

ALABAMA BOARD OF NURSING

REGULAR BOARD MEETING

RSA Plaza Suite 350

Montgomery, Alabama

January 14, 2022

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 8:30 a.m. on Friday, January 14, 2022.

The following members present were: Victoria Hill, MSN, RN, President; Valorie Dearmon, RN, DNP, NEA-BC, Vice-President; Cynthia Buford, LPN, Secretary; Natalie Baker, DNP, CRNP, FAANP, FAAN; Louise O'Keefe, PhD, CRNP, CNE; Gabriel Sapalaran, BSN; Tochie Lofton, DNP, RN, CMSRN, ACNR-BC; Sarah Mandy Mims, LPN; Deborah Hoover, MSN, FNP; Peggie Carpenter, BA, LPN; Clint Witherington, Consumer; Cherry Rodgers, LPN; Janice Seip, CRNA; and Executive Officer, Peggy Benson.

Staff members attending the meeting were: Christie Mumford, MSN, RN, Director-Advanced Practice; Honor Ingels, Chief Policy Officer/Chief Communications Officer; Alice Maples Henley, Deputy Attorney General/General Counsel; Patrick Samuelson, Assistant General Counsel; Amy Williams, Attorney; Joyce Jeter, MSN, RN, Director of Practice, CE and Licensure; Barbara Bartley, MSCHD, BSN, RN, Administrative Director of Education; Brad Jones, IT System Specialist Senior; Tonya Smith, Executive Secretary/Recorder; LaDonna Patton, MSN, RN, CEN, Director of Alabama Nursing Resource Center; Abby Migliore, MSN, RN, Administrative Director for Discipline/Compliance Monitoring; Ebony Weathers, Administrative Hearings Coordinator; Howard Kenney, Chief Investigator and Maxine Hollis, CFO.

B. Declaration of Quorum

A quorum was declared with thirteen Board Members present on Friday, January 14, 2022

C. Oath of Office

On January 14, 2022, Ms. Hill led Board Members present in the Oath of Office. A written "Oath of Office" was provided to each Board Member for

signature.

D. Statement of Compliance with Open Meetings Act

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

E. Review of Full Agenda

1. Additions, Modifications, Reordering

None

2. REORDERING, MODIFICATION, OR ADOPTION AND APPROVAL OF CONSENT AGENDA

- II.A. November 18, 2021, Board Meeting Minutes
- III.A. Board Action Follow-up
- VI.A.1. Executive Officer Report
- VI.A.2. FYI
- VI.D.1. General Counsel Report
- VI.D.2. Assistant General Counsel Report, Samuelson
- VI.D.3. Voluntary Disciplinary Alternative Program Report
- VI.D.4. Investigations Report
- VI.D.5. Legal Nurse Consultant Report
- VI.D.6. Probation/Compliance Monitoring Report
- VI.D.7. Assistant General Counsel Report, Williams
- VI E. Policy and Communications Report
- VI.F. ANRC / Leadership Report
- VI. H QA Annual Report
- VII.A. Education Report/Annual Report
- IX.A. Advance Practice Report
- X.A. Continuing Education Report
- X.B. Licensure Report

On January 14, 2022, Dr. Baker moved that the Board adopt the Consent Agenda. Ms. Buford seconded. Motion carried without objection.

3. REORDERING, MODIFICATIONS, ADDITIONS, OR ADOPTION OF FULL AGENDA

On January 14, 2022, Ms. Buford moved that the Board adopt the Full Agenda as amended. Ms. Seip seconded. Motion carried without objection.

II. REVIEW OF MINUTES

A. November 18, 2021, Board Meeting Minutes

The minutes of November 18, 2021, Board meeting were accepted on the Consent Agenda.

III. OLD BUSINESS/FOLLOW-UP

A. Board Action Follow-up

Ms. Benson's report on the Board Action follow-up was accepted, as information, on the Consent Agenda

IV. DISCIPLINARY CASES – Executive Session, to follow completion of Agenda, January 14, 2022

A. ADMINISTRATIVE HEARINGS

On January 14, 2022, Dr. Dearmon moved that the Board enter Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearing and vote on the outcomes. Dr. Baker seconded. Motion carried with all in favor: (Cynthia Buford, Louise O'Keefe, Peggie Carpenter, Tochie Lofton, Cherry Rodgers, Sarah Mandy Mims, Deborah Hoover, Gabriel Sapalaran, Clint Witherington, and Janice Seip).

