

ALABAMA BOARD OF NURSING

ANNUAL BOARD MEETING

Fiscal Year 2012-2013

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

November 15-16, 2012

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:00 a.m. on November 15, 2012. The following Board members were present: Amy Price, MSN, RN, President; Martha G. Lavender, RN, DSN, Vice-President; Carol Stewart, CRNP, MSN, Secretary; Eugene Akers, PhD; Melissa Bullard, LPN; Catherine Dearman, RN, PhD; Miriam Ellerbe, LPN; Maggie Hopkins, LPN; Gregory Howard, LPN; Francine Parker, EdD, MSN, RN; and E. Laura Wright, PhD, MNA, CRNA. Genell Lee, MSN, RN, JD, Executive Officer and Leslie Vinson, Executive Secretary/Recorder were present. Staff members attending portions of the meeting were: Tina Leonard, Docket Clerk; Charlene Cotton, MSN, RN, Advanced Practice; Carolyn Morgan, MSN, RN, Practice/Continuing Education; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Peggy Benson, MSN, RN, Legal Nurse Consultant; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Patrick Samuelson, Assistant General Counsel; and Alice Maples Henley, Deputy Attorney General/General Counsel.

B. Declaration of Quorum

A quorum was declared with eleven Board members present on November 15, 2012, and eleven members present on November 16, 2012. Pamela Autrey, PhD., MSN, RN, and Lynda F. LaRue, RN, ADN, CMTE, were not present.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was given in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

- II.A. September 20-21, 2012 Board Meeting Minutes
- II.B. October 18, 2012 Board Meeting Minutes
- III.A. FY 2012 Board Action Follow-up
- III.B. FY 2013 Board Action Follow-up
- VI.A. Executive Officer
- VI.A.2. FYI
- VI.B.1. President's Report
- VI.D.1. General Counsel/Deputy Attorney General
- VI.D.3. Voluntary Disciplinary Alternative Program
- VI.D.4. Investigations Report
- VI.D.5. Legal Nurse Consultant Report
- VI.D.6. Probation Monitoring Report
- VI.D.7. Public Records Request
- VI.E. Operations/Personnel Report
- VI.F. Licensing Division
- VI.G. Board Member Attendance
- VII.A. 2009-2013 Strategic Plan Update
- IX.A.1. Practice Report
- IX.B.1. Continuing Education Report
- X.A. Education Report

On November 15, Dr. Lavender moved that the Board adopt the Consent Agenda. Dr. Parker seconded. Motion carried without objection.

3. Adoption of Agenda

On November 15, Dr. Lavender moved that the Board adopt the Agenda, as amended. Mr. Howard seconded. Motion carried without objection.

II. REVIEW OF MINUTES

A. September 20-21, 2012 Board Meeting Minutes

The September 20-21, 2012 Board Meeting Minutes were accepted on the Consent Agenda.

B. October 18, 2012 Board Meeting Minutes

The October 18, 2012 Board Meeting Minutes were accepted on the Consent Agenda.

III. OLD BUSINESS/FOLLOW-UP

A. FY 2012 Board Action Follow-up

Ms. Lee's report of FY 2012 Board action follow up was accepted, as information, on the Consent Agenda.

B. FY 2013 Board Action Follow-up

Ms. Lee's report of FY 2013 Board action follow up was accepted, as information, on the Consent Agenda.

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

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. 4th Quarter NCLEX-PN® Results

The 4th quarter NCLEX-PN® results were accepted, as information, on the Consent Agenda.

B. 4th Quarter NCLEX-RN® Results

The 4th quarter NCLEX-RN® results were accepted, as information, on the Consent Agenda.

VI. REPORTS

A. Executive Officer

1. Report

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

Pursuant to Alabama Board of Nursing Administrative Code, Rule

610-X-8-.05, Ms. Lee accepted the voluntary surrender for revocation for each of the following Alabama nursing licenses:

<u>Licensee's Name</u>	<u>License Number</u>	<u>Date of Acceptance</u>
Hamric, Amelia	2-048935	07/19/2012
Dorschler, Sandra Marie	1-083422	09/04/2012
Griffis, Christine Ann	1-087394	09/12/2012
Milledge, Jennifer L. Yorks	1-081911	09/12/2012
Love, Lynda Jean	1-048641	09/13/2012
Childress, Melissa Ann Odom	1-113727	09/13/2012
McGee, Mary Olivia Danielle	1-114662	09/14/2012
Abernathy, John Gabriel	1-121790	09/14/2012
Oliver, Courtney Renee	1-103698	09/14/2012
Benton, Amber Danielle	1-115534	09/14/2012
Wages II, Stephen Carlton	1-110276	09/17/2012
Glisson, Mark Reeves	1-050816	09/19/2012
Stephenson, Dustan Dene	1-091431	09/20/2012
Neighbors, Jessica Louise	1-113592	09/20/2012
Butler, Kendra Dawn	1-099781	09/21/2012
Luckerson, Letha Sharon	1-059423; 2-028369	09/21/2012
England, Amy C Hudson	1-130596; 2-051560	09/24/2012
Wilburn, John Clarke	1-122350	09/26/2012
Sherrill, Bridget Renee	1-064212	09/28/2012
Skoch, Terri Lynn Jones	1-104479	10/02/2012
Woodall, Kimberly Anne	1-105070	10/09/2012
Abercrombie, Deborah Ann	2-060222	10/11/2012
Bryant, Misty Lynn	1-122725	10/11/2012
Smith, Jenifer Jenell	2-064164	10/12/2012
Adams, Billie Sue	2-039699	10/12/2012
Brooks, Gloria Anne	1-073479	10/15/2012
Jones, Joseph Stephen	1-106434	10/15/2012

Maddox, Michael William	1-105215	10/17/2012
Danley, Tasha Nicole	2-055016	10/19/2012
Brown, Amy Elizabeth Reeder	1-105123	10/22/2012
Watters, Katy	2-062847	10/25/2012
Evenbly, Peter Anthony	1-129529	10/29/2012

2. FYI

Ms. Lee provided the following items for the Board's information: (1) a letter from the National League for Nursing Accrediting Commission to Alabama Southern Community College; (2) a letter from the University of Alabama in Huntsville regarding NCLEX results; (3) a letter from Reid State Technical College reporting a change in location; and (4) a letter from Snead State Community College regarding the changes that have been implemented.

