

MINUTES

**UTAH
BOARD OF NURSING
MEETING**

February 14, 2013

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

CONVENED: 8:32 a.m.

ADJOURNED: 5:31

Bureau Manager:
Board Secretary:

Debra Hobbins
Shirlene Kimball

Conducting:

Peggy Brown, Chair

Board Members Present:

Peggy Brown
Cescilee Rall
Diana Parrish
Sue Kirby
Ralph Pittman arrived at 12:50 p.m.
Marie Partridge
John Killpack

Board Members Excused:

Tonya Bailey
Alisa Bangerter
Barbara Jeffries

Division Staff:

Ray Walker, Division regulation/Compliance Officer
Irene Woodford, Division Investigator
Connie Call, Compliance Specialist

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS

December 13, 2012 minutes:

A motion was made to approve the December 13, 2012 minutes with corrections. Ms. Kirby seconded the motion. All Board members voted in favor of the motion.

January 10, 2013 minutes:

A motion was made to approve the January 10, 2013 minutes with corrections. The motion was seconded. Mr. Killpack abstained. All other members voted in favor of the motion.

Discussion regarding moving Board meetings from the second Thursday of the month to the first Tuesday of the month:

Dr. Hobbins indicated with the changes the Division is making, she would like to move Board meetings to the first Tuesday of the Month. Dr. Hobbins indicated hearings have been scheduled for June 13, 2013 and July 11, 2013. Board meetings will be moved to the first Tuesday after the July meeting.

Rules:

Dr. Hobbins reported changes were made to the Education section of Rule; however, with the DOPL bill passing, the Board will no longer oversee nursing education programs. This section will be eliminated and rewritten as necessary. Dr. Hobbins indicated the fees regarding fines for unprofessional conduct need to be organized, and she will work on that section later. She indicated she wanted to file the Rule to get the Medication-Aide Certified examination in Rule. She indicated the Division is continuing to work with the NCSBN to get a contract in place for the MACE examination. Weber State University and Stevens-Henager College are the two programs that have notified the Division of the interest in beginning a Medication-Aide Certified program.

Dr. Hobbins reported the Education Committee recommended the following changes to the medication-aide certified section of Rule: R156-31b-802(4) be amended to eliminate the requirement that a classroom instructor be a faculty member of an approved nursing education program. R156-31b-802(4)(b) will read: or be an approved certified nurse aide (CNA) instructor who has completed a "Train the Trainer" program recognized by the Utah Nursing Assistant Registry. In section R156-31b-802(4)(c) change: two years of clinical experience to one year of clinical experience and eliminate at least one year of experience in long-term care in the past five years. Eliminate R156-31b-802(5)(b)(ii)(c). Change the ratio in R156-31b-802(5)(d) to 1:6 instead of 1:8. Ms. Brown stated that some facilities are small and questioned whether a faculty member has to be on site, or can the faculty member be at other sites? Mr. Walker indicated the section is not clear on whether the faculty member needs to be on site or available by telephone. Ms. Palmer indicated it would be expensive for the program to have a faculty member at each site; however, she feels a faculty member should

be on site at each facility. Ms. Palmer made a motion to eliminate “available” and replace with “on site” in section R156-31b- . Ms. Kirby seconded the motion. All Board members voted in favor of the motion.

Ms. Kirby made a motion to approve the Rules as presented with the suggested changes. Ms. Partridge seconded the motion. All Board members voted in favor of the motion.

NCSBN:

Ms. Brown reported there is a NCSBN Midyear meeting March 10, 2013. The NCSBN Annual meeting will be held in August. Dr. Hobbins indicated she has made a request for Ms. Rall and Ms. Brown to attend one of the meetings.

Propofol Discussion:

Mr. Killpack conducted the Propofol discussion. Mr. Killpack stated propofol was not approved for use outside the operating room until about four or five years ago. Mr. Killpack reported there has been an increase in the number of RNs approaching members of the Board with concern about having to administer propofol. Dr. Hobbins also reported the Division is receiving calls from RNs and members of the public who are concerned with the RN administered propofol. Mr. Killpack indicated after an individual met with the Board to explain a family member's experience with RN administered propofol in a GI lab, Board members discussed drafting a position paper to address the concerns that had been expressed. Ms. Parrish stated several Board members worked on drafting a position paper. She indicated language from the Texas Board of Nursing position paper on Propofol was adapted into the Utah position statement after reviewing the language for compliance to Statute and Rule. Ms. Parrish indicated this is a draft statement only, it is meant to be a starting point for discussion and to determine whether the Board is moving in the right direction. She indicated it would be considered a guideline and the Board would like to have the guideline posted to the Division's web site. Mr. Walker stated the Division's position is that the laws and rules of a profession should be clear enough that the professional can make decisions and practice statements are not necessary. If a document sets a standard, it would need to be placed in rule. Mr.