Ms. Hill reported that the Board would reconvene in open session at approximately 9:00 a.m.

The Board reconvened to open session at 8:55 a.m.

1. Brooks, Emily Kristen- LPN 2-066614 (Active)

On January 14, 2022, Dr. Baker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Brooks LPN license. Mr. Sapalaran seconded. Motion carried with Ms. Rodgers opposing.

2. Burger, Lucas Benjamin- RN 1-134618 (Active) MSL

On January 14, 2022, Ms. Seip moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and issue Mr. Burger a public reprimand and require him to pay a

\$300.00 fine. Dr. Baker seconded. Motion carried without objection.

- 3. Burks, Patsy Janet- RN 1-070997 (Lapsed)**

On January 14, 2022, Ms. Rodgers moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Burks RN license. Ms. Buford seconded. Motion carried without objection.

- 4. Christian, Mark- RN 1-158254 (Lapsed)**

On January 14, 2022, Dr. Baker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Christian's RN license. Ms. Rodgers seconded. Motion carried without objection.

- 5. Hanks, Michael James- RN 1-087096 (Active)**

On January 14, 2022, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Hanks RN license. Ms. Seip seconded. Motion carried without objection.

- 6. Lee, Heather Ryan- RN 1-181872 (Active)**

On January 14, 2022, Dr. Dearmon moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Lee's RN license. Dr. Baker seconded. Motion carried without objection.

- 7. Mann, Larika Laverne- LPN Endorsement Applicant**

On January 14, 2022, Dr. Baker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and approve Ms. Mann's LPN endorsement application, and when licensed place her LPN license on probation for sixty (60) months and require her to pay a \$500.00 fine and documented completion of a course on Ethics of Nursing Practice. Ms. Rodgers seconded. Motion carried with Ms. Carpenter opposing.

8. Peterson, Shanna Mae- RN 1-174917 (Lapsed)

On January 14, 2022, Ms. Seip moved that the Board accept the Findings of Fact ,Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Peterson's RN license. Ms. Buford seconded. Motion carried without objection.

B. CONSENT ORDERS

On January 14, 2022, Dr. Dearmon moved that the Board enter Executive Session to discuss the general reputation of character, professional competence, and physical or mental conditions of specific applicants and licenses. Dr. Baker seconded. Motion carried with all in favor (Cynthia Buford, Louise O'Keefe, Peggie Carpenter, Tochie Lofton, Cherry Rodgers, Sarah Mandy Mims, Deborah Hoover, Gabriel Sapalaran, Clint Witherington, and Janice Seip).

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

The Board reconvened at 9:19 a.m.

1. Johnson, Kim Kerry – RN 1-068382 (Active); LPN 2-032549 (Lapsed)

Ms. Johnson signed a Consent Order that would place her RN license on probation until payment of a \$300.00 fine, documented completion of courses on Professional Accountability and Legal Liability for Nurses and Professional Boundaries in Nursing, and receipt of employer notification. To the extent Ms. Johnson has an LPN license; said license shall be subject to the same terms and conditions.

On January 14, 2022, Dr. Baker moved that the Board accept the Consent Order. Ms. Carpenter seconded. Motion carried without objection.

2. Carroll, Misty Ann – LPN 2-048359 (Active)

Ms. Carroll signed a Consent Order that would suspend her LPN license for a minimum of three (3) months. Upon receipt of satisfactory documentation of: (a) payment of the reinstatement of suspended license fee ,any other applicable fees and a \$300.00 fine; (b) successful completion of the educational programs on Disciplinary Actions: What Every

Nurse Should Know and Elder Abuse; and (c) accrual of requisite continuing education credits. Ms. Carroll's LPN license will be placed on probation for twelve (12) months with the usual practice stipulations. In no event, will this period of suspension extend beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Carroll's licensure status will be considered as and listed as revoked.

