

Tennessee Board of Nursing
665 Mainstream Drive
Iris, Poplar, and Dogwood Rooms
Nashville, Tennessee

MINUTES
February 13, 14 and 15, 2018

Call to Order

Brent Earwood-Chair called the meeting to order at 8:30 a.m. in the Poplar Room.

Roll Call and Quorum

Ms. Sandra Powell called roll.

Present: Brent Earwood, APRN; Juanita Turnipseed, APRN; Leslie Akins, APRN Amber Wyatt, APRN; Lee Ann Stearnes, APRN; Janelle Cecil, RN; Mark Young, APRN; Marietha Silvers, RN

Absent: Lisa Heaton, RN; Samuel Alston, LPN; Lee Mills, public member,

A quorum was present.

Welcome and Introduction of Guests:

Mr. Earwood welcomed the Board members and guests in the audience and called for self-introductions. Guests: students from Belmont University.

Staff Introductions:

Ms. Elizabeth Lund, Executive Director, introduced staff present: Sherry Richardson, Nurse Consultant; Donna Kirkland, Nurse Consultant; Sandra Powell, Administrative Director; Diana Merickle, Administrator and turned the introductions over to the board's legal counsel, Mr. Mark Waters. Mr. Waters, Deputy General Counsel, introduced the legal staff present in the room.

Approve November 17-18, 2017 Board Meeting Minutes

Ms. Cecil moved to approve minutes, seconded by Ms. Akins; motion carried.

Consent Agenda:

- School Announcements
- School Survey Visit(s)
- Strategic Plan Current Activities
- OGC report

- TnPAP report
- Investigations/Disciplinary Coordinator's report

Mr. Young moved to adopt the consent agenda items and reports, seconded by Ms. Stearnes; motion carried.

School Hearings—Ms. Richardson, PHNC2

- **South College – Knoxville, TN** – Request initial approval of practical nursing program at the Knoxville, TN campus. Dr. Jason Shuffitt, Dean, presented information regarding the practical nursing program application. Discussion included the cost of the program and job opportunities for LPNs. Ms. Stearnes made a motion to grant initial approval of the practical nursing program based on Administrative Rule 1000-02-.05 (3) (a) initial approval of practical nursing schools. Mr. Young seconded; motion carried.
- **Harding University – Searcy, AR**—Request approval of letter of intent and initial application for hybrid programs: MSN-FNP track and post-master's certificate FNP track. Following Dr. Dona Clarin's presentation and questions discussing required on-site intensives involving health assessment, casting/splinting, pediatrics and gender sensitive skills, Ms. Stearnes made a motion to grant approval for letter of intent and initial approval for hybrid programs to include MSN-FNP track and post-master's certificate FNP track. Ms. Turnipseed seconded; motion carried.
- **Chattanooga State Community College – Chattanooga, TN**— Reviewed report and considered full approval based on NCLEX pass rates of first time writers.
 - 2017 NCLEX-PN® pass rate 91% (74 first time writers with 67 passing).
 - 2016 NCLEX-PN® pass rate 77% (104 first time writers with 81 passing). The program was placed on conditional approval with suspended enrollment.
 - 2015 NCLEX-PN® pass rate 83% (104 first time writers with 86 passing). The program was placed on conditional approval.
 - 2014 NCLEX-PN® pass rate 78% (80 first time writers with 62 passing). Letter of concern issued with follow-up progress report requested.
 Following the presentation of Ms. Judy Kitson, Interim Director, and review of documentation provided, Ms. Akins moved to grant full approval based on Administrative Rule 1000-02-.05 (3) (b) (c) (d) and (4) with NCLEX pass rate greater than 85%. Mr. Young seconded; motion carried.
- **South Central Regional Practical Nursing Program** – Pulaski, TN—Reviewed report and considered full approval based on NCLEX pass rates of first time writers.
 - 2017 NCLEX-PN® pass rate 92% (36 first time writers with 33 passing).
 - 2016 NCLEX-PN® pass rate 83% (41 first time writers with 34 passing).
 - 2015 NCLEX-PN® pass rate 73% (15 first time writers with 11 passing). Letter of concern issued with follow-up progress report requested.

Following the presentation of Ms. Barnette, Director, and review of documentation provided, Ms. Cecil moved to grant full approval based on Administrative Rule 1000-02-.05 (3) (b) (c) (d) and (4) with NCLEX pass rate greater than 85%. Ms. Stearnes seconded; motion carried.

- **Tennessee College of Applied Technology – Murfreesboro, TN**—Reviewed report and considered placing on conditional approval based on NCLEX pass rates of first time writers.

- 2017 NCLEX-PN® pass rate 84% (43 first time writers with 36 passing).
- 2016 NCLEX-PN® pass rate 78% (55 first time writers with 43 passing).
- 2015 NCLEX-PN® pass rate 85% (26 first time writers with 22 passing).

Letter of concern issued with follow-up progress report requested.

