

MINUTES

BOARD OF NURSING MEETING

March 7, 2019
Heber M. Wells Bldg.
North Conference Room, Main Floor – 8:30 a.m.
Salt Lake City, UT 84114

CONVENED: 8:34 A.M.

ADJOURNED: 3:37 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Jeff Busjahn
Board Secretary: Thomas Togisala
Compliance Specialist: Sharon Bennett

CONDUCTING:

Sheryl Steadman, Ph.D., RN - Chair

BOARD MEMBERS PRESENT:

Sheryl Steadman, Ph.D., RN – Chair
Debra Mills, MSN, RN
James Stimpson, CRNA
Luisa Echeverria, RN
Cescilee Rall, BSN, RN
Sami Weese, APRN
Emory Smith IV, LPN
Lori Barber MN, RN – Joined the meeting 10:42 a.m.
Megan Christensen, BS, Public Member

BOARD MEMBERS EXCUSED:

N/A

GUESTS:

Robert Baird – Weber State University
Diane Forster-Burke – UNA
Mary Ann Johnson
Ryan Christensen

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Dr. Steadman called the meeting to order at 8:34 a.m.

REVIEW AND APPROVE THE JANUARY 24, 2019 MINUTES.

Ms. Mills motioned to approve the minutes.

Ms. Christensen seconded the motion.

The vote in favor was unanimous.

ENVIRONMENTAL SCAN:

Mr. Busjahn and Ms. Forster-Burke provided an update on H.B. 336 – Nurse Practice Act Amendments. The bill reduces the instances where an APRN's prescription for a Schedule II controlled substance must be under a consultation and referral plan.

The plan is now required for an APRN who:

(1) is engaged independent solo practice, and has been licensed for less than 1 year or has less than 2,000 hours of experience; or

(2) owns or operates a pain clinic.

Additionally, for the solo-practice/limited experience APRN, the plan may be supervised by an APRN with at least 3 years of experience, instead of by a physician.

NURSE DELEGATION PROPOSED RULE UPDATE R156-31B-701 AND R156-701(A):

Mr. Busjahn completed the second revision of the fiscal impact and it's now under review with DOPL.

LEGISLATIVE UPDATE:

Refer to Environmental Scan.

BOARD BUSINESS:

PROBATIONER REQUESTS AND REVIEW OF DOCUMENTS:

Ms. Bennett briefed the Board on probationer files and the process for fines.

(Refer to audio for specifics – 09:40)

Ms. Mills motioned to fine a probationer \$250.00 if they have five or more missed check-ins within a period of a quarter (3 months).

Ms. Christensen seconded the motion.

The vote in favor was unanimous.

Ms. Mills motioned to rescind the previous motion made of fining a probationer \$250.00 after five or more missed check-ins within a quarter (3 months).

Mr. Smith seconded the motion.

The vote in favor was unanimous.

Ms. Mills motioned that a probationer missing five or more check-ins may be provided the opportunity to complete an educational activity prior to a \$250.00 fine.

Mr. Smith seconded the motion.

The vote in favor was unanimous.

Ms. Mills motioned that educational opportunities and a fine of \$250.00 may be given to a probationer as a form of penalty for five or more missed check-ins.

Mr. Smith seconded the motion.

The vote in favor was unanimous.

PROBATIONER INTERVIEWS:

- Ms. Mills motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

The motion was seconded by Mr. Smith.

The vote in favor was unanimous.

The meeting was closed at 9:04 and reopened at 9:06.

RACHEL ZIMMERMANN

Interview conducted by Ms. Weese.

Ms. Zimmermann was offered a nursing job opportunity.

Ms. Weese reviewed Ms. Zimmermann's essay and motioned for her to rewrite and submit her essay within three months.

Ms. Weese reviewed Ms. Zimmermann's physical evaluation.

Ms. Weese motioned for Ms. Zimmermann to rewrite her essay with more depth and insight and to submit by June 2, 2019.

Ms. Rall seconded the motion.

The vote in favor was unanimous.

Ms. Weese motioned for Ms. Zimmermann to have her provider resubmit a physical evaluation stating that she is physically fit to practice as a nurse.

Mr. Stimpson seconded the motion.

The vote in favor was unanimous.

BRITANIE BAILEY

Interview conducted by Ms. Weese.

Ms. Weese motioned to accept Ms. Bailey's essay.

