MINUTES

UTAH
BOARD OF NURSING
MEETING

October 24, 2013

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

CONVENED: 8:32 a.m.

ADJOURNED: 4:55 p.m.

Bureau Manager: Debra Hobbins, DNP, APRN
Board Secretary: Shirlene Kimball

Conducting: Peggy Brown, MS, RN Chair

Board Members Present:
Peggy Brown, MS, RN
Cescilee Rall, BSN, RN
Diana Parrish, BS, public member
Ralph Pittman, LPN
Alisa Bangerter, BS, RN
Calvin Kremin, MSN, CRNA

Board Members Excused:
Megan Christensen, BS, public member
Barbara Jeffries, BSN, RN
Jamie Clinton-Lont, MSN, APRN

Division Staff:
Connie Call, Compliance Specialist
Irene Woodford, Division Investigator
Marcus Langston, Division Investigator

Guests:
A. Brooks, UCCS DNP student
Kyle Higginson, SSU nursing student
Alex Barney, SUU nursing student
Jennifer Adamson, WSU, nursing student
Yvette Ross, MSN, RN, Dean, Nightingale College
Steven Hall

TOPICS FOR DISCUSSION	DECISIONS AND RECOMMENDATIONS
ADMINISTRATIVE BUSINESS	
Irene Woodford, Division Investigator:	Ms. Woodford introduced Marcus Langston, a new Division investigator.

Ms. Brown questioned whether the Board could suspend those individuals who have failed Diversion and are coming to the Board. If the license were suspended for a period, the individual would have time to concentrate on their sobriety. Dr. Hobbins indicated that when an individual fails Diversion and is placed on probation, the same agreement comes forward with the individual and we have TO abide by that agreement. Dr. Hobbins indicated she is working with Diversion to make sure the requirements are more like the standard probation Stipulation and Order. Ms. Woodford indicated she thought that when an individual failed Diversion, they were issued a new Order. Dr. Hobbins indicated she would check with Mr. Jones.

Connie Call,
Compliance report:

Ms. Call reported that most of the individuals being seen today are for non-compliance. Brian Stokes is in compliance and meeting with the Board for a review of his evaluation.

Dr. Hobbins indicated that citations with fines have to be issued by the Board. Ms. Woodford and Mr. Langston will be available to issue citations today to those probationers that the Board recommends for a citation. Ms. Woodford indicated that the Statute allows up to a $500.00 fine. Dr. Hobbins indicated that since the Board will divide into groups, a motion needs to be made to accept the recommendation from each committee. This will allow the citation to be written while the individual is in the building. Mr. Pittman made a motion that upon the recommendation of the subcommittee, fines may be imposed and accepted by the full Board. Mr. Kremin seconded the motion. All Board members voted in favor of the motion.

Divided in Groups at 9:10 a.m.

Group 1
Conducting: Ralph Pittman
Secretary: Shirlene Kimball

Board members present: Mr. Pittman, Ms. Rall and Mr. Kremin

Nina Manning,
Non-compliance:

Ms. Manning did not appear for her scheduled interview. Dr. Hobbins indicated Ms. Manning's

employer called the Division to explain why Ms. Manning was terminated from her position. Mr. Pittman stated that after reading the information provided by the employer and the events that led to the termination of employment, he would make a motion to the full Board to proceed with the appropriate legal steps for an informal adjudicative proceeding or for a formal hearing to revoke the license. Mr. Pittman also stated he would recommend referral to investigation regarding the improper dispensing of medication as noted by the employer. Dr. Hobbins indicated the Division would offer her a surrender document first, and then refer for the appropriate hearing if she does not surrender the license.

