

MINUTES

BOARD OF NURSING MEETING

September 10, 2015
Room 474 – Fourth Floor – 8:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 8:31 a.m.

ADJOURNED: 2:42 p.m.

Bureau Manager:
Board Secretary:

Suzette Farmer, PhD, RN
Anna Sayasith

Compliance Specialist:

Sharon Bennett

Conducting:

Cescilee Rall, BSN, RN

Board Members Present:

Cescilee Rall, BSN, RN
Megan Christensen, BS, public member
Steven Higginson, MSN, RN
Ralph Pittman, LPN
Diana Parrish, BS, public member
Debra Hobbins, DNP, APRN
Debra Mills, MSN, RN
Katherine Oswald, MSN, RN
Calvin Kremin, MSN, CRNA
Sheryl Steadman, PhD, APRN
Alisa Bangerter, BS, RN

Board Members Excused:

Division Staff:

Mitchell Jones, AG

Guests:

Bill Stilling, Attorney for Scott Rennie

ADMINISTRATIVE BUSINESS:

Ms. Rall made a motion to cancel December's meeting. Ms. Oswald seconded the motion. Vote was unanimous to cancel December 10, 2015 meeting.

August 13, 2015 Minutes:

Ms. Parrish made a motion to approve the August 13, 2015 minutes with corrections. Ms. Christensen seconded the motion. The vote in favor was unanimous.

Environmental Scan:

Dr. Farmer indicated the following:

- Dr. Farmer and Dr. Steadman attended the NCSBN's Annual meeting.
- The PowerPoint and information from this

- meeting is on the NCSBN's website.
- David Benton is the new CEO of NCSBN.

Overview of the NCLEX Results:

- As a state we are above the national average.
- We are at 88.2% in the second quarter for 2015 and 87.9% nationally for RNs.
- LPN's were well above the national average at 96.5% compared to 79.7% for the PNs.

Next Meeting:

October 8, 2015.

Introduction of Carolyn Dennis. DOPL's new Management Analyst. Carolyn was welcomed to the meeting.

Mitchell Jones:

Informal Adjudicative Proceeding for Ms. Julie Porter (201085-3102). Presented by Mr. Jones.

Mr. Jones reported:

- Ms. Porter did not appear before the board.
- Original mail was not mailed out correctly. To be compliant with DOPL practice, Ms. Porter was given another chance to redo her hearing.
- Due to Ms. Porter's absence Mr. Jones states by default, they will keep the ruling from July.
- The Hearing will not be reopened.

Rules:

R156-31b-301d. Foreign Education Program – has been tabled.

The Education Committee recommended changes and rewording for the definitions.

R156-31b-609. Standards for Out-of-State Programs Providing Clinical Experiences in Utah

- Take out "Meet with the Board" and added "to the satisfaction of the Division and Board."

R156-31b-602. Requirements for Limited-time Approval of Non-accredited Nursing Education Programs.

- Currently it says, "someone who is licensed."
- Now we want to ask for faculty to be licensed.
- Education Committee wanted to add an annual report should be completed.

R156-31b-301c. APRN License – Education, Examination and Experience Requirements.

- Requirements for an APRN Specializing in Psychiatric Mental Health Nursing.

9:07 a.m. Ms. Rall made a motion to approve changes to the rules. Ms. Christensen seconded the motion. The vote was unanimous.

**Sharon Bennett
Compliance Report:**

Ms. Bennett reported on the compliance status of individuals scheduled to meet with the Board. Ms. Bennett distributed the case files and probationer information for Board members to review.

Ms. Bennett reported on the compliance status of those probationers that are not being seen and are non-compliant.

Ms. Bennett also presented the essays, evaluations and special requests submitted by four (4) licensees on probation.

Mr. Pittman made a motion to close the meeting in accordance with 52-4-204(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Ms. Mills seconded the motion. All Board members voted unanimously to close the meeting. The meeting was closed at 9:21 a.m. The meeting was opened at 10:33 a.m.

Lee Scott Hirschi (358334-3102): Mr. Hirschi has requested early termination. Mr. Hirschi is compliant. Ms. Rall made a motion to grant Mr. Hirschi's request for early termination. Dr. Hobbins seconded the motion. The vote was unanimous.

Berry G. Erickson (8467673-4405): Mr. Erickson has requested a change in hours as well as a request for an early termination of probation. Ms. Parrish made a motion to grant Mr. Erickson early termination of his probation. Ms. Mills seconded the motion. The Board voted and it was unanimous to grant Mr. Erickson early termination of his probation.

Mary Stewart (215823-3102): Ms. Parrish has made a motion to reject Ms. Stewart's essay at this time. The essay must focus on the issues that brought her before the Board. It is recommended that her essay be

resubmitted. The motion was seconded by Ms. Mills. The vote in favor of the motion was unanimous.

