

ALABAMA BOARD OF NURSING  
**REGULAR BOARD MEETING**  
**RSA Plaza Suite 350**  
Montgomery, Alabama

**July 20, 2023**

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**I. CALL TO ORDER**

**A. Roll Call**

The meeting was called to order at 8:32 a.m. on Thursday, July 20, 2023.

The following members were present: Victoria Hill, MSN, RN, President; Valorie Dearmon, RN, DNP, NEA-BC, Vice-President; Gabriel Sapalaran, BSN, Secretary; Cynthia Buford, LPN; Karon Armstrong, LPN; Deborah Hoover, MSN, FNP; Cherry Rodgers, LPN; Clint Witherington, Consumer; Janice Seip, CRNA; Tochie Lofton, DNP, RN, CMSRN, ACNR-BC; Sarah “Mandy” Mims, LPN; Kristi Acker, PhD, DNP, MSN and Executive Officer Peggy Benson. Board members absent was Louise O’Keefe, PhD, CRNP, CNE.

Staff members attending the meeting were: Honor Ingels, Administrative Director – ABN Center for Nursing Excellence; Alice Maples Henley, Deputy Attorney General/General Counsel; Patrick Samuelson, Senior Assistant General Counsel; Amy Williams, Attorney; Joyce Jeter, MSN, RN, Director of Practice, CE, and Licensure; Christie Mumford, MSN, RN, Director - Advanced Practice; Brad Jones, IT System Specialist Senior; Tonya Smith, Executive Secretary/Recorder; Maxine Hollis, Chief Financial Officer; Tina Betts, MSN, RN, Legal Nurse Consultant; Pashley McClain, MSN, BSN, RN, Nurse Consultant; Abby Migliore, MSN, RN, Administrative Director for Discipline/Compliance Monitoring; Shaye Robinson, VDAP Director; Taylor Thomas, Legal Research Assistant; Ebony Weathers, Administrative Hearings Coordinator; Rachel Brazell, Probation Director; Christi Melton, MSN, RN, Director of Nursing Education; Wanda Hayes, DNP, RN, Director of Research and Vick Sachdeva, Special Investigator.

Visitors attending the meeting were: Enterprise State Community College Nursing Students, Ms. Effie Hawthorne with Alabama Board of Medical Examiners and Ms. Jackie Spivey with Wallace State Community College-Dothan.

**B. Declaration of Quorum**

A quorum of eleven Board members were present on Thursday, July 20, 2023.

**C. Statement of Compliance with Open Meetings Act**

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

**D. Review of Full Agenda**

1. Additions, Modifications, Reordering

None

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

- II.A. May 19, 2023, 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. ABN Center for Nursing Excellence Report
- VII.A. Education Report
- VII B. Program Deficiency Report
- IX.A. Advance Practice Report
- X.A. Continuing Education Report
- X.B. Licensure Report
- X.C. Practice Report

**On July 20, 2023, Dr. Acker moved that the Board adopt the Consent Agenda. Ms. Buford seconded. Motion carried without objection.**

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

Ms. Hill moved that IV. Board Requests / Presentations be moved to the end of the Consent Agenda.

On July 20, 2023, Dr. Dearmon moved that the Board adopt the Full Agenda as amended. Mr. Witherington seconded. Motion carried without objection.

## **II. REVIEW OF MINUTES**

### **A. May 19, 2023, Board Meeting Minutes**

The minutes of May 19, 2023, Board meeting were accepted on the Consent Agenda.

## **III. OLD BUSINESS/FOLLOW-UP**

### **A. Board Action Follow-up**

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

## **IV. BOARD REQUESTS / PRESENTATIONS**

### **A. REQUESTS**

#### **1. N/A**

### **B. PRESENTATIONS / REVIEW**

#### **1. Collaborative Practice Mandatory CE: Module Three – Protocols, Skills, and Professional Responsibilities for CRNPs and CNMs**

The presentation will be presented during the September 15, 2023, ABN Board Meeting.

#### **2. ABN Combined LPN/RN Workforce Demographic Survey 2021 and 2022, Wanda Hayes**

The presentation will be presented during the September 15, 2023, ABN Board Meeting.

## **V. FINANCIAL REPORTS**

### **1. Financial Report Board Review**

Ms. Hollis shared the Revenue and Expenditure Summary, Revenues, and the Expenditure Budget Comparison as of May 31, 2023.

## VI. REPORTS

### A. Executive Officer

#### 1. Report

Pursuant to Alabama Board of Nursing Administrative Code Chapter 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>
Kersey, Jeannie V.	1-162110	04/25/2023
Beaufils, Sherley	1-137007	05/08/2023
Griffin, Kara	6-000218	05/08/2023
Walker, II, Douglas Kirk	1-145124	05/10/2023
Latsis, Betty Jo	1-074105	05/18/2023
Hutchinson, Rachel Katherine	1-138315	05/24/2023
	CRNP	05/24/2023
Hargrove, Amy Nicole	2-060706	06/01/2023
Herzmann, Carole Renee	1-180030	06/12/2023
Douglass Groot, Mary E.	1-152615	06/12/2023
Lansford, Jennifer C.	1-109375	06/26/2023
	2-036280	06/26/2023
Wallace, Austin Lloyd	2-072656	06/26/2023
Anderson, Jameelah Zarinah	1-177923	06/2/2023
	2-066462	06/29/2023

#### 2. FYI

Ms. Benson provided a copy of a letter sent to Ms. Kristi Acker with the University of Alabama Capstone College of Nursing referencing the Bama Drive (Delta Region Initiative: Veterans Employed).

#### 3. Biennial Licensee Survey, LaDonna Patton

Ms. Benson reported that in August 2017, the ABN surveyed Alabama nurses following visionary changes to nursing regulation in Alabama and implementation of A New Direction. The survey included questions regarding the purpose of the ABN and My Profile accessibility after the website was redesigned in 2016. An Action Plan was developed to address items with unsatisfactory responses to survey questions, including ABN's electronic footprint and accessibility of the ABN website, specifically several interface options within My Profile.

In March 2019, the survey was repeated with the same questions. In

the interim, the ABN had addressed concerns reported in the 2017 survey by increased communication in ABN Newsletters, website demonstrations during live presentations, and the development of educational content and videos to improve nurses access and understanding of electronic resources available on the ABN's website, specifically My Profile. The 2019 survey showed an improvement to all items that were addressed.

In June 2021, the biennial licensee survey focused on Alabama's recent implementation of the Compact, and of course, COVID-19-related issues, including employment changes, retirements, furloughs, reductions in hours, and whether the nurse was re-assigned to other duties or department during COVID-19. Results of this survey were presented to the Board in September 2021.

The proposed 2023 survey includes questions that are similar to the 2017 and 2019 surveys relating to communication with and from the ABN, the ABN website, and My Profile. New questions are proposed to ascertain licensee knowledge of the new roles adopted by the ABN to support the nursing workforce and nursing education.