3. Calendar Year 2013 Board Meetings

Ms. Lee reported that the Board typically selects meeting dates for the next calendar year at the Annual Meeting in November of each year. The Board historically meets on the third Thursday of each month and the third Friday every other (starting with the two day meeting in January). In addition to Board members and staff scheduling their activities around Board meeting dates, posting of the meeting dates to the Secretary of State's web site to assure compliance with the Open Meetings Act occurs. November and December are recommended for second Thursday so as not to interfere with Thanksgiving and Christmas holidays.

Ms. Lee provided the following proposed meeting dates for the Board's review and approval: January 17-18; February 21; March 21-22; April 18; May 16-17; June 20; July 18-19; August 15; September 19-20; October 17; November 14-15; and December 12.

The Board reviewed the proposed dates.

On November 16, Dr. Lavender moved that the Board approve the Board meeting dates for calendar year 2013. Mr. Howard seconded. Motion carried without objection.

B. Executive Committee

1. President's Report

There was no President's Report.

2. Alabama Healthcare Coalition Report

The Alabama Healthcare Coalition Report was deleted from the agenda.

3. Board Self Evaluation

Ms. Price reported that the Board will complete the Board Self Evaluation on Friday November 16.

C. Finance

1. Report

Ms. Broomfield provided a Revenue and Expenditure Summary for FY 2012. Revenues and expenditures for FY 2012, and a spreadsheet reflecting payments for all in-state travel and out-of-state travel-related expenses through September 30, 2012, was presented. Ms. Broomfield also provided a cost allocation report with a breakdown of expenditures by program and objects codes, along with a report of dishonored checks by fee type, dishonored checks by license type, dishonored checks financial history through September 30, 2012, and a report on the number of out-of-state trips to date for each Board member. Ms. Broomfield provided a variance report reflecting actual expenditures and revenue variances from the budget through September 30, 2012, and a cash balance.

The Board reviewed and discussed the reports with Ms. Broomfield.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from August 31, 2012 through October 26, 2012, the number of open disciplinary cases, and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Assistant General Counsel Report

A written report on the number of pending cases on the docket of the Assistant General Counsel as of October 26, 2012 was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of October 26, 2012 was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of October 26, 2012 was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on the number of open cases assigned to each legal nurse consultant as of October 26, 2012 was accepted, as information, on the Consent Agenda.

6. Probation Monitoring Report

A written report on the number of nurses monitored on probation as of October 25, 2012, the number of outstanding probation violations and the number of past due fines was accepted, as information, on the Consent Agenda.

7. Public Records Request

A written report on the number of public records request completed between August 30 and October 26, 2012 was accepted, as information, on the Consent Agenda.

E. Operations/Personnel Report

A written report of the Board's operations and personnel, along with a call allocation summary and a telecommunications report was accepted, as information, on the Consent Agenda.

F. Licensing Division

A written report on the number of licenses issued from October 1, 2011,

through September 30, 2012 was accepted, as information, on the Consent Agenda.

G. 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. ADVANCED PRACTICE

A. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the Joint Committee met on November 13 to review the applications for collaboration with Alabama physicians as listed in the published roster. The Board of Medical Examiners (BME) met on November 14, 2012 and accepted the recommendations of the Joint Committee.

Ms. Cotton reported that item 129, Sally Elizabeth Smith, 1-116378, is listed as Women's Health but it should be Family Nurse Practitioner. One application was withdrawn: Barbara Williams, 1-062847 and Dr. James Ruble, 24460.

The roster included three collaboration applications that were terminated by the physician or the CRNP during the period of temporary approval and prior to review by the Joint Committee. The Joint Committee recommends approval of the collaboration for the period from date of temporary approval until termination for the following applications: 1) Gina Brewer, 1-082739, and Dr. Brad Ginevan, 26857; 2) David Kniola, 1-068065, and Dr. Mohammad Kamran, 18732; and (3) DeDe Moore, 1-103710, and Dr. Carlson Kruspe, 26577.

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

On November 16, Mr. Howard moved that the Board accept the recommendations from the Joint Committee and approve the

applicants for collaborative practice listed in the published roster. Ms. Bullard seconded. Motion carried without objection.

B. Public Hearings Summary

Ms. Lee reported the Board conducted public hearings around the state in September-October 2012 to obtain input on the issue of the CRNP/CNM legislation introduced in the 2012 regular legislative session. The Board discussed the summary at the October 2012 meeting but the transcripts from the two public hearings in Birmingham were not available.

The following statement is recommended for approval:

The Alabama Board of Nursing believes expanding the scope of practice of certified registered nurse practitioners (CRNPs) and certified nurse midwives (CNM) to include prescriptive authority for certain controlled substances will improve access to and quality of care for Alabama's patients.

The Board has reservations regarding any proposal that would require one profession to answer to multiple regulatory boards, as such a regime would represent an unprecedented departure from Alabama's public policy standards and practices.

Ms. Lee provided copies of the transcripts and exhibits from the Birmingham public hearings for the Board's information and review.

The Board reviewed and discussed the information provided.

