

MINUTES

**UTAH
BOARD OF NURSING
MEETING**

November 15, 2012

**Room 474 - 4th Floor – 8:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:35 a.m.

ADJOURNED: 6:35 p.m.

Bureau Manager:

Debra Hobbins, DNP, APRN

Board Secretary:

Shirlene Kimball

Division Staff:

Connie Call, Compliance Specialist

Matthew White, Division Intern

Conducting:

Diana Parrish, Chair

Board Members Present:

Marie Partridge

Cescilee Rall

Diana Parrish

Sheri Palmer

Peggy Brown

Alisa Bangerter

Ralph Pittman

John Killpack (telephone)

Board Members Excused:

Sue Kirby

Tonya Bailey

Barbara Jeffries

Guests:

Emily Bullock, Westminster College

Cliphane Brough, Westminster College

Roger L'Estrange, with Tina L'Estrange

Peggy Morgan, with Jeness Morgan

Geoffrey Murdock, with Monica Murdock

Jody Thomas, with Cheryl Jensen

TOPICS FOR DISCUSSION

NCSBN Login for New Board members:

Ms. Parrish requested the Division create an NCSBN login for each of the new Board members.

Review and approve September 13, 2012 minutes:

Ms. Brown made a motion to approve the minutes with grammatical corrections. Mr. Pittman seconded

the motion. All Board members voted in favor of the motion.

Review and approve October 11, 2012 minutes:

Minutes tabled.

Matthew White,
Report on e-prescribing:

Mr. White met with the Board to provide an update on electronic prescribing (e-prescribing). Mr. White reported that in 2009 the Legislature passed the "Electronic Prescribing Act" that requires all practitioners to provide existing patients with the option of electronic prescriptions. He indicated this Act was to go into effect July 1, 2012. The 2012 Legislature amended the Act to extend the date to July 1, 2013. Mr. White reported that the DEA issued rules detailing standards for transmitting and receiving prescriptions for controlled substances. The Rule did not require the prescribers to e-prescribe, but if practitioners want to issue prescriptions electronically, they have to comply with the Rules to issue an e-prescription for controlled substances. The DEA rules are only for controlled substances. The Utah Law covers all prescriptions and is mandatory. However, the practitioner or pharmacy can request a hardship exemption.

Mr. White stated to be approved for e-prescribing, audits must be performed by a qualified entity and need to be certified by SysTrust; WebTrust; or SAS70. Software providers also need to be approved and pass third party audits. There are currently four software providers that have been approved. These providers are: DrFirst, NewCrop, NextGen, and RxNT. Mr. Pittman questioned how this will affect nurse practitioners that work for the federal government? Ms. Parrish stated it is her understanding the most restrictive law has to be followed. Mr. White stated the pharmacies would follow Utah law.

Mr. White provided the Board with a copy of the proposed Rule. He indicated that the Rule is generic, and it is understood not everyone will be able to comply. Most practitioners have not converted their systems; however most pharmacies are ready to comply. Dr. Hobbins suggested that Mr. White speak with the Nurse Practitioner Association. Mr. White

will research the VA issues and speak with the Nurse Practitioner Association and report back to the Board next month.

Open and Public Meetings Act Training:

Tabled.

Discussion regarding Rule Changes, non-education:

Dr. Hobbins indicated that there were several changes to the Education Rule section and these will be discussed at the next Education Committee meeting. The section to be reviewed will be R156-31b-302a. Dr. Hobbins indicated this section deals with requiring the Commission on Graduates of Foreign Nursing schools (CGFNS) for graduates of foreign nursing schools. Dr. Hobbins indicated we are one of the few states that do not require the CGFNS. The statute reads that if an individual is licensed in another state they do not need to have their credentials evaluated. This means that if the individual does not complete a nursing education program, but challenges the examination and is licensed in another state, Utah would have to issue the license. We are having a number of individuals who do not qualify for Utah licensure by examination, going to California and then coming back to Utah to be licensed. Dr. Hobbins suggested a possible remedy to protect the public, add to section R156-31b-302a that the CGFNS certification would be required for an individual who has been licensed in another state for 5 years or less. Board members suggested adding continuous practice in another state for 5 years or less. Ms. Parrish indicated that five years is a long period of time. It may be better to require three years or 6000 hours of continuous practice. However, since the requirement is in Statute, we may not be able to make the change in Rule. The Statute also reads in section 58-315-303(2)(b)(ii) "evidence acceptable to the division and the board . . ." Ms. Parrish suggested bringing in the individual to meet with the Board. Dr. Hobbins will discuss this issue with Mr. Steinagel.