**On July 20, 2023, Dr. Dearmon moved that the Board approve the Biennial Licensee Survey be sent to all Alabama Nurses who have an active license and advanced practice approval. Ms. Seip seconded. Motion carried without objection.**

#### **4. Advisory Committee Approval for APRN and Nursing Education Programs**

Ms. Benson requested the appointment of an advisory council to review and make recommendations related to an LPN Dual Enrollment Program. Ms. Benson reported that the ABN has approved numerous advisory councils through the years to collaborate and obtain expert experience as the board looks to develop rules and legislative options for the future. Several members of the state legislature have asked about the feasibility of initiating an LPN program in the senior year of high school. Historically, there was a similar program at Wallace Selma School of Nursing in years past, which allowed the LPN program to be started in high school and completed following graduation. The advisory committee will be charged with making recommendations for a senior high school student dual enrollment LPN program; to recommend curriculum planning needed for completion; and assisting with establishing draft rules if indicated.

Recommended Advisory Council members:

- 4-5 members representing LPN educational programs.

- Board Members appointed to serve on the council: Cynthia Buford and Deborah Hoover.

In addition, Ms. Benson requested the appointment of an APRN Practice Advisory Council. The ABN has had several councils in the past related to advanced practice which has allowed the Board to engage licensees and complete action planning which has assisted with advanced practice changes over the past seven years. The advisory committee will be charged with making recommendations for all APRN roles to ensure that the safety and needs of the public (patients) are met within the rural community and across the state. Recommended Advisory Council members:

- Members representing each of the four APRN roles and nursing associations.
- Board Members appointed to serve on the council: Louise O'Keefe and Kristi Acker.

**On July 20, 2023, Ms. Seip moved that the Board approve appointment of Advisory Council to work on a Senior High School Dual LPN Program and appoint Board Members Ms. Cynthia Buford and Ms. Deborah Hoover to represent the Board and to approve appointment of a APRN Advisory Council and appoint Board Members Dr. Louise O'Keefe and Dr. Kristi Acker to represent the Board. Mr. Sapalaran seconded. Motion carried without objection.**

## **5. State Attorney General Opinion: Expungement of Records**

Ms. Henley reported its duties, the ABN is charged with the authority to examine, license, and renew the licenses of duly qualified applicants, conduct investigations, hearings, and proceedings concerning alleged violations of this section or of the rules of the board; issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at hearings; cause the prosecution of all persons violating chapter 21 of the Code of Alabama and incur such necessary expenses therefor; investigate complaints, and bring an action in its own name to hear and determine the complaint. See generally Ala. Code §§ 34-21-2 and 34-21-25. Certain violations of the nurse practice act are deemed a misdemeanor. Ala. Code § 34-21-7.

Related to criminal history, the ABN is permitted to deny, revoke, or discipline licenses if the licensee or applicant has been convicted of a felony, is guilty of a crime involving moral turpitude or of gross

immorality that would tend to bring reproach upon the nursing profession, has been convicted of any violation of a federal or state law relating to controlled substances, or has been sentenced to a period of continuous incarceration serving a penal sentence for the commission of a misdemeanor or felony. Ala. Code § 34-21-24(b)(1)(b), (c), (f) and (i). Disciplinary actions may take the form of a consent order, board order (following an administrative hearing), or voluntary surrender, which may occur before or after the issuance of an administrative complaint. The consent order, board order, and/or administrative complaint would contain the facts which support the disciplinary action, to include information regarding the criminal history which formed the basis for the charges. Additionally, the license application materials for applicants and licensees may contain answers to regulatory questions, copies of criminal history records, as well as written explanations regarding those charges. The Board's investigative records may contain copies of criminal history records, statements regarding the criminal history, and investigative reports containing reference to the criminal history information.

Alabama law now permits the expungement of certain felony, misdemeanor, traffic, or municipal ordinance violation arrests and convictions in limited circumstances. Ala. Code §§ 15-27-1 and 15-27-2. Section 15-27-6(a) of the Code of Alabama requires that "Except as provided in Section 15-27-10, upon the granting of a petition pursuant to this chapter, the court, pursuant to Section 15-27-9, shall order the expungement of all records in the custody of the court and any records in the custody of any other agency or official, including law enforcement records, except privileged presentence or post sentence investigation reports produced by the Alabama Board of Pardons and Paroles and its officers, records, documents, database, and files of the district attorney and the Office of Prosecution Services."

The term "record" includes, but is not limited to, all of the following:

- a. Arrest and conviction records.
- b. Booking or arrest photographs of the petitioner.
- c. Index references such as the State Judicial Information System or any other governmental index references for public records search.

- d. Records relating to administrative suspension pursuant to Article 14 of Chapter 5A of Title 32, including driver license suspension records.
- e. Other data, whether in documentary or electronic form, relating to the arrest, charge, or conviction.

Ala. Code § 15-27-9(2).

Section 15-7-10(a) states: “Nothing in this chapter shall prohibit a criminal justice agency, a law enforcement agency or official, a district attorney or a prosecuting authority, the Alabama Department of Forensic Sciences, or the Department of Human Resources from maintaining an investigative file, report, case file, or log which may include any evidence, biological evidence, photographs, exhibits, or information in documentary or electronic form.”

The term “law enforcement agency” is not defined in Chapter 7 of Title 15. “Criminal justice agencies” are defined as “federal, state, local, and tribal public agencies that perform substantial activities or planning for activities relating to the identification, apprehension, prosecution, adjudication, or rehabilitation of civil, traffic, and criminal offenders.” Ala. Code §§ 15-27-9 and 41-9-590(3).

Although the petitioner whose record has been expunged does not have to disclose the expunged arrest or conviction in an application for employment, credit, or other application, the petitioner still has “the duty to disclose the fact of the record and any matter relating thereto to any government regulatory or licensing agency, any utility and its agents and affiliates, or any bank or other financial institution. In these circumstances, the government regulatory or licensing agency, utility and its agents and affiliates, or the bank or other financial institution shall have the right to inspect the expunged records after filing notice with the court.” Ala. Code § 15-27-6(b).

Further complicating the matter is the Board’s legal obligation to report its disciplinary actions to certain databanks. In particular, the Board is required to participate in:

- (1) a coordinated licensure information system selected by the Interstate Commission for Nurse Licensure Compact Administrators, which is currently the Nursys system hosted by the National Council of State Boards of Nursing (See generally Ala. Code § 34-21-125); and
- (2) the National Practitioner Databank, which is controlled by Federal law (See generally 42 U.S.C. § 1396r-2).



In researching the effects of expungement upon a NPDB entry, Board staff located the following in the NPDB Guidebook: "If a state licensing or certification authority takes an action that is later expunged, should the state licensing or certification authority report the expungement? An expungement removes the practitioner's public record but does not vacate or change the action. Therefore, if the reporting entity itself expunges a record, or if the reporting entity learns that one of its records has been expunged, it should file a Revision-to-Action Report with the NPDB, to note that an expungement has occurred. An expunged record is not a reason to void a report."

<https://www.npdb.hrsa.gov/resources/NPDBGuidebook.pdf> at E-78.