Following presentation of Mr. Pullen, Director, and review of documentation provided, Mr. Young moved to place the program on conditional approval for up to one year based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Wyatt seconded; motion carried.

- **Cleveland State Community College – Cleveland, TN**—Reviewed report and considered full approval based on NCLEX pass rates of first time writers.

- 2017 NCLEX-RN® pass rate 88% (42 first time writers with 37 passing).
- 2016 NCLEX-RN® pass rate 82% (68 first time writers with 56 passing).

Continued conditional approval with suspended enrollment.

- 2015 NCLEX-RN® pass rate 82% (39 first time writers with 32 passing).

Placed on conditional approval with suspended enrollment 5/2016; reaffirmed 8/2016.

- 2014 NCLEX-RN® pass rate 70% (104 first time writers with 73 passing).

Placed on conditional approval 5/2015.

- 2013 NCLEX-RN® pass rate 81% (67 first time writers with 54 passing).

Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Nancy Thomas, Interim Director, and review of documentation provided, Ms. Turnipseed moved to grant full approval based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate greater than 85%. Ms. Silvers seconded; motion carried.

- **Tennessee State University – Nashville TN**—Reviewed reports and considered approval status of associate degree and baccalaureate nursing programs based on NCLEX pass rates of first time writers.

Associate Degree program:

- 2017 NCLEX-RN® pass rate 64% (74 first time writers with 47 passing).
- 2016 NCLEX-RN® pass rate 73% (81 first time writers with 59 passing).

Continued conditional approval with suspended enrollment 2/2017.

- 2015 NCLEX-RN® pass rate 81% (96 first time writers with 78 passing). Placed on conditional approval with suspended enrollment 2/2016.
- 2014 NCLEX-RN® pass rate 78% (87 first time writers with 68 passing). Placed on conditional approval 5/2015.
- 2013 NCLEX-RN® pass rate 60% (107 first time writers with 64 passing). Letter of concern issued with follow-up progress report requested.

Baccalaureate Degree program:

- 2017 NCLEX-RN® pass rate 49% (47 first time writers with 23 passing).
- 2016 NCLEX-RN® pass rate 78% (40 first time writers with 31 passing). The program showed improvement mid-2016 and suspension was lifted and the school was granted full approval following representation from the school that all graduates had tested for 2016 – several more applicants tested after this. The program was placed on conditional approval with suspended enrollment when the final 2016 pass rate did not meet the standard 2/2017.
- 2015 NCLEX-RN® pass rate 64% (44 first time writers with 28 passing). Placed on conditional approval with suspended enrollment 2/2016.
- 2014 NCLEX-RN® pass rate 75% (32 first time writers with 24 passing). Placed on conditional approval with suspended enrollment 8/2015.
- 2013 NCLEX-RN® pass rate 71% (35 first time writers with 25 passing). Placed on conditional approval.
- 2012 NCLEX-RN® pass rate 64%. Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Maria Revell, Dean and Dr. Glover and review of documentation provided, Ms. Cecil moved to continue conditional approval for remaining students of the associate degree program and baccalaureate degree program; the school shall not admit a subsequent class based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for multiple years. Mr. Young seconded; motion carried.

- **Southern Adventist University**– Collegedale, TN—Reviewed report of associate degree program and considered full approval based on NCLEX pass rates of first time writers.
 - 2017: 88% (87 of 99 first time test takers successful) - meets requirement
 - 2016: 82% (144 of 175 first-time test takers successful) Continued conditional approval with suspended enrollment 2/2017.
 - 2015: 83% (102 of 123 first time test takers successful) Placed on conditional approval 2/2016.
 - 2014: 76% - (91 of 119 first time test takers successful) - Letter of concern issued; required improvement plan.

Following the presentation of Dr. Barbara James, Dean, and review of documentation provided, Ms. Stearnes moved to grant full approval based on Based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of 85%. Ms. Turnipseed seconded; motioned carried.

- **Concorde College** – Memphis, TN—Reviewed report of the associate degree program and considered placing the program on conditional approval based on NCLEX pass rates of first time writers.
 - 2017: 61% (17 of 28 first time test takers successful)
 - 2016: 81% (21 of 26 first time test takers successful) Letter of concern issued.
 - 2015: 94% (15 of 16 first time test takers successful)
 - 2014: 85% (11 of 13 first time test taker successful)
 - 2013: 75% (2 of 3 first time test takers successful – this was the first class)Following presentation of Ms. Jacqueline Brown, Director, and review of documentation provided, discussion included board members’ concerns regarding an accelerated associated degree program, cost of the program and clinical site availability. Ms. Turnipseed moved to place the program on conditional approval for up to one year based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Stearnes seconded; motion carried.
- **Excelsior College** – TN - Albany, NY—Reviewed report of the associate degree program and considered placing the program on conditional approval based on NCLEX pass rates of first time writers.
 - 2017: 75% (12 of 26 first time test takers successful)
 - 2016: 77% (24 of 31 first time test takers successful) Letter of concern issued.Following presentation of Ms. Kim Headley, Dean, and review of documentation provided, discussion included board members’ concerns regarding cost of the program, completion time and a pending lawsuit in New York. Ms. Turnipseed moved to place the program on conditional approval for up to one year based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Stearnes seconded; motion carried.
- **Freed-Hardeman University**, Henderson, TN—Reviewed report of the baccalaureate degree program and considered placing the program on conditional approval based on NCLEX pass rates of first time writers.
 - 2017: 77% (20 of 26 first time test takers successful)
 - 2016: 78% (14 of 18 first time test takers successful) Letter of concern issued.
 - 2015: 89% (17 of 19 first time test takers successful.
 - 2014: 73% (8 of 11 first time test takers successful.) Letter of concern issued.
 - 2013: 100% (9 of 9 first time test takers successful)Following presentation of Dr. Chris White, Chair, and review of documentation provided, Ms. Turnipseed moved to place the program on conditional approval for up to one year based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Akins seconded; motion carried.