Julie White,
Non-compliance:

Ms. White reported her sobriety date is October 2009. Ms. White indicated she continues to work at the medical spa and just completed her BSN degree. Ms. White reported she has made a number of changes in her life, she changed all friends, she is active in her religion and has been married for 2 ½ years. Committee members indicated Ms. White has been in compliance, however, lately has been more and more out of compliance. Ms. White reported in her mind that she is compliant because she does everything she needs to do; she just did not submit the paperwork. Committee members indicated Ms. Hall missed a urine screen in June 2013. Ms. White indicated she has had health problems and surgeries and reported missing the urine screen in June was just an oversight. Ms. White indicated she is surprised she is here about non-compliance because she thought she was here to speak about her request for early termination of probation. She stated she does not feel she needs to be here, stated she is not at risk and is not putting anyone at risk. She stated she is just not the best with paperwork.

Ms. White reported she is entering the MSN Family Nurse Practitioner program. She indicated she shared the Stipulation and Order when she entered the BSN program and she is obtaining her MSN degree with the same program. Committee members requested the program director submit a letter indicating they are aware of the probation.

Committee members expressed concern that with all her stressors, the surgeries, going to school, working full time and dealing with three teenage daughters, the stress may contribute to a relapse. Committee members recommend that Ms. Hall may want to hold off on the MSN program for a year. By that time, she may be off probation and that would be one less stressor. Ms. White stated she appreciates the Committee's concern; however, she has to complete the program for her job. Mr. Pittman stated she could request early termination of probation; however, she has to be in 100% compliance with the terms and conditions of her Order. Mr. Pittman made a motion to issue a $200.00 fine for non-compliance with the terms and conditions of her Order. Ms. Rall seconded the motion. All Committee members voted in favor of the recommendation.

Suzanne Menatti,
Non-compliance:

Ms. Menatti indicated that she is having problems with her supervisor submitting the employer reports. She indicated other probationers that work for the same agency are also having problems because the employer does not submit the report on time. Ms. Menatti indicated it is frustrating because she then needs to find coverage and take time off work to meet with the Board. She indicated she has spoken with the supervisor, Thomas Mesaros, provided him the report and even showed him her non-compliance letter and it still took him two weeks to submit the report.

Ms. Menatti stated she is not taking any medications not lawfully prescribed for her. She reported her sobriety date is May 2, 2011. Ms. Menatti reported she has no thoughts of relapse and has not relapsed. Ms. Menatti missed a drug screen and Committee members made a motion to issue a $250.00 fine for non-compliance with the terms and conditions of her all. The motion was seconded. All Committee members voted in favor of the motion.

Synthia Carter,
Non-compliance:

Ms. Carter indicated she is aware of the reasons why she is meeting with the Board. She missed a urine screen on October 9, 2013, and missed calling in June, July and August. Her employer report was late in September. She indicated she has not been employed since July and just forgot to sign and submit the

employer report. She reported her sobriety date is June 24, 2009. She stated she has no thoughts of relapse and has not relapsed. Ms. Rall made a motion to issue a $300.00 fine for non-compliance. Mr. Pittman seconded the motion. All Committee members voted in favor of the motion.

Christy Proctor, Non-compliance:

Ms. Proctor has not submitted her paperwork, has not been calling-in, and is totally out of compliance. Ms. Proctor indicated both she and her husband have been unemployed and have not been able to pay for the evaluations. She indicated she attended AA meetings, she just forgot to have the cards signed. She indicated she feels out of control and she does not know what to do. Ms. Rall indicated Ms. Proctor may want to surrender her license and work on her sobriety. Committee members also indicated she could place her license on a "limited" status, meaning that Ms. Proctor may not practice as a nurse in Utah until she is ready to comply with the terms of the Order. Committee members indicated this may take some of the stress off until she is on more solid ground. Ms. Proctor reported her sobriety date is June 2, 2013. She indicated she has had no thoughts of relapse and has not relapsed. Mr. Pittman indicated if she chooses not to place the license on a limited status or a voluntary surrender, Ms. Proctor might be looking at an informal adjudicative proceeding before the Board. She indicated she would think about her choices and let Ms. Call know within the next 30 days.

Mr. Pittman recommended that no fine be issued at this time. She will have 30 days to contract Ms. Call and let her know what she has chosen to do with her license, and if she does not contact Ms. Call within 30 days, she will be referred for an informal adjudicative proceeding.