Walker reviewed the document and indicated he has concerns with the statement "therefore the position of the Board, it is outside the scope of practice of an RN, except in the following situations." He stated if it sets a standard that the profession must abide by, it would have to be placed in Rule. Ms. Brown stated the statement is meant as a guideline. Mr. Killpack stated that CMS guidelines are in conflict with what is happening in practice and this statement is more in line with the CMS guidelines. Mr. Killpack stated there is concern that the nurse who may be exceeding their scope of practice. Mr. Walker suggested the Board consider placing the CMS guidelines in Rule. Ms. Rall stated that RNs are being asked to do something they are not comfortable doing, but are afraid they may lose their job. Mr. Walker stated if it is a helpful document, there are no concerns, but if it establishes standards, it would need to be in Rule. Mr. Walker indicated the Nurse Practice Act defines the practice of nursing and stated the Division will not issue a declaratory statement for every issue that comes along.

Public comment: Kim Henrichsen, IHC, Assistant Vice President of Nursing read a letter in support of RN administration of Propofol and other sedating medications as long as the nurse is competent. Ms. Henrichsen explained the training and oversight provided by IHC facilities. She indicated when the RN administers propofol there are at least two people in the room. Mr. Killpack stated that these individuals may have had a lot of additional training, but not all facilities have that type of additional training.

Dr. Gary Silver, President of the Anesthesiologists Association stated everyone is struggling to provide best practices. He indicated that IHC is taking the lead, but not every facility has the resources that IHC has. Dr. P.J. Peterson, Wasatch Endoscopy Center, stated when they started using nurses to administer sedation, such as propofol, they put together a careful training program. He stated it is important to have appropriate procedures in place, including monitoring, appropriate action for the nurse and if they do not have the comfort level to go ahead, they do not have to. Dr. Peterson stated there is not sufficient data to indicate there is a problem. He stated in 2009, a study of 640

thousand patients in various settings using Fentanyl, Versed and Propofol found there were four deaths. He stated the sedation related deaths increase with the use of Versed and Fentanyl, but not the propofol. Mr. Killpack indicated he is concerned with the level (depth) of anesthesia and that nurses are being asked to practice beyond their scope of practice.

Ms. Brown questioned where we go from here. Mr. Walker stated the Statute defines the practice of nursing and section 58-31b-102 of the Nurse Practice Act would give the Board the rule making authority for this issue. Mr. Walker stated if the Board wants to add CMS standards to rule, it could be done, and then it would become unprofessional to practice beyond the standard. However, if there is a community standard, it has been researched and the standard accepted, why reinvent the wheel. Ms. Kirby stated she is concerned that the standard could be guided by those who want to go beyond the scope of practice and there is the concern that an individual may not know they have crossed the line. Ms. Parrish suggested taking more time for discussion, providing a document to the profession and seeking additional comment. Mr. Walker suggest sending out a follow up letter indicating the Board is evaluating and considering, would like input and put the discussion on a future agenda.

Discussion regarding CRNA and the administration of controlled substances:

Dr. Hobbins indicated National Association for Boards of Pharmacy had a question regarding the CRNA and the requirement for a DEA number. The Division has been requiring the CRNA to obtain a controlled substance license and the DEA has been issuing DEA numbers. If the individual works in a facility and uses the facilities DEA number, the facility has to have assigned a number to the CRNA and keep a log. The facility assigns a number to the CRNA. Mr. Killpack stated most CRNA's work in a facility.

Discussion regarding CRNA managing chronic pain:

Dr. Hobbins indicated there was a question regarding the CRNA managing chronic pain. Dr. Silva, a guest, indicated that the CMS recently came out with a ruling on who can manage chronic pain and be reimbursed. There needs to be a distinction between chronic pain and acute pain.