Mr. Stimpson seconded the motion.

The vote in favor was unanimous.

Ms. Weese motioned for Ms. Bailey to have her provider resubmit a mental health evaluation stating that she is physically fit to practice as a nurse.

Mr. Stimpson seconded the motion.

The vote in favor was unanimous.

Ms. Bailey is currently not working as a nurse, but is actively seeking employment in the field.

ALECIA GRIMES

Interview conducted by Dr. Steadman.

Ms. Grimes is currently not working as a nurse.

Ms. Grimes submitted her essay.

Ms. Grimes' license is currently suspended.

Ms. Grimes requested to lift her working hour's restriction, but her request was denied.

Ms. Grimes has not completed her ethics course.

Ms. Grimes' CE courses are due in December 2019.

Dr. Steadman motioned to accept Ms. Grimes' essay.

Ms. Mills seconded the motion.

The vote in favor was unanimous.

Dr. Steadman motioned to accept Ms. Grimes' mental health evaluation.

Ms. Rall seconded the motion.

The vote in favor was unanimous.

JANIS HUBER

Interview conducted by Mr. Stimpson.

- Ms. Mills motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

The motion was seconded by Ms. Rall.

The vote in favor was unanimous.

The meeting was closed at 9:31 and reopened at 9:33.

Mr. Stimpson motioned to extend Ms. Huber's mental health evaluation due date to May 1, 2019.

Ms. Weese seconded the motion.

The vote in favor was unanimous.

Mr. Stimpson motioned to order Ms. Huber to complete a PEth test in lieu of a fine.

Ms. Smith seconded the motion.

The vote in favor was unanimous.

Ms. Huber's next meeting with the Board will be in June.

TERRI JUDD

Interview conducted by Mr. Smith.

Ms. Judd is doing well and is currently working as a nurse.

Ms. Judd shared a poem she wrote to the Board. The poem was written for the last day of her probation. She expressed her journey, struggles, and victories.

Mr. Smith motioned to terminate Ms. Judd's probation.

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

GREG CRUEA

Interviewed by Mr. Stimpson.
Mr. Cruea tested positive for alcohol.

Mr. Stimpson motioned to fine Mr. Cruea \$500.00 for testing positive for alcohol.
Ms. Weese seconded the motion.
The vote in favor was unanimous.

Ms. Weese motioned for Mr. Cruea to complete a thinking errors course by May 1, 2019.
Ms. Mills seconded the motion.
The vote in favor was unanimous.

Mr. Cruea's next meeting with the Board will be in May.

BRIAN ANDERSON

Interview conducted by Mr. Smith.
Mr. Anderson is currently working.
Mr. Anderson has a good support system within his family.
Mr. Smith encouraged Mr. Anderson to keep up the good work.

Mr. Smith motioned to lift Mr. Anderson's controlled substances restriction.
Ms. Rall seconded the motion.
The vote in favor was unanimous.

Mr. Anderson's next meeting with the Board will be in September.

HALEY BURNS

Interview conducted by Ms. Echeverria.
Ms. Burns had a missed check-in on December 8, 2018.
Ms. Burns' sobriety date is June 1, 2017.
Ms. Burns is currently working.
Ms. Burns no-showed to a UA test. She checked-in during work, but was unable to go after she got off. Ms. Burns tested the next day for the appointment she missed.
No motions were made.

HOLLY STEWART

Ms. Stewart is doing well.
Ms. Stewart travels often for work to teach.
Ms. Stewart explained to the Board that she forgot her COC (chain of custody) Form when she last traveled.
Ms. Stewart explained to the Board that she takes her probation very serious and is committed to making improvements within the next six months.
Ms. Stewart paid her fine in full.

No motions were made.

KAYDEN SULLIVAN

Interview conducted by Mr. Emory.
Mr. Sullivan is doing well and enjoys his job.
Mr. Sullivan has a great employer report.

Mr. Smith motioned to terminate Mr. Sullivan's probation.
Ms. Mills seconded the motion.
The vote in favor was unanimous.

NELSON KINYANJUI

Interview conducted by Ms. Mills.
Mr. Kinyanjui is doing well.
Mr. Kinyanjui has improved on checking-in and has learned accountability and responsibility within personal and professional life.
Mr. Kinyanjui has grown from his past experiences.

