

MINUTES

**UTAH
BOARD OF NURSING**

May 12, 2011

**Room 474 – 4th Floor – 8:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 10:15 a.m.

ADJOURNED: 3:00 p.m.

Bureau Manager:

Dave Taylor

Secretary:

Shirlene Kimball

Compliance Specialist:

Connie Call

Conducting:

Diana Parrish

Board Members Present:

Peggy Brown

Debra Schilleman

Mary Williams

Diana Parrish

Joel Allred

Sue Kirby

Marie Partridge

Alisa Bangerter

Board Members Excused:

Barbara Jeffries

Pam Rice

John Killpack

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

April 14, 2011 Minutes:

Connie Call,

Compliance report:

Divided into Groups to conduct probation
interviews at 10:30 a.m.:

DECISIONS AND RECOMMENDATIONS

A Motion was made to approve the April 14, 2011
with corrections. Ms. Bangerter abstained. All other
Board members were in favor of the Motion.

Ms. Call reported the following individuals are out of
compliance with the terms and conditions of their
Orders: Amy Dansie; Carrie Frampton, Dee Ann
Taylor, Jamie Anderson, Jason Van Damm, Kelly
Roring, Michael Jorgenson, Kaylyn Thompson, Tyler
Miller and Lacy Turley.

Group 1: Conducting: Marie Partridge
Secretary: Shirlene Kimball

Members present: Ms. Schilleman, Ms. Partridge and
Mr. Allred.

Betty Long,
Probation Interview:

Ms. Long reported she attends aftercare and support group meetings, has a sponsor and contacts her sponsor once a week. Ms. Long stated she has been attending aftercare for two years and she will be terminated from the aftercare program. Mr. Allred indicated the therapist needs to write a letter indicating aftercare is no longer needed and her Order could be amended. **Ms. Long is in compliance with the terms and conditions of her Order.** She will be seen May 2012.

Kay Tate Dellinger,
Probation Interview:

Ms. Dellinger reported she continues to look for employment. Ms. Dellinger stated she feels the restrictions on her license are a hindrance and an employer won't even consider hiring her once they see her license is on probation. Ms. Dellinger stated she has been sober since June 14, 2005 and is frustrated and that she can not apply for a hospice position. Ms. Dellinger indicated she has no thoughts of relapse and has not relapsed. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Dellinger is in compliance with the terms and conditions of her Order** and will be seen May 2012.

Kaylyn Thompson,
Probation interview:

Ms. Thompson missed calling CVI April 2, 9, 11, 27, 30, 2011. Ms. Thompson missed a urine screen April 18, 2011. Ms. Thompson stated she was on vacation April 13-19, 2011. Ms. Thompson reported her sobriety date is December 16, 2009 and has no thoughts of relapse and has not relapsed. Ms. Thompson requested she be allowed to fill prescriptions at two pharmacies because her current pharmacy does not fill a certain prescription that she needs. Ms. Thompson again requested she be allowed to work at Painted Hills School with ADHD students. Ms. Thompson was reminded she needs to be in complete compliance for six months before her request would be considered. Ms. Thompson stated she needs to work to support her family and this process has been very frustrating. Ms. Thompson questioned whether or not the Division or drug screening company could call her when she has to go in for a urine screen rather than her having to call everyday.

Board members questioned who is accountable for her actions? Ms. Thompson stated she understands she is accountable, however, she feels there has to be an end to the cycle and she just wants to move forward. Mr. Allred indicated there is a reason why she has to call CVI everyday and the Board will not change the process. Ms. Thompson stated she just wants to scream, she stated she feels she has met the goal of being sober and this is very stressful for her. Mr. Allred stated changes have to be made, she put herself in this position and the Board needs to protect the public. **Ms. Thompson is out of compliance with the terms and conditions of her Order.**

Julie Versteeg,
Probation Interview:

Ms. Versteeg is requesting she be allowed to work under the general supervision of a nurse. Ms. Versteeg stated her RN supervisor working the same shift quit and her employer has been trying to find work for her under another RN. However, she is not working very many hours. Ms. Versteeg stated her sobriety date is December 29, 2003. Ms. Versteeg stated she has not had thoughts of relapse and has not relapsed. **Ms. Versteeg is in compliance with the terms and conditions of her Order.**