Ray Walker, Discussion regarding Medication-aide and delegation issues:

Mr. Walker stated that the Nurse Practice Act requires licensure to practice as a nurse or certification to practice as a medication aide. The practice of nursing is defined in the statute, there are very few exemptions, and it does not allow an exemption for an unlicensed individual. Mr. Walker stated that the nurse can delegate to another nurse, or the medication aide, but cannot delegate to the unlicensed person. Ms. Rall questioned whether this would apply to the school setting. Mr. Walker indicated it would apply to the school setting as well as the assisted living facility.

Mr. Walker indicated that the Statute and Rule defines medication-aide and the extent of duties. The medication-aide role is to pass medications and it is not to practice as a CNA. Mr. Walker indicated the CNA is not a licensed classification and the Statute would need to be changed to include an exemption in order to delegate nursing to the CNA. Mr. Walker stated the Nursing Association needs to make the necessary changes to the Statute. The exemption would be added and a standard set that the unlicensed person could perform delegated tasks that do not require the specialized knowledge of a nurse. Board members indicated this will involve a lot of discussion and should be placed on a future agenda.

Continuing Education discussion:

Board members reviewed the proposed rule submitted regarding the use of professional activities as approved continuing education. Board members indicated that nurses that are not actively practicing should obtain continuing education in the clinical area.

Ariadna Silva,
Educational interview:

Ms. Silva sat for the NCLEX examination twice. However, she failed to submit complete transcripts. It was the Division's error that allowed her to sit for the exam without the correct transcripts, but she should have notified the Division she did not graduate. The Division has since received four different sets of transcripts; the last transcript shows the graduation date of 2012. She indicated on her application that she graduated 2011. Ms. Silva stated she forgot to turn in information for one class so the transcripts did not have a graduation date. She stated she submitted the

paperwork to the school and they have corrected her transcripts. She stated she does not know why the school issued a set of transcripts with the 2012 date. Dr. Hobbins contacted the nursing education program and they indicated her date of graduation was in 2011. Ms. Silva has three years from the date of graduation, or four attempts to pass the examination. Board members indicated she could be licensed when she passes the examination.

Colleen Stevens, request to reduce her fine:

Ms. Stevens was issued a \$2000.00 fine. Ms. Stevens requested her fine be reduced due to mitigating circumstances. Board members reviewed her Order and the mitigating circumstances. Ms. Partridge made a motion to not reduce the fine, but to defer the fine for a period of six months and have her meet with the Board at the end of the six-month period. Ms. Palmer seconded the motion. Mr. Killpack abstained. All other Board members voted in favor of the motion.

Adjourned to Lunch at 12:00 p.m.
Reconvened at 12:25 p.m.

Rachel Driggs,
License renewal:

Ms. Driggs explained her yes answer on her renewal. Ms. Driggs indicated she was taking Lortab for ankle pain and Ambien because she was not sleeping well. She stated she took her medications at home in the morning and does not recall what happened after that until a police officer was putting her in his car. She reported she received a hit and run and DUI because she had crashed into a mailbox, made a U-turn, hit a car and then hit a patrol car. The drug screen indicated her alcohol level was .19. She stated the police did not test for Ambien. Mr. Killpack questioned if she has had any previous problems. She indicated no. Dr. Hobbins indicated Ms. Driggs was given a conditional renewal so she could meet with the Board and to determine whether she would be required to obtain a substance use disorder, psychiatric or physical evaluation. Board members indicated they would like to see a substance use disorder evaluation, a psychological evaluation and a physical exam. Pending the outcome of the evaluations, the Division should follow the evaluation recommendations. Her license is conditionally renewed until May 1, 2013 in order for her to complete the evaluations. She will have 60 days to complete the evaluations.

Connie Call,
Compliance Report:

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

- Via Panter submitted her paperwork late.
- Lori Wright submitted her paperwork late.
- Lauren Moger failed to submit her psychiatric evaluation
- Kellie Roring has not renewed her license.
- Michael Gearheart submitted his paperwork late.
- Taylor Goodwin has not renewed her license.
- Ian Gowans submitted his paperwork late did not submit an employer or therapy report and is missing a prescription.
- Robin Walker will be seen next month. She has not submitted her employer report, essay or evaluations.

Meeting closed in accordance with the Open and Public Meetings Act, section 52-4-205(1)(a) to discuss the character, professional competence or physical or mental health of an individual. The meeting was closed at 1:10 p.m.

Mr. Killpack made a motion to close the meeting in accordance with the Open and Public Meetings Act, section 52-4-205(1)(a). Ms. Parrish seconded the motion. All Board members voted in favor of the motion. The meeting was closed at 1:10 p.m.