On November 15, Dr. Lavender moved that the Board issue a statement. Ms. Stewart seconded. Motion carried with three oppositions (Ms. Ellerbe, Mr. Howard, and Ms. Bullard).

On November 15, Dr. Wright moved that the Board adopt the following statement: The Alabama Board of Nursing believes expanding the scope of practice of certified registered nurse practitioners (CRNPs) and certified nurse midwives (CNM) to include prescriptive authority for certain controlled substances will improve access to and quality of care for Alabama's patients. The Board has reservations regarding any proposal that would require one profession to answer to multiple regulatory boards. Ms. Stewart seconded. Motion carried with one opposition (Ms. Ellerbe) and one abstention (Mr. Howard).

IX. PRACTICE AND CONTINUING EDUCATION

A. Practice

1. Report

A written report on the standardized procedures was accepted, as information, on the Consent Agenda.

B. Continuing Education

1. Report

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

X. EDUCATION

A. Report

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

B. NCLEX® Deficiencies

Ms. Lee reported that Rule 610-X-3-.05(2) specifies the outcome standard for NCLEX scores:

(2) 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. Beginning with Fiscal Year (FY) 2013 (October 1, 2012), the Board shall calculate the program's pass rate with a three-year rolling average. The first three-year period ends at the end of Fiscal Year 2015 (September 30, 2015). The Board shall take the pass rate for FY 2013 through FY 2015 and average the pass rate. Subsequent to FY 2015, the Board shall drop the pass rate for the first of the three-year time period, add the subsequent first-time writers pass rate, and calculate the three-year average.

The FY 2012 results are not part of the rolling average. The programs that did not meet the 80% standard for first-time writers may also have issues later once the Nursing Education Annual Reports are reviewed. Waiting on those reports to address NCLEX® deficiencies could create problems for programs because of delay in notice.

The practical nursing programs that failed to meet the 80% standard were: (a) Chattahoochee Community College - 77.8% in FY 2012 and 100% in FY 2011; and (b) Fortis Institute (formerly Tri-State) - 70.7% in FY 2012 and 87.5% in FY 2011 (received full approval based on FY 2011 results of first-time graduates).

The registered nursing programs that failed to meet the 80% standard were: (a) Lurleen B. Wallace Community College, MacArthur Campus - 68.9% in FY 2012 and 86.1% for FY 2011 (70% in FY 2010 and given to September 30, 2012 to correct; corrected in FY 2011); (b) Snead State Community College - 77.8% in FY 2012 and 80% in FY 2011; and (c) University of Alabama in Huntsville - 79.2% in FY 2012 and 84% in FY 2011.

On November 15, Dr. Dearman moved that the Board send Notice of Deficiencies consistent with the current rule and current practice of one year to correct the deficiency for PN programs and two years to correct for RN programs. Dr. Parker seconded. Motion failed with six oppositions (Mr. Howard, Dr. Wright, Dr. Lavender, Ms. Stewart, Ms. Hopkins and Ms. Price).

On November 15, Dr. Lavender moved that the Board issue a Notice of Deficiency for failure to meet the 80% passing rate outcome standard for FY 2012 to Chattahoochee Valley Community College-PN Program, Fortis Institute, Lurleen B. Wallace Community College MacArthur Campus, Snead State Community College, and the University of Alabama in Huntsville with an expected correction date of September 30, 2015 which is the end of the first three year rolling average. Ms. Stewart seconded. Motion carried with three oppositions (Dr. Dearman, Dr. Akers, and Dr. Parker).

C. NCLEX® Met Standards

Ms. Lee reported that Rule 610-X-3-.05(2) specifies the outcome standard for NCLEX scores:

(2) 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. Beginning with Fiscal Year (FY) 2013 (October 1, 2012), the Board shall calculate the program's pass rate with a three-year rolling average. The first three- year period ends at the end of Fiscal Year 2015 (September 30, 2015). The Board shall take the pass rate for FY 2013 through FY 2015 and average the pass rate. Subsequent to FY 2015, the Board

shall drop the pass rate for the first of the three- year time period, add the subsequent first-time writers pass rate, and calculate the three-year average.

FY 2012 results are not in the rolling average.

On November 15, Dr. Parker moved that the Board approve Notification to those nursing education programs that met the NCLEX® outcome standard for FY 2012 results. Dr. Wright seconded. Motion carried with no objection.

D. Notices of Correction

Ms. Lee reported that during FY 2011, the Board held administrative hearings for nursing education programs that failed to meet the NCLEX® standard of 80% for first-time writers. The Board withdrew approval from the Stillman College BSN program. The other programs were given until the conclusion of the FY 2012 NCLEX® scores to meet the standard. Those programs met the standards and should be provided a Notice of Correction along with approval pursuant to the FY 2011 Board Orders. The programs are: (1) Herzing University: 82.5%; (2) Lawson State Community College: 94.1%; and (3) Springhill College: 83.3%

Virginia College-Montgomery ADN program was provisionally approved by the Board in September 2008. FY 2011 NCLEX® results were 57.1% for the first graduates from the program. The Board provided a Notice of Deficiency with a Continued Provisional Approval to the program. The program was given one additional year until FY 2012 to comply with the outcome standard of 80% of first-time writers passing NCLEX®. FY 2012 results were 86.7%. A Notice of Correction and full approval of the Virginia College-Montgomery ADN program is due to occur based on the regulations.

On November 15, Mr. Howard moved that the Board approve notice to programs that corrected the NCLEX® scores for first-time writers in the time period specified by the Board. Ms. Bullard seconded. Motion carried without objection.

