

MINUTES

BOARD OF NURSING MEETING

June 9, 2022
Heber M. Wells Bldg.
ELECTRONIC MEETING – 8:30 a.m.
Salt Lake City, UT 84114

CONVENED: 8:32 A.M.

ADJOURNED: 2:39 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Jeff Busjahn
Board Secretary: Thomas Togisala
Compliance Specialist: Sharon Bennett
Assistant Attorney General: Valerie Wilde

CONDUCTING:

Debra Mills, MSN, RN – Chair

BOARD MEMBERS PRESENT:

Debra Mills, MSN, RN
Julianne Brady, BSN, RN
Ellen Brown, MSN, APRN
Luisa Echeverria, RN
David Skalka, JD, APRN, FNP-C
Kristi Vick, APRN-CRNA
K. Kumar Shah, Public Member

BOARD MEMBERS EXCUSED:

Ralph Pittman, LPN
Linda Hofmann, RN, Ph.D.
Julie Gee, RN, Ph.D.

GUESTS:

Daniel Briggs – DOPL Investigator
Jeff Johnson – DOPL Investigator

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER:

Ms. Mills called the meeting to order at 8:32 a.m.

REVIEW AND APPROVE THE MARCH 10TH AND MAY 24TH, 2022 MINUTES:

Ms. Brady motioned to approve the March 10, 2022 minutes.

Ms. Brown seconded the motion.

The vote in favor was unanimous.

Mr. Skalka motioned to approve the May 24th, 2022 minutes.

Ms. Brady seconded the motion.

The vote in favor was unanimous.

LEGISLATIVE SCAN:

N/A

R156-31B RULE CHANGE DISCUSSION:

(Refer to audio for specifics. Part 1_07:19 – 57:40)

Mr. Busjahn continued the Rule review from the last board meeting.

Mr. Busjahn proposed that an applicant, LPN or RN, that has an expired license and has not practiced as a nurse for 5-8 years, they can complete 30 hours of CEs and submit proof of 80 supervised clinical hours to reinstate licensure.

For individuals who have an expired license and has not worked for 8-11 years, they will need to take a refresher course and re-take the NCLEX to be eligible for licensure.

The Board discussed and commented on these changes. They felt comfortable with the proposed changes.

The Board will continue the Rule discussion at the next board meeting.

PROBATIONER INTERVIEWS:

March Hancock – Interview conducted by the Board.

- Ms. Brady 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. Shah.

The vote in favor was unanimous.

The meeting was closed at 9:34 and reopened at 9:48.

Mr. Skalka motioned to allow Mr. Hancock to apply for his license early.

Mr. Shah seconded the motion.

The vote in favor was unanimous.

Daniel Fitzgerald – Interview conducted by Ms. Mills and Ms. Echeverria.

Mr. Fitzgerald relapsed in March.

Mr. Fitzgerald has 10 missed check-ins, two no-shows, and two positive UA tests.

Mr. Fitzgerald attends three in-person meetings a week.

Ms. Echeverria motioned to fine Mr. Fitzgerald \$250.00 for non-compliance.

Ms. Brown seconded the motion.

The vote in favor was unanimous.

INFORMAL ADJUDICATIVE PROCEEDING:

Catherine C. Hendrickson – Proceeding conducted by Ms. Wilde.

(Refer to audio for specifics. Part 2_20:00 – 01:04:30)

Ms. Hendrickson attended the proceeding via-conference line.

Ms. Wilde reviewed the Notice of Agency Action with the Board.

Ms. Wilde reviewed each allegation with the Board.

Ms. Wilde asked Ms. Hendrickson questions regarding the allegations.

Ms. Hendrickson explained the events being questioned from her point of view.

Mr. Johnson shared the information he found and explained the interactions he had with Ms. Hendrickson.

Ms. Wilde presented the Division's recommendation to the Board.

The Division's recommendation is the following:

- Revoke Ms. Hendrickson's license for three years.
- Prior to re-applying for licensure, Ms. Hendrickson completes one year of UA testing and submit a mental health SUD evaluation stating that she's fit-to-practice.

Ms. Hendrickson recommends for the Board to extend her probationary period, issue her a fine, increase her UA testing, submit a new mental health SUD evaluation, or add more limitations to her license instead of revoking her license.

The Board found all allegations against Ms. Hendrickson to be true.

The Board recommended for Ms. Hendrickson's license to be revoked for a period of three years. Prior to application, Ms. Hendrickson will need to complete one year of UA testing, submit a fit-to-practice mental health SUD evaluation, and complete a cognitive restructuring course.

Gregory Cruea – Proceeding conducted by Ms. Wilde.

(Refer to audio for specifics. Part 3_00:00 – 15:05)

Mr. Cruea attending the proceeding via-conference line.

Ms. Wilde reviewed the Notice of Agency Action with the Board.

Ms. Wilde reviewed each allegation with the Board.

Ms. Wilde asked Mr. Cruea questions regarding the allegations.

Ms. Wilde presented the Division's recommendation to the Board.

The Division's recommendation is the following:

- Revoke Mr. Cruea's license for three years.
- Prior to re-applying for licensure, Mr. Cruea completes one year of UA testing and submit a mental health SUD evaluation stating that he's fit-to-practice.