On January 14, 2022, Dr. Baker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

3. Phillips, Ashley Catherine – RN 1-119513 (Active)

Ms. Phillips signed a Consent Order that would deactivate her multistate license and convert to single state license. Due to Ms. Phillips medical condition, Ms. Phillips May 23, 2018, VDAP Agreement is stayed. Ms. Phillips license is placed on lapsed status. Should Ms. Phillips health improve to the point where she is physically able to return to nursing, Ms. Phillips RN license would be reinstated and may resume participation in VDAP (if Ms. Phillips continues to meet all other eligibility criteria) for a period of time as deemed necessary by the Board at the time of reinstatement following any necessary evaluations. In order to reinstate, Ms. Phillips must comply with all of the following: (a) evaluation; (b) complete an application for reinstatement on Board-approved form and pay any applicable fees; (c) obtain and provide evidence of the requisite number of continuing education hours necessary for reinstatement of licensure; and (d) receipt of Board Order.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

4. Glover, Sharon Lee – RN 1-081057 (Active/Probation)

Ms. Glover signed a Consent Order that would terminate her November 13, 2020. Ms. Glover's multistate license(s) (if any) are hereby deactivated and converted to single state license(s). Ms. Glover's RN license is hereby suspended until such time as receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) receipt of recommendation to return to the practice of nursing ; (d) participation in an aftercare program,

if treatment is recommended; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) completion of required courses on Disciplinary Actions: What Every Nurse Should Know and Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (i) payment of appropriate fees. Should Ms. Glover be deemed in need of treatment and upon documented completion of the above terms, Ms. Glover's RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Glover's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$500.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Glover's licensure status will be considered as and listed as revoked.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Mr. Sapalaran seconded. Motion carried without objection.

5. Dailey, Allison Armstrong – LPN 2-061708 (Active)

Ms. Dailey signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to single license(s). Ms. Dailey's LPN license is suspended until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program, if treatment is recommended; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) completion of a required course on Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Ms. Dailey be deemed in need of treatment and upon documented completion of the above terms, Ms. Dailey's LPN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms.

Dailey's LPN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Dailey's licensure status will be considered as and listed as revoked.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

6. Ewing, Lisa Ann – RN 1-127531 (Active)

Ms. Ewing signed a Consent Order that would place his RN license on probation for twelve (12) months with the usual illegal/illicit stipulations and require her to pay a \$300.00 fine and documented completion of a course on Understanding Substance Use Disorder in Nursing.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

7. Frederick, Tasha C. – RN 1-167773 (Active)

Ms. Frederick signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to single state license(s). Ms. Frederick's RN license is suspended until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program, if treatment is recommended; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) completion of a required course on Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Ms. Frederick be deemed in need of treatment and upon documented completion of the above terms, Ms. Frederick's RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Frederick's RN

license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Frederick's licensure status will be considered as and listed as revoked.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

8. Hughes, Heather Allred – RN 1-140168 (Active)

Ms. Hughes signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to single state license(s). Ms. Hughes RN license is suspended until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program, if treatment is recommended; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) completion of a required course on Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Ms. Hughes be deemed in need of treatment and upon documented completion of the above terms, Ms. Hughes RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Hughes RN license will be placed on probation for sixty (60) months with the usual illegal/illicit stipulations and document completion of a course on Understanding Substance Use Disorder in Nursing. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Hughes licensure status will be considered as and listed as revoked.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

9. Johnson, Patricia Mussette – LPN 2-045410 (Active)

Ms. Johnson signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to single license(s). Ms. Johnson's LPN license is suspended until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program, if treatment is recommended; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) completion of a required course on Understanding Substance Use Disorder in Nursing; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Ms. Johnson be deemed in need of treatment and upon documented completion of the above terms, Ms. Johnson's LPN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00. If not deemed to be in need of treatment, Ms. Johnson's LPN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Johnson's licensure status will be considered as and listed as revoked.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

10. King, Carrie Leann – RN 1-181501 (Active)

Ms. King signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to a single state license(s). Ms. King's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine and documented completion of a course on Understanding Substance Use Disorder in Nursing.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion

carried without objection.