E. Virginia College – Birmingham

Ms. Lee reported that Virginia College-Birmingham received approval from the Board for an Associate Degree in Nursing Program in September 2008. The NCLEX® results for first-time graduates was 27.3% for FY 2011. The Board issued a Notice of Deficiency and Continued Provisional Approval and gave the program one additional year to correct the outcome standard to the 80% minimum requirement for first-time graduates. FY

2012 NCLEX® results were 60.6%. In FY 2012, 30 graduates took NCLEX® and 20 graduates were successful.

Virginia College-Birmingham presented an improvement plan to the Board at the June 2012 meeting. Representatives attended the meeting to discuss the improvement plan with the Board. One of the issues identified by the Board was the turn-over of program directors (five since the program started in 2008).

The Board's letter to Virginia College-Birmingham in 2011 indicated that if the NCLEX® results were not at 80% or above for the FY 2012 results, the Board would proceed with an administrative hearing. Based on the changes in the rules averaging NCLEX® scores over a three-year period beginning with FY 2013, the Board's decision is whether to proceed with an administrative hearing or provide a Notice of Continued Deficiency and Continued Provisional Approval.

Ms. Lee reported that she plans to make a site visit within the next two weeks. The Board can wait for the results of the site visit and the nursing education annual report in order to look at the whole program.

Ms. Lee provided copies of the improvement plan that was presented at the June 2012 Board meeting for the Board's information and review.

On November 15, Dr. Wright moved that the Board delay issuing the Notice of Continued Deficiency until all data is available. Mr. Howard seconded. Motion carried without objection.

XI. REPORTS OF MEETINGS ATTENDED

A. Tri-Regulator Conference, Washington D.C.

Ms. Cotton reported on her attendance at the Tri-Regulator Conference.

XII. DISCIPLINARY CASES

On November 16, Dr. Wright 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. Stewart seconded. Motion carried without objection.

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

The Board reconvened in open session at 9:03 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Grubbs, Carli Taylor – RN, 1-125195

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

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

2. McNeil, Demetria Alanna – RN Exam Applicant

Ms. McNeil signed a Consent Order that would allow her to take the NCLEX-RN®, and if successful, her license when issued will be placed on probation until such time as she provides evidence of: (a) successful completion of a Board-approved educational course on professional accountability; (b) pays a fine in the amount of \$1,000.00; and (c) the employer notification has been received by the Board.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

3. Wasson, Jo'el McCorkle – RN, 1-107921

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

On November 16, Mr. Howard moved that the Board accept the

Consent Order. Ms. Hopkins seconded. Motion carried with no objections.

4. Atkins, Lori Hayes – RN, 1-107055

Ms. Atkins signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$600.00; (b) successful completion of Board-approved educational courses on legal/ethical aspects of nursing and professional accountability; and (c) the employer notification has been received by the Board.

On November 16, Dr. Dearman moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

5. May, Carmen Gezel Pettway – RN, 1-045084; CRNP

Ms. May signed a Consent Order that would suspend her RN until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on professional accountability, Advanced Practice Nursing-Standards, Approval, and Renewal; and Advanced Practice Nursing-Regulations for CRNP & CNM in Collaborative Practice; and (c) the employer notification has been received by the Board. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 16, Dr. Dearman moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

6. Mullins, Donna Lynn Wilson – RN, 1-049996; CRNP

Ms. Mullins signed a Consent Order that would suspend her RN license until such time as she provides evidence of successful completion of Board-approved educational courses on Pharmacologic Therapies for Cough, Cold and Fever Symptoms; Primary Care Management of Acute and Chronic Pain Syndromes; Professional Accountability; Advanced Practice Nursing-Standards, Approval and Renewal; Advanced Practice Nursing-Regulations for CRNP and CNM in Collaborative Practice; and pay a fine in the amount of \$2,200.00. Upon reinstatement, Ms. Mullins license will be placed on probation for a period of twenty-four months, with illegal/illicit drug use stipulations. In no event will this period of

suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 16, Dr. Dearman moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

7. Glover, Jessica Nadine – RN, 1-115642 (Lapsed/Probation)

Ms. Glover signed a Consent Order that would terminate her January 22, 2010 Order upon the Board's acceptance of this instant Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; (g) payment of appropriate fees; (h) payment of a fine in the amount of \$800.00; and (i) completed application for reinstatement of a lapsed license. Upon reinstatement, Ms. Glover'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 November 16, Dr. Lavender moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

8. Holmes, Sheila Fallin – LPN, 2-061642

Ms. Holmes was deleted from the agenda.

9. Williams, III, Ralph Anthony – RN, 1-095363

Mr. Williams signed a Consent Order that would terminate his May 20, 2005 Order upon the Board's acceptance of this instant Order that would suspend his RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the

initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Mr. Williams be deemed in need of treatment, his license will be reinstated 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. If not deemed in need of treatment, Mr. Williams' license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, he will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$1,000.00. 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 November 16, Dr. Lavender moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

10. Yarbrough, Katherine Felicia Saxon – RN, 1-047603

Ms. Yarbrough signed a Consent Order that would terminate her January 20, 2012 Order upon the Board's acceptance of this instant Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Ms. Yarbrough 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. Yarbrough's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on professional accountability, and 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 November 16, Dr. Lavender moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

11. Aaron, Marsha B. Parker – LPN, 2-016666

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

12. Alexander, Alicia Renea – LPN, 2-051847

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

13. Bass, Samantha Lynn Patterson – RN, 1-098814

Ms. Valentine signed a Consent Order that would suspend her RN license until such time as she provides evidence of successful completion of Board-approved educational courses on chemical dependency, ABN Mandatory Class on Standards of Practice and Scope of Practice, and Ethics of Nursing Practice, and pays a fine in the amount of \$1,000.00. Upon reinstatement, Ms. Bass' license will be placed on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of

this Order, and, if such should occur, her license status will be considered as and listed as revoked.