- **King University**– Collegedale, TN—Reviewed report of baccalaureate degree program and considered full approval based on NCLEX pass rates of first time writers.
 - 2017: 85% (44 of 52 first time test takers successful)
 - 2016: 73% (36 of 49 first time test takers successful) Continued conditional approval with suspended enrollment.
 - 2015: 70% (39 of 56 first time test takers successful) Placed on conditional approval.
 - 2014: 83% (43 of 52 first time writers successful) Letter of concern issued. Following the presentation of Dr. Tracy Slemph, Dean, and review of documentation provided, Ms. Stearnes moved to grant full approval based on Based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of 85%. Mr. Young seconded; motioned carried.
- **Martin Methodist College** – Pulaski, TN— Reviewed report of the baccalaureate degree program and considered placing the program on conditional approval based on NCLEX pass rates of first time writers.
 - 2017: 50% (19 of 38 first time test takers successful)
 - 2016: 54% (26 of 48 first time test takers successful) Placed on conditional approval 2/2017.
 - 2015: 68% (36 of 53 first time test takers successful). Letter of concern issued.
 - 2014: 89% (17 of 19 first time test takers successful)
 - 2013: 83% (10 of 12 first time test takers successful) Letter of concern issued. Following the presentation of Dr. Michelle Decker, Dean, and review of documentation provided, Ms. Cecil moved to place the program on conditional approval with suspended enrollment based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Wyatt seconded; motioned carried.
- **Tusculum College**, Greenville, TN—Reviewed report of the baccalaureate degree program and considered placing the program on conditional approval based on NCLEX pass rates of first time writers.
 - 2017: 67% (10 of 15 first time test takers successful)
 - 2016: 50% (13 of 26 first time test takers successful). Letter of concern issued.
 - 2015: 86% (12 of 24 first time test takers successful). This was the first class. Following presentation of Dr. Lois Ewen, Dean, and review of documentation provided, Ms. Wyatt moved to place the program on conditional approval for up to one year based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Akins seconded; motion carried. (Revised per electronic meeting held 02/21/2018)

Recess at 12:05 p.m.

Reconvene at 1:20 p.m.

Discuss Conflict of Interest Policy—Mr. Mark Waters

Mr. Waters reviewed the COI policy with the board members. There were no questions.

Discuss recommendations for Board to require a minimum passing standard for APRN education programs re national certification—Ms. Sharon Adkins, MSN, RN The NCLEX is a required standard for LPN and RN programs, but there is currently no minimum requirement for national certification. The board requested further information regarding national certification and accreditation of programs that prepare graduates for advanced practice roles that require national certification. The following information will be presented at a future board of nursing meeting:

- Addendum to the 2017 annual report requesting certification rates for graduates as well as adding this question to the yearly annual report
- Survey results of other state boards of nursing regarding national certification rates
- Nursing accrediting bodies’ requirements regarding national certification for schools to maintain nursing accreditation.

Consider Vote to Approve Application Review Committee Recommendations – Ms. Turnipseed, APRN, Vice Chair and Mr. Mark Waters, Deputy General Counsel

Applicant	Summary	ARC Recommendation	Board Decision
Steven Dzyban 1209 Washington Ave Saint Louis, MO 63103 APRN 10101 RN 111946 APRN 7/6/2005 to 7/31/2017 – suspended 2/22/2017 RN 7/12/1996 to 7/31/2017 – suspended 2/22/2017	Discipline - LARS does not show any case costs paid, due by Feb 2018 2/22/2017 – suspended due to impairment when reporting to work to provide anesthesia, “fell asleep at his table”. 6/13/2017 – TX revoked CRNA due to TN suspension Appears to have an unencumbered Missouri RN since 10/18/2016.	Deny APRN application due to disciplinary action by the Tennessee Board of Nursing Feb 2017. This recommendation is pursuant to Tennessee Code Annotated 63-7-115 (a)(1)(C)(D)(F).	Lee Ann Stearns moved to accept the recommendation of ARC as stated. Leslie Atkins seconded; motion carried.

