

**MINUTES**

**UTAH BOARD OF NURSING  
MEETING**

**January 9, 2014  
Room 210 – Second Floor – 10:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 10:00 a.m.

**ADJOURNED:** 4:00 p.m.

**Bureau Manager:**  
**Board Secretary:**

Debra Hobbins, DNP, APRN  
Shirlene Kimball

**Conducting:**

Peggy Brown, MS, RN  
Cescilee Rall, BSN, RN

**Board Members Present:**

Peggy Brown, MS, RN  
Diana Parrish, BS, public member  
Calvin Kremin, MSN, CRNA  
Ralph Pittman, LPN  
Cescilee Rall, BSN, RN  
Alisa Bangerter, BS, RN  
Megan Christensen, BS, public member

**Board Members Excused:**

Jaime Clinton Lont, MSN, APRN  
Barbara Jeffries, BSN, RN

**Division Staff:**

Connie Call, Compliance Specialist

**Guests:**

Carrie Brinton  
Matt Brinton  
Steven Hall

**Review and Approve October 10, 2013  
Minutes:**

Ms. Parrish made a motion to approve the October 10, 2013 minutes with corrections. Mr. Pittman seconded the motion. All Board members voted in favor of the motion.

**Review and Approve December 12,  
2013 minutes:**

Ms. Parrish made a motion to approve the December 12, 2013 minutes with corrections. Mr. Pittman seconded the motion. All Board members voted in favor of the motion.

**Informal Agency Action,  
Laena Young:**

Ms. Young signed a Stipulation and Order and the Informal Agency Action was canceled.

**Celia Woodcock, APRN**

Ms. Woodcock is reinstating her Utah APRN

- Licensure application: license and needs to complete a pharmacology course prior to licensure. Ms. Woodcock found an online pharmacology course and submitted the course content for review and approval. Ms. Brown indicated that the content appears to meet the requirement of law and made a motion to approve the course work. Mr. Kremin seconded the motion. All Board members voted in favor of approving the course. Ms. Woodcock needs to complete the course prior to licensure. All Board members voted in favor of the motion.
- Discussion regarding election of chair: Board members discussed having the chair serve a two-year term instead of one year. If the Board decides to have the chair serve for two years, Ms. Brown will continue as chair for one more year. Ms. Rall would be co-chair for one year, then chair for the following two years. Ms. Parrish indicated her only concern would be if a Board member's term expired during the two-year period. Ms. Christiansen stated it takes time to understand the duties and responsibilities of a board member and it makes sense to have the individual serve as chair for two years. Mr. Kremin made a motion to approve the recommendation that the chair serve a two-year term. Ms. Parrish seconded the Motion. All Board members voted in favor.
- Twelve Principles of Governance That Power Exceptional Boards: Dr. Hobbins reviewed with Board members the *Twelve Principles of Governance that Power Exceptional Boards*. Dr. Hobbins also reviewed the section of the Nurse Practice Act and the Division of Occupational and Professional Licensing Act that outlines the Board duties and responsibilities. Dr. Hobbins expressed appreciation for the service of Board members.
- Board members offered several suggestions for improving the Board process. Ms. Parrish suggested that a new Board member be paired with a mentor.
- Ms. Call suggested reviewing the Stipulation and Order prior to interviewing a probationer. She indicated that the Stipulation and Orders have different conditions if the individual failed

Diversion and is now on probation.

Tige Hazleton,  
His request:

Ms. Call indicated Mr. Hazleton is current on all reports and all urine screens have been negative. Mr. Hazleton stated his court probation will terminate August 2014. He reported his sobriety date is December 19, 2012. Mr. Hazleton stated he has no thoughts of relapse and has not relapsed. He stated he attends 12-step meetings and is currently on step six, has a sponsor that he contacts weekly and has family and spiritual support. Mr. Hazleton stated he began employment at Coral Deseret Rehab on March 3, 2013. Mr. Hazleton stated he is not taking any medications not lawfully prescribed for him.

Mr. Hazleton requested that the suspension on his CRNA license be lifted. He indicated he has one year of sobriety and has been 100% compliant with his Order, he has been working as an RN since March with excellent employer reports. He indicated he has had his access to controlled substance since October as an RN, completed one year of counseling and six months of aftercare. Ms. Parrish indicated she is concerned that a CRNA would have easier access to controlled substances than an RN and the temptation would be greater. Mr. Hazleton stated he feels that over the past year he has demonstrated that he can practice safely.