11. Lynch, Wendy Lashea – LPN 2-059186 (Active)

Ms. Lynch signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to single state license(s). Ms. Lynch's LPN license is suspended until receipt of documentation of: (a) completion of required evaluations; (b) successful completion of the initial phase of an approved treatment program, if treatment is recommended; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program, if treatment is recommended; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) completion of a required course on Understanding Substance Use Disorder in Nursing, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Ms. Lynch be deemed in need of treatment and upon documented completion of the above terms, Ms. Lynch's LPN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and she will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Ms. Lynch's LPN license will be placed on probation for twenty-four (24) months with the usual illegal/illicit stipulations and she will be required to pay a \$600.00 fine. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Lynch's licensure status will be considered as and listed as revoked.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

12. Pearson, Ginger Kaye – LPN 2-035436 (Active)

Ms. Pearson signed a Consent Order that would deactivate her multistate license(s) (if any) and convert to single state license(s). Ms. Pearson's LPN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine and documented completion of a course on Understanding Substance Use Disorder in Nursing.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

13. Broadhead, Tina Lynne – RN 1-126984 (Active)

Ms. Broadhead signed a Consent Order that would place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations and require her to pay a \$300.00 fine and documented completion of a course on Understanding Substance Use Disorder in Nursing.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

14. Williams, Jennifer R. – RN 1-174180 (Active); LPN 2-063761 (Lapsed)

Ms. Williams signed a Consent Order that would suspend her RN license for a minimum three (3) months. Upon receipt of documentation of: (a) payment of the reinstatement of suspended license fee, any other applicable fees, and a \$600.00 fine; (b) successful completion of the educational programs on Ethics of Nursing and Professional Accountability and Legal Liability for Nurses; and (c) accrual of requisite continuing education credits, Ms. Williams RN license will be placed on probation for twenty-four (24) months with the usual practice stipulations. In no event, will this period of suspension extend longer than twelve (12) months past the effective date of this Order. Should such occur, Ms. Williams licensure status will be considered as and listed as revoked. To the extent Ms. Williams has an LPN license; said license shall be subject to the same terms and conditions.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

15. Fortner, Pamela – LPN 2-058464 (Active)

Ms. Fortner signed a Consent Order that would suspend her LPN license until such time as (a) payment of the reinstatement of suspended license fee, any other applicable fees and a \$300.00 fine; (b) successful completion of the educational program on Ethics of Nursing Practice and Patient

Privacy; and (c) receipt of employer notification. In no event, will this period of suspension extend beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Fortner's licensure status will be considered as and listed as revoked.

On January 14, 2022, Mr. Sapalaran moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

16. ~~Newman, James Malcolm — RN 1-123051 (Active)~~

Mr. Newman/s Consent Order was removed from the agenda.

17. Jarrett, Melisha Ann – LPN Exam Applicant

Ms. Jarrett signed a Consent Order that would approve her to take the NCLEX-PN exam , and if successful will receive her LPN license and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

18. Seaton, Deborah Lee – LPN Exam Applicant

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

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

19. Legette, Tina Michelle – RN 1-131457 (Active)

Ms. Legette signed a Consent Order that would approve her application for a multistate RN license and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Carpenter moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

20. Lewisson, Kelley Leigh – LPN 2-047622 (Active) MSL

Ms. Lewisson signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Carpenter moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

21. Moore, Waltinna – RN 1-138393 (Active); LPN 2-058326 (Lapsed)

Ms. Moore signed a Consent Order that would approve her MSL application and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Carpenter moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

22. Pasley, Shirley Ann – LPN 2-026960 (Lapsed)

Ms. Pasley signed a Consent Order that would approve her application for reinstatement of a lapsed LPN license and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Carpenter moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

23. Washington, Kimberly Renee – RN 1-166528 (Active); LPN 2-027493 (Lapsed)

Ms. Washington signed a Consent Order that would approve her MSL application and issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Carpenter moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

24. Babin, Claire Frances – RN 1-083411 (Lapsed)

Ms. Babin signed a Consent Order that would approve her application for reinstatement of a lapsed RN license and issue

her a public reprimand and require her to pay a \$900.00 fine.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

25. Brown, Tia Lashay – RN Exam Applicant

Ms. Brown signed a Consent Order that would approve her to take the NCLEX-RN exam and if successful will receive her RN license and issue her a public reprimand and require her to pay a \$600.00 fine.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

26. Scott, Hailey Brooke – RN 1-186764 (Active)

Ms. Scott signed a Consent Order that would issue her a public reprimand and require her to pay a \$700.00 fine.