Dr. Hobbins also reported Mr. Steinagel would like the rule to allow an individual to take the NCLEX examination up to five years after graduation. Ms. Brown stated she conducted an informal survey of new nurses who indicated they felt waiting one year to take the examination was too long. Ms. Brown stated

that if the date is five years after graduation it will lessen the chance to pass the examination. Nursing education programs would like the students to take the exam as soon as possible. Board members indicated the Rule could require four times within a four year period. Dr. Hobbins also indicated there is no requirement for the length of time receiving a license after taking the examination.

Dr. Hobbins stated she also added to the proposed rules:

- the name of the medication aide certification examination.

- Added to section R156-31b-603: requiring three years of full time experience the for program administrator.

- Eliminate the requirement for faculty members to have three years full time teaching experience.

Ms. Brown made a motion to move forward with the changes. Ms. Palmer seconded the motion. All Board members voted in favor of the motion.

Discussion regarding Propofol:

Mr. Killpack joined the meeting by telephone. He stated he contacted several friends around the state who expressed concern for patient safety if an RN provides heavy sedation, leading into general anesthesia with propofol. Dr. Hobbins indicated she receives numerous calls per month from nurses hoping we will advocate for them. Mr. Killpack stated money is an issue and insurance companies are moving away from paying for the anesthesia. The RNs are ventilating, taking samples of biopsies and filling out the paperwork during procedures. Mr. Killpack stated he is surprised the Joint Commission hasn't looked at the issue more closely. Ms. Brown stated the Joint Commission doesn't certify the free standing clinics. She indicated that less than half of all facilities are not under any oversight and some procedures are being performed in physicians' offices.

Mr. Killpack stated that anesthesia response is weight-based and some individuals respond more quickly for various reasons and the anesthetic dose needs to be recalculated. Ventilating a patient takes time to learn, and the individual should be checking for

responsiveness, reaction and movement. Ms. Brown indicated that the agency places the nurse in the position of having to administer the propofol and be the nurse at the bedside. There is no second nurse. The nurses are afraid they are putting patients at risk. Ms. Parrish questioned whether or not there are any recommendations? There needs to be someone doing the charting, other than the individual monitoring the sedation. There also needs to be a circulating nurse. If a nurse is sedating beyond moderate level, as defined, the RN scope of practice would be exceeded.

Ms. Parrish stated the Board could consider one of the following or a combination: do nothing and allow the practice to continue according to current Statute; place a gentle reminder on the web page indicating it is the responsibility of the nurse to work within his/her scope of practice; or issue a position statement.

Board members indicated they feel the best option would be to issue a position statement. Ms. Parrish and Ms. Brown will work together to see what they can come up with. Mr. Killpack suggested they incorporate FDA and CMS guidelines. Ms. Parrish indicated that Texas has prepared a statement that the Board could review. Ms. Bangerter questioned how do the clinics receive the information? Ms. Brown indicated that we could develop the paper and submit it to the UNA, or post on the web site. Dr. Hobbins stated she will speak with Mr. Steinagel to find out if the Board can issue a position statement and report back to the Board next month.

Cliphane Brough and Emily Ann Bullock,
Discussion regarding proposal to recognize
professional service for continuing education:

Ms. Brough and Ms. Bullock met with the Board to discuss acceptance of professional service for continuing education. Ms. Brough stated they wanted to present a proposal for a thesis project they are working on. She reported that the nursing programs encourage nurses to become involved in professional associations. The current Nurse Practice Act does not provide CE for civic involvement. Nurses have to choose between professional activities and continuing education for licensure. Ms. Brough stated they have proposed a Rule draft that would include professional activities. The nurse would have the responsibility to keep the log of activities. Ms. Brown stated the Rule

does not require continuing education. The continuing education is in lieu of practice. Ms. Parrish indicated she feels it would be beneficial to the nurse. Ms. Brough stated other states recognize the value of having the nurse go to health fairs. Ms. Palmer stated she can see a blurring of the lines, this is professional, but not in the practice of nursing and feels it must be related to nursing. Ms. Bangerter stated continuing education provides a way to keep the nurse updated on current practice. Ms. Bangerter indicated she feels doing blood pressures, or passing out stickers in schools because the kids have had their weight checked is not the practicing of nursing. Mr. Killpack stated as a professional, the nurse should seek continuing education that keeps them up to date with clinical competence. If the Board begins approving continuing education, it will add another level of regulation. He indicated he is not sure this is the best option. Ms. Parrish stated this is a new idea and she is hearing there is some potential but it may be a little premature. Mr. Pittman made a motion to table the discussion until Ms. Brough and Ms. Bullock submit their proposed rules for review. Ms. Brown seconded the motion. All Board members voted in favor of the motion. Dr. Hobbins suggested they take their proposal to the UNA to see if they could receive continuing education approval.