Mr. Hazleton stated that his CRNA certification will expire July 2014. He needs to have the CRNA license in order to become recertified. Ms. Brown questioned whether the hours he worked as an RN count toward his CRNA probation. Dr. Hobbins indicated she would have to check with legal counsel. The action was taken against the CRNA license and he has been working as an RN. Ms. Parrish stated her concern is that his sobriety date is recent and he has been monitored for a short period.

Mr. Hazleton is requesting general supervision while working as an RN and termination of the therapy requirement. Mr. Pittman made a motion based on the recommendation from the treatment program and therapist reports, that the requirement

to attend therapy be discontinued at this time. Mr. Hazleton will still be required to attend 12-step meetings. Mr. Kremin seconded the motion. All Board members voted in favor of the motion. Mr. Pittman made a motion to approve the request for general supervision as a registered nurse. Ms. Bangerter seconded the motion. All Board members voted in favor.

Dr. Hobbins suggested lifting the suspension but not allowing him to work as a CRNA for six months until he is recertified. Ms. Parrish indicated she would like to table the discussion for one month and request an opinion from the AG regarding whether the suspension can be lifted and not allow Mr. Hazleton to work as a CRNA. Ms. Parrish also indicated she would like legal counsel to address whether working as an RN will count toward the CRNA probation. Ms. Brown stated that the evaluation indicates a low risk of re-offending. Mr. Pittman made a motion to lift the suspension and allow him to complete the re-credentialing process. Prior to returning to work as a CRNA, Mr. Hazleton must meet with the Board to present a plan for keeping his patients safe and include direct supervision. Mr. Kremin seconded the motion. Ms. Brown indicated we cannot add to the Order to have him come back prior to returning to work. Mr. Hazleton agreed to for the minutes to have a plan in place and agrees to direct supervision while working as a CRNA. All Board members voted in favor of lifting the suspension.

Further clarification will be sought regarding whether work as the RN will count toward his RN probation.

Adjourned to lunch at 12:30 p.m.  
Reconvened at 1:00 p.m.

Connie Call,  
Compliance Report:

Mr. Pittman made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Mr. Kremin seconded the motion. All Committee members voted in favor of

closing the meeting. Meeting closed at 1:10 p.m.  
Mr. Kremin made a motion to open the meeting.  
Mr. Pittman seconded the motion. The meeting  
was opened at 11:18 p.m.

Ms. Call reported the following individuals are out of compliance with the terms and conditions of their Order for failure to submit paperwork: Synthia Carter, Toni Pettit, Debra Pittman, Julie White, Camille Hyatt and Traci Lujan.

The following individuals are out of compliance for reasons other than failure to submit paperwork:

-Karen Burton. Ms. Burton has only been in total compliance three of the thirteen months she has been on probation. She missed checking-in with Affinity December 3, 2013 and December 25, 2013.

-Brett Davis. Mr. Davis has had two positive urine screens; one positive urine screen was for Tramadol. Mr. Davis has not submitted any prescriptions and has not attended the University of Utah Drug and Alcohol School as required in his Diversion agreement. He does not have a sponsor.

-Sam Bellacomo. Mr. Bellacomo had a relapse with alcohol. He has taken the appropriate steps after relapsing and has developed a plan of action to help him in the future.

Ms. Call reported the following individuals were requested to meet with the Board:

-Ian Gowans. Mr. Gowans relapsed in August. He completed an in-patient treatment program and this will be his first meeting with the Board since the relapse occurred.

Ms. Call reported Sara Calderas will sign a limited Stipulation and Order. Ms. Call indicated Robin Walker's therapist recommended discontinuation of therapy.

Group 1  
Conducting: Ralph Pittman  
Secretary: Shirlene Kimball

Members present: Mr. Pittman, Ms. Christensen,  
Mr. Kremin and Ms. Rall.

Synthia Carter,

Ms. Carter continues to be out of compliance with

Non-compliant:

the terms and conditions of her Order. She missed checking-in October 23, 2013. She failed to submit her self-assessment or employer reports due December 1, 2013 and she has not paid the fine assessed October 2013. Ms. Carter indicated she thought her reports were due January 1, 2014. However, now understands they were due December 1, 2013. She stated she has made a payment of \$100.00 and has made payment arrangements for the fine. Mr. Pittman stated he is concerned whether she is safe to practice. Ms. Carter stated this is her 5<sup>th</sup> year of probation and understands she has been out of compliance at times with her probation. Mr. Carter reported her sobriety date is May 24, 2009. Ms. Carter stated she has no thoughts of relapse and has not relapsed. She reported she attends AA and PIR meetings and has a sponsor. Ms. Carter stated she has been unemployed since August 2013 and understands that the time counting toward the end of probation has stopped. She stated she is not taking any medications not lawfully prescribed for her. Ms. Carter is out of compliance with the terms and conditions of her Order. Committee members recommend no additional fine at this time.