On January 14, 2022, Ms. Buford moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.

27. Adams, Charee Monique – LPN 2-068766 (Active)

Ms. Adams signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Mr. Sapalaran moved that the Board accept the Consent Order. Ms. Buford seconded. Motion carried without objection.

28. Dailey, Lisa Ann – LPN 2-064606 (Active)

Ms. Dailey signed a Consent Order that would issue her a public reprimand and require her to pay a \$500.00 fine and documented completion of a course on Professional Accountability and Legal Liability for Nurses.

On January 14, 2022, Mr. Sapalaran moved that the Board accept the Consent Order. Ms. Buford seconded. Motion carried without objection.

29. Cochran, Renee Leeann – RN 1-126680 (Active) MSL

Ms. Cochran signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

30. Estes, Lisa Darleen – RN 1-103677 (Active); LPN 2-037904 (Lapsed)

Ms. Estes signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine. To the extent Ms. Estes has an LPN license; said license shall be subject to the same terms and conditions.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

31. Lawrence, Laura Susette – RN 1-057509 (Active)

Ms. Lawrence signed a Consent Order that would issue her a public reprimand and require her to pay a \$600.00 fine and documented completion of courses on Ethics of Nursing Practice, Medication Errors: Causes & Prevention and Professional Accountability and Legal Liability for Nurses.

On January 14, 2022, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Seip seconded. Motion carried without objection.

C. REINSTATEMENT – CONSENT ORDERS

1. Bone, Misty D. – RN 1-108679 (Revocation)

Ms. Bone signed a Consent Order that would approve her application for reinstatement of a revoked RN license and place her RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 14, 2022, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

2. Mooney, Sandra Denise – RN 1-119655 (Revocation)

Ms. Mooney signed a Consent Order that would approve her application for reinstatement of a revoked RN license and place her RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 14, 2022, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

3. Piper, Ashley Ann – RN 1-130193 (Revocation)

Ms. Piper signed Consent Order that would approve her application for reinstatement of a revoked RN license and place her RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 14, 2022, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

4. Thomas, Stefanie Morrow – RN 1-074778 (Revocation)

Ms. Thomas signed a Consent Order that would approve her application for reinstatement of a revoked RN license and place her RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 14, 2022, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

5. Watwood, Anika Danielle – LPN 2-060507 (Revocation)

Ms. Watwood signed a Consent Order that would approve her application for reinstatement of a revoked LPN license and place her LPN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 14, 2022, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded.

Motion carried without objection.

6. Wheeler, Julianne – RN 1-179712 (Revocation)

Ms. Wheeler signed a Consent Order that would approve her application for reinstatement of a revoked RN license and place her RN license on probation for sixty (60) months with the usual substance use disorder stipulations and require her to pay a \$1,000.00 fine.

On January 14, 2022, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.

V. BOARD REQUESTS / PRESENTATIONS

A. REQUESTS

1. N/A

B. PRESENTATIONS / REVIEW

1. ABN Leadership Institute, Honor Ingels/LaDonna Patton

Ms. Patton and Mr. Ingels presented a presentation on The Center for Nursing Excellence.

VI. FINANCIAL REPORTS

1. Financial Report Board Review

Ms. Hollis, Chief Fiscal Officer, shared the Revenue and Expenditure Summary, Revenues and Expenditure Budget Comparison as of November 30, 2021.

VII. REPORTS

A. Executive Officer

1. Report

Pursuant to Alabama Board of Nursing Administrative Code 610-X-08, Ms. Benson accepted the voluntary surrender for revocation for each of the following nursing licenses.