Traci Johnson, Non-compliance:

Ms. Johnson stated she does not feel she is out of compliance with her Order. Committee members indicated Ms. Johnson missed two check-ins in June, two in August and two in September, missed a drug screen and submitted her paperwork late. Ms. Johnson indicated she had open-heart surgery in April and was in the hospital again in August. She stated the Division was informed and she should have been

excused. Ms. Johnson indicated she submitted her discharge papers and copies of the prescribed medication. Ms. Call indicated they were not received and Ms. Johnson will submit them again. Committee members indicated the paperwork would excuse the August period, but what happened in June, July and September. Ms. Johnson stated she thought she had called in. She also indicated on the missed urine she had had two urine screens in five days and when the third one came up, she could not afford to pay for it and had called Ms. Call. She stated she understands compliance is her responsibility, but she does not feel she is late. Ms. Johnson indicated she has no thoughts of relapse and has not relapsed. She reported her sobriety date is April 14, 2008. She stated she is not taking any medications not lawfully prescribed for her. Committee members recommend a $200.00 fine for non-compliance.

Brian Stokes,
Review of evaluations:

Mr. Stokes reported his sobriety date is June 16, 2013. He stated he has had thoughts of relapse, however he calls his sponsor every day and he has not relapsed. He indicated he has not had a craving for about a month and he feels like he is moving forward. 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. Rall seconded the motion. All Committee members voted in favor of closing the meeting. Meeting closed at 11:24 a.m. Mr. Kremin made a motion to open the meeting. Mr. Pittman seconded the motion. The meeting was opened at 11:36 a.m. Mr. Pittman recommended that Mr. Stokes be given 60 days to find a therapist and have him approved by the Division. Mr. Stokes will be required to attend 12-step and PIR meetings and attend aftercare for at least two years. Committee members will recommend termination of suspension and place the license on probation without access to controlled substances.

Rosalie Sloan,
New Order:

Ms. Sloan explained the circumstances that brought her before the Board. She reported she completed a court-ordered enhanced outpatient treatment program. Ms. Sloan stated her sobriety date is September 22,

2013. She indicated she graduated from nursing school recently and has decided she does not need alcohol in her life. She reported she has been hired at Primary Children's Hospital and they are willing to work with her on probation. She will be working full time on the night shift under general supervision.

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. The meeting was closed at 12:00 noon. Ms. Rall made the motion to open the meeting. Mr. Kremin seconded the motion. The meeting was opened at 12:05 p.m. Committee members reviewed the evaluation and Ms. Rall made a motion to have Ms. Sloan attend PIR meetings twice a month for additional support. Mr. Kremin seconded the motion. All Committee members voted in favor. Mr. Pittman made a motion to allow Ms. Sloan to work under general supervision while working any shift, as long as there is appropriate supervisory staff available. Ms. Rall seconded the motion. All Committee members voted in favor of the motion.

Group Two
Minute taker: Connie Call

Board members present: Peggy Brown, Diana Parrish, and Barbara Jeffries.

Kathryn Roach,
Non-compliance:

Ms. Roach is out of compliance with the terms and conditions of her Order for failure to submit paperwork due October 1, 2013, failure to submit five prescriptions and failure to notify the Division of termination of employment. Ms. Roach explained that she was not terminated from her job. She indicated she had to quit because she could not complete her job duties as assigned due to the limitations in her Order. Ms. Roach is requesting two prescribers, Dr. Sellers for one prescription and her family practitioner for all other prescriptions. A recommendation was made to issue a $100.00 due to non-compliance to the order. Committee members all voted in favor of the $100.00 fine. Committee members will also recommend approval of two prescribing practitioners.