<p>District of Columbia RN 6/3/2013 to 6/30/2014 IL CRNA 8/8/2016 to 5/31/2018 IL RN 8/8/2016 to 5/31/2018 MD 6/27/2013 to 7/28/2015 Missouri RN 10/18/2016 to 4/30/2019 Missouri CRNA 10/18/2016 to 7/31/2017 Nebraska RN 7/14/1995 to 10/31/1998 TX CRNA 4/21/2016 to 7/31/2017 Washington RN 5/2/2011 to 7/13/2012 Washington CRNA 5/4/2011 to 7/13/2012</p> <p>APRN reinstatement</p>			
<p>Donna Forge 45 Emma Road Oakland, TN 38060</p> <p>TN RN 76953 expired 10/31/13</p> <p>LA RN 146571 expired 2/1/17</p>	<p>Discipline</p> <p>5/5/15- DUI in MS after respondent's vehicle hit a motor cycle causing severe injuries to passenger.</p> <p>5/7/15- Self-reported ETOH abuse, entered RN recovery program in MS.</p>	<p>Deny RN reinstatement application due to disciplinary action by Louisiana and Mississippi Boards of Nursing.</p> <p>This recommendation</p>	<p>Marietha Silvers moved to accept the recommendation of ARC as stated. LeAnn Stearns seconded; motion carried.</p>

<p>MS RN (Multistate) 890281</p> <p>RN Reinstatement</p>	<p>7/23/16-Respondent self-reported to LA board of Nursing she was dependent on ETOH. Respondent declined RN recovery program in LA. Respondent states she did not plan to work in LA and attempted to surrender LA license but was denied.</p> <p>3/17/17- LA license summarily suspended by LA Board of Nursing related to use of ETOH, drugs</p> <p>1/8/18- MS RN license temporarily suspended</p> <p>1/29/18- Did not appear before ARC, ARC recommended denial of TN RN reinstatement</p>	<p>is pursuant to Tennessee Code Annotated 63-7-115 (a)(1)(F).</p>	
<p>John M Briley 22 Washington Rd Jackson, TN</p> <p>TN RN 98698- Voluntary surrender 10/24/14 TN APRN 6912- voluntary surrender 10/23/14</p> <p>RN/APRN Reinstatement</p>	<p>Discipline</p> <p>10/24/14- Applicant signed Consent order regarding violation of : TN Code 63-7-115(a)(1) and rule 1000-01.13(1) that the applicant exhibited odd behavior at the office, had slurred speech, increased perspiration , and unsteady gait; that he carried prescriptions for controlled substances belonging to other persons; the applicant assigned unqualified persons to perform functions of licensed persons and he made false or inaccurate statements in patients' medical records. The applicant voluntarily</p>	<p>Deny applications for RN license and APN certificate.</p> <p>This recommendation is pursuant to Tennessee Code Annotated §63-7-115 (a)(1)(C)(D)(F)(G).</p>	<p>Lee Ann Stearns moved to postpone the recommendation of ARC as stated until the board had an opportunity to read the transcripts from the January 30, 2018 sentencing hearing. Amber Wyatt seconded; motion carried</p>

	<p>surrendered his RN license</p> <p>3/20/15- Applicant voluntarily entered TnPAP contract for a period of 60 months</p> <p>4/14/16 –ARC recommend denial of reinstatement of RN license and APRN certificate based on TN Code 63-7-115(a)1(c)(d)(f)(g).</p> <p>5/20/16 - Board denied reinstatement of RN license and APRN certificate related to violation or failure to comply with board order and unable to practice safely by reason of alcohol or other substance abuse</p> <p>6/13/16- Applicant was indicted in federal court on charges of fraud and false statements regarding funds received for treatment of patients with Medicare and Medicaid</p> <p>12/14/17-Applicant appeared before ARC. ARC recommended deferral of RN and APRN reinstatement until after court sentencing in February of 2018</p> <p>1/30/18- Post guilty plea to felony identity theft, the United States District court dismissed the 423 counts of indictments , the court ordered the Applicant to pay restitution and serve 2 years supervised release</p>		
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Financial Report – Ms. Noranda French, Finance Administrator

Ms. French provided a PowerPoint presentation demonstrating the Board's financial position in follow up to the discussion held at the November meeting. The Board has increased both expenditures and revenue in recent years; however, the annual net has increased for three consecutive years. Although the Board's financial position has not triggered the requirement by policy to decrease fees, the Board's large reserve was remarked upon in a Government Operations Committee meeting and merits additional discussion. The Board discussed various scenarios of fee reductions for licensees, expanding TnPAP contract, and one time expenditures. The board elected to create a task force to review options and to report to the Board at the May meeting. Volunteers include Ms. Silvers, Mr. Young, Ms. Akins and Ms. Cecil with staff assistance of Ms. Lund and Ms. French.