Connie Call,
Compliance report:

Ms. Call reported the following individuals are out of compliance with the terms and conditions of their Orders:

- Brent Pace: Mr. Pace's drug screen was positive for tramadol on August 1, 2012 and August 8, 2012. Mr. Pace did not have a prescription for the tramadol.
- Shauna Tall: Ms. Tall was late submitting copies of her prescriptions. She has been out of compliance 99% of the time.
- Susan Short: Ms. Short submitted a late employer report.
- Dale Hullinger: Mr. Hullinger missed checking in with Affinity 16 times from August 2012 through November 2012. He is missing one prescription.
- Stephanie Thomas: Ms. Thomas was late submitting her 12-Step and PIR meeting attendance records.
- Julie Willardson: Ms. Willardson self-reported she drank wine at a birthday party.

-Sandra Piatt: Ms. Piatt missed checking with Affinity three times; however, her Order does not require her to check-in everyday.

-Synthia Carter: Ms. Carter missed three urine screens.

-Ian Gowan: Mr. Gowan submitted his prescriptions late.

-Jason VanDaam: Mr. VanDaam is considering surrendering his license.

-Annette Stricklin: Ms. Stricklin submitted her prescription late.

-Sherry Mack: Ms. Mack was mailed a surrender document. If she doesn't sign the surrender document she will be referred to an OSC Hearing.

-Amy Nau: Ms. Nau submitted an evaluation that indicates she does not have a substance abuse disorder. Ms. Brown made a motion to follow the recommendation in the evaluation and she does not need to attend 12-step or PIR meetings, submit drug screens, or attend therapy. Ms. Bangerter seconded the motion. All Board members voted in favor of the motion. Ms. Nau is requesting she be allowed to work in home health or hospice. Ms. Brown made a motion to deny the request to work in home health due to her original charge. Ms. Rall seconded the motion. All Board members voted in favor of the motion.

Tracy Lujan,
Reinstatement request:

Ms. Lujan requesting reinstatement of her registered nurse license. She indicated her license was revoked in 2005 for controlled substance issues. She reported at that time she didn't care about the license and has been working on recovery since that time. She indicated she has completed all the steps the Board requested and signed up for voluntary drug screens. She stated she met with the Board about 6 months ago and since she had missed some drug screens, the Board recommended she continue with the urine screens for three months and then could come back to meet with the Board if she had not missed any screens. Ms. Lujan stated she was not able to meet with the Board after the three months because of Board Hearings. Mr. Pittman questioned why she feels she is ready to return to nursing. Ms. Lujan stated it has been a very long process and she is ready. Board members reviewed her file and indicated she had a positive urine screen September 2011. However, there does not appear to be a prescription in the file for this

medication. Ms. Lujan stated she submitted all her prescriptions, but did miss calling in a couple of times due to illness. Ms. Lujan stated that the medication in question was from a year ago and she does not know if she submitted the prescription at that time or not. She stated she is not taking any medications that are not lawfully prescribed for her. Mr. Pittman made a motion to table the discussion until the questions the Board have regarding the positive urine screen has been verified to the satisfaction of the Board. Pending receipt of the information, and there is a prescription for over a year ago, approve her request for re-licensure. Ms. Brown seconded the motion. All Board members voted in favor of the motion.

Miki Villaverde,
Licensure application:

Dr. Hobbins indicated Ms. Villaverde is in Hawaii and requested Dr. Hobbins present her application and associated documents to the Board for review. Dr. Hobbins read Ms. Villaverde's letter explaining her yes answers on the qualifying questionnaire. Dr. Hobbins then read the police reports regarding the arrest in April 2012. The charges were dropped; however concern was expressed that it was a violent act and there is a history of violence. Ms. Parrish stated it appears from the police reports Ms. Villaverde was an active participant. Mr. Pittman stated he is concerned about the safety of patients, especially the older population and does not feel comfortable issuing a license based on what was read. Ms. Parrish stated it appears that she made a series of bad choices, thinking errors and poor judgment. Mr. Pittman made a motion to deny the application based on the evidence presented and a prior history of poor choices. Ms. Rall seconded the motion. All Board members voted in favor of the denial.

Adjourn to lunch at 11:30 a.m.
Reconvened at 12:00 noon:

Group 1
Secretary: Shirlene Kimball

Members present: Ms. Partridge, Ms. Bangerter, Ms. Rall and Mr. Pittman.