McKayla Brough (7348061-3102): Ms. Brough is seeking approval for the mental health evaluation. The evaluation was received and reviewed. Mr. Pittman made a motion that Ms. Brough follow the recommendations of the evaluations as well as imposing fees for missing and late paperwork. The motion was seconded by Ms. Christensen. The vote in favor was unanimous.

Mr. Pittman made a motion to close the meeting in accordance with 52-4-204(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Ms. Mills seconded the motion. The vote was unanimous to close the meeting at 9:38 a.m. The meeting was opened at 9:43 a.m.

Amy Stone, 6641415-3102, Non-Compliant Mr. Pittman made a motion for documentation of when Ms. Stone was placed on bed rest in regards to the questionable positive screening. To be completed within 30 days. Seconded by Ms. Oswald. The vote in favor was unanimous.

Mr. Pittman made a motion to close the meeting in accordance with 52-4-204(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Ms. Parrish seconded the motion. The vote was unanimous to close the meeting at 9:46 a.m. The meeting was opened at 10:00 a.m.

Joanna Arbogast, 4751267-3102

Ms. Arbogast requested changes to her work restrictions and hours; including permission to work during the overnight hours. The interview was conducted by Ms. Oswald.

- Ms. Arbogast surrendered her license in 2006.
- She completed a reentry program in March.
- She is currently working as a nurse.
- Ms. Arbogast reported her sobriety date as July 7, 2013.
- She stated that she's had thoughts of relapse, but it only lasts a few seconds and she pulls herself out of it.
- She consults with her sponsor.
- She has not had any relapse.
- Ms. Arbogast appears to be current on all of her reports. She has until Oct. 23rd to complete

her continuing education.

Ms. Oswald question one of Ms. Arbogast's lab result tests. Ms. Arbogast explained a possibility of why it was diluted. Ms. Oswald's recommended Ms. Arbogast to complete a hair drug test.

Ms. Oswald made a motion for Ms. Arbogast to test by hair sample and depending on the results of the test, Ms. Arbogast's work hours will be revised. Seconded by Ms. Parrish. Vote was unanimous.

Scott Rennie, 7390418-3102, New Order
and Bill Stilling, Attorney

Mr. Pittman conducting the interview. Mr. Rennie's has submitted an essay for review.

Mr. Pittman made a motion to accept Mr. Rennie's essay as it was written. Ms. Christensen seconded the motion. The vote was unanimous to accept Mr. Rennie's essay.

Mr. Pittman made a motion that Mr. Rennie follow the recommendations from the psycho-evaluations completed on January 2, 2015 in regards to individual therapy. If the therapist recommends that individual therapy is no longer required, then Mr. Rennie is allowed to suspend/stop individual therapy. The motion was seconded by Ms. Christensen. The vote in favor is unanimous.

Mr. Pittman recommended Mr. Rennie:

- Keep track of his progress with a file folder.
- Complete therapy within 30 days.

Annette Howard, 193102-3101

Questions were conducted by Ms. Mills.

- Ms. Howard provided an explanation of why she is on probation.
- Ms. Rall recommended Ms. Howard make a binder to keep her information in and to assist her with her compliance.

Catherine Hendrickson, 7475647-3102,
Non-Compliant

Questions were conducted by Ms. Rall.

- Ms. Hendrickson provided an explanation of why she is on probation.
- Ms. Hendrickson is currently not working. She

also has not started her therapy sessions.

- Ms. Bennett reminded Ms. Hendrickson that although she is not working; she still must submit a report that she is not working.
- Ms. Hendrickson was reminded that her whole probation is based on her compliance. It was recommended for Ms. Hendrickson to track her progress by keeping a file folder.
- Ms. Hendrickson has completed the 12 step program twice.
- November 7, 2014 is her sobriety date.
- It's recommended that she keep in contact with her sponsor more often to keep her on track and off of relapse.
- She is non-compliant with several items:
 - Employer Reports
 - Therapy Reports
 - Prescriptions
 - Positive Test Results

Ms. Rall made a motion to fine Ms. Hendrickson with \$100.00 due to her non-compliance. It was seconded by Ms. Mills. The motion is unanimous.

Hyeshin Koo, 329671-3102, Her Request

Questions were conducted by Ms. Rall.

- Ms. Koo provided an explanation of why she is on probation.
- She is requesting to work more hours.
- Ms. Koo has been compliant the entire time during her probation.

Ms. Rall made a motion for Ms. Koo to come off probation, with 100% compliance the entire time. It was seconded by Ms. Parrish. The vote in favor is unanimous.

Jennie Johnson, 342629-3102, Non-Compliant

Interview was conducted by Ms. Parrish.