Mr. Cruea explained that drinking alcohol has nothing to do with his professional performance.

The Board found all allegations against Mr. Cruea to be true. The Board recommended for Mr. Cruea's license to be revoked for a period of three years. Prior to application, Mr. Cruea will need to complete one year of UA testing, submit a fit-to-practice mental health SUD evaluation, and complete an essay showing accountability and a plan of action for his stipulation and order.

Annette Howard – Proceeding conducted by Ms. Wilde.
(Refer to audio for specifics. Part 3_15:25 – 36:00)

Ms. Howard and her attorney Aaron Garret attended via-conference line.
Ms. Wilde reviewed the Notice of Agency Action with the Board.
Ms. Wilde reviewed each allegation with the Board.
Mr. Garret asked to allow 60 days for Ms. Howard to pay her fines.
Mr. Garret will help Ms. Howard complete the necessary items for her probation.
Mr. Garret spoke to Ms. Howard's character as a nurse. He understands what is expected of her and will help her through her probationary period.
Ms. Wilde presented the Division's recommendation to the Board.
The Division's recommendation is the following:
- Ms. Howard pay a total of \$750.00 fines within 60 days.

The Board ordered Ms. Howard to pay her fine of \$750.00 within 60 days and to submit and essay regarding the cognitive restructuring course she completed within 30 days.

REQUESTS AND APPROVALS:

Misty Smith – File Reviewed by Mr. Skalka.

Mr. Skalka motioned to accept Ms. Smith's mental SUD evaluation.
Mr. Shah seconded the motion.
The vote in favor was unanimous.

Mr. Skalka motioned to accept Ms. Smith's essay.
Ms. Brady seconded the motion.
The vote in favor was unanimous.

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

Allyson Nielson – File reviewed by Ms. Brady.

Ms. Brady motioned to approve Ms. Nielson's physical evaluation.
Mr. Skalka seconded the motion.
The vote in favor was unanimous.

Ms. Brady motioned to approve Ms. Nielson's mental health SUD evaluation.
Ms. Brown seconded the motion.
The vote in favor was unanimous.

Whitney Carter – File reviewed by Ms. Brown.
Ms. Brown motioned to increase Ms. Carter's work hours.
Mr. Shah seconded the motion.
The vote in favor was unanimous.

Kristina Withers – File reviewed by Ms. Mills.
Ms. Mills denied Ms. Withers' request to lift overnight restrictions.

James Howell – File reviewed by Ms. Mills.
Ms. Mills motioned to grant Mr. Howell general supervision by a non-nurse in one bio-life facility.
Ms. Vick seconded the motion.
The vote in favor was unanimous.

Janine Pawlikowski – File reviewed by Mr. Skalka.
Mr. Skalka motioned to approve Ms. Pawlikowski's mental health SUD evaluation.
Mr. Shah seconded the motion.
The vote in favor was unanimous.

Ms. Pawlikowski's request for supervision change was denied.

Jennifer Fredrickson – File reviewed by Ms. Echeverria.
Ms. Fredrickson's request for early termination was denied.

Jamie Wilson – File reviewed by Ms. Vick.
Ms. Vick motioned to deny Ms. Wilson's request for early termination.
Ms. Echeverria seconded the motion.
The vote in favor was unanimous.

Danelle Sundahl – File reviewed by Mr. Shah.
Mr. Shah motioned to approve Ms. Sundahl's essay.
Ms. Echeverria seconded the motion.
The vote in favor was unanimous.

PROBATIONER INTERVIEWS (*CONTINUED*):

Michele McArdle – Interview conducted by Ms. Mills.
Ms. McArdle admits to drinking alcohol.
Ms. McArdle has continued her meetings and is spending more time with friends in recovery to help support her sobriety.

Ms. Mills motioned to fine Ms. McArdle \$500.00 for non-compliance.
Ms. Brown seconded the motion.
The vote in favor was unanimous.

Lorin Ward – Interview conducted by Ms. Vick.
Mr. Ward has three no-shows and one positive PEth test.

Ms. Vick motioned to fine Mr. Ward \$750.00 for drinking alcohol.
Ms. Echeverria seconded the motion.
The vote in favor was unanimous.

Esi Mendenhall – Interview conducted by Ms. Brady.
This is Ms. Mendenhall’s first board interview.
Ms. Brady went through the stipulation and order and expectations of the probationer.

Ms. Brady motioned to approve Ms. Mendenhall’s mental health SUD evaluation.
Mr. Skalka seconded the motion.
The vote in favor was unanimous.

Ms. Brady motioned to approve Ms. Mendenhall’s physical evaluation.
Mr. Shah seconded the motion.
The vote in favor was unanimous.

NEXT SCHEDULED MEETING: JULY 27, 2022

ADJOURN: 2:39 P.M.
Meeting adjourned at 2:39 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. For specific details, refer to the audio recording.

<u>07/27/2022</u>	<u><i>debra Ann Mills</i></u>
Date Approved	Debra Mills - Chairperson, Board of Nursing
<u>07/29/2022</u>	<u>Jeff Busjahn</u>
Date Approved	Jeff Busjahn - Bureau Manager, DOPL