Brent Pace,
Relapse:

Mr. Pace stated he is doing well. Committee members indicated he was invited to meet with the Board to discuss his positive urine screen for tramadol without providing a current prescription. Mr. Pace reported

the tramadol was his prescription; however it was an old prescription. Committee members indicated he has a pattern of taking old prescription and consider it a relapse to take medications that he does not have a current prescription for. The prescription was written in April and his urine screens were positive in August. Mr. Pace stated he will no longer take old prescriptions. He has submitted current prescriptions and will keep them current. He stated he has no thoughts of relapse and has not relapsed. He stated he has a sponsor and contacts him a couple of times a week. Mr. Pace stated he is not currently taking any medications not lawfully prescribed for him. His next meeting with the Board will be January 2013 and if he is not in 100% compliance by that date, further action may be taken. **Mr. Pace is out of compliance with the terms and conditions of his Order.**

Lauren Moger,
Probation interview:

Ms. Moger reported things are going well. She stated she moved into the House of Recovery at the end of June and finds it very helpful. She stated she has no thoughts of relapse and has not relapsed. She reported she is attending 12-step meetings and uses her group to help her determine what step she should be working on. Committee members stated the purpose of the 12-step meetings is to provide better life skills and encourage her to choose a step and work on it. She stated she is not currently taking any medications not lawfully prescribed for her. Ms. Moger indicated she was given an extension for submitting her psychological evaluation. Committee members indicated she needs to submit the evaluation by December 31, 2012. **Ms. Moger is in compliance with the terms and conditions of her probation.** She will be seen again in March 2013.

Shauna Tall,
Probation interview:

Committee members reminded Ms. Tall she had to be in complete compliance this month. However, she missed checking in with Affinity. Ms. Tall stated she was not employed and could not afford the testing. Ms. Tall reported she now has a job and has not missed a screen since that time. Mr. Pittman informed her she was late submitting her prescriptions. Ms. Tall stated she found out she was submitting them incorrectly in Affinity and Ms. Call had to explain how it should be done. Ms. Tall stated

she thought she had until the end of the month to submit her paperwork. Mr. Pittman stated she has been on probation since 2011 and should have known the process. She stated she understands what she needs to do. She reported her sobriety date is March 8, 2012. She stated she has no thoughts of relapse and has not relapsed. She stated she is attending 12-step meetings and is focusing on forgiveness. Committee members indicated she needs to take an active part in showing the Board that she is taking the probation seriously. Committee members indicated she may receive a fine, and further action may be taken if she does not remain in compliance. **Ms. Tall is out of compliance with the terms and conditions of her Order.** She will be seen February 2013.

Susan Short,
Probation interview:

Ms. Short reported her sobriety date was about seven months ago. She stated she has occasional thoughts of relapse but has not relapsed. Ms. Short stated she attends 12-step and PIR meetings; however, would like to only attend 12-step meetings. She indicated she does not like the PIR meetings and feels the 12-step meetings are more therapeutic for her. Ms. Short is employed at Highland Ridge and Salt Lake Regional. One of her employer reports was late and she will remind the employer that the report needs to be submitted by the 1st of the month. Ms. Short stated she is not taking any medications not lawfully prescribed for her. Ms. Short missed checking-in with Affinity and she stated she is still trying to figure out the system. **Ms. Short is out of compliance with the terms and conditions of her Order due to the late employer report.** She will be seen again March 2013.

Marc Haldin,
New Order:

Mr. Haldin explained the circumstances that brought him before the Board. He indicated he failed to document the administration of Toradol in medical records. Mr. Haldin stated he understands the terms and conditions of the Order. Mr. Haldin was reminded to be diligent and submit all paperwork on time. **Mr. Haldin is in compliance with the terms and conditions of his Order.** Mr. Haldin's order indicates he meets with the Board every six months and he will be seen again in May 2013.

Via Panter,
Probation interview:

Ms. Panter reported things are going well. She indicated her sobriety date is May 8, 2011. She stated she has occasional thoughts of relapse, but has not relapsed. Ms. Panter stated she is working her steps and contacts her sponsor at least once a week. Ms. Panter was reminded she needs to complete 30 hours of continuing education in order to renew her license. She missed one check-in with Affinity in October and missed a urine screen in September. Ms. Panter stated the system was down in October and she contacted Ms. Call. She reported she had a migraine the day she missed the September urine screen. She stated she is not taking any medications not lawfully prescribed for her. Ms. Panter stated she had requested she be allowed to work in home health taking care of a child, however, just received a call that the position had been filled. She requested she be allowed to work with a staffing agency so that she would not lose the job again waiting for the Board to meet. Ms. Bangerter stated working with a staffing agency is a general request and it would need to be narrowed down to a certain position. Ms. Panter is also requesting access to controlled substances. She stated she feels like she is in a good place. **Ms. Panter is out of compliance for missing the urine screen.**

Karen Sharp,
Probation interview:

Ms. Sharp reported she is not employed in nursing. She indicated she completed a phlebotomy course and she still can't find a job. She indicated she continues to see a therapist. Ms. Sharp indicated she was having difficulty entering her information into Affinity and has contacted Ms. Call several times. She indicated she was entering the wrong date and Affinity would not accept the reports, but has now worked it out. Committee members indicated the physical evaluation has not been received and she will need to submit the report to the Division by December 31, 2012. **Ms. Sharp is out of compliance with the terms and conditions of her Order due to submitting late reports.** She will be seen again in February 2013.