Meeting opened at 1:37 p.m.

Mr. Pittman made a motion to open the meeting. Mr. Killpack seconded the motion. All Board members voted in favor of the motion

Group 1
Conducting: Marie Partridge
Secretary: Shirlene Kimball

Board members present: Cescilee Rall, Marie Partridge, Sue Kirby and Ralph Pittman.

Emily Wilson,
Probation interview:

Ms. Wilson reported she is still looking for work. She indicated she thought having access to controlled substances would help her find a job, but it does not appear so. Ms. Kirby indicated the Board only granted the access for a period of six months to see if it would help her find a nursing position. Ms. Kirby stated Board members are reluctant to extend the period for access for controlled substance. Ms. Wilson will discuss surrendering her license with her husband and let Ms. Call know her decision. **Ms. Wilson is in compliance with the terms and conditions of her Order.**

Debra Davenport Tyler,
Probation interview:

Ms. Tyler submitted her paperwork late. Committee members questioned whether she understands the

importance of submitting her paperwork on time. Ms. Tyler stated she had a new DON who wanted to review her paperwork before signing the report. Ms. Kirby questioned whether she called Ms. Call to let her know what was happening. Ms. Tyler stated no. Mr. Pittman questioned her employment history. Ms. Tyler stated she went to esthetician school at the Madelyn Academy. She indicated she was not employed at Madelyn Academy with the exception of attending an expo or show. She is working at BrightStar, but only as a housekeeper. She indicated the DON will not allow her to work as a nurse until she has specific details on what she can do and what supervision is required. Committee members provided Ms. Tyler the section of the Statute regarding the definition of supervision. Ms. Tyler indicated she would like to maintain her nursing license. Mr. Pittman stated in order for her to maintain her license, she must be in compliance with her Order. Ms. Tyler stated she would submit the paperwork on time. Ms. Tyler indicated she has an RN who is willing to let her work side by side at a staffing agency, in order to obtain nursing hours. She indicated she would not be paid, but would be with the RN two days a week. Her request to work along side the RN will be taken to the Board. Committee members also indicated she might receive a fine for being **out of compliance with the terms and conditions of her Order.**

Shauna Tall,
Probation interview:

Ms. Tall did not appear for the interview. She will be referred for an Informal Agency Review due to non-compliance with the terms and conditions of her Order. **Ms. Tall is out of compliance with the terms and conditions of her Order.**

Tricia Schmidt,
Probation interview:

Ms. Schmidt reported she is doing well. Ms. Schmidt stated she is not taking any medications not lawfully prescribed for her. She stated she has no thoughts of relapse and has not relapsed. Ms. Schmidt indicated she attends 12-step meetings and contacts her sponsor regularly. Ms. Schmidt indicated she has been attending aftercare two years and is ready to graduate from aftercare. Committee members indicated her therapist needs to send a letter indicating aftercare is no longer required. Committee members suggested Ms. Schmidt consider requesting termination of probation. **Ms. Schmidt is current on all reports**

Lyon Tige Hazleton,
New Order:

and is in compliance with the terms and conditions of her Order. She will be seen again in August 2013.

Mr. Hazleton explained the circumstances that brought him before the Board. He indicated he diverted medications for his own use. He stated he is currently in an intensive outpatient treatment program. He stated he is ready to move forward and is willing to do what is necessary for his probation. He reported his sobriety date is December 19, 2012. Mr. Hazleton stated he has no thoughts of relapse and has not relapsed. He indicated there are no PIR meetings in the area and Ms. Kirby made a recommendation to allow four 12- step meetings per month in lieu of PIR meetings once he has completed the treatment program. Committee members will also recommend the suspension on the RN be lifted. The CRNA license would remain suspended. **Mr. Hazleton is in compliance with the terms and conditions of his Order.** He will be seen again in May 2013.