Because Alabama's expungement law is relatively new, there is little precedent or interpretation available, and the ABN needs assistance to determine its obligations upon receipt of an order of expungement. Accordingly, the staff is seeking a resolution from the ABN to request an opinion from the Attorney General regarding the following questions:

(1) Taking into account the requirement of Section 15-27-6(b) of the Code of Alabama, which imposes a duty to disclose expunged criminal records to licensing agencies, and permits those licensing agencies to inspect the expunged records:

a. must the ABN nevertheless expunge a public order, a statement of charges, and/or application materials which reference expunged criminal records? If so, if the public order, statement of charges, and/or application materials relate to matters other than solely the expunged criminal records, should information regarding the expunged criminal records be redacted from the documents while not expunging the documents in their entirety?

b. May the ABN issue a public order and/or statement of charges related to criminal records already expunged if necessary to further its responsibilities related to the licensure of nurses and protection of the public?

(2) Is the ABN a "law enforcement agency" for purposes of Title 15, Chapter 27 of the Code of Alabama? If so, may the ABN retain its own investigative records which reference expunged criminal records?

(3) Is the ABN a "criminal justice agency" as defined in Ala. Code § 15-27-9(1), which references the term defined in Ala. Code § 41-9-590?

**On July 20, 2023, Dr. Dearmon moved that the Board approve resolution to request Attorney General's Opinion regarding the effects of Alabama's Expungement Laws on the ABN's Records. Ms. Seip seconded. Motion carried without objection.**

**6. Elect 2 Delegates and 2 Alternates to the NCSBN Annual Meeting**

Ms. Benson reported that The Alabama Board of Nursing is a member of the National Council of State Boards of Nursing, Inc. (NCSBN), which holds its Annual Meeting each August. Each member board is allowed two delegates to vote on issues that come before the Delegate Assembly. Two alternate delegates are selected to vote, in the event one or both delegates are not available to vote during the Annual Meeting.

**On July 20, 2023, Dr. Dearmon nominated Mr. Sapalaran as a delegate to represent the Board at the 2023 NCSBN Annual Meeting and Ms. Seip nominated Dr. Acker.**

**On July 20, 2023, Ms. Armstrong nominated herself as an alternate delegate to represent the 2023 NCSBN Annual Meeting and Dr. Dearmon nominated Ms. Henley as an alternate delegate.**

**On July 20, 2023, Ms. Rodgers moved that the Board approve Mr. Sapalaran and Dr. Acker as the two delegates and Ms. Armstrong and Ms. Henley as the two alternate delegates to represent the Board at the 2023 NCSBN Annual Meeting. Ms. Seip seconded. Motion carried without objection.**

**7. Oakwood University Review, Alice Henley**

Ms. Henley reported that the Oakwood University operates a BSN program, which was provisionally approved in May 2001 and finally approved in November 2005.

In November 2015, the Board issued a Notice of Deficiency to Oakwood for failure to comply with the Board's outcome standards. At that time, the three-year rolling average for Oakwood's first-time test takers was 71.1 percent. Oakwood was given two years to correct the deficiency and was directed to submit a Plan of Correction. Oakwood submitted a plan of correction in July 2016.

At the close of FY 2016, Oakwood's three-year rolling average was 75.5 percent. At the close of FY 2017, Oakwood's three-year rolling average was 75.0 percent.

On November 21, 2017, the Board issued a Notice of Continued Deficiency to Oakwood, for failure to comply with the Board's outcome

standards, due to Oakwood having failed to attain a three-year rolling average of 80 percent for first-time takers of the NCLEX-RN. Oakwood was requested to submit a plan of correction no later than March 31, 2018 and was directed to correct the deficiency by December 31, 2018. In September 2018, Board staff conducted a desk audit and deficiency survey visit at Oakwood, and in October 2018, identified the following issues as a result of that survey visit:

- The Program Director did not notify the ABN of curriculum changes that took effect in Fall 2018. These were found during the survey visit.
- The Systematic Plan of Evaluation lacks specificity and measurability and does not include tracked data for at least three years. The SPE does not reflect implementation of changes pursuant to the Plan of Correction submitted August 4, 2016, in response to the first Notice of Deficiency. The POC included program outcomes with actions and evaluations that could have been incorporated into the SPE.
- Increase efforts to involve students in governance. The Student Handbook notes that students are elected to represent their groups at various meetings. Observations of faculty are that the students do not attend. Meeting minutes do not include documentation of student participation or non-participation, or that faculty encourage student involvement.
- NU 421 Nursing Seminar: Faculty and Program director reported during the visits that this course has been revised to eliminate the requirement of passing the HESI Exit exam prior to allowing students to graduate. The syllabus for this course does not reflect these changes.

In May 2019, the Board approved a Consent Order, which placed Oakwood University on thirty-six months of monitoring with required reports and at least one survey visit.

Since entering into the 2019 Consent Order, Oakwood's BSN Pass rates as calculated pursuant to ABN rules have been 64.29% (2019), 36.84% (2020), and 50% (2021).

- In September 2021, ABN staff conducted a comprehensive survey visit and made the following recommendations:
- Ensure institutional and program policies, procedures, and other publications, whether written or electronic, are accurate and consistent as published.
- Achieve a three-year rolling average of no less than 80% for graduates, as a composite of first-time writers, taking the examination for the first time within 6 months of program completion

- Achieve annual NCLEX pass rates which are at least 80% for RN-BSN graduates taking the examination for the first time within 6 months of program completion.

Compared to the 2018 survey results, substantial strides have been made in assessing available data and using that data in program decision-making. The first-time test taker passage rate continues to be a problem. However, it should be noted that most of these results occurred during the pandemic. Also, ABN staff calculated that 202 of Oakwood's 220 BSN students have ultimately passed the NCLEX, for an overall pass rate of 91.82%.

On or about May 20, 2022, the ABN approved and accepted a consent order for Oakwood University which did the following:

- Continued Oakwood's Approval with a status of Continued with Deficiency
- Continued monitoring of Oakwood for twenty-four (24) months.
- Required biannual reports to the ABN following receipt of NCLEX-RN scores.
- Required Board staff to conduct a minimum of one visit prior to the end of the time period for monitoring.
- Required that a determination would be made at the end of the monitoring period as to whether substantial progress has been made in achieving program success.

This consent order focused on the findings of the 2021 survey visit, which included recommendations that:

- The institutional and program policies, procedures, and other publications, whether written or electronic, are accurate and consistent as published,
- Achieve a three-year rolling average of no less than 80% for graduates, as a composite of first-time writers, taking the examination for the first time within 6 months of program completion and
- Achieve annual NCLEX pass rates which are at least 80% for RN-BSN graduates taking the examination for the first time within 6 months of program completion.

Since the time this consent order was entered into, the ABN rules have changed to eliminate the three-year rolling average requirement, and to eliminate the 80% rule. Now the Board posts the "Board-calculated prelicensure annual pass rate" for programs, and may include in its consideration sources of evidence, which include "trend data/action planning related to overall NCLEX performance." See ABN Administrative Code § 610-X-3-.03.