Dale Hullinger,
Probation interview:

Mr. Hullinger reported he is working full time as an LPN, going to school and has full custody of his children. He indicated the hospitals are not hiring

LPNs and would like the Board to write a letter to help him get back into an RN program. He has completed one RN program, but now needs to redo the program because he has failed the exam four times and it has been more than three years since he graduated from the RN program. Ms. Partridge indicated he has missed 16 check-ins with Affinity since August. Mr. Hullinger stated he called in, but wasn't doing it correctly. Ms. Bangerter stated this has happened before, his license was suspended, and now it is happening again. He also indicated he told his employer he had a doctor's appointment to come to the meeting. Ms. Bangerter stated her concern is that he was dishonest with the employer and how do we know he is telling the truth. He reported his sobriety date is July 25, 2011. At the last meeting he indicated his sobriety date was October 24, 2007. He stated he has no thoughts of relapse and has not relapsed. He stated he is attending 12-step meetings, has a sponsor and contacts the sponsor every other day. He stated he is not taking any medications not lawfully prescribed for him. Mr. Hullinger stated he will come into compliance and remain in compliance. **Mr. Hullinger is out of compliance with the terms and conditions of his Order.** He will be seen again March 2013.

Stephanie Thomas,
Probation interview:

Ms. Thomas failed to submit her reports in June. She indicated she found the reports in her computer in July and but hadn't pushed the submit reports button. Ms. Thomas reported her sobriety date is May 7, 2008. She stated she has no thoughts of relapse and has not relapsed. She stated she attends 12-step meetings, has a sponsor, and speaks with her every two weeks. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Thomas is out of compliance with the terms and conditions of her Order.** She will be seen again March 2013.

Diane Crossley,
Probation interview:

Ms. Crossley resubmitted her essay and Committee members accepted the essay. Ms. Crossley was fined a \$100.00 for not submitting the essay by the deadline date. Ms. Crossley stated she would like the fine lifted because she faxed the essay in time. She indicated that about 50% of the paperwork she faxes in has to be re-faxed. Ms. Crossley submitted a copy of the essay she faxed in with the date. Ms. Crossley

stated she works in marketing, but they hired her because she is an RN. She requested that the hours working at this employer be counted toward time toward her probation. She stated the job description doesn't require her to be an RN, but she was hired because she is an RN. Committee members indicated they will present her requests to the Board. She stated she is not supervised as a nurse. She indicated she attends AA meetings, but is not working the steps and does not have a sponsor. She stated she likes the PIR meetings. Ms. Crossley stated it would be helpful if she had access to controlled substances. Ms. Crossley stated she is not addict. **Ms. Crossley is out of compliance with the terms and conditions of her Order.** She will be seen again in February 2013.

Jaimee Anderson,
Probation interview:

Ms. Anderson reported things are going well. She will be changing jobs. She indicated she needed a less stressful job. Ms. Anderson stated she continues to attend Odyssey House for therapy. She reported her son is living with her full time and that has been very stressful. She stated she thinks about relapse, but has not relapsed. She stated she is attending a group every Wednesday to help with her stressors. She reported her sobriety date is November 13, 2011. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Anderson is in compliance with the terms and conditions of her Order.**

Julie Willardson,
Probation interview:

Ms. Willardson reported she had a drink of wine at her brother's birthday party. Her stipulation does not allow her to ingest alcohol and she is considered to have relapsed. Ms. Willardson stated she is very scared about what will happen to her license and stated she just wasn't thinking when she took the drink. She stated her family drinks but she only had one glass of wine. Ms. Bangerter questioned why she would take the drink when she knew the consequences? Committee members questioned whether her family is aware of her Order? Ms. Willardson stated they are aware of her Order and are very supportive. Committee members questioned how she will handle the next situation? She stated she attends her meetings, doesn't have any alcohol in her home, and doesn't go out of her way to find alcohol. She stated she speaks with her sponsor weekly. Dr.

Hobbins questioned whether or not she has a plan to keep it from happening again? She stated maybe always have a glass of water in her hand. Committee members stated she has had a small set back; she needs to look at the trigger and say this is what I want out of life. It was suggested that next time she thinks about ingesting alcohol, she remember how it feels to come before the Board scared that she may lose her license. Committee members indicated she needs to realize she may not have any more chances. She stated she is not taking any medications not lawfully prescribed for her or taking medications different than prescribed. Committee members indicated the relapse will be discussed with the Board. She may be issued a fine. **Ms. Willardson is out of compliance with the terms and conditions of her Order due to the relapse.** She will be seen again in February. Committee members offered to see her monthly if she feels it is necessary.