<u>Licensee's Name</u>	<u>License Number</u>	<u>Date of Acceptance</u>
Lepiane, Sarah Ann	1-110466	10/27/2021
Holmes, Sharon C.	1-020431	11/04/2021
Myrick, Shelia Anne	1-022308	11/05/2021
Mirauri, Paul	2-065466	11/10/2021
Christian, Leslie Jo	1-081017	11/10/2021
Dyer, Joyce S.	-097470	11/15/2021
Runyon, Sandra Lynn	1-064749	11/15/2021
McGowan, Kathryn Sue	1-127957	11/18/2021
Bramblett, Bryan Scott	1-082783	11/25/2021
Lanier-Eason, Charmayne Laquece	1-159072	11/29/2021
Hiskett, Darla Marie	1-144981	12/02/2021
Shiver, Shandi	1-109636	12/03/2021
	CRNP	12/03/2021
Edenfield, Lori Dawn	1-085505	12/03/2021
Dixon, Adia Jones	2-068110	12/06/2021
Howell, Connie Lynn	1-112933	12/13/2021
Miller, Dana Joyce	1-131741	12/20/2021

2. FYI

Nothing

3. **DISCIPLINE GUIDELINE REVISION, ALICE HENLEY**

Ms. Henley reported the staff is proposing an increase in the discipline from a reprimand and fine, to a reprimand with both a fine and a course, for cases in which the confrontations or inappropriate remarks are to, about, or in front of patients who are members of vulnerable populations. This would include not just the elderly, but also children, mental health patients, and the intellectually disabled.

On January 14, 2022, Ms. Seip moved that the Board approve revisions to staff disciplinary guidelines regarding verbal abuse. Dr. Baker seconded. Motion carried without objection.

B. Executive Committee

1. No Report

C. ABN Research

1. Report

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

- D. Legal Division

1. General Counsel/Deputy Attorney General

A written report on activities on the Legal Division from October 23, 2021, to December 28, 2021, 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, Samuelson

A written report on the number of pending cases on the docket of the Assistant General Counsel as of December 20, 2021, was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP (Voluntary Disciplinary Alternative Program) participants and terminations as of December 21, 2021, was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report on active investigations per investigator as of December 22, 2021, was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on open cases currently assigned to each Nurse Consultant as of December 21, 2021, was accepted, as information, on the Consent Agenda.

6. Probation/Compliance Monitoring Report

A written report on the number of nurses monitored on probation, the number of outstanding probation violations, the number of the past due fines, the number of nurses met with for probation, and the number of cases resulting in revocation by the Board Order as of December 27, 2021, was accepted, as information, on the Consent Agenda.

7. Assistant General Counsel Report, Williams

A written report on the pending cases on the docket of the Assistant General Counsel, Ms. Williams, as of December 27, 2021, was accepted, as information, on the Consent Agenda.

E. Policy and Communication Director Report

A written report on policy and communication activities was accepted, as information, on the Consent Agenda.

F. ANRC Report

The ANRC Activity Report as of January 2022 was accepted, as information, on the Consent Agenda.

G. Leadership Institute

No Report

VIII. NURSING EDUCATION PROGRAMS

A. Education Report

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

B. Program Deficiency Report

A written report on program deficiency was accepted, as information, on the Consent Agenda.

C. APRN EDUCATION PROGRAM REPORTING REQUIREMENTS

Ms. Henley reported the Alabama Board of Nursing approved the graduate education rules in 2020. Board staff are now developing graduate school reporting requirements and documents for review on site survey visits for nursing programs for advanced practice.

A draft annual report addition was presented and reviewed by the ABN Graduate Program Education Advisory Council at the December 7, 2021, meeting. Recommendations were made and incorporated for functionality, nomenclature, and content.

On January 14, 2022, Dr. Dearmon moved that the Board approve the addition of the graduate program survey report to be completed

by applicable nursing programs annually as specified in the Alabama Board of Nursing Administrative Code 610-X-3-.03. Ms. Buford seconded. Motion carried without objection.

IX. POLICY

A. FINAL CERTIFICATION ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE SECTION CHAPTER 610-X-15 STUDENT NURSE APPRENTICES/APPRENTICE SKILLS

Mr. Ingels reported pursuant to Alabama Act No. 2021-275, Board staff recommends promulgation of new Chapter 15 to establish the permitting structure and standards of practice for student nurse apprentices.

On January 14, 2022, Dr. Baker moved that the Board approve, as final certification, proposed new chapter Alabama Board of Nursing Administrative Code Chapter 610-X-15- Nursing Student Apprentices. Ms. O'Keefe seconded. Motion carried without objection.