Ms. Mills motioned to approve and accept Mr. Kinyanjui's essay.
Mr. Smith seconded the motion.
The vote in favor was unanimous.

Mr. Kinyanjui's next meeting with the Board will be in September.

JERILYNN ERICKSON

Interview conducted by Mr. Stimpson.
Ms. Erickson's employer report has been received by Ms. Bennett.
Ms. Erickson is doing well and is currently working.

Mr. Stimpson motioned to change Ms. Erickson's work supervision from indirect to general supervision.
Ms. Rall seconded the motion.
The vote in favor was unanimous.

Ms. Erickson's next meeting with the Board will be in June.

GINA DIXON

Interview conducted by Ms. Mills.
Ms. Dixon is doing well and has been three years sober.
Ms. Dixon attends AA twice a week.
Ms. Dixon attends her therapy sessions.
Ms. Dixon had three missed check-ins and plans on setting more alarms to ensure that she doesn't miss another one.
Ms. Dixon's next meeting with the Board will be in September.
No motions were made.

KENDALL KIRKHAM

Interview conducted by Ms. Christensen.

Mr. Kirkham is doing well is working as a nurse.

Mr. Kirkham has people in his life to support him throughout his probation and sobriety.

Mr. Kirkham has good employer reports.

Ms. Christensen encouraged Mr. Kirkham to continue six more months of compliance to take his requests into consideration.

No motions were made.

ERIC MCNABB

Interview conducted by Dr. Steadman.

Mr. McNabb is doing well in his personal and professional life.

Mr. McNabb has been promoted several times at his job with great performance reviews.

Mr. McNabb attends his AA meetings.

Dr. Steadman motioned to lift Mr. McNabb's night shift restriction.

Ms. Mills seconded the motion.

The vote in favor was unanimous.

Dr. Steadman motioned to have Mr. McNabb's work supervision to change from indirect to general supervision.

Ms. Mills seconded the motion.

The vote in favor was unanimous.

Dr. Steadman motioned to lift Mr. McNabb's controlled substances restriction.

Ms. Rall seconded the motion.

The vote in favor was unanimous.

Mr. McNabb's next meeting with the Board will be in September.

ZACH PHELPS-ROPER

Interview conducted by Mr. Stimpson.

Mr. Phelps-Roper is doing well.

Mr. Stimpson motioned to terminate Mr. Phelps-Roper probation.

Ms. Barber seconded the motion.

The vote in favor was unanimous.

JENNIFER RICHARDSON

Interview conducted by Ms. Christensen.

Ms. Richardson is working as a nurse.

Ms. Richardson has a good support system within her husband and family.

Ms. Richardson attends online SMART recovery meetings.

Ms. Richardson's next meeting with the Board will be in September.

No motions were made.

KRISTINA WITHERS

Interview conducted by Ms. Mills.
Ms. Withers had a positive PEth test.
Ms. Withers had a missed check-in.

Ms. Mills motioned to fine Ms. Withers \$500.00 for being non-compliant.
Ms. Christensen seconded the motion.
The vote in favor was unanimous.

Ms. Withers' next meeting with the Board will be in June.

STEVEN MEADOWS

Interview conducted by Ms. Echeverria.
Mr. Meadows is actively seeking a nursing job.

Ms. Echeverria motioned to accept Mr. Meadow's mental health evaluation.
Mr. Stimpson seconded the motion.
The vote in favor was unanimous.

Ms. Echeverria motioned to accept Mr. Meadow's physical evaluation.
Mr. Smith seconded the motion.
The vote in favor was unanimous.

HEIDI PALFREYMAN

Interview conducted by Mr. Smith.
Ms. Palfreyman is working as a nurse.
Ms. Palfreyman needs to submit an MOU from her employer.

Mr. Smith motioned to excuse Ms. Palfreyman's missed check-ins on 12/9/2018, 12/15/19, and 12/16/2018.
Ms. Rall seconded the motion.
The vote in favor was unanimous.

Mr. Smith motioned to extend Ms. Palfreyman's thinking errors due date to May 1, 2019.
Mr. Stimpson seconded the motion.
The vote in favor was unanimous.

Mr. Smith motioned to have Ms. Palfreyman rewrite her essay and submit by May 1, 2019.
Mr. Stimpson seconded the motion.
The vote in favor was unanimous.