Traci Lujan, Non-compliance:	Ms. Lujan failed to submit an employer report due October 1, 2013 and a copy of a prescription filled September 12, 2013. Committee members recommend that a $100.00 fine be issued for non-compliance. All Committee members voted in favor of the recommendation.
Annette Stricklin, Non-compliance:	Ms. Stricklin submitted her employer report, self-assessment report and 12-step and PIR attendance records late. Committee members indicated Ms. Stricklin has finally acknowledged responsibility for her actions and it appears that she has changed her attitude toward probation. Committee members indicated that since she appears to have made significant changes, a fine will not be issued at this time. Committee members reminded Ms. Stricklin she must remain in 100% compliance, or she will receive a fine.
Michael Ross, Non-compliance	Mr. Ross submitted his employer report late. Committee members recommended he be issued a $100.00 fine for non-compliance. All Committee members voted in favor of the recommendation.
Stacia Thorkelson, Non-compliance:	Ms. Thorkelson has been on probation since March 2012. Ms. Thorkelson has been hostile in the past, however, she indicated she understands now that what happened is not the Board's fault and she is taking responsibility. This is the first time she has taken ownership for her actions. Committee members indicated her change in attitude was great and even though she missed two check-ins in July and failed to submit employer report in September, 2013, no fine will be issued. However, she was cautioned that she needs to remain in 100% compliance or she will be issued a fine next time.
Teresa Williams, Non-compliance:	Ms. Williams was interviewed by telephone. She indicated she is working part-time in a non-nursing position. She stated she continues to have health issues; however, she does not want to surrender the license or have it placed on the limited status. Committee members recommend a $200.00 fine for failing to submit any of her paperwork and for failure to submit three prescriptions. All Committee members voted in favor of the recommendation.

Karen Burton,
Non-compliance:

Ms. Burton missed checking-in with Affinity once in June, twice in July and once in August. Ms. Burton had submitted a request to have her access to controlled substance returned. Ms. Burton indicated she is withdrawing that request at this time. Committee members recommend a $100.00 for non-compliance. All Committee members voted in favor of the recommendation.

Tyler Miller,
Non-compliance:

Mr. Miller was scheduled to be interviewed by telephone. Mr. Miller was not available when called. Committee members will recommend Mr. Miller be referred for an informal adjudicative proceeding.

Brett Davis,
New Order:

Mr. Davis explained the circumstances that brought him before the Board. Committee members reviewed his evaluations and based on the evaluation, he will only be required to attend 12-step meetings. All Committee members voted in favor of the recommendation.

Reconvened to full Board:

Julie Willardson,
Her request:

Ms. Willardson met with the Board to provide an update. She reported she attends 12-step meetings once a week, speaks with her sponsor and continues to work at Roseman University. Ms. Willardson is in compliance with the terms and conditions of her Order. She indicated she enjoys teaching and would like to teach clinicals. Board members questioned what would change if her probation were terminated. She reported nothing would change; she would remain sober and would still attend meetings. Mr. Pittman made a motion to terminate probation and return full privileges. Ms. Rall seconded the motion. All Board members voted in favor of the motion.

Doug Zitting,
Request for license to be returned:

Mr. Zitting requested a meeting with the Board; however, he did not present for the interview. Ms. Call reported he has voluntarily signed up for urine drug screen through Affinity and has missed calling-in 79 times, missed a urine screen, and has not submitted prescriptions for the positive urine screens.

Corinne Kinikini,

Ms. Kinikini met with the Board to explain the "yes"

New application:

answers on her application. She stated she thought her record was expunged and had answered "no" on the application. Ms. Kinikini indicated that it was a misunderstanding because she thought since the charge was dismissed it had been expunged. Ms. Kinikini provided the police reports and court documents and explained the circumstances for her arrest. She stated she started nursing school one year after the incident. Board members reviewed her narrative and the police reports. Ms. Brown stated that there are discrepancies between her narrative and the police report. She had been charged with retail theft and her narrative indicated she admitted to store security that she had made a mistake and had not intentionally placed the CD/DVD in her purse. The police report indicates she told the security officer "I steal all the time, I just never get caught". Ms. Kinikini stated she was using a little sarcasm with the security office when she made that statement. Ms. Brown stated the Board's directive is to make sure the public is safe. As a nurse, Ms. Kinikini will have access to patient homes. Ms. Brown stated the Board has to look at the information, and it appears there is an established pattern of theft. The Board needs assurance this was a one-time incident. Ms. Kinikini stated she has been an aide for thirteen years at South Davis Community Hospital skilled care and has never had a problem.