Overprescribing Team Report: Linda Johnson, Dr. Melissa McPheeters

- Ms. Johnson presented tentative upcoming dates for symposia and new initiatives for educating providers
- Dr. McPheeters spoke about her team's data collecting tool that can help identify high risk prescribers. There is a current need to expand technology to launch the system. Funding of the infrastructure is partially available through federal grants. The funds support development of a system that is fast, agile and secure. A prescriber portal will be a component of the system.

Review Annual Reports and Motion to Accept. Ms. Richardson presented data from annual reports. Eight schools were recognized for achieving 100% NCLEX pass rate for 2017:

- Chattanooga State Community College, Associate Degree Nursing Program
- Jackson State Community College, Associate Degree Nursing Program
- Fortis Institute, Associate Degree Nursing Program
- Carson Newman University, Baccalaureate Degree Nursing Program
- Lee University, Baccalaureate Degree Nursing Program
- UT-Martin, Baccalaureate Degree Nursing Program for 3 out of past 4 years
- UT Health Science Center, Baccalaureate Degree Program for 2 consecutive years
- Bethel University, Baccalaureate Degree Nursing Program for 4 out of the past 5 years

University of Arkansas, Anderson College of Nursing did not submit an annual report; approval is deferred until May meeting to allow time to complete the required annual report. Motion to accept school approvals as written by Ms. Stearnes, Mr. Young seconded; motion carried.

The Board expressed interest in providing support for the project and requested Dr. McPheeters to submit a proposal for the Board to review at its May meeting.

Discuss/Approve Meetings and Attendance

- NIRSC 2018 Committee Meetings—Chicago--Richardson
- NCSBN Standards Committee Meetings—Chicago--Lund
- NCSBN IT Operations Meeting—May 15-16, 2018, Albuquerque, New Mexico—Powel and Merickle
- Medication Aide Test Writing Workshop—May 30-31, 2018, Helena, MT--Richardson
- NCSBN Discipline Case Management Conference—June 6-8, 2018, Denver—7 staff members
- ACEN Accreditation Conference—July 2018—Richardson, Daniel
- NCSBN Annual Meeting and Nurse Licensure Compact Meeting—August 13-17, 2018, Minneapolis, MN— 5 including Turnipseed, Lund, Richardson and Daniel

Ms. Akins moved to approve the travel and number of attendees as discussed to attend. Ms. Turnipseed seconded; motion carried.

Medication Aide Profession Implementation –Ms. Richardson

Medication Aide rules were effective Dec. 10, 2017. D & S Diversified is the test service; this service currently conducts CNA testing in TN as well as several other states. MA Test Advisory Panel met Nov. 1-3, 2017. There were fourteen panel members who met in 4 different 4 hour sessions to select test questions from the existing database. Panel members included long term care and assisted living representatives as well as practical nursing and nurse aide educators. In November 2017 the board voted to require both knowledge and skills testing for certification. Rules and certification test are in place; Tennessee Medication Aide Candidate handbook has been updated. Applications are ready for training programs and graduates, no training programs have applied at this time. Staff has been invited to participate in a test item writing workshop in May, 2018.

Legislation

Ms. Lund provided a written and oral report. No bills have passed. A representative from the department will provide a report at the May meeting.

Annual Report

Ms. Lund provided a presentation and written report that will be posted on the Board's website.

ENLC

Ms. Lund provided a PowerPoint presentation that updates the Board on the implementation of the Enhanced Nurse Licensure Compact (eNLC). The new compact became effective January 19, 2018 and the original NLC ended the same day. eNLC rules that were adopted December 12, 2017 went into effect upon implementation.

2018 Board Meeting Dates

The Board agreed to modify its 2018 dates to reduce the meeting days to two unless unusual circumstances require a three day meeting. The remaining dates are May 16-17, August 22-23 and November 7-8.

Recess at 5:02 p.m.

February 14, 2018

Call to Order

Mr. Earwood-Chair called the meeting to order at 8:30 a.m. in the Iris Room.

Roll Call and Quorum

Ms. Sandra Powell called roll.

Present: Brent Earwood, APRN; Juanita Turnipseed, APRN; Leslie Akins, APRN Amber Wyatt, APRN; Lee Ann Stearnes, APRN; Janelle Cecil, RN; Mark Young, APRN; Marietha Silvers, RN; Lisa Heaton, RN.

Absent: Lee Mills, public member; Samuel Alston, LPN

A quorum was present.

Welcome and Introduction of Guests:

Mr. Earwood welcomed the Board members and guests in the audience and called for self-introductions. Guests: students from Belmont University and TCAT- Dickson.

Staff Introductions:

Ms. Elizabeth Lund, Executive Director, introduced staff present:

Sherry Richardson, Nurse Consultant; Donna Kirkland, Nurse Consultant; Sandra Powell, Administrative Director; Diana Merickle, Administrator and turned the introductions over to the board's legal counsel, Mr. Mark Waters. Mr. Waters, Deputy General Counsel, introduced the legal staff present in the room.

Call to Order of Panel 1

Brent Earwood, Chair, called the panel to order at 9:03 a.m. in the Poplar Room.