Marsha Taylor,
Probation Interview:

Ms. Taylor reported she is doing well and stated she has had no thoughts of relapse and has not relapsed. She reported her sobriety date is February 6, 2006. Ms. Taylor stated she has a sponsor and speaks with the sponsor three or four times a week. Ms. Taylor is requesting termination of probation. Mr. Allred questioned why she feels the probation should be terminated. Ms. Taylor stated she has had a long history with the Board and feels like she is safe at this time. Ms. Taylor has been on probation for three years. Mr. Allred indicated studies have shown the fourth year is when most relapses occur. He stated he would feel more comfortable waiting for one more year before recommending termination of probation. Mr. Allred complimented Ms. Taylor on her compliance, but feels she should remain on probation. **Ms. Taylor is in compliance with the terms and conditions of her Order** and will be seen in one year.

Joseph Gardner,
New Order:

Mr. Gardner explained the circumstances that brought him before the Board. Mr. Gardner indicated he was

terminated from Diversion due to a relapse. Mr. Gardner stated he did not know that Diversion tested for alcohol. Mr. Gardner stated he was fired from his job this morning because he had not informed them he has been on probation since January. Mr. Gardner stated his access was not restricted while he was in Diversion and he requested his access to controlled substances be returned. He stated he never diverted medications from his employer. Mr. Gardner also requested he be allowed to work under general supervision of a nurse instead of direct supervision. Board members indicated this is Mr. Gardner's first meeting with the Board and he needs to demonstrate compliance before requesting modifications to the Order. The Board's role is to protect the public, and even though he did not divert medications, he used heron and that is unprofessional conduct. Mr. Allred stated the Board does not want him to give up hope, but the process developed helps in his recovery and he needs to follow the process and maintain compliance. Mr. Gardner stated his sobriety date is about one year, he doesn't have a date. He stated he has had no thoughts of relapse and has not relapsed. He stated he has not taken any drugs that have not been lawfully prescribed for him. Mr. Gardner stated he is working on obtaining his evaluations and questioned whether or not he could have his current therapist, Dr. Michael Crookston, provide the evaluations. He stated he understands the terms and conditions of the Order. Mr. Allred stated Committee members will present to the Full Board his request to attend four 12-step meetings in lieu of PIR meetings, request for access and request to have his current therapist, Michael Crookston, submit the evaluation. **Mr. Gardner is in compliance with the terms and conditions of his Order.** He will be seen again in three months.

Karen Chlarson,
Probation Interview:

Ms. Chlarson called in sick and will be rescheduled.

Group 2 Conducting: Peggy Brown
Minute taker: Connie Call
Bureau Manager: Dave Taylor

Members present: Peggy Brown, Mary Williams,
Diana Parrish and Alisa Bangerter.

Jennifer Fredrickson,
Quarterly Interview:

Ms. Frederickson's current therapist does not feel qualified to give an opinion on whether or not she is safe to practice. Ms. Frederickson was instructed to

either find a new therapist or help the current therapist understand what is needed so that she can return to work. Ms. Frederickson reported her sobriety date is May 2, 2010. She reported she has had no thoughts of relapse and has not relapsed. She stated she copes with stress by meeting with her counselor, visits her mom and volunteers at No Homeless Pets and at the Midvale Masonic Temple. Committee members requested that Janiece Pompa submit an updated letter regarding her drug testing. **Ms. Fredrickson is in compliance with the terms and conditions of her Order.**

Michael Jorgensen,
Quarterly Interview:

Mr. Jorgensen reported his sobriety date is April 4, 2011. His last four urine screens have been positive for ETG and he indicated he was taking an herbal supplement to help him sleep. He stated he discovered that the supplement contained alcohol and has stopped taking the supplement. Mr. Jorgensen stated he has seen a physician and received a legitimate prescription for medication to help him sleep. **Mr. Jorgensen is out of compliance with the terms and conditions of his Order because of the positive urine screens for ETG.**

Debra Davenport,
Quarterly Interview:

