reprimand.

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

27. Bedgood, Bettye Lynn Byrd – RN, 1-076852

Ms. Bedgood 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 May 22, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

28. D'Arienzo, Mary Jean Uyeda – LPN Exam Applicant

Ms. D'Arienzo signed a Consent Order that would allow her to take the NCLEX-PN®, and, if successful, issue her a public reprimand.

**On May 22, Ms. Pugh moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

29. Chisenall, Stephanie Lynn Barr –LPN, 2-046890

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

**On May 22, Ms. Linsky moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

30. Jackson, Vickie Louise Carter – RN, 1-066247

Ms. Jackson 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

31. Collier, Judith E. Drake – RN, 1-022730; CRNA

Ms. Collier 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

32. Barnard, Kathleen Ann – RN, 1-026869

Ms. Barnard 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

33. Lord, Resa Anne Wilson – RN, 1-079061; CRNP

Ms. Lord 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

34. Tyler, Gina Renee Price – RN, 1-045326

Ms. Tyler 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

35. McCord, Beverly Ann Wilkerson – RN, 1-046197; LPN, 2-016492 (Lapsed)

Ms. McCord signed a Consent Order that would issue her a

public reprimand and require her to pay a fine in the amount of \$900.00.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

36. Weyandt, Alyssa Schubert – RN, 1-110218

Ms. Weyandt 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

37. Lefevre, Lori Regina Gilliland – RN, 1-076687

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

38. Brown, Lorie Ann – RN, 1-109452

Ms. Brown 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

39. Bruner, Ann M. Miller – LPN, 2-052868

Ms. Bruner 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

40. Hester, Misty Dawn – RN, 1-094526; CRNP

Ms. Hester 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

41. Shurden, Knight Robert – RN, 1-070313

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

42. Thomas, Lawanda Marie – RN, 1-098985

Ms. Thomas 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

43. Williams, Becky Geeslin – RN, 1-070577

Ms. Williams 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

44. Herriott, Victoria Christian – RN, 1-113974

Ms. Herriott 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

45. Byrd, Linda Ann Washington – RN, 1-067844; CRNP

Ms. Byrd 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

46. Helton, Suzanne Taylor – RN, 1-073790

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

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

47. Joiner, Ethel M. Crawford – LPN, 2-013149

Ms. Joiner signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00 and a late CE compliance fee of \$150.00.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Dr. Davis seconded. Motion carried.**

48. Baskins, Julie Gail Bray – RN, 1-087893

Ms. Baskins 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Price seconded. Motion carried with three oppositions (Ms. Pugh, Ms. Linsky and Mr. Brown).**

49. Moore, Corney Natasha – LPN, 2-057418

Ms. Moore 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

50. Stevens, Kathy Jo Kelley – LPN, 2-046958

Ms. Stevens 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 May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried.**

51. Ruffin, Mara Jenell – LPN Exam Applicant

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

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

52. Foster, Stacey Latrice McKinney – RN Endorsement Applicant

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

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

53. Greene, Jeffrey Scott – RN Exam Applicant

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

Dr. Autrey recused herself from the discussion and vote concerning Mr. Greene.

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

54. Johnson, Patricia Ann – RN Endorsement Applicant

Ms. Johnson signed a Consent Order that would approve her RN endorsement application upon the Board's receipt of evidence of successful completion of all requirements for licensure by endorsement and payment of a fine in the amount of \$300.00. Upon licensure Ms. Johnson will be

issued a public reprimand.

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

55. Czajkowski, Tonya Lynnette – RN, 1-095154; LPN, 2-049502 (Lapsed)

Ms. Czajkowski signed a Consent Order that would place her license on lapsed status due to health conditions. Should Ms. Czajkowski's health improve to the point where she is able to return to the practice of nursing, her license would be reinstated on subject to such terms and stipulations as may be deemed necessary by the Board at the time of reinstatement following any necessary evaluations..

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

56. Vance, Elizabeth Ann – RN, 1-075779 (Lapsed/Probation)

Ms. Vance signed a Consent Order that would stay her probation and place her LPN license on lapsed status due to health conditions. Should Ms. Vance's health improve to the point where she is 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 at the time of reinstatement following any necessary evaluations.