B. FINAL CERTIFICATION ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE SECTION SECTIONS 610-X-14-.01 AND 610-X-14-.02 MACs

Mr. Ingels reported to ensure continued compliance by MAC education programs, Board staff recommends revising the rules to clarify the definition of an approved MAC education program.

On January 14, 2022, Dr. Baker moved that the Board approve, as final certification, proposed revisions to Alabama Board of Nursing Administrative Code Chapter 610-X-14 – MAC Education. Dr. Dearmon seconded. Motion carried without objection.

C. FINAL CERTIFICATION ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE SECTION 610-X-12-.07 AREA OF CRITICAL NEED AND DESIGNATION

Mr. Ingels reported Board staff recommends amending 610-X-12.07 to adopt ARMSA designation by reference going forward.

On January 14, 2022, Ms. O'Keefe moved that the Board approve, as final certification revisions to Alabama Board of Nursing Administrative Code 610-X-12-.07 Area of Critical Need. Mr. Sapalaran seconded. Motion carried without objection.

D. FINAL CERTIFICATION ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE SECTION 610-X-4-.06 GRADUATES OF FOREIGN NURSING SCHOOLS

Mr. Ingels reported that the Board staff recommends amending the rule to ensure that English proficiency tests are not administered on-line.

On January 14, 2022, Mr. Sapalaran moved that the Board approve, as final certification, proposed revisions to Alabama Board of Nursing Administrative Code 610-X-4-.06 Graduates of Foreign Nursing Schools.

**E. FINAL CERTIFICATION ALABAMA BOARD OF NURSING
ADMINISTRATIVE CODE SECTION 610-X-4-.15 ANNUAL REPORT OF
EMPLOYING AGENCIES**

Mr. Ingels reported that the Board staff recommends amending the rule to clarify the annual January 31 deadline for filing the employer annual report.

On January 14, 2022, Dr. Dearmon moved that the Board approve, as final certification, proposed revisions to Alabama Board of Nursing Administrative Code 610-X-4-.15 Annual Report of Employed Agencies. Dr. Baker seconded. Motion carried without objection.

**F. FINAL CERTIFICATION ALABAMA BOARD OF NURSING
ADMINISTRATIVE CODE SECTION 610-X-14-.13 STANDARDS AND
SCOPE OF PRACTICE**

Mr. Ingels reported while congruent with the provisions of the Nurse Practice Act, as amended by the Alabama Act No. 2021-275, Board staff recommend amending the subject rule to allow MACs to practice in facilities approved by the Board. The current rule limits MAC practice to licensed healthcare facilities.

On January 14, 2022, Ms. Seip moved that the Board approve, as final certification, revision to Alabama Board of Nursing Administrative Code Section 610-X-14-.13 – MAC Standards and Scope of Practice. Ms. Carpenter seconded. Motion carried without objection.

**G. INITIAL SUBMISSION AND EMERGENCY RULE REPEAL ABN
ADMINISTRATIVE CODE SECTION 610-X-7-.11 MAC DELEGATION**

Mr. Ingels reported with implementation of permitting processes for MAC permitting complete, Board staff recommends repeal of the now-inoperative delegation rules.

On January 14, 2022, Dr. Baker moved that the Board approve, as initial submission and emergency rule, repeal of Alabama Board of Nursing Administrative Code Section 610-X-7-.11 – MAC Delegation

Program. Ms. Buford seconded. Motion carried with Ms. Rodgers opposing.

X. ADVANCED PRACTICE

A. Report

A written report on the activities of the Advanced Practice Division was accepted, as information, on the Consent Agenda.

B. SCOPE OF PRACTICE DETERMINATION REQUEST FOR VENTILATOR MANAGEMENT

On September 23, 2021, Tracy Valenzuela submitted a request for a determination regarding whether a Adult Acute Care Nurse Practitioner could manage invasive and non-invasive mechanical ventilation. The activities were defined as “provide oxygenation and ventilation via invasive and non-invasive ventilation to the critical ill patient. Patient with declining respiratory status as evidence by decreased oxygen levels, increased respirations, alterations in ABG, decreased level of consciousness and inability to protect one’s own airway. Various types of devices may be used to include but not limited to: high flow nasal canula, opti-flow, Bipap, mechanical ventilation via ETT, Tracheostomy, and Bag valve mask. Manipulation and adjustment to mechanical ventilator based off clinical findings and results. Protocols for weaning and titration of oxygen, rate, PEEP, and pressure support may be utilized.”