Roll Call and Quorum

Board members introduced themselves:

Present: Brent Earwood, APRN - Chair; Lee Ann Stearnes, APRN; Janell Cecil, RN.

Staff Present

Donna Kirkland, Nurse Consultant; Diana Merickle, Administrative Assistant
Andrew Coffman, Assistant General Counsel.

A quorum was present. Administrative Law Judge Wilson presided.

<u>Christina K. Collins</u> 1648 Nicholas View Lane Knoxville, TN 37931 Represented by Eric VinSant	RN 132524 APRN 12828	Coffman/ Bratton, State's Attorney	Ms. Collins was present and represented by Attorney Eric VinSant. The hearing reconvened following recess November 18, 2017 at 4:33 p.m. Recessed at 5:30 p.m.
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Call to Order of Panel 2

Juanita Turnipseed- Vice-chair called the meeting to order at 9:00a.m. in the Iris Room.

Roll Call and Quorum

Ms. Lund called roll.

Present: Juanita Turnipseed, APRN; Leslie Akins, APRN; Marietha Silvers, RN.

A quorum was present. Administrative Law Judge Elizabeth Cambron presided.

<u>Juelda Coleman</u> 440 Powers Blvd. Waverly, TN 37185 Represented by Rob McKinney	APRN 14154 RN 135432	Alcock, State's Attorney	Ms. Williams was present and was represented by counsel. Following testimony and presentation of proof, Ms. Silvers moved to accept the findings of fact as listed in the proposed final order true as written and accept the conclusions of law contained in the state's proposed
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		<p>order This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1) (B) (C) (F) and (G) and RN Rule1000-01-.13(1) (u); to revoke RN license and assess one (5) Type A Civil Penalties in the amount of five thousand dollars (\$5000) and assess costs not to exceed ten thousand dollars (\$10,000). Ms. Akins seconded; motion carried.</p> <p>Ms. Turnipseed read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
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Agreed/Consent Orders – Panel 2

Caroline Tippins

Jerica Potter	RN 93958	Ms. Silvers moved to accept the consent order of probation, continuing education and speaking to nursing programs. Seconded by Ms. Akins; motion carried.
Diane Staley	RN 145034	Ms. Turnipseed moved to accept the consent order of voluntary surrender. Seconded by Ms. Silvers; motion carried.

Eric Winters

Megan Butler	RN 170977	Ms. Turnipseed moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Marlon Charles	RN 186736	Ms. Akins moved to accept the agreed order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Heather Croy	RN 202349	Ms. Turnipseed moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers;

		motion carried.
Angela Edmondson	RN 164000	Ms. Turnipseed moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Lucas Littrell	LPN 90890	Ms. Turnipseed moved to accept the consent order of standard TnPAP. Seconded by Ms. Akins; motion carried.
Stephanie Mashburn	RN 176884	Ms. Akins moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Tricia Moody	RN 224621	Ms. Silvers moved to accept the consent order of standard TnPAP. Seconded by Ms. Akins; motion carried.
Gerald McGinnis	MS and FL RN	Ms. Silvers moved to accept the consent order of voluntary surrender of multistate privilege. Seconded by Ms. Akins; motion carried.
Cynthia Sutton	LPN 85817	Ms. Akins moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Beth Wilson	RN 148004	Ms. Akins moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Heather Gerity	LPN 59690	Ms. Akins moved to accept the consent order of standard TnPAP and costs. Seconded by Ms. Silvers; motion carried.

Nathaniel Flinchbaugh

Jon Michael Christian	RN 161643	Ms. Turnipseed moved to accept the agreed order of voluntary surrender, costs not to exceed \$5,000. Seconded by Ms. Akins; motion carried.
Dana Nichols	RN 133534	Ms. Akins moved to accept the

		agreed order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Lora Cumings	RN 137903	Ms. Turnipseed moved to accept the consent order of standard TnPAP, civil penalties and costs not to exceed \$1000. Seconded by Ms. Akins; motion carried.
Kara Sharek	RN 187927	Ms. Turnipseed moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Kristy Anderson	RN 129031	Ms. Silvers moved to accept the consent order of standard TnPAP, civil penalties and costs not to exceed \$5000. Seconded by Ms. Akins; motion carried.

Mark Cole

Shannon Barber	RN 188464	Ms. Silvers moved to accept the consent order of reprimand with continuing education. Seconded by Ms. Akins; motion carried.
Charlotte Dvorak	RN 53319	Ms. Akins moved to accept the agreed order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Sherry Fetzer	APRN 8230 RN 133346	Ms. Akins moved to accept the consent order of voluntary surrender of RN and APRN licenses and costs. Seconded by Ms. Silvers; motion carried.
Laura Greene	RN 73692	Ms. Silvers moved to accept the consent order of standard TnPAP. Seconded by Ms. Akins; motion carried.
Benjamin Helton	RN 149327 RNFA 15	Ms. Turnipseed moved to accept the consent order of permanently retired RN and RNFA licenses. Seconded by Ms. Akins; motion carried.