Ian Gowans,  
Division's request:

Mr. Gowans relapsed August 2013 and entered a treatment program. Mr. Gowans indicated his family and other individuals suggested treatment and he then sought out a 60-day inpatient treatment program. Mr. Gowans stated he has completed the program and is meeting with the Board for the first time since the relapse. Mr. Gowans indicated that prior to entering treatment he did not feel alcohol was an issue. He stated he knows now that is not the case. He indicated he crossed addictions, left one behind and picked up another. Mr. Gowans indicated he is now working on some issues that he had never worked on. He indicated he has learned that if you leave one addiction behind, it leaves a void: if you are not working the proper steps, it will not end well. He reported his sobriety date is August 2013, and that the sobriety date for drugs is December 4, 2011. He stated he has had thoughts of relapse, but he continues to work his program, talks to people, and keeps in close contact with

individuals from the treatment program. He indicated he is working, but not in nursing. Mr. Pittman recommended that Mr. Gowans is in compliance and no further action regarding the relapse is required. He completed a treatment program and appears to be doing well.

Camille Hyatt,  
Review of evaluations:

Ms. Hyatt's evaluations were received. Mr. Pittman made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual. Ms. Christensen seconded the motion. All Committee members voted in favor of closing the meeting. Meeting closed at 2:15 p.m. Mr. Kremin made a motion to open the meeting. Ms. Christensen seconded the motion. The meeting was opened at 2:23 p.m.

Ms. Hyatt indicated she stated she has not been able to find nursing employment because she does not have access to controlled substances. Ms. Hyatt stated it would be helpful if she were to have access. Ms. Hyatt reported her sobriety date is April 11, 2013. She reported she has no thoughts of relapse and has not relapsed. She reported she attends 12-step meetings and is on step six; however, she does not have a sponsor. Ms. Hyatt needs to submit her therapist report and have a sponsor by the end of January. There will be two therapist reports due, one for January and one for February. Mr. Pittman stated the Board likes to monitor an individual on probation while employed as a nurse for a period of time prior to returning access. If she does not have the requested information in by January 31, 2014, she will be referred for an Informal Adjudicative Proceeding.

Brett Davis,  
Non-compliance:

Mr. Davis has not submitted his prescriptions. His urine screen was positive for Tramadol. Mr. Davis stated he did not know he had to submit copies of his prescriptions. Mr. Davis stated he did not have to submit any prescriptions while he was in Diversion. Mr. Pittman questioned whether Mr. Davis had read his Order. Mr. Davis stated the last time he read the Order was several months ago.

Board members informed Mr. Davis he needs to submit copies of all prescriptions. Mr. Davis stated he understands. Board members also questioned Mr. Davis why he had not attended the University of Utah Drug and Alcohol School that he should have attended by 2011. Mr. Davis stated he forgot he had to attend this course. Board members indicated that if he had read his Order, he would know exactly what he was required to do. Ms. Rall made a recommendation to refer Mr. Davis for an Order to Show Cause Hearing. This will be discussed with the full Board.

Julie White Hall,  
Non-compliance:

Ms. Hall missed a check-in with Affinity and failed to submit the required reports by the due date. Ms. Hall indicated she addressed the missed check-in at the last meeting. Ms. Hall indicated that after that meeting, she went home and circled the reports' due date of January 1, 2014 and April 1, 2014. She also indicated that according to the Affinity screen, her reports are due January 1, 2014. Dr. Hobbins indicated that Ms. Call had sent her a number of e-mails with the correct due date. Ms. Hall stated it is not her problem that Affinity and Ms. Call have different due dates and she will go by the date in Affinity and not by dates sent by email. She also indicated she did not submit a letter from the master's degree education program because she just found out today that she was dropped from the program. Dr. Hobbins also indicated that Ms. Hall's Order requires that Ms. Hall find a sponsor. Ms. Hall stated she has never had a sponsor in the 3 ½ years, and she should have been notified before this that she was out of compliance because she did not have a sponsor. Dr. Hobbins indicated that she signed the Order and a sponsor is required. Ms. Rall indicated that studies have shown the most vulnerable periods are one year and four years. Ms. Hall stated she feels the Board puts everyone in the cookie cutter mold. Ms. Hall stated she feels she is in compliance, and that everybody misses calling in once in awhile. She stated she attends a 12-Step meeting every week and they have not encouraged her to have a sponsor. Mr. Hall indicated he feels that his wife has been in 100% compliance. He indicated they were working with