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

**On May 22, Ms. LeCroy moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried.**

B. Reinstatement: Consent Orders

1. Morrisette, Janice Jenetta Smith – RN, 1-035035; LPN, 2-014578

Ms. Morrisette signed a Consent Order that would reinstate her RN license on probation for a period of twenty-four months, with practice-related stipulations, and require her to pay a fine in the amount of \$600.00. Should Ms. Morrisette attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

2. Davis, Pamela Ellen Twitchell – LPN, 2-035104

Ms. Davis signed a Consent Order that would reinstate her LPN license on probation for a period of twelve months, with chemical dependency stipulations, and require her to pay a fine in the amount of \$600.00.

**On May 22, Mr. Howard moved that the Board accept the Consent Order. Ms. Linsky seconded. Motion carried.**

C. Formal Hearings

**On May 22, Ms. Price 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. Mr. Howard seconded. Motion carried.**

Mr. Harper reported that the Board would reconvene in open session at approximately 10:30 a.m.

The Board returned to open session at 11:02 a.m.

1. Allen, Catherine Ann Barton – LPN, 2-023510

**On May 22, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and place Ms. Allen's LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations. Mr. Howard seconded. Motion failed with nine oppositions (Ms. LeCroy, Ms. Price, Ms. Linsky, Ms. Hopkins, Dr. Davis, Dr. Autrey, Ms. Bullard, Mr. Brown and Mr. Howard).**

**On May 22, Dr. Autrey moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer's Recommendation, to be consistent with similar cases, and place Ms. Allen's 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. Dr. Davis seconded. Motion carried with one opposition (Ms. LeCroy).**

Ms. Nobles was not present during the discussion and vote.

2. Buck, Deborah Rae Clark – RN, 1-068209 (Lapsed/Probation); LPN, 2-024621 (Lapsed)

**On May 22, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Buck’s license. Ms. Hopkins seconded. Motion carried.**

3. Collins, Ora Burgess Brown – LPN, 2-034041

**On May 22, Ms. Hopkins moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Collins’ LPN license. Mr. Howard seconded. Motion failed with nine oppositions (Ms. LeCroy, Mr. Howard, Ms. Linksy, Dr. Davis, Dr. Autrey, Ms. Pugh, Ms. Bullard, Mr. Brown and Ms. Nobles).**

**On May 22, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer’s Recommendation, based on the evidence and to be consistent with similar cases, and suspend Ms. Collins’ LPN license for a minimum of three months, and until such time as the Board is in receipt of satisfactory documentation of: (a) evidence of successful completion of a Board-approved educational course on legal/ethical aspects of nursing; (b) payment of a fine in the amount of \$300.00; (c) accrual of requisite continuing education contact hours; and (d) payment of appropriate fees. Upon reinstatement, Ms. Collins’ license will be placed on probation for a period of twelve months, with practice-related stipulations. Ms. Linsky seconded. Motion carried.**

4. Drouillard, Tonya Michelle Stover – LPN, 2-055399 (Active/Probation)

**On May 22, Ms. Linsky moved that the Board accept the**

**Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Drouillard's LPN license. Dr. Davis seconded. Motion carried.**

5. Giles, Betty Joyce Stanley – LPN, 2-032263  
(Lapsed/Probation)

**On May 22, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Giles' LPN license. Mr. Howard seconded. Motion carried.**

6. Grossenbacher, Susan Ruth – RN, 1-105804

**On May 22, Dr. Autrey moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend Ms. Grossenbacher's RN license until such time as she provides evidence of successful completion of Board-approved educational courses on critical thinking, patient assessment, and professional accountability. Upon reinstatement, Ms. Grossenbacher's license will be placed on probation for a period of twelve months, with practice-related stipulations, and she will be required to pay a fine in the amount of \$300.00. Mr. Howard seconded. Motion failed with eleven oppositions (Ms. LeCroy, Ms. Price, Ms. Nobles, Ms. Hopkins, Dr. Davis, Dr. Autrey, Ms. Bullard, Mr. Brown, Ms. Pugh and Mr. Howard).**

**On May 22, Ms. LeCroy moved that the Board accept the Findings of Fact with an amendment to Findings of Fact #5 by deleting the second sentence, to be consistent with the evidence, accept the Conclusions of Law, and amend the Hearing Officer's Recommendation, to be consistent with similar cases, and suspend Ms. Grossenbacher's license until such time as she provides evidence of successful completion of Board-approved educational courses on critical thinking, patient assessment, and professional accountability, and pays a fine in the amount of \$300.00. Ms. Price seconded. Motion carried.**

