

MINUTES

**UTAH
BOARD OF NURSING
MEETING**

October 13, 2011

**Room 474 – 4th Floor – 10:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 10:09 a.m.

ADJOURNED: 5:05 p.m.

Bureau Manager:
Board Secretary:
Compliance Assistant:

Debra Hobbins
Shirlene Kimball
Connie Call

Conducting:

John Killpack, Board chair

Board Members Present:

Peggy Brown
Debra Schilleman
Mary Williams
Joel Allred
Sue Kirby
Pam Rice
Alisa Bangerter
Marie Partridge
Barbara Jefferies
Diana Parrish

Division Staff:

Mark Steinagel, Director
Ray Walker,
Irene Woodford, Investigator

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS

September 8, 2011 Minutes:

A Motion was made to approve the September 8, 2011 minutes with corrections. The Motion was seconded. Mr. Killpack abstained. All other Board members in favor.

Introduction of Debra Hobbins, Bureau Manager:

Mr. Steinagel introduced Dr. Hobbins to Board members. Mr. Steinagel stated he feels Dr. Hobbins will be a great asset to the Division and Board. Board members welcomed Dr. Hobbins.

Mr. Steinagel also reported that the Nursing Education and Enforcement fund has money available. He requested Board members discuss different ways to use the money to benefit the public and the nursing profession.

Compliance Report:

Ms. Call reported the following individuals are out of compliance: Amy Stone, Lacy Tanner and Vaiola Panter.

Ms. Call reported the following individuals will be requesting modifications to their orders. Debra Davenport who would like to change employment from Solace Home Health to Brightside Home Health. Amy Stone is requesting early termination of probation. Ms. Call reported she received a telephone call from Ms. Stone's new employer who had not received a copy of her Order. Ms. Stone also failed to contact the Division regarding the change of employment. The new employer is a home health agency and her Order does not allow her to work in home health.

Group 1
Conducting: Marie Partridge
Secretary: Shirlene Kimball

Members present: Debra Hobbins, Joel Allred, Marie Partridge, Pam Rice, Debbie Schilleman and Sue Kirby.

Barbara Raymond-Hicks,
New Order:

Ms. Raymond-Hicks did not appear for her scheduled interview. She will be re-scheduled for next month.

Amy Stone,
Interview:

Ms. Stone requested early termination of probation. She indicated she has been on probation for four years and feels she is ready to come off probation. Ms. Stone reported she quit her job at IHC Hospital and accepted employment at a home health agency. Mr. Allred indicated her Order does not allow her to work in home health. Ms. Stone stated she did not know she could not work in home health until her employer called the Division and spoke with Ms. Call. Ms. Stone stated the home health agency now has a copy of her Order. She indicated she will not have a job if the Board doesn't terminate her probation.

Ms. Stone has been meeting with the Board on an annual basis and is required to submit all paperwork quarterly. Mr. Allred indicated that a review of her

file indicates that it has been a year since she has actually filled out her self assessment report. The quarterly self-assessment reports she has been submitting to the Division appear to be a copy of the self-assessment report she filled out October 2010. Mr. Allred stated he does not think Ms. Stone has taken her probation seriously and he indicated at this stage in the probation Ms. Stone should have made significant changes. Mr. Allred questioned why Ms. Stone left IHC to work in home health? Ms. Stone stated nothing happened at IHC, she just decided she would like to work in a hospice setting and took the job without thinking about her Stipulation and Order. She stated she feels she deserves a chance to move forward. Mr. Allred stated that most individuals who have been on probation for four years know the terms and conditions of their Order and would know they could not work in home health. Dr. Hobbins requested clarification on whether or not Ms. Stone quite her job at IHC or if she was terminated. Ms. Stone stated she quit IHC because she had an opportunity to work at a home health agency. She stated she provided the home health agency with a copy of her Order; however she did not provide it at the initial interview. She stated she notified the Division within 7 days and feels she is in compliance with her Order. Dr. Hobbins again questioned if anything was going on at IHC? Ms. Stone stated nothing was going on. She indicated she loved working in the hospital but wanted to learn something new. Mr. Allred indicated the Order is not something you put in storage. It is a reminder that she is on probation and she must read and understand the Order and must comply with all terms and conditions. Mr. Allred stated it appears that something is off; she presents herself well, but her paperwork says something entirely differently. Mr. Allred stated he will take her request to the Full Board, but does not feel the request will be approved. Ms. Kirby stated she also feels that there is something missing. Ms. Stone stated she has no new legal problems. She reported she has a good support system and good friends. **Ms. Stone is out of compliance with the terms and conditions of her Order.** Ms. Call will follow-up with the IHC employer. Ms. Stone will be seen again in six months.