Ms. Davenport indicated she has been unable to find a job and is requesting she be allowed to work in Home Health. **Ms. Davenport is in compliance with the terms and conditions of her Order.**

Carrie Frampton,
Probation Interview:

Ms. Frampton missed a urine screen on April 30, 2011 because the testing site was closed by the time she arrived. Ms. Frampton reported her sobriety date is December 22, 2008. She stated she attends support group meetings and is working on step three. **Ms. Frampton is out of compliance with the terms and conditions of her Order.**

Lori Wright
Quarterly Interview:

Ms. Wright stated she is not actively seeking a job at this time. Ms. Wright stated she is stepping back to deal with some emotional issues. **Ms. Wright is in compliance with the terms and conditions of her Order.**

Tina L'Estrange,
New Order:

Ms. L'Estrange explained the circumstances that brought her before the Board. She indicated she

diverted medications from family, friends and employer. Ms. L'Estrange stated she understands the terms and conditions of her Order. She reported her sobriety date is April 6, 2011. **Ms. L'Estrange is in compliance with the terms and conditions of her Order.**

Jeness Morgan,
New Order:

Ms. Morgan explained the circumstances that brought her before the Board. Ms. Morgan stated her criminal action have been addressed and feels like she is being punished again for the same thing. Ms. Morgan stated she feels that if she can find a job her emotional stress will lessen. Ms. Morgan reported her sobriety date is December 2006 for alcohol and she has been clean from the use of drugs since 2002. She stated she does not have thoughts of relapse and has not relapsed. Ms. Morgan is in compliance with the terms and conditions of her Order.

Reconvened to Total Board at 1:05 p.m.:

Dru Fry:

Ms. Fry was issued a restricted license that does not allow her to administer, dispense, possess, have access to, or handle in any way, any controlled substance that she does not have a valid personal prescription for. Ms. Fry is requesting that this restriction be terminated. Ms. Fry stated she initially held a position at the Health Department that did not require access. She stated she took a year off to take care of her grandchild, and now wants to return to nursing. Ms. Fry indicated she applied for an audit position, but was not hired because of the restriction. Ms. Fry stated she does not want to return to clinical nursing. A review of the file indicated that at the time Ms. Fry was on probation, the therapist suggested the permanent restriction. Ms. Fry stated she was working in a Methadone clinic, diverted the Methadone and mixed it with other medications and overdosed. Ms. Fry stated at the time, she felt it was best to have a permanent restriction. Ms. Fry stated she now feels she is ready to have access. Mr. Allred questioned what she has done to change in the last six years. Mr. Allred also questioned whether or not she has a current therapist or a current evaluation that would recommend the restriction be lifted. Ms. Brown stated she would like an independent evaluation and

would like the evaluator to review the previous therapist evaluation regarding why the recommendation was made. We would also need a current substance abuse evaluation. Ms. Fry stated she would provide the additional information. Her request will be tabled with the additional information is received.

Report from Probation Peer Review
Committee:

Kay Tate requested she be allowed to work in hospice/home health care. She has been on probation since 2009, but has not been working. Board members expressed concern that Ms. Tate would be required to drive to patients homes and she could be impaired and no one would know. Other Board members indicated there are a lot of available medications in patient homes and there is no supervision. Mr. Allred made a Motion to deny her request based on the time on probation without working and the lack of supervision in hospice/home health. Ms. Schilleman seconded the Motion. Ms. Partridge opposed the Motion. All other Board members voted in favor of the Motion.

Julie Versteeg requested her Order be amended to allow her to work under general supervision. A Motion was made to grant her request. The Motion was seconded. Mr. Allred opposed. All other Board members in favor.

Marsha Taylor requested early termination of probation. Ms. Taylor has been on probation for three years and is doing well. However, Board members expressed concern that relapse occurs during the fourth year. Mr. Allred made a Motion to deny the request based on the length of time on probation. Ms. Schilleman seconded the Motion. All Board members in favor.

Joseph Gardner requested access to controlled substances, general supervision, allow him to attend 12 step meetings in lieu of PIR meetings and accept the evaluation by Michael Crookston. A Motion was made to amend the Order to allow Mr. Gardner to attend four 4 12-step meetings in lieu of PIR meetings. All other requests were denied. The Motion was seconded. All Board members in favor.

