

**MINUTES**

**UTAH  
BOARD OF NURSING**

**January 8, 2009**

**Room 474 – 4<sup>th</sup> Floor – 9:45 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED: 9:50 a.m.**

**ADJOURNED: 2:26 p.m.**

**Bureau Manager:  
Secretary:**

Laura Poe  
Shirlene Kimball

**Conducting:**

Debra Schilleman

**Board Members Present:**

Peggy Brown  
Diane Forster-Burke  
Mary Williams  
Pam Rice  
John Killpack  
Joel Allred  
Marie Partridge  
Susan Kirby  
Debra Schilleman

**Members Excused:**

Barbara Jeffries  
Laurie Simonson

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

December 11, 2008 minutes:

The minutes were approved with corrections. All Board members in favor.

**NEW BUSINESS:**

Connie Call, Compliance Report:

Ms. Call reported the following individuals are out of compliance with the terms and conditions of their Orders: Karen Christiansen, Dale Hullinger, Bambi Koeller, Angie Mangelson, Nora Mitchell, Keith Moslak, Amy Stone, Nancy Whittemore, Kent Wilkinson, Rhandi Robertson, Heather Dearing, Michelle Peterson, Erin Crockett, Carolyn Watterson, Traci Johnson and Jason VanDaam

Board members recommend that if Ms. Christiansen

does not have all her paperwork into the Division within 10 days, she should be referred for an Order to Show Cause Hearing. Board members also indicated that if Ms. Koeller continues to miss calling CVI, she should be referred to investigations for an Order to Show Cause Hearing. Due to their continued non-compliance, Board members requested Ms. Crockett and Ms. Watterson meet with the Board next month.

Divided into Groups at 10:11 a.m.:

Group 1:  
Marie Partridge conducting  
Shirlene Kimball, Secretary

Board members present: Ms. Forster-Burke, Mr. Allred, Ms. Partridge, Mr. Killpack and Dr. Williams.

Andrew Decker,  
Annual Probation interview:

Dr. Williams conducted the interview. Mr. Decker reported things are going well. He continues to work at Salt Lake Regional Hospital. Mr. Decker's aftercare counselor submitted a letter indicating Mr. Decker had completed aftercare. Mr. Decker requested that the aftercare requirement be terminated. He stated he has no urges to use, has not relapsed, works closely with his sponsor and attends his meetings. He stated he has a good support system, and feels he has done a 180 and totally changed his life style. Mr. Decker stated he does have bumps in the road and it has been difficult to convince his wife to maintain sobriety. He reported his sobriety date is July 4, 2006. Mr. Decker is also requesting that his access to controlled substances be returned. **Mr. Decker appears to be doing well and is in compliance with the terms and conditions of his Order.** Committee members will recommend termination of the aftercare requirement and recommend that access to controlled substances be returned.

Kimberli Johnson,  
Interview:

Mr. Allred conducted the interview. Ms. Johnson stated she resigned from her job on Monday. She indicated she was the charge nurse at her place of employment and a new employee made a major mistake. The employer fired the new employee and indicated Ms. Johnson could resign or be fired. Mr. Allred indicated the employer report was excellent in three areas and does indicate there had been an incident on the unit. She stated she understands the employer's position. She was the charge nurse and

responsible even though the other employee made the mistake. She indicated her last day worked was January 5, 2009. Ms. Johnson stated she is not taking any medications not lawfully prescribed for her. She has had no changes to the medications listed on her self-assessment report. She indicated her sobriety date is April 2000. She stated she has had no thoughts of relapse and has not relapsed. Ms. Johnson stated she is attending all her meetings, even though she feels some are repetitious. She stated she has a sponsor, has a good support system, friends and family. **Ms. Johnson is current on all paperwork and appears to be in compliance with the terms and conditions of her Order.**

Nancy Stone Whittemore.  
Annual Interview:

Ms. Forster-Burke conducted the interview. Ms. Whittemore reported things were going better than in August when she had a relapse. She indicated she met with the Board in October to discuss the relapse. She stated she learned that she should not take any medication that has not been prescribed for her. She stated she has not taken any medications not lawfully prescribed for her and is not using any street drugs. Ms. Whittemore reported the hardest part was admitting to the people that she sponsors at AA, that she had ingested medication that did not belong to her. She stated she has had to step back and work on herself. She stated she has started over on the 12 steps and is currently working on step number two. She reported her new sobriety date is August 25, 2008. She stated she appreciates the support from the Division, the Board, her employer and her family. She stated she remains the assistant director of nursing at her place of employment. Ms. Forster-Burke reminded her that she needs to submit her 12-step attendance reports, her self-assessment report. **Ms. Whittemore is out of compliance for missing calls to CVI four times in December, missing a urine screen, not submitting 12 step attendance reports and no self assessment report.**