Sandra Piatt,
Probation interview:

Ms. Piatt reported her work is going well. She stated her sobriety date is December 2004. She stated she has no thoughts of relapse and has not relapsed. She stated she attends 12-step meetings and meets with her sponsor every other week. Committee members indicated she missed calling Affinity August 1, 2012; September 1, 2012 and October 3, 2012. She stated she has set two reminders on her computer and does not know why she missed calling in unless it was on a week-end. She stated she is not taking any medications not lawfully prescribed for her. **Ms. Piatt is out of compliance with the terms and conditions of her Order for failing to call Affinity.**

Tina L'Estrange,
Probation interview:

Ms. L'Estrange and her husband, Roger, met with the Committee. Ms. L'Estrange stated she is doing well, but would be doing better if she could find a job. She stated she has been on drug testing for 15 months and would like to request access to controlled substances. Ms. L'Estrange has been in compliance with the terms and conditions her Order. She reported her sobriety date is July 19, 2011. She stated she has no thoughts of relapse and has not relapsed. She stated she attends 12-step meetings and reworks steps 10, 11, 12. She stated she has a sponsor and speaks with the sponsor twice a week. She stated she is not taking any

medications not lawfully prescribed for her. **Ms. L'Estrange is in compliance with the terms and conditions of her Order.** She will be seen again in February.

Charlene Espindola,
Probation interview:

Ms. Espindola reported she is doing very well. **She is in compliance with all the terms and conditions of her order.** She will be seen again July 2013.

Heather Deering,
Probation interview:

Ms. Deering continues to work for the Dept of Health. She stated she attends PIR and 12-step meetings. She stated she has completed the steps but continues attending meetings. She stated she has a sponsor, and sees her at meetings. She stated she is not taking any medications not lawfully prescribed for her. Ms. Deering stated she has been urine screened eighteen times in fifteen months and feels it is excessive. She indicated she has talked with members of her 12-Step group and none of them have been tested that many times. Committee members indicated the urine screens are random and appears to be within the normal range. She reported her sobriety date is January 21, 2008. Ms. Deering stated she is going home to Hawaii for Christmas and questioned if she had to call Affinity each day. She stated she will be leaving December 17, 2012 and will return January 1, 2013. Ms. Deering is also requesting termination of probation. **Ms. Deering is in compliance with the terms and conditions of her Order.**

Julie Hall,
Probation interview:

Ms. Hall and her husband met with the Board. Ms. Hall reported she is doing well; her sobriety date is October 2010. She stated she has no thoughts of relapse and has not relapsed. She stated she is attending LDS 12-step meetings. She stated she is not taking any medications not lawfully prescribed for her. Ms. Hall stated she wants to close this chapter in her life and would like to request termination of probation. Committee members indicated it appears she is doing very well, however, the Board does not normally take an individual off probation after only two years. Committee members will present her request to the Board. **Ms. Hall is in compliance with the terms and conditions of her Order.**

Group 2

Members present: Ms. Parrish, Ms. Palmer and Ms.

Minute taker: Connie Call

Brown.

Jeness Morgan,
Probation interview:

Ms. Brockman is requesting early termination of probation. **Ms. Brockman is in compliance with the terms and conditions of her Order.** Committee members will recommend to the Board that her request for early termination be granted.

Mike Ross,
Probation interview:

Mr. Ross will be rescheduled for next month.

Stacia Frank Thorkelson,
Probation interview:

Ms. Thorkelson reported her sobriety date is December 27, 2011. She stated she attends her 12-step meetings and has completed all the steps. She indicated she has not spoken with her sponsor since February or March. Ms. Thorkelson stated she feels her husband is a better support for her. **Ms. Thorkelson is in compliance with the terms and conditions of her Order.**

Suzanne Menatti,
Probation interview:

Ms. Menatti indicated her sobriety date May 2011. She stated her thoughts of relapse are getting farther apart. Ms. Menatti reported she attends her support group meetings and speaks with her sponsor 2-3 times per week. **Ms. Menatti is in compliance with the terms and conditions of her Order.**

Synthia Carter,
Probation interview:

Committee members questioned Ms. Carter why she has missed three urine screens. Ms. Carter stated she was late checking-in with Affinity. **Ms. Carter is out of compliance with the terms and conditions of her Order.** Committee members will recommend a \$100.00 fine for missing three urine screens.