Toni McGee	RN 152073	Ms. Akins moved to accept the consent order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Cassandra Woodley	RN 98316	Ms. Akins moved to accept the agreed order of standard TnPAP. Seconded by Ms. Silvers; motion carried.
Jennifer Stout	RN 180049	Ms. Silvers moved to accept the agreed order of voluntary surrender and costs not to exceed \$1000. Seconded by Ms. Akins; motion carried.
Jeanette King	RN 109353	Ms. Silvers moved to accept the agreed order of standard TnPAP and costs not to exceed \$500. Seconded by Ms. Akins; motion carried.
Heather Purvis	RN 209568	Ms. Silvers moved to accept the agreed order of standard TnPAP and costs not to exceed \$1000. Seconded by Ms. Turnipseed; motion carried.

Tracy Alcock

Patsy J. Burks	RN 36017 APRN 5192	Ms. Turnipseed moved to accept the consent order of probation for 5 years, continuing education, 20 Type B civil penalties and Costs not to exceed \$5000. Seconded by Ms. Silvers; motion carried.
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Kaitlin Parham

Cindy Shaw (Cindy Ray Leigh)	RN MS 632384	Ms. Silvers moved to accept the consent order of voluntary surrender. Seconded by Ms. Turnipseed; motion carried.
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Mark Waters

Thomas R. Hemmen	RN 185483	Ms. Akins moved to accept the consent order of standard TnPAP.
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		Seconded by Ms. Silvers; motion carried.
William M. Miller	RN 171625	Ms. Silvers moved to accept the consent order of standard TnPAP. Seconded by Ms. Akins; motion carried.
Jessica Leigh Grooms	RN 163315	Ms. Turnipseed moved to accept the consent order of standard TnPAP. Seconded by Ms. Akins; motion carried.

Call to Order of Panel 3

Ms. Richardson called roll.

Panel 3 – Mark Young, Chair; Amber Wyatt, Lisa Heaton

A quorum was present. Administrative Law Judge Steve Darnell presided.

<p><u>Stacey Williams</u> 170 Honeysuckle Lane Rd. Bethpage, TN 37022</p>	<p>LPN 69651</p>	<p>Cole, State’s Attorney</p>	<p>Ms. Williams was not present and not represented by counsel. Following proof of service Judge Darnell determined all reasonable attempts for proof of service and notice. Mr. Cole moved to proceed in default. Ms. Heaton moved to proceed in default; Ms. Wyatt seconded, motion carried.</p> <p>Following testimony and presentation of proof, Ms. Heaton moved to accept the findings of fact as listed in the proposed final order true as written and accept the conclusions of law contained in the state’s proposed order This finds that respondent’s acts and conduct violated TCA 63-7-115 (a) (1) (C) (D) and (F) and RN Rule1000-01-.13(1) (b) (e) and (v); to revoke RN license and assess one (1) Type B Civil Penalty in the amount of three thousand dollars (\$3000) and assess costs not to exceed five thousand dollars (\$5,000). Ms. Wyatt seconded; motion carried.</p>
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			Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.
<p><u>Grant Hall</u> 1362 Ivy Lane Cookeville, TN 38501</p> <p>3400 Lebanon Pike Firm B-Primary Care Murfreesboro, TN 37129</p>	<p>APRN 16971 RN 1148483</p>	<p>Smith, State's Attorney</p>	<p>Mr. Hall was not present and not represented by counsel. Following proof of service Judge Darnell determined all reasonable attempts for proof of service and notice. Mr. Flinchbaugh moved to proceed in default. Ms. Wyatt moved to proceed in default; Ms. Heaton seconded, motion carried.</p> <p>Following testimony and presentation of proof, Mr. Young moved to amend the findings of fact as listed in the proposed final order. Ms. Heaton seconded; motion carried.</p> <p>Ms. Wyatt moved to accept the conclusions of law contained in the state's proposed order and to revoke the RN license and APRN certificate with Civil Penalties and assess costs not to exceed ten thousand dollars (\$10,000). Ms. Heaton seconded and motion carried.</p> <p>This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1), TCA 53-11-311, TCA 63-7-123 (b) (3) (a), RN Rule 1000-01-.13(1) and APRN Rule 1000-04-.04 (4) (a) (b) (c).</p> <p>Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>