Dr. Lavender recused herself from the discussion and vote concerning Ms. Bass.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

14. Berry, Cynthia Gayle Bradford – RN, 1-109104

Ms. Berry signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$600.00; (b) successful completion of Board-approved educational courses on professional accountability, documentation, and medication errors; and (c) the employer notification has been received by the Board.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

15. Blanks, Julia Christine Winters – RN, 1-125962

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

16. Calhoun, Janet Leigh Jones – LPN, 2-051773

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

On November 16, Mr. Howard moved that the Board accept the

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

17. Foshee, Leigh Alivia Hebson – RN, 1-126674; LPN, 2-059279 (Lapsed)

Ms. Foshee 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, critical thinking and patient assessment, and pay a fine in the amount of \$300.00. Should Ms. Foshee attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

18. Foster, Ashley Lee – RN, 1-127692; LPN, 2-056388 (Lapsed)

Ms. Foster signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) successful completion of a Board-approved educational course on medication safety; (b) payment of a fine in the amount of \$300.00; and (c) the employer notification has been received by the Board. Should Ms. Foster attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

19. Gentry, Naquita Nichol – RN, 1-103740

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

20. Gregory, Mary Michelle Thompson – RN, 1-096704; LPN, 2-027120 (Lapsed)

Ms. Gregory signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of a Board-approved educational course on medication safety; and (c) the employer notification has been received by the Board. Should Ms. Gregory attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

21. Hall, Tracie Ann Storey – RN, 1-108731

Ms. Hall signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on documentation, medication errors, wound care and legal/ethical aspects of nursing; and (c) the employer notification has been received by the Board.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

22. Henley, Angela Michelle – RN, 1-112212; LPN, 2-048653 (Lapsed)

Ms. Henley 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, documentation and medication errors, and pay a fine in the amount of \$300.00. Should Ms. Henley attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

23. Howard, Katie Marie Ellison – RN, 1-106994; LPN, 2-054171 (Lapsed)

Ms. Howard signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on documentation and legal/ethical aspects of nursing; and (c) the employer notification has been received by the Board. Should Ms. Howard attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

24. Hurley, Rita Kay Garlin – LPN, 2-052577

Ms. Hurley signed a Consent Order that would suspend her LPN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on focused pulmonary assessment, pulmonary anatomy and physiology, and professional accountability; and (c) the employer notification has been received by the Board. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

25. Lawson, Joy Faye Burton – LPN, 2-033477

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

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

On November 16, Mr. Howard moved that the Board accept the

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

26. Lightner, Helen R. Wiley – RN, 1-035237; LPN, 2-012648 (Lapsed)

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

27. Madden, Alice Vynell – LPN, 2-048697

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

28. Mayes, Holly Celeste Whitley – LPN, 2-050511

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

29. Morris, Jamie Leigh Golden – RN, 1-080108

Ms. Morris 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 ethics of nursing practice and documentation, and pays a fine in the amount of \$500.00.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

30. Osburn, Sonia Lea Harrelson – RN, 1-124740

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

31. Palmer, Carla Binion – RN, 1-087782; LPN, 2-035485 (Lapsed)

Ms. Palmer signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on legal/ethical aspects of nursing and documentation; and (c) the employer notification has been received by the Board. Should Ms. Palmer attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

32. Ragland, Tiffany Nicole Shelton – LPN, 2-058535

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

On November 16, Mr. Howard moved that the Board accept the

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

33. Ramey, Patricia Dianne Patton – RN, 1-049506; LPN, 2-019435 (Lapsed)

Ms. Ramey signed a Consent Order that would place her RN license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on ethics of nursing, professional accountability, and documentation; and (c) the employer notification has been received by the Board. Should Ms. Ramey attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

34. Salter, Jennifer Carol – LPN, 2-053084 (Lapsed)

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

35. Shelton, Emily Jan Gerthung – LPN, 2-060699

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

On November 16, Mr. Howard moved that the Board accept the

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

36. Smith, Shemeka Lavette Shufford – RN, 1-106683; LPN, 2-049183 (Lapsed)

Ms. Smith signed a Consent Order that would suspend her license until such time as she provides evidence of: (a) payment of a fine in the amount of \$500.00; (b) successful completion of Board-approved educational courses on ethics of nursing practice, professional accountability, and documentation; and (c) the employer notification has been received by the Board. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

37. Taylor, Jr., John Harold – RN, 1-036264

Mr. Taylor 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 November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

38. Varner, Rebecca K. – RN, 1-103323

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

On November 16, Mr. Howard moved that the Board reject the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

39. Woodard, James Nathan – RN, 1-126221

Mr. Woodard signed a Consent Order that would place his RN license on probation for a period of twelve months, with practice-

related stipulations, require him to successfully complete Board-approved educational courses on critical thinking and professional accountability, and pay a fine in the amount of \$300.00.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

40. Zeigler, Amanda Britany – RN, 1-111846

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

41. Zogg, Mark Andrew – RN, 1-109826

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Hopkins seconded. Motion carried without objection.

42. Albritton, Jessica Dawn – RN, 1-127179

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

payment of appropriate fees. Should Ms. Albritton 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. Albritton's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$600.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 16, Dr. Parker moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

43. Echols, Jonathon Adam – RN, 1-116116

Mr. Echols 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.

On November 16, Dr. Parker moved that the Board accept the Consent Order contingent upon Mr. Echols accepting the correction of Findings of Fact IV: April 21, 2012 should be April 21, 2011. Ms. Ellerbe seconded. Motion carried without objection.

44. Whatley, Constance Varnes – RN, 1-121240

Ms. Whatley 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 documentation, and pay a fine in the amount of \$300.00.