Monica Murdock,
Probation interview:

Ms. Murdock reported her sobriety date is March 18, 2010. She stated she is attending her support group meetings and speaks with her sponsor twice a week. Ms. Murdock stated the reason she feels she can not find employment is because she does not have access to controlled substances. Ms. Murdock requested that her access to controlled substances be returned. **Ms. Murdock is in compliance with the terms and conditions of her Order.** Committee members will recommend her access to controlled substances be returned.

Cheryl Jensen,
Probation interview:

Ms. Jensen reported her sobriety date is January 4, 2011. She is requesting she be allowed to fill prescriptions at two pharmacies. She indicated she receives her prescriptions through the mail, however, one of her medications is a controlled substance and it can not be filled through the mail. Ms. Jensen also requested that her access to controlled substances be returned. Committee members will recommend she be allowed to fill prescriptions at two pharmacies; however, all controlled substance prescriptions must be filled at the same pharmacy. Committee members will also recommend that access to controlled substances be returned. **Ms. Jensen is in compliance with the terms and conditions of her Order.**

Michelle Peterson,
Probation interview:

Ms. Peterson reported her sobriety date is June 16, 2010. She stated she has an incredible counselor that helps her with her social and life skills. Ms. Peterson is requesting that her probation be terminated. **Ms. Peterson is in compliance with the terms and conditions of her Order.** Committee members will recommend to the Board early termination of probation

Teresa Williams
Probation interview:

Ms. Williams reported she is currently on disability and is considering trying to return to work next week. She reported her sobriety date is January 2006. **Ms. Williams is in compliance with the terms and conditions of her Order.**

Ian Gowans,
Probation interview:

Mr. Gowan's therapist recommends he attend therapy. Committee members indicated he will be required to meet with the therapist as recommended. Mr. Gowans reported his sobriety date is December 4, 2011. **Mr. Gowans is out of compliance with the terms of his probation due to submitting prescriptions late.**

Jason VanDaam,
Probation interview:

Mr. VanDaam is out of compliance with the terms and conditions of his Order for not submitting any paperwork and not calling in to Affinity. Mr. VanDaam will review the Surrender document and let the Division know by November 26, 2012 if he wants to surrender.

Rod Cromar,
Probation interview:

Mr. Cromar reported his sobriety date is April 2011. Ms. Cromar requested he be allowed to fill

prescriptions at three pharmacies, one would be an online pharmacy. Committee members expressed concern with the online pharmacy and requested Mr. Cromar research and present documentation to the Board why an online pharmacy would be acceptable. He was also requested to provide justification why he needs three pharmacies. **Mr. Cromar is in compliance with the terms and conditions of his Order.**

Susan Cluff,
Probation interview:

Ms. Cluff reported her sobriety date is January 12, 2012. **She is in compliance with the terms and conditions of her Order.**

Annette Stricklin,
Probation interview:

Ms. Stricklin was late submitting her prescriptions. She reported her sobriety date is May 7, 2008. **Ms. Stricklin is out of compliance with the terms and conditions of her Order due to the late prescriptions.**

Debbie Kilgrow,
Probation interview:

Ms. Kilgrow reported her sobriety date is 2004. **She is in compliance with the terms and conditions of her Order.** Ms. Kilgrow is requesting termination of probation. Committee members will recommend to the Board termination of probation.

Lillian Howell,
Probation interview:

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

Veronica Banks,
Probation interview:

Ms. Banks reported her sobriety date is July 3, 2009. Ms. Banks is requesting access to controlled substances. **Ms. Banks is in compliance with the terms and conditions of her Order.** Committee members will recommend that her access to controlled substances be returned.

Reconvened to full Board at 5:00 p.m.:

Traci Lujan: Dr. Hobbins indicated that Ms. Lujan's prescription in question was 15 months ago and was probably addressed at that time. Ms. Brown made a motion to reinstate the license on a 3-year probation with the customary restrictions. Mr. Pittman seconded the motion. All Board members voted in favor of the motion.

Next Agenda:

Add to the next agenda:

- Mr. White to report back regarding e-prescribing.
- Medication aide discussion with the Health Department to provide investigators with guidance.
- Ms. Parrish and Ms. Brown will work on the position paper and report back to the Board in either December or January.
- Holiday lunch and invite previous Board members.

Report from Probation Peer Review Groups:

-Brent Pace. Committee members recommend Mr. Pace be fined a \$100.00 for non compliance to the terms and conditions of his Order for taking old prescription medications. All Board members voted in favor of the recommendation.

-Shauna Tall. Committee members recommend Ms. Tall be fined \$100.00 for being out of compliance with the terms and conditions of her probation and submitting her prescriptions late. She was to have been in complete compliance by the November meeting. If any further non-compliance, she will be referred for further action. All Board members voted in favor of the recommendation. She will be seen in January 2013.