- Ms. Parrish confirmed Ms. Johnson's understanding of her requirements during her probation.
- Ms. Johnson has missed 16 check-ins, had 2 positive U/A's.
- Ms. Johnson was reminded how the Board can only measure her progress based on her compliance.
- Ms. Johnson is missing her physical and mental health evaluation. She will check on her evaluations and get them to Ms. Bennett.
- Ms. Johnson is currently not employed as a

nurse.

- Her sobriety date is November 23, 2014.
- She is currently on step 10 of The 12 Step program.

Ms. Parrish made a motion that Ms. Johnson's file be further evaluated. It was seconded by Ms. Mills. The vote is unanimous.

Jan Clements, 193894-4405, Her Request

Interview conducted by Dr. Hobbins.

- Ms. Clements explained why she is on probation.
- She is requesting early termination of her probation.
- She is current on her reports.
- She has completed all of her CE's.
- Ms. Clements's DEA registration is on probation for 3 years. She currently sends a quarterly log of all prescriptions written to the DEA.
- Dr. Hobbins's recommended to Ms. Clements that she could request early release after she has completed at least half of her probationary time.

Dr. Hobbins made a motion to deny the request for early termination. Mr. Pittman seconded the motion. The vote was unanimous.

Alia Anzai, 9306073-3102, New Intake

Questions were conducted by Ms. Christensen.

- Ms. Anzai explained why she is on probation.
- She currently works at Copper Hills Youth Center.
- She is current on her therapist and employer reports but is not current on her physical and mental health reports.
- She is not current on her CE's.
- Ms. Anzai has missed a U/A test on August 2, 2015 as well as a call in.
- Her sobriety date is June 28, 2014.
- She has not had a relapse and she has not had thoughts of a relapse. She is currently on step 8 of The 12 Step Program.

Ms. Christensen made a motion to fine Ms. Anzai \$100.00 for non-compliance. Seconded by Mr. Pittman.

Mary Orians, 266425-4405, Her Request

Ms. Mills conducted the interview process.

- Ms. Orians provided her explanation of why she is on probation.
- Her employer reports are not complete. She is missing July.
- It is recommended that she separate her self-assessment and the employer report.
- She is also missing her 10 random charts per quarter to be reviewed by a collogue report.
- Her quarterly report audit is also missing. Ms. Orians states she will get them completed as soon as possible.

Ms. Rall made a motion that the Division re-evaluate Ms. Orians' case. Dr. Hobbins seconded the motion. The vote is unanimous.

Melisa Hess, 344589-3102, New Intake

Interview is conducted by Ms. Oswald.

- Ms. Hess gave an explanation of why she is on probation.
- Ms. Hess is missing her mental health evaluation. She stated that the evaluation is scheduled for September 29th.
- She also has scheduled Controlled Substance Abuse appointment for October 2nd.

Ms. Oswald made a motion for Ms. Hess' to have her evaluations completion dates pushed back to November 7, 2015. Ms. Parrish seconded the motion. The vote was unanimous.

- Ms. Hess is not currently employed in nursing.
- She was reminded to continue to turn in employer reports indicating that she is not employed in nursing.

Ms. Oswald made a motion to accept Ms. Hess' essay as written. The motion was seconded by Mr. Pittman. The vote was unanimous.

- It is recommended that Ms. Hess review her Stipulation and Order and know it front and back.
- Ms. Hess has missed some check-ins.
- She currently is in The 12 Step Program and is on step 10.
- Her sobriety date is October 24, 2011.

- She is encouraged to complete her CE's before January 2016.

Colleen Pearson, 8307686-3102, New Intake

Interview was conducted by Mr. Pittman.

- Ms. Pearson provided an explanation of why she is on probation.
- She is current on her employer reports. She is reminded to date and sign her reports even if she is not employed.
- She is also current with her check-ins.
- She is currently doing The 12 Step Program and is on step 1. She meets with her sponsor once a week.
- It is recommended that Ms. Pearson read her Stipulation and Order regularly.

Mr. Pittman made a motion to close the meeting in accordance with 52-4-204(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. The vote was unanimous to close the meeting at 2:36 p.m. The meeting was opened at 2:41 p.m.

Brennan Replogle, 7684467-3101, New Intake

No Show. Her case was reviewed by the Board.

Ms. Rall made a motion for Ms. Replogle is issued a \$100.00 fine and recommended that she attends next month's meeting. Seconded by Mr. Pittman.

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.

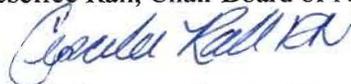
10/8/15

Date Approved

Date Approved

10/8/15

Cescilee Rall, Chair Board of Nursing



Suzette Farmer, Bureau Manager,
Division of Occupational & Professional Licensing