Ms. Palfreyman's next meeting with the Board will be in June.

KELLEY BETHEA

Interview conducted by Ms. Christensen.

Ms. Bethea is doing well and has great employer reports.

Ms. Bethea requested to have her controlled substances restriction lifted. Ms. Christensen denied Ms. Bethea's request and asked her to be compliant for up to a year to have the request considered by the Board.

No motions were made.

CURTIS BAKER

Interview conducted by Mr. Smith.

Mr. Baker is doing well and is compliant within his probation.

Mr. Baker is working as a nurse.

Mr. Baker requested to remain on his current shift working from 5:00 p.m. to 7:00 a.m.

Mr. Smith motioned to accept Mr. Baker's physical evaluation.

Ms. Rall seconded the motion.

The vote in favor was unanimous.

Mr. Smith motioned to allow Mr. Baker to remain on his current working shift from 5:00 p.m. to 7:00 a.m.

Ms. Weese seconded the motion.

The vote in favor was unanimous.

Mr. Baker's next meeting with the Board will be in June.

ANNE BOULTER

Interview conducted by Dr. Steadman.

Ms. Boulter is doing well in her personal and professional life.

Ms. Boulter consistently works 20 hours a week.

Ms. Boulter has no missed check-ins.

Dr. Steadman motioned to lift Ms. Boulter's restriction to call in prescriptions to the two pharmacies that are in association with her place of employment. If any changes arise, Ms. Boulter will need to notify the Board to revisit this restriction.

Ms. Rall seconded the motion.

The vote in favor was unanimous.

Ms. Boulter's next visit with the Board will be in September.

IRENE TUCKER

Interview conducted by Ms. Mills.

Ms. Tucker is working and doing well.

Ms. Tucker has submitted all required reports.

Ms. Tucker submitted all required course work.

Ms. Tucker's next meeting with the Board will be in July.

No motions were made.

ANGELA HAYDEN

Interview conducted by Ms. Christensen.
Ms. Hayden is doing well and loves working as a nurse.
Ms. Hayden has great employer reports.
Ms. Hayden attends meetings to maintain the support she needs.
No motions were made.

EMBER IMLAY

Interview conducted by Ms. Weese.
Ms. Imlay has no missed check-ins.
Ms. Imlay is working as a nurse.
Ms. Imlay is going back to counseling for needed support.

- Ms. Mills motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.
The motion was seconded by Ms. Rall.
The vote in favor was unanimous.
The meeting was closed at 12:31 and reopened at 12:34.
- Ms. Mills motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.
The motion was seconded by Mr. Stimpson.
The vote in favor was unanimous.
The meeting was closed at 12:35 and reopened at 12:36.

ANNETTE UKENA

Interview conducted by Ms. Echeverria.
Ms. Ukena has no missed check-ins.
Ms. Ukena is doing well within her probation.
Ms. Ukena is doing great within her personal and professional life.
Ms. Ukena's next meeting with the Board will be in September.
No motions were made.

TIFFANIE BROWNLEE

Interview conducted by Ms. Rall.
Ms. Brownlee is currently employed as a nurse, but on work suspension.
Ms. Brownlee's employer reports needs to be submitted.
Ms. Brownlee has required courses that are due in July.

Ms. Rall motioned to accept Ms. Brownlee's physical evaluation.
Ms. Smith seconded the motion.
The vote in favor was unanimous.

IAN GOWANS

Interview conducted by Mr. Stimpson.

Mr. Gowans is doing well and is in compliance within his probation.

Mr. Gowans completed his thinking errors course.

Mr. Gowans requested to have his controlled substances restriction lifted. Mr. Stimpson denied his request and encouraged Mr. Gowan to be compliant for an additional three months to have his request considered.

No motions were made.

MICHELLE MCARDLE

Interview conducted by Ms. Rall.

Ms. McArdle is attending AA meetings and therapy sessions.

Ms. McArdle is doing well and enjoys her work.

Ms. McArdle's next meeting with the Board is in July.

No motions were made.

STEPHANIE THOMAS

Interview conducted by Ms. Rall.

- Ms. Mills motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Ms. Weese.

The vote in favor was unanimous.

The meeting was closed at 1:29 and reopened at 1:32.

Ms. Thomas has 16 missed check-ins.

Dr. Steadman requested for Ms. Thomas to write and submit an essay about her behavior by April.