Kaylyn Thompson requested she be allowed to work

at Painted Hills School and have access to specific ADHD medications. Ms. Thompson also requested she be allowed to fill prescriptions at two pharmacies. Ms. Thompson also requested her probation interviews be conducted by telephone. Ms. Schilleman made a Motion to allow her to fill her medications at two pharmacies, with only one pharmacy filling the controlled substance medications. However, her requests to work at Painted Hills School and to conduct her probation interviews by phone were denied. Mr. Allred seconded the Motion. All Board members were in favor of the Motion. A Motion was made to refer Ms. Thompson for an Order to Show Cause Hearing. The Motion was seconded. All Board members in favor.

Debra Davenport submitted a request to work in home health, client specific. She submitted the job description and the evaluator indicated she would be safe working in home health. Ms. Brown made a Motion to allow her to work for Solace Home Health under the supervision of an RN and in compliance with the Medicaid and Medicare regulations. Ms. Bangerter seconded the Motion. All Board members in favor.

Carrie Frampton is out of compliance with the terms and conditions of her Order. She missed 7 urine screens in 6 months and she stated she did not miss the urine screens and will submit the chain of evidence documentation. A Motion was made to refer Ms. Frampton for an Order to Show Cause Hearing if she doesn't submit the chain of evidence with the correct dates within one week. All Board members in favor.

Tina L'Estrange requested termination of suspension. The psychological evaluation recommended therapy for underlying issues. The evaluator stated she doesn't need drug or alcohol treatment. Board members questioned how she could be taking a significant amount of drugs and the report comes back as no history of substance abuse. The evaluator has not cleared her for return to practice. A Motion was made to deny her request to terminate suspension based on she has not been cleared to return to practice. She will need to enroll in CVI and begin drug testing. Dr. Williams seconded the Motion. Ms. Schilleman

opposed. All others in favor.

Linda Killian:

Ms. Killian provided an evaluation that indicates she is safe to practice. Dr. Williams made a Motion to terminate the probation. Ms. Bangerter seconded the Motion. All Board members in favor.

Anjanette Alleman:

Ms. Alleman has paid her restitution in full and her reports have been excellent. She has completed four of the five years of probation. Ms. Brown made a Motion to terminate the probation early. Ms. Schilleman seconded the Motion. All Board members in favor.

Robert Adams:

Mr. Adams has been on probation for 4 years and has always remained in compliance. Mr. Adams requested termination of probation last year and the Board requested that he completed at least one year licensed as a Health Care Administrator which he has completed. Mr. Allred made a Motion to terminate probation. Ms. Brown seconded the Motion. All Board members in favor.

Michelle Jensen:

Ms. Jensen has been in compliance and her probation is scheduled to terminate in October. Ms. Schilleman made a Motion to terminate the probation early. The Motion was seconded. All Board members in favor.

Andrew Decker:

Mr. Decker has been on probation for three years, however, he has been monitored by the Division for 4 ½ years. He is in compliance with the term and conditions of the Order. Dr. Williams made a motion to terminate the probation. Ms. Brown seconded the Motion. All Board members in favor.

Karen Christiansen:

Ms. Christiansen has been referred for an Order to Show Cause Hearing.

Report from Education Committee:

The Education Committee recommended the probationary and provisional approval status for Ameritech College be terminated and full approval granted. All Board members in favor of terminating provisional and probationary status and recommend full approval. All Board members in favor.

Provo College representatives meet with the Education

Committee and were requested to submit further documentation regarding the program.

Broadview University had major reorganization and a different company now owns the school. Dr. Williams and Ms. Woodford, Division Investigator, completed a site visit. The program has had a lot of faculty turn over and the NCLEX pass rates have dropped. Committee members indicated the pass rates would be watched carefully and if the pass rates remain low, they will be placed on a Memorandum of Understanding.

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.

July 14, 2011
Date Approved

(ss) Diana Parish
Diana Parish , chair-elect, Board of Nursing

July 14, 2011
Date Approved

(ss) David Taylor
David Taylor, Bureau Manager, Division of Occupational & Professional Licensing