Lori Wright,
Probation interview:

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

Jerilynn Erickson,
New Order:

Ms. Erickson explained the circumstances that brought her before the Board. Committee members requested a letter from both her therapist and the psychiatrist indicating they have spoken with each other and agree on the recommended treatment. The letter needs to include the recommended treatment plan. Ms. Erickson also has four prescribers. Committee members will recommend to the full Board to allow her to have four prescribers; however, only one can prescribe controlled substances. Ms. Erickson stated all her practitioners prescribe narcotics. Committee members indicated she would need to have Dr. Smith prescribe the controlled substances with the exception of the Norvidual prescribed by Dr. Anderson. Ms. Erickson stated she receives so many prescriptions she has found the pharmacy with the lowest cost for each medicine. Committee members will recommend she be allowed to fill the prescription at the pharmacy with the lowest cost. However, if the evaluation come in and indicates she has a substance use problem, the recommendation will be readdressed. Ms. Erickson will be scheduled to meet with the Board in May 2013. **Ms. Erickson is in compliance with the terms and**

Group 2
Minute taker: Connie Call

Stacia Frank Thorkelson,
Probation interview:

Brent Pace,
Probation interview:

Lauren Moger,
Probation interview:

Joann Somers,
Probation interview:

conditions of her Order.

Board members present: Ms. Brown, Ms. Parrish, and Mr. Killpack.

Ms. Thorkelson stated she does not feel she is receiving any benefit from attending therapy due to the therapist. Committee members had suggested she find a different therapist; however, Ms. Thorkelson stated she would remain with the current therapist. Committee members will discuss her request with the Full Board to terminate therapy. **Ms. Thorkelson is out of compliance with the terms and conditions of her Order.**

Mr. Pace was invited to meet with the Board due to submitting late paperwork. He also filled prescriptions through a second pharmacy without permission. He explained that his wife started ordering medications through MEDCO because it was less expensive. He indicated he did not think about notifying the Division. Committee members indicated they would recommend to the Full Board that he be allowed to fill prescriptions at two pharmacies, as long as the same pharmacy fills the controlled substance prescriptions. **Mr. Pace is out of compliance with the terms and conditions of his Order.**

Ms. Moger was invited to meet with the Board because she failed to submit her evaluations by December 31, 2012 as instructed. Ms. Moger explained that she called to get an appointment through the University of Utah and they sent her paperwork to complete. She realized she had called the wrong place and had filled out the paperwork for inpatient treatment. She had to reschedule an appointment and the evaluations have now been submitted. **Ms. Moger is out of compliance with the terms and conditions of her Order.**

Ms. Somers indicated she is doing well. After reviewing her file, Committee members determined there no concern regarding her ability to return to nursing. Ms. Somers was approved to work for the school district. **Ms. Somers is in compliance with the terms and conditions of her Order.**

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Board of Nursing
February 14, 2013
Kellie Roring,
Probation interview:

Ms. Roring explained that she was not late renewing her license because she had until the last day of February to pay a late fee. Upon further discussion, she admitted she had not completed all of her CE's and could not renew the last day of January when the renewal was due. Committee members recommend a \$250.00 fine for letting her license expire. Committee members reviewed a letter from the therapist recommending termination of 12-step, PIR meetings and no longer needs to see a therapist. Committee members also recommend amending her Order to terminate attendance at 12-Step and PIR meetings as well as therapy. Her request for general supervision was denied. **Ms. Roring is out of compliance with the terms and conditions of her probation.**

Michael Gearheart,
Probation interview:

Mr. Gearheart explained that with all of his medical issues lately he forgot to submit his paperwork. **Mr. Gearheart is out of compliance with the terms and conditions of his probation.**

Dana Swindle,
New Order:

Ms. Swindle explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of the Order. **Ms. Swindle is in compliance with the terms and conditions of her Order.**

Taylor Goodwin,
Telephone probation interview:

Ms. Goodwin is currently living and working in Texas. She did not answer telephone when called. **Ms. Goodwin is out of compliance with the terms and conditions of her Order.**

Reconvened to Full Board at 4:11 p.m.

Report from groups:

Emily Wilson will consider surrendering her license. Committee members recommend denying an extension for access to controlled substances. All Board voted members in favor of the recommendation.

Debra Davenport Tyler: Ms. Tyler requested she be allowed to work along side an RN two days a week at a staffing agency. Committee members indicated she would need to provide a letter from the RN and from the facility and then would recommend she be allowed to shadow the RN at that facility only for a period of six months. Committee members also recommend a \$100.00 fine for non compliance for late paperwork

for January. All Board members voted in favor of the recommendations.

Shauna Tall: Ms. Tall will be referred for an Informal Agency due to a history of non-compliance. She missed last month meeting due to illness and did not respond to the notice for this months meeting. All Board members voted in favor of the recommendation.

Lori Wright: Ms. Wright did not appear for her scheduled interview. She will be invited next month and must submit the AP&P reports.