On November 16, Dr. Parker moved that the Board accept the Consent Order with an increased fine of \$600.00. Ms. Ellerbe seconded. Motion carried without objection.

45. Williams, Lindsey Deann – RN, 1-136728

Ms. Williams 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 November 16, Dr. Parker moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

46. Battles, Pamela Annette Thomas – LPN, 2-056232

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

Dr. Lavender recused herself from the discussion and vote concerning Ms. Battles.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

47. Kiel, Lisa Frontiero – RN, 1-109866

Ms. Kiel signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Ms. Kiel 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. Kiel's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit

drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$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 November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

48. Nelson, Marcy Renee Richey – LPN, 2-055173 (Lapsed)

Ms. Nelson signed a Consent Order that would suspend her LPN license until such time as she provides evidence of: (a) payment of a fine in the amount of \$1,000.00; (b) successful completion of Board-approved educational courses on ethics of nursing practice, professional boundaries, and medication safety; and (c) submission of a completed application and fee for reinstatement of a lapsed license. Upon reinstatement, Ms. Nelson's license will be placed on probation for a period of twelve months, with practice-related stipulations. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Wright seconded. Motion carried without objection.

49. Ingram, Kimberly Ann Smith – RN, 1-042893

Ms. Ingram 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.

On November 16, Ms. Bullard moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.

50. Forte, Brian Taliaferro – RN Exam Applicant

Mr. Forte signed a Consent Order that would allow him to take the NCLEX-RN®, and if successful, issue him a public reprimand.

On November 16, Ms. Bullard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.

51. Sampson, Kenneth Garfield – LPN Exam Applicant

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.

52. Dobill, Kathy Marie Pettinger – RN Endorsement Applicant

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.

53. Harkness-Smith, Andrea – RN Endorsement Applicant

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.

54. Lawrence, Kathryn Ann Canida – RN, 1-076183

Ms. Lawrence 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 November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.

55. Patterson, Angela Renia – LPN, 2-047978; RN Exam Applicant

Ms. Patterson signed a Consent Order that would allow her to take the NCLEX-RN®, and issue her a public reprimand and require her to pay a fine in the amount of \$900.00.

On November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.

56. Woods, Annette – LPN, 2-053366

Ms. Woods 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 November 16, Mr. Howard moved that the Board accept the Consent Order. Dr. Lavender seconded. Motion carried without objection.

57. Gasque, Miranda C. Patrick – LPN, 2-043458 (Lapsed)

Ms. Gasque 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 November 16, Ms. Hopkins moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

58. Horn, Winifred Williams Butler – RN, 1-058579; LPN, 2-027393 (Lapsed)

Ms. Horn 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 November 16, Ms. Hopkins moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

59. Clifton, Billy Wayne – RN, 1-080435

Mr. Clifton 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 November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

60. Hubbard, Cora Elizabeth Foster – RN, 1-087590; LPN, 2-040040 (Lapsed)

Ms. Hubbard 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 November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

61. Pearson, Annie Marie – LPN, 2-058165

Ms. Pearson 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 November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

62. Smith, Robin Michelle Kilpatrick – RN, 1-097635

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

On November 16, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

63. Black-Carleton, Sharon Manzie – LPN, 2-031910

Ms. Black-Carleton 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 November 16, Ms. Bullard moved that the Board accept the Consent Order. Dr. Dearman seconded. Motion carried without objection.

64. Brooks, Tammy Lynn Mathewson – RN Exam Applicant

Ms. Brooks signed a Consent Order that would allow 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 November 16, Ms. Bullard moved that the Board accept the

Consent Order. Dr. Dearman seconded. Motion carried without objection.

B. Reinstatement: Consent Orders

1. Lambert-Gleeson, Tonya Renee – RN, 1-069918

Ms. Lambert-Gleeson signed a Consent Order that would reinstate 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 educational course on professional accountability, and pay a fine in the amount of \$600.00.

On November 16, Dr. Parker moved that the Board accept the Consent Order. Mr. Howard seconded. Motion carried without objection.

C. Formal Hearings

On November 16, Dr. Dearman moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Dr. Wright seconded. Motion carried without objection.

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

The Board reconvened in open session at 9:23 a.m.

1. Chaviers, Deborah Anne Krebs – RN, 1-033192

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

On November 16, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Chaviers' RN license. Dr. Wright seconded. Motion carried without objection.

2. Cole, Deloris Simpson – LPN, 2-034036 (Lapsed/Probation)

On November 16, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Cole's

LPN license. Dr. Dearman seconded. Motion carried without objection.

3. Cook, Regenia Louise – RN, 1-103678

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law and the Recommendation of the Hearing Officer, and revoke Ms. Cook’s RN license. Dr. Lavender seconded. Motion carried without objection.

4. Dial, Shelia Janice – LPN, 2-031023

On November 16, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoked Ms. Dial’s LPN license. Mr. Howard seconded. Motion carried without objection.

5. Green, Toneita Contrice Garner – RN, 1-090057 (Lapsed); LPN, 2-045419 (Lapsed)

On November 16, Ms. Stewart moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Green’s license. Ms. Bullard seconded. Motion carried without objection.

6. Hakim, Kathy Jean Jacobs – RN, 1-096333

On November 16, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hakim’s RN license. Dr. Dearman seconded. Motion carried without objection.

7. Hall-Fagg, Kimberly Ann – LPN, 2-045718 (Lapsed)

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Hall-Fagg’s LPN license. Dr. Wright seconded. Motion carried without objection.

8. Hodge, Erica Melany Frey – LPN Endorsement Applicant

On November 16, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Hodge's LPN endorsement application. Dr. Lavender seconded. Motion carried without objection.

9. Holliday, Ashley Marie – LPN, 2-061496 (Lapsed)

On November 16, Dr. Wright moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Holliday's LPN license. Dr. Parker seconded. Motion carried without objection.