A review of the CY 2022 NCLEX results for Oakwood students who graduated in CY 2022, reveals that 11 of the 12 students were ultimately successful in passing the NCLEX-RN in CY 2022. This is an overall pass rate of 91.7 percent for the recent graduates. Oakwood has submitted its most recent biannual report, which contained information that the program had corrected the Student Handbook and the Four -Year Plan for the Bachelor of Science Program, and Bulletin addendum corrections were submitted.

Based on the change in the Board's rules, the substantial improvement in the NCLEX-RN passage rate for CY 2022 graduates, and the resolution of concerns regarding the discrepancies in publications, Board staff requests that the ABN release Oakwood from the current consent order and remove the deficiency status related thereto.

**On July 20, 2023, Ms. Seip moved that the Board release Oakwood University from the current Consent Order and remove the deficiency status related to the Consent Order. Ms. Lofton seconded. Motion carried without objection.**

B. Demographic Survey Reports

C. ABN Research

1. N/A

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report on activities on the Legal Division from April 29, 2023 to June 29, 2023, 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 assistant General Counsel as of June 26, 2023, 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 June 27, 2023, was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report on active investigations per investigator as of June 29, 2023, was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on open cases assigned to each Nurse Consultant as of June 27, 2023, 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 June 26, 2023, was accepted, as information, on the Consent Agenda.

7. Assistant General Counsel Report,

A written report on the pending cases on the docket of Assistant General Counsel, Ms. Williams, as of June 28, 2023, was accepted, as information, on the Consent Agenda.

E. Policy and Communication

1. Report

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

F. Center for Nursing Excellence Report

1. Report

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

**VII. 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.

**VIII. POLICY**

**A PROPOSED REVISIONS ALABAMA BOARD OF NURSING  
ADMINISTRATIVE CODE §610-X-6-.14 - INTRAVENOUS (IV)  
THERAPY BY LICENSED PRACTICALNURSES**

Mr. Ingels reported that the Board staff recommends revision to the subject rule to allow administration via push or bolus through a central line to stable patients in home health and acute care settings under an approved standardized procedure.

Historically, Home health care has been allowing family members to be trained on giving medications through a PICC line when the patient is stable for many years now.

In addition, CMS recently approved the establishment of Hospitals within a Home setting. This is a different from Home Health and many patients with long-term illness will be participating in this new care model. The University of Alabama Birmingham Medical Center has been approved to establish such a hospital. UAB staff has met with the EO on several occasions to review policies, procedures, and hospital planning for care delivery for the new model. During these meetings, UAB staff has requested the Board consider allowing Licensed Practical Nurses to give medications and/or fluids through established PICC lines on stable patients and/or as directed by the physician. The supervising RN will be available through telehealth as needed and can assist through video monitoring as well.

**On July 20, 2023, Ms. Seip moved that the Board approve as amended revision to Alabama Board of Nursing Administrative Code 610-X-6-.14. Mr. Sapalaran seconded. Motion carried without objection.**

**B PROPOSED REVISIONS ALABAMA BOARD OF NURSING  
ADMINISTRATIVE CODE §610-X-6-.12 – LOAN REPAYMENT  
PROGRAM ADVANCE PRACTICE NURSING**

Mr. Ingels reported that during the 2023 Regular Legislative Session, the Alabama Legislature approved Alabama Act No. 2023-317, which includes the Board's proposed revisions to expand eligible service areas and reduce the penalty for default under the Loan Repayment Program for Advanced Practice Nursing. Accordingly, the Board staff

recommends revising Chapter 12 of the Alabama Board of Nursing Administrative Code to implement the Act.

**On July 20, 2023, Dr. Dearmon moved that the Board approve, as proposal, revision to Alabama Board of Nursing Administrative Code 610-X-12 – Loan Repayment Program for Advanced Practice Nursing. Dr. Acker seconded. Motion carried without objection.**

**C PROPOSED REVISIONS ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE §610-X-6-.16 – LOAN REPAYMENT PROGRAM NURSING EDUCATION**

Mr. Ingels reported during the 2023 Regular Legislative Session, the Alabama Legislature approved Alabama Act No. 2023-, which includes the Board's proposed new Loan Repayment Program for Nursing Education. The program is designed to in accordingly, Board staff recommends promulgating Chapter 16 of the Alabama Board of Nursing Administrative Code to implement the Act.

**On July 20, 2023, Ms. Seip moved that the Board approved as amended, new chapter Alabama Board of Nursing Administrative Code 610-X-16 – Loan Repayment Program for Nursing Education. Ms. Buford seconded. Motion carried without objection.**

**D. PROPOSED REVISIONS ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE §610-X-3-.09 NURSING EDUCATION PROGRAMS, OUT OF STATE CLINICAL**

Mr. Ingels reported that the Board has several emails seeking clarification in the rules for when a program must obtain ABN approval and/or licensure prior to allowing students to perform clinical activity in the state. Board staff reviewed the current language and deemed the necessity of clarification within the rules themselves.

**On July 20, 2023, Dr. Dearmon moved that the Board approve, as initial proposal, revision to Alabama Board of Nursing Administrative Code 610-X-3-.09, Out of State Programs conducting clinical experiences in Alabama. Ms. Buford seconded. Motion carried without objection.**

**E PROPOSED REVISIONS ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE §610-X-4-.14 FEES**

Mr. Ingels reported that concurrent with changes proposed in item VIII E, Board staff recommends reducing the fee by 50% and consolidating the temporary permit fee within the licensure application fee. All exam and endorsement applications will now receive a temporary permit and be



able to immediately enter the workforce upon approval. This further reduces burdens and barriers to licensure and increases access to care. This is consistent with previous board action related to advanced practice approval.

**On July 20, 2023, Dr. Dearmon moved that the Board approve, as initial proposal, revisions to Alabama Board of Nursing Administrative Code 610-X-4-.14 – Fees. Ms. Seip seconded. Motion carried without objection.**

**F PROPOSED REVISIONS ALABAMA BOARD OF NURSING ADMINISTRATIVE CODE §610-X-4-.04, .07 LICENSURE**

Mr. Ingels reported as the ABN continues its efforts to expand access to patient care, and to eliminate barriers to practice and licensure, Board staff recommends revising the subject rules to streamline the process by which eligible first-time applicants for licensure receive temporary permits and allows them to enter the workforce.

**On July 20, 2023, Dr. Dearmon moved that the Board approve, as initial proposal, revisions to Alabama Board of Nursing Administrative Code 610-X-4-.04 (Application process for Licensure by examination) and 610-X-4-.07 (Licensure by Endorsement). Ms. Seip seconded. Motion carried without objection.**

**IX. ADVANCED PRACTICE**

**A. Report**

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

**X. 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. Alabama Department of Mental Health Annual Nurse Delegation Medication Report

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

**XI. BOARD TRAVEL/REPORTS**

**TRAVEL**

- A. NCSBN ANNUAL MEETING AUGUST 16-18, 2023, CHICAGO IL.
- B. CLEAR ANNUAL EDUCATIONAL CONFERENCE SEPTEMBER 27-30, 2023 SALT LAKE CITY UTAH
- C. NFLPN ANNUAL MEETING, OCTOBER 11-14, 2023, BUFFALO, NY
- D. 2023 FARB REGULATORY SEMINAR

**XII. DISCIPLINARY CASES – Executive Session, to follow completion of Agenda, July 20, 2023**

On July 20, 2023, Dr. Dearmon 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 licenses. Ms. Lofton seconded. Motion carried with all in favor: (Cherry Rodgers, Deborah Hoover, Kristi Acker, Clint Witherington, Karron Armstrong, Cynthia Buford, Janice Seip, Gabriel Sapalaran, and Sarah “Mandy” Mims).