-Susan Short. Ms. Short requested she be allowed to attend four AA meetings instead of PIR. She indicated she doesn't feel PIR meetings are helpful. Ms. Partridge stated the Committee feels there is value in attending PIR meetings and feels she should try a different PIR meeting. Committee members recommend her request be denied. All Board members voted in favor.

-Lauren Moger. Ms. Moger was given a deadline date of December 31, 2012 to have her psychological evaluation submitted to the Division. All Board members voted in favor.

-Via Panter: Committee members recommended denial of her request to work for a staffing agency. All Board members voted in favor of the recommendation. Board members indicated if she finds specific employment, Dr. Hobbins could review the request and grant approval if appropriate.

-Diane Crossley. Ms. Crossley requested her fine be waived because she submitted the revised essay the first of October. Committee members reviewed the date on the revised essay. Ms. Crossley indicated she

submitted it the first of October, however; it appears that the date was changed. Committee members recommend that the fine stand as issued. Ms. Crossley also requested her access to controlled substances be returned. Ms. Brown stated there are trust issues with Ms. Crossley. If access is returned, she would need to be urine screened. The evaluator indicated Ms. Crossley does not have a substance abuse disorder. She would not need to do urine screens, or attend 12-Step or PIR meetings. A motion was made to amend the order and eliminate the urine screens, 12-Step and PIR meetings. The motion was seconded. Ms. Brown opposed the motion. All other Board members voted in favor of the motion. Ms. Crossley also requested the hours with her current employment be counted as nursing hours. Board members indicated others are working the same job without a nursing license and her request was denied. She will be requested to meet with the Board January 2013.

-Julie Willardson. Committee members recommend a \$100.00 fine for her relapse due to alcohol use and non-compliance to the terms and conditions of her Order. All Board members voted in favor of the motion.

-Sandy Piatt. Committee members recommended issuing a \$100.00 fine for non-compliance to the terms and conditions of her Order. All Board members voted in favor of the recommendation.

-Tina L'Estrange. Ms. L'Estrange requested access to controlled substances be returned. Committee members recommended granting her request for access to controlled substances. All Board members voted in favor of the recommendation.

-Heather Deering. Ms. Deering requested she not be required to call into Affinity while in Hawaii for her two-week vacation. Committee members recommended she continue to check-in while in Hawaii. Ms. Deering also questioned why she is urine screened so often. Committee members explained that the testing is on a random basis, and if she misses a screen, then she receives additional screens. Committee members requested Ms. Deering submit copies of her airline tickets. Ms. Deering also requested termination of probation. Committee members indicated she has been on probation for four years; however, has only been working three years.

Committee members made a recommendation to deny her request for termination of probation. All Board members voted in favor of the recommendation.

-Julie Hall: Ms. Hall requested early termination of probation. Committee members indicated she is in a good place, however; due to her original charge she needs to continue with probation. Committee members recommended denial of termination of probation. All Board members voted in favor of the recommendation.

-Jeness Morgan: Ms. Morgan is requesting termination of probation. Ms. Morgan's original offense occurred over six years ago and she has been monitored by the courts or the Division since that time. Ms. Morgan is in compliance with the terms and conditions of her Order and Committee members recommended early termination of probation. All Board members voted in favor of the recommendation.

-Synthia Carter: Ms. Carter missed three urine screens and Committee members recommend she be issued a \$100.00 fine for non-compliance to the terms and conditions of her Order. All Board members voted in favor of the recommendation.

-Monica Murdock: Committee members recommend her access to controlled substances be returned. All Board members voted in favor of the recommendation.

-Cheryl Jensen: Ms. Jensen requested she be allowed to have two pharmacies because the mail Order pharmacy will not deliver the controlled substance medication. Ms. Jensen is also requesting access to controlled substances. Committee members recommended both requests be approved. All Board members voted in favor of the motion.

-Michelle Peterson: Committee members recommended Ms. Peterson's probation be terminated. All Board members voted in favor of the recommendation.

-Ian Gowans: Mr. Gowans is out of compliance with the terms and conditions of his Order for submitting his prescriptions late. Committee members stated no fine will be issued at this time.

-Annette Stricklin is out of compliance for not submitting her prescriptions. Committee members indicated no fine will be issued at this time; however,

she needs to provide a list of all of her prescriptions to Ms. Call.

-**Debbie Kilgrow** is requesting early termination of probation. Committee members recommended her probation be terminated. All Board members voted in favor of the recommendation.

-**Veronica Banks** requested access to controlled substances. Committee members recommended her access to controlled substances be returned. Mr. Pittman opposed. All other Board members voted in favor of the recommendation.

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.

January 10, 2013
Date Approved

(ss) Diana Parrish
Diana Parrish, Chair
Board of Nursing

January 10, 2013
Date Approved

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