7. Hammond, Pamela K. Vincent – RN, 1-098558

**On May 22, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and suspend Ms. Hammond's RN license until such time as she provides evidence of successful completion of Board-approved educational courses on critical thinking, patient assessment, and professional accountability, and pays a fine in the amount of \$300.00. Upon reinstatement, Ms. Hammond's license will be placed on probation for a period of twelve months, with practice-related stipulations. Ms. Linsky seconded. Motion carried.**

8. Hathcock, Leta Michelle Farley – LPN, 2-050362  
(Lapsed/Probation)

**On May 22, Mr. Howard moved that the Board accept the Findings of Fact, the Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hathcock's license. Ms. Bullard seconded. Motion carried.**

9. Holsonback, Donna Kay Teseneer – LPN, 2-032131  
(Lapsed/Probation)

**On May 22, Dr. Autrey moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Holsonback's LPN license. Ms. Hopkins seconded. Motion carried.**

10. Jones, Kathy Lorraine Austin – LPN, 2-033577

**On May 22, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and suspend Ms. Jones' LPN license for six months. Upon reinstatement, Ms. Jones' license will be placed on probation for a period of twelve months, with practice-related stipulations. Ms. Linsky seconded. Motion failed with eleven oppositions (Ms. LeCroy, Ms. Price, Ms. Nobles, Ms. Linsky, Ms. Hopkins, Dr. Davis, Dr. Autrey, Ms. Pugh, Ms. Bullard, Mr. Brown and Mr. Howard).**

**On May 22, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer's Recommendation, to be consistent with other decisions, and suspend Ms. Jones' LPN license until such time as she provides evidence of successful completion of Board-approved educational courses on safe medication administration and legal/ethical aspects of nursing, and pays a fine in the amount of \$300.00. Ms. Nobles seconded. Motion carried.**

11. Landers, Melanie Marie Wilcox – RN, 1-055848 (Lapsed/Probation); CRNA

**On May 22, Dr. Davis moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Landers' RN license. Ms. Bullard seconded. Motion carried.**

12. Marcotte, Cynthia Marie Kay – RN, 1-044941 (Lapsed/Probation)

**On May 22, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and allow Ms. Marcotte's to reinstate her lapsed RN license. Upon reinstatement, Ms. Marcotte's license will be placed on probation for a period of twelve months, with practice-related stipulations and she will be required to pay a fine in the amount of \$500.00. If Ms. Marcotte fails to reinstate her lapsed license within sixty days of the effective date of this Order, her license status will be considered as and listed as revoked. Ms. Pugh seconded. Motion carried.**

13. McClellan, Tammy Elaine Hunter – LPN, 2-046966 (Lapsed)

**On May 22, Ms. LeCroy moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. McClellan's reinstatement of a lapsed license application. Ms. Bullard seconded. Motion carried.**

14. McCrary, Charles Edward – RN, 1-083240  
(Lapsed/Probation)

**On May 22, Ms. Pugh moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. McCrary's RN license. Ms. Hopkins seconded. Motion carried.**

15. Powell, Helen Kay Massey – RN, 1-043039  
(Lapsed/Probation); LPN, 2-022682 (Lapsed)

**On May 22, Ms. Linsky moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Powell's license. Mr. Howard seconded. Motion carried.**

16. Spears, Sandi Kersker – LPN, 2-052722

**On May 22, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and place Ms. Spears' LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations. Dr. Davis seconded.**

After discussion, Mr. Howard amended his motion.

**On May 22, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, but amend the Hearing Officer's Recommendation, to be consistent with similar cases, and place Ms. Spears' LPN license on probation for a period to run concurrent with her Court-ordered probation, but not less than thirty-six 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. Price seconded. Motion carried.**

D. Reinstatements – Formal Hearings

There were no Formal Hearing Reinstatements.

XIII. OTHER

- Mr. Harper reported that Ms. Sheffield resigned from her position on the Board because she moved out of state and the law requires that Board members reside in Alabama.

#### XIV. BOARD MEETING DEBRIEFING

- Ms. Lee reviewed the process for Board travel. Ms. Lee asked Board members to let her know in advance of the Board meeting if there is a conference they want to attend or add it to the agenda at the beginning of the Board meeting when the President asks for additions, modifications or reordering.

#### XV. ADJOURNMENT

The meeting adjourned at 11:13 a.m. on May 22, 2009.

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Michael D. Harper, President

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Gregory Howard, Secretary

Recorder: Leslie Vinson  
05/21-22/2009