Ms. Hill estimated that the Board would reconvene at 9:50 a.m.

The Board reconvened in open session at 9:47 a.m.

**A. CONSENT ORDERS**

- 1. McNeal, Jessica Kiara – RN Pending Exam Applicant; LPN 2-067974 SSL (Active)

Ms. McNeal signed a Consent Order that would deny her application for a multistate license and approve her to take the NCLEX-RN exam for a single state license and if successful she will receive her RN license and will be placed on suspension along with 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(s) on Upholding the Standard: Professional Accountability in Nursing; and (c) receipt of the 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. McNeal's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Lofton seconded. Motion carried without objection.**

2. Arroyo, Tyanna Avante – LPN 2-061733 SSL (Active); MSL LPN Applicant

Ms. Arroyo signed a Consent Order that would deny her application for a multistate license and place her single state LPN license on probation for twelve (12) months with the usual illegal/illicit stipulations and she is required to pay a \$600.00 fine and documented completion of a course on Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

3. Jennings, Matthew Blake – RN Pending Exam Applicant

Mr. Jennings signed a Consent Order that would deny his application for a multistate license and approve him to take the NCLEX-RN exam for a single state license and if successful he will receive his RN license and will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and he will be required to pay a \$300.00 fine and documented completion of courses on Substance Abuse and Addiction for RNs and LPNs Nursing CE Course and Upholding the Standard: Professional Accountability in Nursing.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried**

**without objection.**

4. Lupica, Madison Kathleen – LPN Pending Exam Applicant

Ms. Lupica signed a Consent Order that would deny her application for a multistate license and approve her to take the NCLEX-PN exam for a single state license and if successful she will receive her LPN license and will be placed on probation for a period to run concurrently with court-ordered probation but not less than twelve (12) months with the usual illegal/illicit stipulations and she will be required to pay a \$300.00 fine and documented completion of courses on Upholding the Standard: Professional Accountability in Nursing and Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

5. Tant, Savannah – RN Pending Exam Applicant

Ms. Tant signed a Consent Order that would approve her application to take the NCLEX-RN exam, and if successful, she will receive her single state RN license and 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 courses on Upholding the Standard: Professional Accountability in Nursing and Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

6. Thomas, Evan Earl – RN 1-135418 SSL (Active/Probation); CRNP

Mr. Thomas signed a Consent Order that would terminate his May 19, 2023 Order and deactivate his multistate license and convert to a single state license and suspend his RN license and CRNP Certificate of Qualification 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) participating 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 Upholding the Standard: Professional Accountability in Nursing and Substance Abuse and Addiction for APRNs, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and other applicable fees. Should Mr. Thomas be deemed in need of treatment and upon documented completion of the above terms, Mr. Thomas's licenses will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and he will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Mr. Thomas's licenses will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and he 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, Mr. Thomas's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

7. Brooks, Anna Marie – RN 1-137174 SSL (Active); CRNP

Ms. Brooks signed a Consent Order that would deactivate her multistate license and convert to a single state license and place her RN license and CRNP Certificate of Qualification on suspension 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(s) on Upholding the Standard: Professional Accountability in Nursing; (c) receipt of the employer notification; (d) payment of the renewal/reinstatement of Advanced Practice Approval fee of \$225.00. In no event, will this period of suspension extend beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Brooks licensure status will be considered as and listed as revoked.

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Lofton seconded. Motion carried without objection.**

8. Hammack, Duane Allen – RN 1-080616 SSL (Active); LPN 2-034118 (Lapsed)

Mr. Hammack signed a Consent Order that would place his RN license on probation for twenty-four (24) months with the usual

practice stipulations and he will be required to pay a \$600.00 fine and documented completion of a course on Probe: Ethics and Boundaries Program.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Mr. Sapalaran seconded. Motion carried without objection.**

9. Mitchell, Darla Potter – RN 1-122406 SSL (Lapsed)

Ms. Mitchell signed a Consent Order that would deactivate her multistate license and convert to a single state license and place her RN license on indefinite suspension. Ms. Mitchell is not eligible for reinstatement of licensure to practice nursing in Alabama until such time as evidence of an unencumbered license in Texas is received in the Board office. Ms. Mitchell cannot practice nursing in Alabama until Alabama licensure has been reinstated in accordance with the Alabama Board of Nursing Administrative Code and she must immediately notify the Board in writing, of any changes of physical address, mailing address, email address, and phone number(s) and pay the reinstatement of suspended license fee and any other applicable fees and immediately notify the Board, in writing as to employment status.

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

10. Shaw, Melanie Lee – RN 1-195815 SSL (Inactive); LPN 2-074262 (Active/Probation)

Ms. Shaw signed a Consent Order that would terminate her January 22, 2021, Order and deactivate her multistate license and convert to a single state license. Ms. Shaw's LPN license shall remain on probation and her Alabama single state RN license is activated and placed on probation for sixty (60) months with the usual substance use disorder stipulations with her RN and LPN probation to run concurrent, with monitored time credit from her January 22, 2021, Order.

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

11. Nelson-Scott, Latoya Denise – LPN 2-046919 SSL (Active)

Ms. Nelson-Scott signed a Consent Order that would deactivate her multistate license and convert to a single state license. Due to Ms. Nelson-Scott's medical condition, her LPN license is placed on probation. Said probation is stayed and the license is placed on Board-Lapsed status until Ms. Nelson-Scott's health improves to the point that she is physically able to return to the practice of nursing. Ms. Nelson-Scott's license would be reinstated on probationary status for a period of time as deemed necessary by the Board at the time of reinstatement following any necessary evaluations. In order to reinstate said Board-lapsed license, Ms. Nelson-Scott shall be required to comply with all the following: (a) undergo and provide documentation of an evaluation; (b) complete an application for reinstatement on a Board-approved form and pay any applicable fees; and (c) obtain and provide evidence of the requisite number of continuing education hours necessary for reinstatement of licensure.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.**

12. Patel, Kylie Alissa – RN 1-186167 SSL (Active)

Ms. Patel signed a Consent Order that would deactivate her multistate license and convert to a single state license and suspend her RN license for a minimum of three (3) months. Upon the Board's receipt of satisfactory documentation of: (a) payment of the reinstatement of suspended license fee, any other applicable fees and a \$500.00 fine; (b) successful completion of the education programs on Critical Thinking Nursing CE Course and Medical Errors Nursing CE Course; and (c) accrual of requisite continuing education credits, Ms. Patel's RN 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. Patel's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Ms. Mims seconded. Motion carried without objection.**