Sam Bellacomo,

Mr. Bellacomo reported things are going well and he

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Quarterly interview:

has finally found employment. He stated he is not taking any medications that have not been lawfully prescribed for him. Mr. Bellacomo stated he has been attending PIR and 12-Step meetings. He stated he has no thoughts of relapse and had not relapsed. He stated economics still remain his biggest stressors. Mr. Bellacomo is requesting access to controlled substances be returned. **He is in compliance with the terms and conditions of his Order.** He will be seen January 12, 2012.

Emily Wilson,
Quarterly interview:

Ms. Wilson is current on all reports. Ms. Wilson stated she can not find employment because she can not pass narcotics. Dr. Hobbins suggested she contact insurance companies and Ms. Schilleman suggested she contact the Nursing Aide programs. Ms. Wilson is requesting access to controlled substances. Ms. Partridge stated she needs to be working first so that she can be monitored for a period of time prior to the Board returning access. Ms. Wilson stated she attends 12-step meetings but finds them redundant because she doesn't drink or do drugs. She stated she is not taking any medications not legally prescribed for her. She will be seen January 12, 2012. **Ms. Wilson is in compliance with the terms and conditions of her probation.**

Karen Shelton,
Quarterly interview:

Ms. Shelton stated she continues to look for a job. She stated she now understands she put herself in this position, and in the past would not admit that it was her actions that brought her before the Board. Committee members indicated she has come a long way and encourage her to keep up the good work. **Ms. Shelton is in compliance with the terms and conditions of her Order.** She will be seen again January 12, 2012.

Nora Mitchell,
Probation interview:

Ms. Mitchell did not appear for her scheduled interview. She will be scheduled for next month.

Group II
Conducting:
Minute Taker: Connie Call

Members present: Mr. Killpack, Ms. Brown, Ms. Parrish, Ms. Jeffries, Dr. Williams and Ms. Bangerter:

Jana Keetch,
New Order:

Ms. Keetch did not appear for her scheduled interview and will be rescheduled for next month.

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Lacy Tanner,
Quarter interview:

Ms. Tanner has been requested to submit a list of her prescriptions from the pharmacy so that they can be approved. She stated she has been seeing a physical therapist to help with her pain. Ms. Tanner is requesting her access to controlled substances be returned. **Ms. Tanner is out of compliance with the terms and conditions of her Order.** Committee members recommend denial of her request.

Damion Smuin,
Quarterly Interview:

Mr. Smuin did not appear for his quarterly interview. He will be rescheduled for next month.

Joanne Somers,
Quarterly interview:

Ms. Somers was excused and will be rescheduled when she is able to meet with the Board.

Debra Davenport,
Interview:

Ms. Davenport is requested she be allowed to work at BrightStar Mountainside Home Health. She reported she has been working at Solace Home Health, but they do not have enough work to keep her on. She stated she will have an RN supervisor. Her therapist recommends she be allowed to work in home health. Committee members will recommend to the full Board that she be allowed to work at BrightStar Mountainside Home Health. **Ms. Davenport is in compliance with the terms and conditions of her Order.**

Marc Hancock,
Annual interview.

Mr. Hancock reported things are going well. He reported February 17, 2011 is his sobriety date. Mr. Hancock stated he deals with stress by speaking with his sponsor, steps back and takes a walk and tries not to personalize or internalize the stress. Mr. Hancock reported he still has some cravings, but understands this is part of the disease. He indicated he has not relapsed. **Mr. Hancock is in compliance with the terms and conditions of his Order.** He will be seen in one year.

Michael Jorgensen,
Annual interview:

Mr. Jorgensen reported he is doing well. He reported his sobriety date is now April 4, 2011. He stated he has been working on Steps 10, 11 and 12. He indicated he speaks with his sponsor at least twice a week. He requested he be allowed to decrease the number of 12-step and PIR meetings he attends. Committee members recommend he attend two PIR meetings per month. **Mr. Jorgensen is in compliance with the terms and conditions of his Order.**

Reconvened to Full Board at 12:30 p.m.