Mr. Kremin made a motion to have her current employer submit an evaluation, allow her to take the NCLEX examination, and upon passing, place the license on probation for two years, with the standard terms and conditions of a non-drug Stipulation and Order. Ms. Bangerter seconded the motion. All Board members voted in favor of the motion.

Ms. Call, presentation of special requests:

Jill Crookston is requesting early termination of probation. Ms. Call reported Ms. Crookston has been on probation for 3 years and has never been out of compliance. Ms. Bangerter stated Ms. Crookston was placed on probation for forging prescriptions and she is not comfortable releasing Ms. Crookston from probation. Ms. Parrish made a motion to deny the request for early termination due to the seriousness of the initial offense. Ms. Bangerter seconded the

motion. All Board members voted in favor of the motion.

Camille Hiatt is requesting she be allowed to work in a float pool and to pass narcotics in the hospital. Ms. Parrish made a motion to deny the request to work in a float pool and deny access to controlled substances due to the short period of time Ms. Hiatt has been on probation. Ms. Bangerter seconded the motion. All Board members voted in favor of the motion.

Diane Crossley provided a job description and is requesting she be allowed to count the hours in this setting toward her probation. Ms. Rall made a motion to accept the job description and allow her to count hours worked toward probation. Mr. Kremin seconded the motion. All Board members voted in favor of the motion.

Adjourned for lunch at 1:00 p.m.
Reconvened at 1:36 p.m.

Report from Committee:

The following individuals were issued fines for non-compliance:
Julie Hall White was fined 200.00
Suzanne Menatti was fined $250.00
Synthia Carter was fined $300.00
Tracy Johnson was fined $200.00
Kathryn Roach was fined $100.00
Traci Lujan was fined $100.00
Michael Ross was fined $100.00
Teresa Williams was fined $200.00
Karen Burton was fined $100.00

Committee members recommend Nina Manning be referred for an informal adjudicative proceeding or for a formal hearing depending on what the Division feels is appropriate. Board members also recommended Ms. Manning be referred to Investigations.

Board members discussed the supervisor who is not filling out the employer report for his employees, resulting in them being fined for non-compliance. The Division will follow up with the employer to find out why he is not filling out the paperwork for the probationers. Board members questioned whether this

supervisor could be fined. Ms. Parrish stated that the Division needs to make contact with him first, let him know how important it is for the probationers, give him a warning, then if it continues, issue a fine at that time. Dr. Hobbins indicated that there are at least three or four probationers who work at this facility and they have all been fined for late employer reports. Mr. Pittman made a motion that if legal counsel is okay with fining the supervisor for not signing the reports; open an investigation for unprofessional conduct. Mr. Kremin seconded the motion. Mr. Pittman and Mr. Kremin voted in favor of the motion, all other Board members opposed. Motion failed. Ms. Parrish made a motion to refer the supervisor to investigations for a warning that it is unprofessional conduct to fail to complete paperwork and if he fails to complete the paperwork in a timely manner, then issue a fine. Mr. Pittman seconded the motion. All Board members voted in favor of the motion.

Brian Stokes: Based on the recommendation of the evaluation, Committee members recommend that Mr. Stokes attend 12-step and PIR meetings; attend individual therapy twice a month or as determined by the therapist; and follow the recommendations from the September 30, 2013 evaluation. He will have 60 days to find a therapist. All Board members voted in favor of the recommendation.

Rosalie Sloan: Committee members recommend Ms. Sloan attend PIR meetings twice a month for one year, and to allow her to work under general supervision. All Board members voted in favor of the recommendation.