13. Fryfogle, Jonah Benjamin – RN 1-146914 SSL (Active/Probation)

Mr. Fryfogle signed a Consent Order that would terminate his March

17, 2023 Order and suspend his RN license 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 Upholding the Standard: Professional Accountability in Nursing and Substance Abuse and Addiction for RNs and LPNs Nursing CE Course, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Mr. Fryfogle be deemed in need of treatment and upon documented completion of the above terms, Mr. Fryfogle's RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and he will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Mr. Fryfogle's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and he 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, Mr. Fryfogle's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Mims seconded. Motion carried without objection.**

14. Dolzyk, Marta – RN 1-178219 SSL (Active)

Ms. Dolzyk signed a Consent Order that would suspend her RN license until such time as (a) payment of the reinstatement of suspended license fee, any other applicable fees, and a \$500.00 fine; (b) successful completion of the educational program(s) on Nursing Professional Conduct and Accountability and Therapeutic Relationships: Defining Nursing Boundaries; and (c) receipt of the 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. Dolzyk's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**



15. Roberson, Kelli Elizabeth – RN 1-129232 SSL (Active); CRNP

Ms. Roberson signed a Consent Order that would deactivate her multistate license and convert to a single state license and 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 courses on Upholding the Standard: Professional Accountability in Nursing and Substance Abuse and Addiction for APRNs Nursing CE Course.

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

16. Atchison, Kelly Renee – RN 1-127809 SSL (Lapsed)

Ms. Atchison signed a Consent Order that would deactivate her multistate license and convert to a single state license and suspend her RN license until receipt of documentation of: (a) required comprehensive evaluations ; (b) successful completion of the initial phase of a treatment program; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; (h) payment of the reinstatement of suspended license fee and any other applicable fees; and (i) submission of a complete application for reinstatement of lapsed license. Upon receipt of the above, Ms. Atchison'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. 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. Atchison's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

17. Cruce, Philip David – RN 1-063611 SSL (Active)

Mr. Cruce signed a Consent Order that would deactivate her multistate license and convert to a single state license and place her RN license on probation. Said probation is stayed and her RN license is placed on Board-Lapsed status. Should Mr. Cruce's health improve to the point where he is physically able to return to

the practice of nursing, his license will be reinstated on a probationary status for a period of time as deemed necessary by the Board at the time of reinstatement following necessary evaluations. In order to reinstate said Board-Lapsed license, Mr. Cruce shall be required to comply with all the following: (a) undergo and provide documentation of an evaluation conducted by a Board-acceptable license healthcare provider; (b) complete an application for reinstatement on a Board-approved form and pay any applicable fees; and (c) obtain and provide evidence of the requisite number of continuing education hours necessary for reinstatement of licensure.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

18. Dixon, Alexis Sandlin – RN 1-193024 SSL (Active); LPN 2-071958 SSL (Active)

Ms. Dixon signed a Consent Order that would deactivate her multistate license and convert to a single state license and suspend her RN and LPN license until such time as receipt of documentation of: (a) required comprehensive evaluations; (b) successful completion of the initial phase of a treatment program; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; and (h) payment of the reinstatement of suspended license fee and any other applicable fees. Upon receipt of the above, Ms. Dixon's RN and 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. 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. Dixon's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

19. Hoostal, Steven George – RN 1-187112 SSL (Active)

Mr. Hoostal signed a Consent Order that would deactivate his multistate license and convert to a single state license and suspend his RN license 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 Substance Abuse and Addiction for RNs and LPNs Nursing CE Course, if not deemed in need of treatment; and (i) payment of the reinstatement of suspended license fee and any other applicable fees. Should Mr. Hoostal be deemed in need of treatment and upon documente4d completion of the above terms, Mr. Hoostal's RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and he will be required to pay a \$1,000.00 fine. If not deemed to be in need of treatment, Mr. Hoostal's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations and he 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, Mr. Hoostal's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

20. Phillips, Brandy Turner – RN 1-132005 SSL (Active); LPN 2-046922 (Lapsed)

Ms. Phillips signed a Consent Order that would deactivate her multistate license and convert to a single state license and place her RN license on probation . Said probation is stayed and Ms. Phillips licenses will be placed on Board-Lapsed status. To the extent Ms. Phillips has an LPN license; said license shall be subject to the same terms and conditions. Should Ms. Phillips health improve to the point where she is physically able to return to the practice of nursing, her licenses would be reinstated on a probationary status for a period of time as deemed necessary by the Board at the time of reinstatement following any necessary evaluations. In order to reinstate said Board-Lapsed license, Ms. Phillips shall be required to comply with all the following: (a) undergo and provide documentation of an evaluation; (b) complete an application for reinstatement on a Board-approved form and pay any applicable fees; and (c) obtain and provide evidence of the requisite number of continuing education hours necessary for reinstatement of licensure.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

21. Shell, Yasmein Shegural – RN 1-181770 SSL (Active)

Ms. Shell signed a Consent Order that would deactivate her multistate license and convert to a single state license and 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 Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

22. Waters, Deana Hall – RN 1-089359 SSL (Active)

Ms. Waters signed a Consent Order that would deactivate her multistate license and convert to a single state license and place her RN license on probation for a period to run concurrently with court-ordered probation but not less than 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 Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

23. Peebles, Frankye Felecia – RN 1-138458 SSL Active)

Ms. Peebles signed a Consent Order that would suspend her RN 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 \$1,000.00 fine; (b) successful completion of the educational programs on Care Considerations for Older Adults: The Comprehensive Geriatric Assessment for RNs and LPNs Nursing CE Course and Righting a Wrong Ethics and Professionalism in Nursing; and (c) accrual of requisite continuing education credits, Ms. Peebles 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 beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Peebles licensure status will be

considered as and listed as revoked.

**On July 20, 2023, Ms. Lofton moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

24. Stevenson, Jeremy Lee – LPN 2-072341 SSL (Active)

Mr. Stevenson signed a Consent Order that would place his LPN license on probation for twelve (12) months with the usual illegal/illicit stipulations and require him to pay a \$300.00 fine and documented completion of courses on Upholding the Standard: Professional Accountability in Nursing and Substance Use and Drug Diversion for Licensees: Recognizing and Intervention for Peers Displaying Diversion Symptoms.