Tige Hazleton: Mr. Hazleton requested his Order be amended to allow attendance at four 12-step meetings in lieu of PIR meetings upon successful completion of IOP. Committee members recommended his suspension be lifted and his RN license be placed on probation with the terms and conditions listed in the order. All Board members voted in favor of the recommendations.

Brent Pace: Mr. Pace is requesting he be allowed to fill prescriptions at two pharmacies, one would be a mail order pharmacy. Committee members recommend he be allowed to fill prescriptions at two pharmacies but only one pharmacy can fill controlled substance prescriptions. All Board members voted in favor of the recommendation.

Lauren Moger: Ms. Moger needs to submit the physical evaluation by February 28, 2013. Committee members recommended she will not need to attend 12-step meetings while she is in intensive outpatient treatment. She would be required to attend aftercare, therapy, and 2 PIR meetings per month. All Board members voted in favor of the recommendation.

Joanne Somers: Committee members recommend acceptance of the letter indicating Ms. Somers is safe to practice. All Board members voted in favor of the recommendation.

Kellie Roring: Ms. Roring submitted a therapist recommendation that she no longer needs to attend AA or therapy. Committee members recommend approval to terminate the AA and therapy meetings. Committee members recommended denial of her request for

general supervision. All Board members voted in favor of the recommendations. Committee members recommend she be issued a \$250.00 fine for non-compliance. All Board members voted in favor of the recommendation.

Discussion regarding Probationer Requests:

Traci Lujan: Board members recommended sending a letter to Ms. Lujan indicating she does not need to attend PIR or therapy at this time based on the therapist evaluation.

Teresa Williams: Ms. Kirby made a motion to approve her request to obtain her medication from Paramount Medical Care in Logan instead of traveling to Salt Lake. Ms. Parrish seconded the motion. All Board members voted in favor of the motion.

Ian Gowans: Ms. Parrish made a motion to deny his request to be allowed to work night shifts until he is in compliance with the terms and conditions of his Order. Ms. Palmer seconded the motion. All Board members voted in favor of the motion.

Tina L'Estrange: Mr. Pittman made a motion to allow Ms. L'Estrange's order be amended for general supervision and to be allowed to call in prescriptions to the pharmacy as part of her job; however, she can not call in controlled substances. Ms. Palmer seconded the motion. All Board members voted in favor of the motion.

Jamie Anderson: Mr. Pittman made a motion to allow all practitioners that prescribe for Ms. Anderson at Mt. Olympus to prescribe her medications. Ms. Kirby seconded the motion. All Board members voted in favor of the motion.

Robin Walker: Mr. Pittman made a motion that Ms. Walker needs to come into full compliance before special consideration of her request to be allowed to work at the flu clinics with Favorite Health Care Staffing will be considered. Committee members recommend a \$250.00 fine be issued for non-compliance. The motion was seconded. All Board members voted in favor of the motion.

Melanie Larsen: Ms. Parish made a motion to lift the

restriction for access to controlled substances. Mr. Pittman seconded the motion. All Board members voted in favor of the motion.

Sandy Piatt: Ms. Palmer made a motion to allow Ms. Piatt to work as an Intake Nurse at Rocky Mountain. Ms. Kirby seconded the motion. All Board members voted in favor of the motion.

Christopher Singer: Board members accepted Mr. Singer's essay.

Jill Smith: A motion was made to approve the continuing education submitted by Ms. Smith. The motion was seconded. All Board members voted in favor of the motion.

Tyler Miller: Dr. Hobbins reported that because the nursing Board was not monitoring Mr. Tyler, we cannot take further action for non-compliance. However, he was not to work in nursing and he obtained a nursing position without letting the Board know. The Respiratory Board will be meeting with him in March; however, they will not take action because he is not out of compliance with that Order. Dr. Hobbins indicated a Stipulation will need to be drafted in order for the Board of Nursing to resume monitoring Mr. Miller. Mr. Pittman made a motion that until the Stipulation is in place, the Board of Nursing monitor Mr. Miller. Ms. Parrish seconded the motion. All Board members voted in favor of the motion. Mr. Pittman made a motion to deny his request until he comes into compliance. Ms. Rall seconded the motion. All board members voted in favor of the motion.

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.

April 11, 2013
Date Approved

(ss) Peggy Brown
Peggy Brown, Chair, Utah Board of Nursing

April 11, 2013
Date Approved

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