10. Howard, Christina Joi Canlas – RN, 1-124023 (Lapsed)

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Howard's RN license. Ms. Ellerbe seconded. Motion carried without objection.

11. Knoblach, Kim Marie – LPN, 2-049365 (Lapsed/Probation)

On November 16, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Knoblach's LPN license. Dr. Dearman seconded. Motion carried without objection.

12. Mahan, Lenette Marie – RN, 1-064735 (Lapsed)

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Mahan's RN license. Dr. Dearman seconded. Motion carried without objection.

13. Monroe, Debbie Sue Whatley – RN, 1-039269 (Lapsed)

On November 16, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms.

Monroe's RN license. Ms. Hopkins seconded. Motion carried without objection.

14. Robinson, Maria Annalise a/k/a Lisa Maria Spraggins – LPN, 2-031793 (Lapsed)

On November 16, Dr. Lavender moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Robinson's LPN license. Ms. Hopkins seconded. Motion carried without objection.

15. Shirah, Jenny Renee Graham – RN, 1-112255

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Shirah's RN license. Ms. Bullard seconded. Motion carried without objection.

16. Spyres, Ada Darlene Roberts – RN, 1-075938 (Lapsed)

On November 16, Dr. Dearman moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Spyres' RN license. Ms. Hopkins seconded. Motion carried without objection.

17. Stepney, Sylvia Edison – LPN, 2-025912 (Active/Probation)

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Stepney's LPN license. Dr. Parker seconded. Motion carried without objection.

18. Suggs, Tonya Lee Bigger – LPN, 2-045707 (Lapsed/Probation)

On November 16, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Suggs' LPN license. Ms. Bullard seconded. Motion carried without objection.

19. Thomas, Rosita Rochelle – LPN, 2-059460 (Lapsed)

On November 16, Ms. Stewart moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Thomas' LPN license. Ms. Bullard seconded. Motion carried without objection.

20. Wallace, Nichole Elizabeth – LPN, 2-062649 (Active/Probation)

On November 16, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Wallace's LPN license. Ms. Stewart seconded. Motion carried without objection.

D. Reinstatements – Formal Hearings

1. Fuller, Cheryl Latrica – LPN, 2-054281

On November 16, Dr. Dearman 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 grant Ms. Fuller's reinstatement of revoked license application, and reinstate her LPN 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. Mr. Howard seconded. Motion carried without objection.

XIII. ELECTION OF OFFICERS

A. President

Ms. Lee reported that the Board is required, by regulation, to elect officers at the annual meeting each year. The November meeting is the annual meeting of the Board. Under the Alabama Open Meetings Act, the nominations and voting are required to be in an open meeting. The minutes also must reflect the vote so Board members will be asked to raise their hands when voting for a candidate.

Ms. Lee provided copies of the rules that detail the functions of the officers for the Board's information and review.

Ms. Hopkins nominated Dr. Lavender for President.

Dr. Lavender nominated Dr. Dearman for President.

Dr. Parker nominated Ms. Stewart. Ms. Stewart withdrew her name.

Ms. Hopkins, Dr. Akers, Mr. Howard, Ms. Ellerbe, Ms. Stewart, Dr. Wright and Dr. Parker voted for Dr. Lavender.

Dr. Lavender and Ms. Bullard voted for Dr. Dearman.

Dr. Lavender was elected President for Calendar Year 2013.

Dr. Dearman was not present for the vote.

B. Vice-President

Ms. Lee reported that the Board is required, by regulation, to elect officers at the annual meeting each year. The November meeting is the annual meeting of the Board. Under the Alabama Open Meetings Act, the nominations and voting are required to be in an open meeting. The minutes also must reflect the vote so Board members will be asked to raise their hands when voting for a candidate.

Mr. Howard nominated Dr. Wright for Vice-President of the Board.

Dr. Lavender nominated Ms. Stewart for Vice-President of the Board.

Ms. Bullard nominated Dr. Parker for Vice-President of the Board.

Mr. Howard and Ms. Stewart voted for Dr. Wright.

Dr. Lavender, Dr. Parker, Ms. Ellerbe, Dr. Akers and Ms. Hopkins voted for Ms. Stewart.

Ms. Bullard voted for Dr. Parker.

Ms. Stewart was elected Vice-President for Calendar Year 2013.

Dr. Dearman was not present for the vote.

C. Secretary

Ms. Lee reported that the Board is required, by regulation, to elect officers at the annual meeting each year. The November meeting is the annual meeting of the Board. Under the Alabama Open Meetings Act, the nominations and voting are required to be in an open meeting. The

minutes also must reflect the vote so Board members will be asked to raise their hands when voting for a candidate.

Dr. Lavender nominated Ms. Bullard for Secretary of the Board.

Ms. Bullard nominated Mr. Howard. Mr. Howard withdrew his name.

Ms. Bullard was elected Secretary of the Board for calendar year 2013.

XIV. POLICY

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

Ms. Lee reported that the Board approved amendments to ABN Administrative Code, Rule 610-X-4-.14, Fees at the September 2012 meeting. The proposed amendments were filed with the Legislative Reference Service and published in the September 30, 2012 *Alabama Administrative Monthly*. The proposed changes were also posted on the Board's web site. The deadline for comments was November 4, 2012 and no comments were received.

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

On November 15, Dr. Wright moved that the Board approve, as final certification, ABN Administrative Code, Rule 610-X-4-.14, Fees. Dr. Lavender seconded. Motion carried without objection.