A review of the Adult Acute Care CRNP Standard Protocol for collaborative practice shows that the following core skills are a part of the protocol: Plan an initiate a therapeutic regimen which includes supportive services in accordance with established protocols and institutional policies; institute emergency measures and emergency treatment or appropriate stabilization measures in situations such as cardiac arrest, shock, hemorrhage, convulsions, poisoning, and allergic reactions. In emergencies, initiate mechanical ventilatory support and breathing, if indicated; Interpret and analyze patient data and results of laboratory and diagnostic tests.

Considering the language of the existing acute care nurse practitioner protocol, in conjunction with the AACN Adult Acute Care NP competencies, it appears that the existing standard protocol permits invasive and noninvasive ventilation management in critically ill patients, provided that the Adult Acute Care Nurse Practitioner has received formal education, clinical training and competency validation for such activities and such activities are conducted in accordance with approved facility ventilator medical management protocols and are consistent with institutional policies. For clarity, this determination would not authorize a

CRNP to perform a tracheostomy but would authorize the CRNP to utilize an existing tracheostomy for mechanical ventilation.

On January 14, 2022, Dr. Baker moved that the Board approve the determination that it is within the scope of practice of Adult Acute Care Nurse Practitioner in Collaborative Practice to manage invasive and non-invasive ventilation of critically ill patients. Ms. Seip seconded. Motion carried without objection.

XI. CONTINUING EDUCATION/LICENSURE/PRACTICE

A. Continuing Education

1. Report

A written report on Continuing Education Providers and Continuing Education (CE) Activities was accepted, as information, on the Consent Agenda.

B. Licensure

1. Report

A written report on Licensure Data Activity was accepted, as information, on the Consent Agenda.

C. Practice

1. Report

A written report on Standardized procedure Application Activity was accepted, as information, on the Consent Agenda.

D. ADMH Annual Nurse Delegation Program Report

A written report on the Alabama Department of Mental Health (ADMH) was accepted, as information, on the Consent Agenda.

XII. NCSBN / NCLEX

A. 2021 NCLEX-PN 4th Qtr. Report

The 2021 NCLEX-PN 4th Quarter Report was accepted on the Consent Agenda.

B. 2021 NCLEX-RN 4th Qtr. Report

The 2021 NCLEX-RN 4th Quarter Report was accepted on the Consent Agenda.

C. 2021 NCLEX Scores Analysis of 4th. Report

The 2021 NCLEX scores analysis 4th Quarter Report was accepted on the Consent Agenda.

XIII. BOARD TRAVEL/REPORTS

1. TRAVEL

- A. NCSBN MID YEAR MEETING, MARCH 13-17, 2022
- B. NCSBN APRN ROUND TABLE, APRIL 12, 2022
- C. AANP ANNUAL CONFERENCE ORLANDO, FL JUNE 21-26, 2022
- D. 2022 AONL CONFERENCE, APRIL 11-14, 2022, SAN ANTONIO, TX

XIV. NEXT MEETING DATE – March 11, 2022, 770 Washington Avenue, RSA Plaza, Montgomery, Alabama, Suite 350

XV. OTHER

A. ABN Update

- 1. Ms. Benson mentioned to the Board members if they have trouble with Director Point to make sure to update when advised, and if having trouble logging into Director Point on the iPad to go to www.directorpoint.com and review the agenda.
- 2. Ms. Benson went over the current state of NCLEX Foreign Nurse application issues in light of recent news reports.
- 3. Ms. Benson reviewed about the Executive Committee Meeting held on Friday, January 7, 2022, and mentioned she is working on the strategic plan and will send out a draft to review for additional work.

XVI. BOARD MEETING DEBRIEFING

A. New Board Members (How can we help?)

Nothing

B. Meeting Process: What can we improve/change?

Nothing

XVII. ADJOURNMENT

The ABN Board meeting adjourned at 11:02 a.m. on Friday, January 14, 2022.

Victoria Hill, MSN, RN
President

Cynthia Buford, LPN
Secretary

Submitted by: _____
Tonya Smith Recorder 01/22