the master's program to obtain a letter, and did not know she was not accepted until today. Mr. Hall stated for the record, he does not appreciate the condescending tone use at this meeting. Ms. Rall indicated Ms. Hall needs to notify Ms. Call that she has a sponsor by February 1, 2014.

Group 2  
Minute Taker: Connie Call

Members present: Ms. Parrish, Ms. Brown, Ms. Jeffries and Ms. Bangerter

Sara Calderas,  
Non-compliance

Ms. Calderas meeting was canceled. She will be signing a limited license Stipulation.

Destine Banta,  
Her request:

Ms. Banta is requesting she be allowed to attend therapy rather than 12-Step meetings. Ms. Banta indicated her husband has a difficult time with her attending 12-Step meetings due to trust issues. She indicated he has no problems with her attending PIR meetings. She reported her sobriety date is November 26, 2007. Committee members recommend that Ms. Banta be allowed to attend either 12-Step or PIR meetings four times a month.

Karen Burton,  
Non-compliance:

Ms. Burton continues to miss check-ins with Affinity. Ms. Burton stated she has no excuse other than she just forgot to check-in. Ms. Burton is requesting that her access to controlled substance be returned. She stated she will not work in a hospital setting; she just wants to keep her license and continue in the education role. She indicated she has had memory issues, but her focus is better with the medications, but she still is forgetful. Committee members indicated they will recommend denial of her request for her narcotic restriction be lifted and will recommend a \$200.00 fine. Ms. Burton stated she understands if she meets with the Board, again it will be for a revocation of her license.

Sam Bellacomo,  
Non-compliance:

Mr. Bellacomo admitted to ingesting three beers while on vacation visiting his family just before Christmas. Mr. Bellacomo reported his new sobriety date is December 22, 2013. He stated he has been estranged from his family and does not have any family support. He indicated he has developed a plan for the next time he is faced with

the situation that led to the relapse.

Toni Pettit,  
Non-compliance:

Ms. Pettit was late submitting paperwork due December 1, 2013. She has not completed continuing education that was due August 2013. Ms. Pettit indicated she is looking for nursing employment, but has not had any luck. She reported she has good support system at home.

Report from Committees:

-Camille Hyatt. Ms. Hyatt needs to submit a therapist report for January and another one for February. Both reports need to be submitted by the end of January. Ms. Hyatt does not have a sponsor and Board members indicated she will have to have the sponsor in place by the end of January. If she does not have a sponsor and has not submitted both therapy reports, she will be referred for an Informal Adjudicative Proceeding to suspend the license based on the last received therapist report.

-Brett Davis. Mr. Davis indicated he did not know he needed to submit all prescriptions and did not know Tramadol was a scheduled drug. He also stated, "he forgot to attend the University of Utah Drug and Alcohol School" as required in his Diversion agreement. Committee members recommend Mr. Davis be referred for an Informal Adjudicative Proceeding for non-compliance. All Board members voted in favor of the recommendation.

-Julie Hall: Ms. Hall indicated she will go by the screen in Affinity and not by the email she receives regarding her paperwork due date. She indicated she was not accepted into the master's program. She has never had a sponsor and needs to contact Ms. Call with the name of her sponsor by February 1, 2014.

-Destine Banta. Ms. Banta does not attend 12-Step meetings because her husband objects to her attending those meetings. She does attend four PIR meetings per month. Committee members recommend she be allowed to attend four 12-Step meeting or four PIR meetings per month. All Board members voted in favor.

-Karen Burton. Committee members recommend denial of the request and that she be issued a \$200.00 fine for non-compliance. She understands

she needs to be 100% compliance or she will be referred for further action. All Board members voted in favor of the \$200.00 fine.

Next meeting:

The extra meeting scheduled for January 23, 2014 will be canceled. The next meeting will be held February 13, 2014.

*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.*

3/13/2014  
Date Approved

  
Peggy Brown, Chair  
Board of Nursing

3/13/14  
Date Approved

  
Debra Hobbins, Bureau Manager,  
Division of Occupational & Professional Licensing