**On July 20, 2023, Ms. Lofton moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

25. Brown, Melanie Alise – RN 1-193264 SSL (Active); LPN 2-075727 SSL (Active)

Ms. Brown signed a Consent Order that would suspend her RN license for a minimum of three (3) months upon the receipt of satisfactory documentation of: (a) payment of the reinstatement of suspended license fee, any other applicable fees and a \$1,000.00 fine; (b) successful completion of the educational programs on Upholding the Standard: Professional Accountability in Nursing and Righting a Wrong – Ethics and Professionalism in Nursing; and (c) accrual of requisite continuing education credits, Ms. Brown's 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 beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Brown's licensure status will be considered as and listed as revoked. To the extent Ms. Brown has an LPN license; said license shall be subject to the same terms and conditions.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

26. Knighten, Vicky L. – RN 1-118999 MSL (Active)

Ms. Knighten signed a Consent Order that would deactivate her

multistate license and convert to a single state license and place her RN license on probation for twelve (12) months with the usual illegal/illicit stipulations and require her to pay a \$600.00 fine and documented completion of a course on Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

27. Salser Moore, Maxy Crystal – RN 1-142577 SSL (Active); LPN 2-063058 SSL (Lapsed)

Ms. Salser Moore signed a Consent Order that would deactivate her multistate license and convert to a single state license and suspend her RN 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 Substance Abuse and Addiction for RNs and LPNs Nursing CE Course; (c) receipt of the employer notification; and (d) accrual of requisite continuing education credits. In no event, will this period of suspension extend beyond twelve (12) months of the effective date of this Order. Should such occur, Ms. Salser Moore's licensure status will be considered as and listed as revoked. Upon reinstatement, Ms. Salser Moore's RN license will be placed on probation for twelve (12) months with the usual illegal/illicit stipulations.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

28. Thomas, Amanda Lee – RN 1-186403 RN (Lapsed/Inactive); 2-072404 LPN (Lapsed); Multistate Privilege to Practice in Louisiana RN 226796

Ms. Thomas signed a Consent Order that would suspend her privilege to practice in Alabama based on her Louisiana Multistate RN License until completion of all terms of this Order and suspend her Alabama RN license for a minimum period of one (1) month. At the conclusion of this period, Ms. Thomas is eligible to request reinstatement of licensure contingent upon payment of the reinstatement of suspended license fee, any other applicable fees and a \$1,000.00 fine, successful completion of the educational programs on Upholding the Standard: Professional Accountability in Nursing, Therapeutic Relationships: Defining Nursing Boundaries, and

Social Media; and receipt of the 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. Thomas licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Dr. Acker seconded. Motion carried without objection.**

29. McVay, Morgan Elizabeth – RN 1-144898 SSL (Active)

Ms. McVay signed a Consent Order that would terminate her December 15, 2021 VDAP Agreement and deactivate her multistate license and convert to a single state license and suspend her RN license until receipt of documentation of: (a) required comprehensive evaluations; (b) successful completion of the initial phase of a treatment program; (c) receipt of recommendation to return to the practice of nursing; (d) participation in an aftercare program; (e) negative random monthly drug screens; (f) contact information for individual counselor, if recommended; (g) accrual of requisite continuing education contact hours; and (h) payment of the reinstatement of suspended license fee and any other applicable fees. Upon receipt of the above, Ms. McVay'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. 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. McVay's licensure status will be considered as and listed as revoked.

**On July 20, 2023, Ms. Rodgers moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.**

30. Field, Thomacenia Maria – RN Exam Applicant

Ms. Field signed a Consent Order that would approve her application to take the NCLEX-RN exam and, if successful, she will receive her RN license and be issued a public reprimand.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

31. Gweshe, Chipso I – LPN Pending Endorsement Exam Applicant

Ms. Gweshe signed a Consent Order that would approve her LPN

endorsement application and issue her a public reprimand .

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

32. Smith, Veronda Adora – MAC Pending Exam Applicant

Ms. Smith signed a Consent Order that would approve her to take the MACE exam and if successful she will receive her MAC permit and be issued a public reprimand.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

33. Waters, Latrice Renee – MAC Pending Exam Applicant

Ms. Waters signed a Consent Order that would approve her to take the MACE exam and if successful she will receive her MAC permit and be issued a public reprimand.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

34. Wright, Tiffany – MAC Pending Exam Applicant

Ms. Wright signed a Consent Order that would approve her to take the MACE exam and if successful she will receive her MAC permit and be issued a public reprimand.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

35. Bopp, Casey S – RN Pending MSL Endorsement Applicant

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

**On July 20, 2023, Ms. Rodgers moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.**



36. Savage, Quenisha Denise – LPN 2-056331 SSL (Lapsed)

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

**On July 20, 2023, Ms. Rodgers moved that the Board accept the Consent Order. Dr. Dearmon seconded. Motion carried without objection.**

37. Davis, Tiffany Shatoya – RN 1-165687 (Active); MSL RN Applicant; LPN 2-067462 (Lapsed)

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

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

38. Doskal, Candice Marie – RN 1-150717 SSL (Active); LPN 2-065020 SSL (Lapsed)

Ms. Doskal signed a Consent Order that would deny her application for a multistate license and issue her RN license a public reprimand and require her to pay a \$500.00 fine. To the extent Ms. Doskal has an LPN license; said license shall be subject to the same terms and conditions.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

39. Gist, Ashley Michelle – RN Pending Exam Applicant

Ms. Gist signed a Consent Order that would approve her to take the NCLEX-RN exam, and, if successful, she will be licensed with a RN license and issued a public reprimand and she will be required to pay a \$300.00 fine.

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

40. Mettlen, Ashley Megan – RN Pending Endorsement MSL Applicant; LPN 2-071449 (Lapsed)

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

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

41. Whitney, Sarita Victoria – LPN 2-064557 SSL (Active)

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

**On July 20, 2023, Ms. Seip moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

42. Westerlund, Eric Dodd – RN 1-071738 SSL (Active); CRNP

Mr. Westerlund signed a Consent Order that would issue him a public reprimand and require him to pay a \$500.00 fine.

**On July 20, 2023, Ms. Buford moved that the Board accept the Consent Order. Mr. Sapalaran seconded. Motion carried without objection.**

43. Covington, Sarah Alice – RN 1-049268 MSL (Active); CRNP (Active)

Ms. Covington signed a Consent Order that her Alabama Registered Nurse License and Certificate of Qualification to Engage in Advanced Practice will be issued a public reprimand and she will be required to pay a \$300.00 fine and documented completion of a course on Upholding the Standard: Professional Accountability in Nursing.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

44. Freeman, Karen P. – LPN 2-044244 SSL (Active)

Ms. Freeman signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine and documented completion of courses on Critical Thinking and Clinical Reasoning and Upholding the Standard: Professional Accountability in Nursing.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

45. Green, Magan Elyse – RN 1-124953 SSL (Active)

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

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

46. Henry, Deborah Jean – LPN 2-062084 MSL (Active)

Ms. Henry signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine and documented completion of a course on Upholding the Standard: Professional Accountability in Nursing.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

47. Jerkins, Meghan Victoria – LPN 2-063587 SSL (Active)

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

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

48. Parker, Melody Diane – RN 1-065470 SSL (Active)

Ms. Parker signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine and documented completion of a course on Upholding the Standard: Professional Accountability in Nursing.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

49. Waldhour, Ashley Paige – RN 1-185286 SSL (Active)

Ms. Waldhour signed a Consent Order that would issue her a public reprimand and require her to pay a \$300.00 fine and documented completion of a course on Upholding the Standard: Professional Accountability in Nursing.