Ms. Rall motioned to turn Ms. Thomas' file back to the Division.

Ms. Echeverria seconded the motion.

The vote in favor was unanimous.

Ms. Rall motioned to fine Ms. Thomas \$500.00 for being non-compliant.

Ms. Echeverria seconded the motion.

The vote in favor was unanimous.

Ms. Thomas' next meeting with the Board is in May.

JASON CULPEPPER

Interview conducted by Ms. Barber

Mr. Culpepper's UA test had a positive result for marijuana.

Mr. Culpepper is not working as a nurse.

Ms. Barber motioned to turn Mr. Culpepper's file over to the Division.

Ms. Weese seconded the motion.

The vote in favor was unanimous.

MELISA HESS

Interview conducted by Ms. Barber.
Ms. Hess is actively looking for a nursing job.
Ms. Bennett discussed various courses that Ms. Hess can attend.
Ms. Barber gave Ms. Hess due dates for her courses.
Ms. Hess' next meeting with the Board will be in June.
No motions were made.

SIANA OSTLER

Interview conducted by Dr. Steadman.
Ms. Ostler is doing well.
Ms. Ostler's sobriety is June 2018.
Ms. Ostler attends AA meetings and has a sponsor.

Dr. Steadman motioned to lift Ms. Ostler's controlled substances restriction.
Ms. Rall seconded the motion.
The vote in favor was unanimous.

Ms. Oster's next meeting with the Board will be in September.

LORI WRIGHT

Interview conducted by Ms. Mills.
Ms. Wright has four missed check-ins since October 2018.
Ms. Wright no-showed to three testing appointments.
Ms. Wright's license is expired and is not currently working.
Ms. Mills gave Ms. Wright some options for job opportunities.
No motions were made.

MICHELLE BROSIER – NO SHOW

Interview conducted by Ms. Weese.
Ms. Weese reviewed Ms. Brosier's file with the Board.
Ms. Brosier had 32 missed check-ins and eight no-shows.

Ms. Weese motioned to turn Ms. Brosier's file over to the Division for further review.
Ms. Christensen seconded the motion.
The vote in favor was unanimous.

MISTY SMITH

Interview conducted by Ms. Weese.
Ms. Smith no-showed to two PEth tests in March.

Ms. Weese motioned for Ms. Smith to complete a substance abuse evaluation within 60 days.
Ms. Barber seconded the motion.
The vote in favor was unanimous.

Ms. Weese motioned for Ms. Smith to notify her employer in writing about her positive test results.

Mr. Stimpson seconded the motion.

The vote in favor was unanimous.

Ms. Weese motioned to order a PEth test for Ms. Smith to complete within 24 hours.

Ms. Christensen seconded the motion.

The vote in favor was unanimous.

Ms. Weese motioned for Ms. Smith to complete PEth tests for the next 90 days.

Ms. Mills seconded the motion.

The vote in favor was unanimous.

Ms. Smith's next meeting with the Board will be in May.

AUTUMN MARSHALL

Interview conducted by Ms. Echeverria.

Ms. Marshall has no missed check-ins.

Ms. Marshall is doing well and Ms. Echeverria encouraged her to continue to be successful.

Ms. Echeverria motioned to accept Ms. Marshall's mental health evaluation.

Ms. Christensen seconded the motion.

The vote in favor was unanimous.

- Ms. Mills motioned to close the meeting in accordance with 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

The motion was seconded by Ms. Christensen.

The vote in favor was unanimous.

The meeting was closed at 3:31 and reopened at 3:35.

Ms. Marshall's next meeting with the Board will be in June.

PROBATIONER REQUESTS AND REVIEW OF DOCUMENTS:

Tammy Martin – Reviewed by Mr. Smith.

Ms. Martin requested for her probation to be terminated early.

Mr. Smith motioned to terminate Ms. Martin's probation early.

Mr. Stimpson seconded the motion.

The vote in favor was unanimous.

NEXT SCHEDULED MEETING: APRIL 11, 2019

ADJOURN: 3:37 P.M.

Meeting adjourned at 3:37 P.M.

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.

4-11-19

Date Approved

S. Steadman

Sheryl Steadman - Chairperson, Board of Nursing

4-11-19

Date Approved

Jeff Busjahn

Jeff Busjahn - Bureau Manager, DOPL