Donna Cook,  
Board request Interview:

Ms. Cook did not appear for her scheduled interview. **Ms. Cook is out of compliance with the terms and conditions of her Order.**

Jolene Gibbs,

Mr. Killpack conducted the interview. Ms. Gibbs has

Board Requested Interview:

missed several urine screens and she stated her account with CVI has been on hold for non payment. She stated she had not been worried about the urine screens because her account was on hold. She stated she gets paid tomorrow and will bring her account up to date. She stated she plans on coming into compliance. She reported her sobriety date is July 10, 2004. She stated she has had no thoughts of relapse and has not relapsed. She stated she is redoing her steps and is on step 11 or 12. She reported her sponsor moved to California and she has not looked for a new sponsor. She stated she has had no change in medications. She is not taking any medications that have not been lawfully prescribed for her and is not taking any street drugs. She stated she deals with stress by meditation, walking and she has a good family support system. **Ms. Gibbs is out of compliance with the terms and conditions of her Order due to the missed urine screens.**

Group 2  
Barbara Jeffries conducting  
Connie Call, minute taker

Committee members present: Ms. Jeffries, Ms. Brown, Ms. Kirby and Ms. Rice.

Angie Mangelson,  
Annual Interview:

Ms. Mangelson did not appear for her scheduled interview. She will be scheduled to meet with the Committee next month. **Ms. Mangelson is out of compliance with the terms and conditions of her Order.**

Lillian Howell,  
Annual Interview:

Ms. Kirby conducted the interview. Ms. Howell stated she is doing well. She indicated her sobriety date is 2001. She is not employed and questioned why she can't provide patient care. She is requesting permission to work at Provo Canyon giving direct patient care under the on-site supervision of a Registered Nurse. She reported her stress has been trying to find work as a nurse. She stated she is still attending 12-step program; however, would like to attend PIR meetings in lieu of 12-step meetings. Committee members will recommend to the Full Board that she be allowed to provide direct patient care under the on-site supervision of a Registered Nurse and that the Order be amended to allow attendance at PIR meetings in lieu of AA meetings. **Ms. Howell is in compliance with the terms and conditions of her Order.**

Stacie Wood,  
New Order:

Ms. Schilleman conducted the interview. Ms. Wood and her attorney, Jennifer Carnzal met with the Committee. Ms. Wood stated she is working at Wasatch Valley Rehab 40 hours per week. She reported her supervisor has a copy of the Stipulation. She reported her sobriety date is 4-5 years ago. Ms. Wood indicated she has no thoughts of relapse and has not relapsed. She is not required to attend 12-step or PIR meetings. She stated she handles stress by reading, sewing and movies. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Wood is in compliance with the terms and conditions of her Order.**

Pamela Sinnett,  
New Order:

Ms. Brown conducted the interview. Ms. Sinnett explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of her Order. She indicated she is being treated for pain by a pain clinic. She indicated there are two practitioners working at the clinic and she requested she be allowed to have either practitioner prescribe her pain medications. She reported her sobriety date is July 15, 2008. She stated she has had no thoughts of relapse and has not relapsed. Committee members will recommend to the Total Board to amend her Order to allow either practitioner working for the Spine Care Center prescribes her medications. She was informed she must sign up with CVI immediately and to notify Ms. Call in writing if she becomes employed in nursing. **Ms. Sinnett is in compliance with the terms and conditions of her Order.**

Adjourned for lunch at 11:40 a.m.  
Reconvened to Full Board at 12:15 a.m.

Action from the Probation Peer Review  
Committee:

Andrew Decker: Committee members recommend termination of aftercare and to return his access to controlled substances. Dr. Williams was out of the room for the vote. All other Board members in favor.

Donna Cook did not appear for her scheduled interview and will be scheduled to meet with the Board next month.

Angie Mangelson did not appear for her scheduled interview and will be rescheduled for next month.

Lillian Howell: Ms. Howell appears to be doing well and has requested her Order be amended to allow direct patient care. Committee members made the recommendation to approve the request. All Board members in favor.

Pamela Sinnett: Ms. Sinnett requested her Order be amended to allow prescriptions be written by either prescribing practitioner from the Spine Care Clinic. There are only two practitioners in the clinic and she will send in a contract she has with them indicating she will only receive prescriptions from the Spine Care Clinic. Committee members recommend the request be approved. All Board members in favor.