B. Board Guidelines for Suboxone

Ms. Henley reported that at the August 2012 Board meeting, the Board reviewed materials and heard a presentation by Board Member Laura Wright regarding Suboxone® and its use in the treatment of opiate dependence. This review was occasioned because anecdotal evidence seen by Board staff suggested that more nurses are utilizing Suboxone® as a treatment for opiate dependence and Board staff needed direction from the Board about its position regarding the use of Suboxone® or Subutex® by licensees. Following discussion, the Board requested that staff invite Dr. Doleys from the Doleys Clinic in Birmingham to discuss the uses for and effects of buprenorphine. The Executive Officer has attempted to contact Dr. Doleys but has not succeeded in reaching him. In the interim, Board staff continues to be confronted with nurses who are found to be taking Suboxone®.

“Most studies evaluating the effects of buprenorphine maintenance therapy found some degree of impairment when participants were subjected to a variety of tests designed to assess particular nuances of higher cerebral functioning.” Hamza, Heather and Ethan O. Bryson, Buprenorphine Maintenance Therapy in Opioid-Addicted Health Care Professionals Returning to Clinical Practice: A hidden Controversy, Mayo Clin. Proc. 87(3) 260 at 264 (March 2012). This impairment is less than the impairment caused by methadone. Id.

Regarding the use of buprenorphine by health care professionals, a consensus panel of the US Department of Health and Human Services Substance Abuse and Mental Health Administration Center for Substance Abuse Treatment wrote in its 2004 Treatment Improvement Protocol (TIP) 40, that “[h]ealth professional who have substance abuse disorders often require specialized, extended care.” The panel further noted that “Buprenorphine may be an appropriate treatment option for some health professionals who are opioid dependent, but the use of a partial agonist would need to be part of a comprehensive, monitored recovery plan. If the professional has already come under regulatory scrutiny, such a plan might require approval by the State authority to which the professional reports.” Id. at 78.

More recently, in 2012, an article which reviewed the literature surrounding the use of buprenorphine in health care professionals (HCP) concluded that “considering all of the aforementioned issues with buprenorphine diversion, it does not seem reasonable to prescribe this medication to an HCP with a history of opioid addiction. After carefully considering the evidence, we believe that opioid-substitution therapy with buprenorphine is not a reasonable choice for this particular patient population. HCPs are engaged in safety-sensitive work that requires vigilance and full cognitive function. We therefore recommend abstinence-based recovery until studies with this specific HCP population performed in a simulated health care environment document that highly safety-sensitive tasks can be performed without deterioration in performance.” Hamza, et al., Mayo Clin. Proc. 87(3) at 266.

Ms. Henley reported that Based on the information provided by Dr. Wright at the August 2012 Board meeting and the current state of the literature and evidence on the subject, Board staff suggests the following guidelines, which are similar to the guidelines for use of methadone by nurses: (1) If a licensee’s use of buprenorphine-containing medications comes to the attention of the Board through a positive drug screen for that medication or through an investigation related to impairment in the workplace or suspected drug diversion, and the medication is prescribed for opioid dependency, the licensee will proceed through the regular discipline process requiring a comprehensive chemical dependency

evaluation by a Board-recognized treatment provider with a healthcare professionals tract, completion of recommended treatment, and subsequent monitoring by the Board (which may, if the licensee is eligible, be through VDAP); (2) If a licensee's use of a buprenorphine-containing medication comes to the attention of the Board due to impairment in the workplace or suspected drug diversion, and the buprenorphine-containing medication is determined to have been prescribed for pain management, the licensee will proceed through the regular discipline process requiring a comprehensive chemical dependency evaluation by a Board-recognized treatment provider with a healthcare professionals tract (which may, if necessary, include referral for a functional evaluation by a Board-acceptable provider), compliance with any treatment recommendations by the providers, and subsequent monitoring by the Board (which may, if the licensee is eligible, be through VDAP); (3) If a licensee's use of a buprenorphine-containing medication comes to the attention of the Board through a positive random drug screen or other innocuous reason, the medication is determined to have been prescribed for pain management, and there is no evidence of impairment, the licensee will get a letter of closure with educational information regarding the use of buprenorphine and impairment; and (4) Licensees already being monitored by the Board under an order or agreement requiring them to participate in a program of random drug screening who are later discovered to be taking buprenorphine either for opioid dependency or pain management will be required to undergo a comprehensive chemical dependency evaluation with a Board-recognized treatment provider with a healthcare professionals tract, in accordance with guidelines one and two above.

The Board reviewed and discussed the proposed guidelines.

On November 15, Dr. Lavender moved that the Board approve the proposed staff guidelines for nurses' use of Buprenorphine. Ms. Hopkins seconded. Motion carried without objection.

C. Petition for Declaratory Ruling: Lynne Whittington, BSN, CRNP

Ms. Lee reported that Ms. Whittington submitted a request for a declaratory ruling regarding scope of practice. Ms. Whittington is asking if she can work in hospice doing face to face exams for recertification for hospice as a Women's Health Nurse Practitioner.

The Board reviewed and discussed the Petition for Declaratory Ruling.

After discussion, the Board determined that they could not answer the petition due to lack of clarity of the issue.

On November 15, Dr. Wright moved that the Board direct staff to

send Ms. Whittington a letter advising her that the question is not clear and the Board cannot make a ruling with the information provided. Ms. Bullard seconded. Motion carried without objection.

XV. NEXT MEETING DATE

Next Regular Meeting: Thursday, December 13 @ 9:00 a.m., Suite 350, RSA Plaza, 770 Washington Ave, Montgomery, AL

XVI. OTHER

XVII. BOARD MEETING DEBRIEFING

XVIII. ADJOURNMENT

The meeting adjourned at 9:25 a.m. on November 16, 2012.

Amy Price, President

Carol Stewart, Secretary

Submitted by: _____
Leslie Vinson, Recorder
11/15-16/2012