Tyler Miller: Committee members recommend Mr. Miller be referred for an informal adjudicative proceeding for non-compliance with the terms and conditions of probation. All Board members voted in favor of the recommendation.

Brett Davis: Committee members recommend Mr. Davis only needs to attend 12-step meetings. He will not need to attend PIR meetings based on the evaluator's recommendations. All Board members voted in favor of the recommendation.

Mitchell Jones:

Mr. Jones met with the Board to talk about basic procedures and how the informal adjudicative proceeding is run. This includes what the Board can talk about and what you cannot talk about. He indicated that in a formal hearing, the Administrative Law Judge keeps track of the procedures. In an informal adjudicative proceeding, all the same rules apply; however, an ALJ is not available to keep track of the procedure. He indicated Board members cannot talk about the case unless in the Board is in a meeting on record. This is a public body and there are basic rules of fairness that need to be followed. The Board needs to be perceived as being fair as well as being fair. There are many perceived notions that the Board does what the Division wants. Mr. Jones indicated that the hope is that the Board does what the Division recommends based on the argument presented. He indicated everyone's vote counts. The way to do this is to only speak on the record about the case. It is the individual's right to hear what is being considered and the Board really needs to be aware and consider everything on the record. If a Board member is approached by an acquaintance, let him or her know you cannot discuss an issue that may come before the Board. Mr. Jones indicated that once a vote is taken at the conclusion of the informal adjudicative proceeding and a finding of fact determined, that is the final action. If the Board needs additional time to consider something, take the additional time. If there are questions, ask for additional clarification. After a decision is made, it cannot be revisited and the vote changed. Base the decision on the evidence presented. Ms. Rall questioned whether the Board could ask the individual to leave the room during the discussion stage. Mr. Jones indicated that the Board cannot ask the individual to leave during the discussion.

Dusti Jo Hall:

Mr. Jones provided the Board with a letter from attorney, Walter Bugden, letting the Board know that Ms. Hall had been proactive in seeking a psychiatric and substance use disorder evaluation. However, the evaluation cannot be completed until DOPL furnishes ARS with the Findings of Fact, Conclusions and an Order. Board members reviewed the letter.

Mr. Jones indicated at the conclusion of the last Board meeting, Mr. Bugden provided members of the Board a packet of information and requested that the Board review and consider this information. Mr. Jones indicated he would offer no further arguments at this time. He stated there are two parts of the deliberation, the first is to determine if Ms. Hall is guilty of misconduct. Mr. Bugden would like the Board to consider whether Ms. Hall's action falls under moral turpitude. Mr. Jones stated that he does not feel the charges fall under the legal definition of moral turpitude.

The Board first needs to determine whether being convicted of a misdemeanor, transporting 59 kilograms of marijuana, is relevant to Ms. Hall's practice as a registered nurse. He indicated the answer should be either yes or no.

Discussion: Ms. Parrish stated, after reading the documents provided, she feels it is relevant to the practice of nursing. Mr. Kremin stated he does not believe so. Ms. Hall maybe lying, but we do not know, and Mr. Kremin stated he tried to put himself in the same situation. Sometimes we do not always make the right decision, she did what she did to protect family and he does not see the relationship related to nursing. Ms. Parrish indicated that 59 kilograms is a lot of marijuana, and Ms. Hall had six months to consider her actions, look for help or hire an attorney. Ms. Hall has been able to seek help in all other instances but not seeking help in this case just does not make sense. Ms. Hall grew up in Mexico and she knows not to transport illegal substances. All the letters from her supporters indicate how smart Ms. Hall is, she knows what she is doing, and she is not telling us why she did what she did. Mr. Pittman indicated Ms. Hall transported the drugs across the border more than one time. Ms. Hall went with the deal from the attorney in Arizona, and then stated she could not provide the court information because it was sealed. Ms. Hall does not acknowledge her actions.