Kellie Northern,  
Request for Early Termination of Probation:

Ms. Northern requested early termination of probation. Her probation is scheduled to end November 2010. Ms. Northern is in compliance with the terms and conditions of her Order. Mr. Allred made a Motion to terminate probation. Dr. Williams seconded the Motion. All Board members in favor.

Mason Francom,  
Request for Early Termination of Probation:

Mr. Francom's probation is scheduled to end November 2011. He has been in total compliance with the terms and conditions of his Order. Ms. Rice made a Motion to terminate the probation. Dr. Williams seconded the Motion. All Board members in favor.

Steven Stewart,  
Request for Early Termination of Probation:

Mr. Stewart is in compliance with the terms and conditions of his Order. His probation is scheduled to terminate February 2012. His probation was for a situation that did not involve patients, and his therapist indicated he has met all goals established in therapy. Ms. Kirby made a Motion to terminate the probation. Ms. Brown seconded the Motion. Ms. Rice and Ms. Forster-Burke opposed the Motion. All other Board members in favor.

Steven Larson,  
Request to Terminate Attendance at Aftercare:

Mr. Larson's therapist submitted a letter indicating Mr. Larson has completed aftercare. Mr. Allred made a Motion to terminate aftercare. Ms. Partridge seconded the Motion. All Board members in favor.

Jason VanDaam,  
Request to call in Prescriptions  
Request to work without supervision:

Ms. Forster-Burke made a Motion to allow Mr. VanDaam to call in prescriptions as appropriate in the work setting. Mr. Killpack seconded the Motion. All Board members in favor. Ms. Forster-Burke made a Motion to deny the request to allow him to work no more than two graveyard shifts per week without direct supervision; however the order could be amended to allow for a nurse supervisor. Ms. Kirby seconded the Motion. All Board members in favor.

Adjourned to Rules Hearing at 1:00 p.m.  
Reconvened to Full Board at 1:50 p.m.

Ms. Poe indicated the Division will continue to receive written comments.

Carolyn Watterson,  
Request for Access to Controlled Substances:

Carolyn Watterson requested that her access to controlled substances be returned. She has also requested that she be allowed to write prescriptions. Board members want it made clear to her that she does not have prescriptive privileges and can not write prescriptions. Ms. Watterson was just placed on probation in August. Mr. Allred made a Motion to deny both requests until Ms. Watterson has demonstrated a period of time with clean urine screens before granting access back and allowing her to call in prescriptions. Ms. Brown seconded the Motion. All Board members in favor.

Environmental Scan:

Ms. Poe reported the Legislature begins the end of the month. She indicated there will be a bill regarding the controlled substance data base and anesthesia assistant, but haven't seen any other bills that will directly affect nursing.

Ms. Poe reported the NCSBN Midyear meeting will be held March 3-4, 2009. NCSBN will pay for two members to attend. Dr. Williams made a Motion to have Ms. Poe and Ms. Schilleman attend this meeting. Ms. Forster-Burke seconded the Motion. All Board members in favor.

Report from Education Committee:

Ms. Forster-Burke reported Utah Career College is getting ready for an NLNAC site visit. Ameritech College will be submitting objectives this next month for review. Committee members also reviewed the NCSBN NCLEX-RN test plan. Committee members also discussed licensure exemption and medications in schools.

Compact Rules:

Ms. Poe indicated clarification has been made to the Interstate Compact Rules. These include if an individual declares the Military, there is a form to be filled out and a W-2 form from the government will be accepted as documentation. Also, if an individual has declared a foreign country, they would be issued a single state license. For those individuals who have been disciplined, they are to be issued a single state license. If a license is suspended, denied for cause and the individual wants to become licensed in another compact state, that state has the right to determine whether or not they will issue a single state license. Ms. Forster-Burke made a Motion to approve the draft compact rules. Ms. Rice seconded the Motion. All Board members in favor.

Review draft Medical Cosmetic Treatment Rules:

Reviewed. The APRN can serve as Medical Director of the facility for Medical Cosmetic Treatments. The Medical Director would be responsible for the services provided and can delegate to an RN, LPN or unlicensed individual providing there is direct and immediate supervision provided by an advanced healthcare practitioner (MD, Osteopathic physician, APRN or PA).

Election of chair elect:

Mr. Allred nominated Mr. Killpack. Ms. Schilleman nominated Ms. Kirby. Dr. Williams made a Motion to elect Ms. Kirby as chair elect beginning January 2010 and Mr. Killpack beginning January 2011. The Motion was seconded. All Board members in favor.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

February 12, 2009  
Date Approved

(ss) Debra Schilleman  
Debra Schilleman, Chair, Board of Nursing

February 12, 2009  
Date Approved

(ss) Laura Poe  
Laura Poe, Bureau Manager, Division of Occupational & Professional Licensing