Betty Long, request for termination of therapy: Mr. Allred made a Motion to approve the request to terminate therapy based on the recommendation of the therapist. Mr. Brown seconded the Motion. All Board members in favor.

Amy Dansie, request for early termination of probation: Ms. Dansie requested early termination of probation. She was placed on probation January 2009 for four years. Ms. Dansie has been late submitting her paperwork on several occasions, but the majority of the time she has been in compliance. Ms. Brown made a Motion to deny the request for early termination; however, allow her to work one additional shift (8-12) hours per week. Ms. Parrish seconded the Motion. All Board members in favor.

Adjourned to Lunch at 12:00 noon
Reconvened at 12:33 p.m.

Recommendations from Probation Peer Committee:

Amy Stone: Mr. Allred stated Ms. Stone has been copying her self assessment report for a year. She has resigned from IHC and the Committee would like Ms. Call to contact IHC to see why she resigned. Based on her interview, Ms. Stone does not appear to take the probation seriously. Committee members recommend denial of her request for early probation and denial of her request to work in home health based on non compliance to the terms and conditions of her Order. She will be invited to meet with the Board in six months to see how she is doing. Ms. Call will report next month on her contact with the employer at IHC. All Board members in favor.

Debra Davenport is on probation for switching medications on two different patients. She was approved to work at one home health agency, but they do not have work for her and she is requesting she be allowed to work at BrightStar Mountainside Home Health. Dr. Pompa submitted her evaluation and encourages her to work in home health. Committee members made a recommendation to allow her to work in home health. All Board members in favor.

Lacy Tanner requested her access to controlled substances be returned. The recommendation out of

Committee is to deny the request because she has only been on probation a short period of time and she needs to be in compliance and monitored under supervision for a period of time. All in favor.

Michael Jorgensen requested he be allowed to attend PIR meetings twice a month and to terminate attendance at 12-Step (AA) meetings. Committee members indicated it is not necessary for Mr. Jorgensen to attend AA meetings and recommend that his request be approved. All Board members in favor.

Report from Education Committee:

Ms. Brown reported the Education Committee is waiting for official notification from NLNAC regarding two nursing education programs in Utah that may have failed to meet the NLNAC standards. If NLNAC finds these programs out of compliance, they would be out of compliance with the Nurse Practice Act Rules and the Board and the Division will need to take further action. Ms. Brown stated that one program, Broadview University, has stated they will voluntarily stop admitting students for the next several quarters to see if they can resolve the issues. This will impact 120 students and it was suggested that the Division review the options for students and report back to the Board so that the information can be shared with the students.

Provo College is also waiting for a final recommendation from the NLNAC. No action can be taken until this notification is received.

Adjourned to Hearings at 1:05 p.m.

Tamara Jones Hearing was held. Ms. Jones had to leave and the Hearing will be continued to November 10, 2011.

Carrie Frampton Hearing was held.

Reconvened at 4:50 p.m.
Report from Education Committee Meeting continued:

Roseman University has met the criteria for full approval. The Committee recommends the provisional approval be changed to full approval status. All Board members in favor.

Discussion regarding the Education and Enforcement Funds:

Ms. Schilleman suggested the money be used to send several Board members to the NCSBN meeting so that Utah once again has representation at the national

meetings. Ms. Kirby suggested that some of the money be used to gather the necessary data on nurse practitioners, how many specialty nurses (NP, FNP, etc) and add to the application and the data system a checkbox so that we can record how many nurses are licensed at the Associates degree, RN diploma, and BSN level and also for the Masters and DNP degree. She stated this is a request from the Deans and Nursing, and there may be other information they need for the national study that is being conducted. She suggested Dr. Beth Cole or Dr. Marlene Keefe be contacted to find out what data is needed.

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.

November 10, 2011
Date Approved

(ss) Diana Parrish for
John Killpack, Chairman, Utah Board of Nursing

November 10, 2011
Date Approved

(ss) Debra Hobbins
Debra Hobbins, Bureau Manager, Division of Occupational
& Professional Licensing