**On July 20, 2023, Dr. Acker moved that the Board accept the Consent Order. Ms. Rodgers seconded. Motion carried without objection.**

#### **B. REINSTATEMENT – CONSENT ORDERS**

1. Colburn, Lacie Darlene – RN 1-062664 (Revocation)

Ms. Colburn signed a Consent Order that would approve her application for reinstatement of a revoked RN license. Upon licensure, Ms. Colburn'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.

**On July 20, 2023, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

2. Farmer, Christina Lynn – RN 1-126372 (Revocation)

Ms. Farmer signed a Consent Order that would her application for reinstatement of a revoked RN license. Upon licensure, Ms. Farmer'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 courses on Upholding the Standard: Professional Accountability in Nursing and Substance Abuse and Addiction for RNs and LPNs Nursing CE Course.

**On July 20, 2023, Ms. Rodgers moved that the Board accept the Consent Order. Ms. Armstrong seconded. Motion carried without objection.**

### **C. ADMINISTRATIVE HEARINGS**

**On July 20, 2023, Dr. Dearmon 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 hearing and vote on the outcomes. Ms. Rodgers seconded. Motion carried with all in favor: (Deborah Hoover, Kristi Acker, Clint Witherington, Cynthia Buford, Karron Armstrong, Janice Seip, Tochie Lofton, Gabriel Sapalaran, and Sarah “Mandy” Mims).**

Ms. Hill estimated that the Board would reconvene at 10:10 a.m.

The board reconvened in open session at 10:28 a.m.

1. Akin, Sean Patrick- RN 1-063423 (Lapsed)

**On July 20, 2023, Ms. Mims moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Akin’s RN license. Ms. Buford seconded. Motion carried without objection.**

2. Appleton, Amy Lee- RN 1-141325 (Lapsed); LPN 2-062172 (Lapsed)

**On July 20, 2023, Mr. Sapalaran moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Appleton’s RN license. Ms. Buford seconded. Motion carried without objection.**

3. Coach, Bradley Ramon- LPN Exam Applicant

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and approve Mr. Coach’s LPN Exam Application. Ms. Seip seconded. Motion carried without objection.**

4. Hunter, Cherese Shakara Audrella- RN 1-173250 (Active)

**On July 20, 2023, Ms. Lofton moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and issue Ms. Hunter a public reprimand and require her to pay a \$300.00 fine. Dr. Dearmon seconded.**

**Motion carried without objection.**

5. Irvine, Lena- RN Exam Applicant

**On July 20, 2023, Ms. Seip moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and approve Ms. Irvine's RN Exam Application and if successful she will receive her RN license and be placed on probation for twelve (12) months with the usual practice stipulations and she will be required to pay a \$1,000.00 fine and documented completion of a course on "Ethics of Nursing Practice". Ms. Buford seconded. Motion carried without objection.**

6. Lawson, Larry Xavier- RN 1-147891 (Lapsed); LPN 2-059826 (Lapsed)

**On July 20, 2023, Ms. Buford moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Mr. Lawson's RN license. Ms. Seip seconded. Motion carried without objection.**

7. Neese, Nicole Portenga- RN 1-089491 (Lapsed)

**On July 20, 2023, Ms. Armstrong moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Neese's RN license. Ms. Buford seconded. Motion carried without objection.**

8. Noland, Christopher Lee- RN 1-090593 (Active/Probation)

On July 20, 2023, Dr. Acker recused herself from the voting and discussion concerning Mr. Noland.

**On July 20, 2023, Mr. Witherington moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and terminate his November 21, 2022 Order and suspend Mr. Noland's RN license until receipt of documentation of (1) successful completion of recommended twelve (12) weeks of Intensive Outpatient treatment for substance use disorder; (2) negative random monthly drug screens; (3) active participation in abstinence-oriented support group meetings; (4) accrual of requisite continuing education contact hours; and, (5) payment of**

appropriate fees. Upon receipt of the above, Mr. Noland's RN license will be placed on probation for sixty (60) months with the usual substance use disorder stipulations and he will be required to pay a \$1,000.00 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, Mr. Noland's licensure status will be considered as and listed as revoked. To the extent Mr. Noland has an LPN license; said license shall be subject to the same terms and conditions. Ms. Buford seconded. Motion carried without objection.

9. Senn, Kimberly Michelle- RN 1-158272 (Suspension)

On July 20, 2023, Ms. Buford and Ms. Mims recused themselves from the voting and discussion concerning Ms. Senn.

**On July 20, 2023, Dr. Acker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Senn's RN license. Ms. Seip seconded. Motion carried without objection.**

10. Taylor, Eureka Shaquilla- AL Multi-State Privilege to Practice Based on MS Multi-State License No. PN327297

**On July 20, 2023, Ms. Hoover moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Taylor's privilege to practice in Alabama based on her Mississippi Multi-state License. Mr. Sapalaran seconded. Motion carried without objection.**

11. Togunloju-Davis, Scholastica Nkiruka- RN Exam Applicant

**On July 20, 2023, Dr. Dearmon moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Togunloju-Davis's RN Exam Application. Ms. Lofton seconded. Motion carried without objection.**

#### **D. REQUEST FOR REHEARING**

1. Hayes, Taylor Leigh-CRNP 1-156148 (Suspension); RN 1-156148 (Suspension)

**On July 20, 2023, Dr. Acker moved that the Board accept the**

**Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Ms. Hayes's request for a rehearing. Ms. Seip seconded. Motion carried without objection.**

**XIII. NEXT MEETING DATE – Friday, September 15, 2023, 770 Washington Avenue, RSA Plaza, Montgomery, Alabama, Suite 350**

**XIV. OTHER**

A. ABN Update

Ms. Benson gave an ABN Update on:

1. ABN will be moving from Board Effect to Govenda for the September Board meeting, training will be set up before September.
2. Loan Repayment – supplemental request, no monies to enforce.
3. A copy of the Annual Report was given to each Board member to review, will do the presentation during the September Board meeting.
4. Working with the Alabama Board of Medical Examiners on the Advanced Practice education.
5. Mental Health Conference went very well and got a lot of positive feedback.
6. Request to send comments on Birthing Centers with concerns related to the thirty (30) minute presence and physician availability.

**On July 20, 2023, Ms. Seip moved that the Board approve Ms. Benson on sending the comments related to concerns requiring a 30 minute for a physician to be at the Birthing Centers. Mr. Sapalaran seconded. Motion carried without objection.**

7. Request to send comments on CRNPs and Rural Emergency supporting the use and CRNPs in the designating centers.

**On July 20, 2023, Ms. Seip moved that Board approve Ms. Benson on sending the comments related to supporting the use of CRNPS and Rural Emergency.**

**XV. BOARD MEETING DEBRIEFING**

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



None

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

None

**XVI. ADJOURNMENT**

The ABN Board meeting adjourned at 10:30 a.m. on Thursday, July 20, 2023.

\_\_\_\_\_  
Victoria Hill, MSN, RN  
President

\_\_\_\_\_  
Gabriel Sapalaran, BSN  
Secretary

Submitted by: \_\_\_\_\_  
Tonya Smith Recorder 07/23