Ms. Rall indicated she looked at the drug charge and also considered the nursing part. There are two instances now where Ms. Hall has had agency action

filed. Ms. Hall went beyond the scope of practice of an RN and this indicates Ms. Hall makes poor decisions. Ms. Rall stated she is concerned regarding Ms. Hall's nursing practice and the necessary decisions that need to be made on a daily basis. Ms. Brown stated she agrees, when faced with stress, it appears Ms. Hall makes bad decisions. Mr. Pittman also indicated that if Ms. Hall were concerned for her family's safety, she would also be stressed at work wondering if something was happening to them at home. What would prevent those individuals from approaching Ms. Hall at work and requesting she divert medications as part of the deal to keep her family safe? Ms. Bangerter stated she finds it hard to believe that Ms. Hall did not know what she was doing. Ms. Parrish stated that being a nurse, the public trusts you to make the right decisions.

Mr. Jones indicated that a vote needs to be taken regarding whether or not possession of 59 kilograms of marijuana bore a reasonable relationship to Ms. Hall's ability to safely and competently practice as a registered nurse. Board members voting in favor are Ms. Brown, Ms. Parrish, Ms. Bangerter, Mr. Pittman and Ms. Rall. Mr. Kremin voted no finding of actual misconduct that affects her practice of nursing. Board members indicated this affects Ms. Hall's ability to safely practice as a registered nurse due to dishonesty, poor decision-making, magnitude of the issue and the possibility of future blackmail.

Mr. Jones indicated the Board needs to make the determination regarding sanction. Mr. Jones indicated the Board determines the sanctions, and options may include no sanction, public reprimand, fine, probation, suspension or revocation, or a combination. Mr. Jones indicated the Division is requesting the standard drug stipulation, with a suspension of six months or until she completes the evaluations, whichever is longer. Mr. Budgen ask for no misconduct, and if there is some sort of probation, no suspension because Ms. Hall has been out of work for a 6-week period.

Mr. Pittman stated he feels the Board should go with the request of the Division. It is nice that Ms. Hall has been proactive and obtained the evaluation, however,

we do not have a recommendation from the evaluator. Ms. Parrish indicated she feels drug screens are necessary, and we do not know what the recommendations will be from the evaluator. Ms. Brown stated our concern is whether Ms. Hall is safe to practice and we cannot take into consideration her finances. Ms. Bangerter stated Ms. Hall does not appear to be thinking like a nurse and there needs to be ethics and accountability. Ms. Parrish indicated that the probation should be five years. We have determined there is a problem, just not what the extent of the problem is. Mr. Pittman indicated it is much easier to amend an Order based on the evidence, than to say yes to this section and no to this section. Mr. Pittman indicated he feels the Board should be consistent and that Ms. Hall should be placed on probation for five years with the standard terms and conditions. After the evaluations are returned, the order can be amended if the Board feels it is necessary. Ms. Hall must submit an essay after completion of critical thinking and additional courses. Ms. Parrish made a motion that Ms. Hall's license be suspended until successful completion of substance use disorder, psychological and physical evaluations; require urine screens while suspended; complete the thinking errors course within six months and submit the essay no later than 30 days after the completion of the thinking errors course. Once the suspension is lifted, place on a five-year probation with the standard terms and conditions. Mr. Kremin seconded the motion. Mr. Pittman opposed. All other Board members voted in favor of the motion.

Discussion regarding supervision as required in the Stipulation and Orders:

Dr. Hobbins questioned what type of supervision should be required in the Stipulation and Orders. She indicated currently the Order requires direct supervision; however, we are really giving the indirect supervision according to the definition in 58-1. Ms. Rall made a motion to change the stipulations to require indirect supervision as the beginning point, and general supervisor would be the step down. Ms. Parrish seconded the motion. All Board members voted in favor.

Rules:

Rules: Ms. Parrish indicated a need to list public members as part of the composition of the Board in

section R156-31b-201.

Dr. Hobbins also explained changes to the foreign nurse section. Mr. Kremin made a motion to accept the proposed changes to the Rule and moving forward for public comment. Ms. Parrish 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.

December 12, 2013
Date Approved

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

December 12, 2013
Date Approved

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