<p>Jeremiah Ingrish 7249 E. Brainerd Rd. Apt. 171 Chattanooga, TN 37421</p> <p>Represented by Joey Johnson</p>	RN 206393	Smith, State's Attorney	<p>Mr. Ingrish was present and was represented by Joey Johnson.</p> <p>Following testimony and presentation of proof, Ms. Heaton moved to accept the findings of fact as listed in the proposed final order 1-4 true as written and accept the conclusions of law contained in the state's proposed order and seconded by Ms. Wyatt; motion carried.</p> <p>Mr. Young moved to reprimand with continuing education of 15 hours related to including documentation, professional accountability, and medication administration, and assess costs not to exceed five thousand dollars (\$5,000). Ms. Heaton seconded; motion carried.</p> <p>This finds that respondent's acts and conduct violated TCA 63-7-101 and RN Rule1000-01-.13(1) (b) (d).</p> <p>Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<p>Natalie L. Edgin 437 Twin Church Rd. Scotts Hill, TN 38374</p> <p>225 Ruth Lane Sardis, TN 38</p>	RN 182918	Smith, State's Attorney	<p>Ms. Edgin was not present and not represented by counsel. Following proof of service Judge Darnell determined all reasonable attempts for proof of service and notice. Mr. Smith moved to proceed in default. Ms. Wyatt moved to proceed in default; Ms. Heaton seconded, motion carried.</p> <p>Mr. Young moved to accept the conclusions of law contained in the state's proposed order. This finds</p>

			<p>that respondent's acts and conduct violated TCA 63-7-115 (a) (1) (F) and RN Rule 1000-01-.13(1) (e). Ms. Wyatt seconded; motion carried.</p> <p>Mr. Young moved to a standard TnPAP order, assess one (1) Type B Civil Penalty in the amount of seven hundred dollars (\$750) and assess costs not to exceed five thousand dollars (\$5,000). Ms. Wyatt seconded; motion carried.</p> <p>Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<p>Sara N.S. Langston 202 County Road</p>	<p>RN MS 872011</p>	<p>Smith, State's Attorney</p>	<p>Ms. Langston was not present and not represented by counsel. Following proof of service Judge Darnell determined all reasonable attempts for proof of service and notice. Mr. Smith moved to proceed in default. Ms. Heaton moved to proceed in default; Ms. Wyatt seconded, motion carried.</p> <p>Following testimony and presentation of proof, Ms. Wyatt moved to accept the findings of fact and conclusion of law as written in the proposed final order. This finds that the respondent's acts and conduct violated TCA 63-7-115 (a) (1) (F), TCA 63-7-302 and RN Rule 1000-01-.013 (1) (c) Ms. Heaton seconded; motion carried.</p> <p>Ms. Wyatt moved to revoke privilege to practice, Type B Civil Penalty of \$750, and costs not to exceed \$5000. Ms. Heaton seconded; motion carried.</p>

			Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.
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Agreed/Consent Orders – Panel 3

Ashley Fines

Amanda R. Costigan	RN 166471	Mr. Young moved to accept the consent order of standard TnPAP. Seconded by Ms. Heaton; motion carried.
Autumn Trotter	RN 167196	Mr. Young moved to accept the consent order of standard TnPAP. Seconded by Ms. Heaton; motion carried.
Anji L. Baydoun	RN 188497	Mr. Young moved to accept the consent order of standard TnPAP. Seconded by Ms. Heaton; motion carried.
Anita H. Simmons	RN 42875	Ms. Heaton moved to accept the consent order of standard TnPAP. Seconded by Ms. Wyatt; motion carried.

Panel 3 recessed at 5:15 p.m.

Thursday, February 15, 2018

Call to Order

Juanita Turnipseed-Vice-chair called the meeting to order at 8:30 a.m. in the Iris Room.

Roll Call and Quorum

Ms. Sandra Powell called roll.

Present: Juanita Turnipseed, APRN; Leslie Akins, APRN Amber Wyatt, APRN; Lee Ann Stearnes, APRN; Janelle Cecil, RN, Samuel Alston, LPN; Lisa Heaton, RN, Mark Young, APRN, Marietha Silvers, RN; Brent Earwood, APRN

Absent: Lee Mills, public member,

A quorum was present.

Welcome and Introduction of Guests:

Ms. Turnipseed welcomed the Board members and guests in the audience and called for self-introductions. Guests: students from Belmont University

Staff introduced by Ms. Lund.

Diana Merickle, Administrative Assistant; Sherry Richardson, Nurse Consultant; Donna Kirkland, Nurse Consultant; Sandra Powell, Administrative Director
Mr. Waters. Deputy General Counsel

Call to Order of Panel 1

Brent Earwood, Chair, called the panel to order at 9:03 a.m. in the Poplar Room.

Roll Call and Quorum

Board members introduced themselves:

Present: Brent Earwood, APRN - Chair; Lee Ann Stearnes, APRN; Janell Cecil, RN.

Staff Present

Donna Kirkland, Nurse Consultant; Diana Merickle, Administrative Assistant
Andrew Coffman, Assistant General Counsel.

A quorum was present. Administrative Law Judge Wilson presided.

Christina K. Collins 1648 Nicholas View Lane Knoxville, TN 37931	RN 132524 APRN 12828	Coffman/ Bratton, State's Attorney	Ms. Collins was present and represented by Attorney Eric VinSant. The hearing reconvened following recess February 14, 2018 at 5:30 p.m. Following testimony and presentation of proof, Ms. Stearns moved to accept the findings of fact as amended in the proposed final order, Ms. Cecil seconded; motion carried. Mr. Earwood moved to accept the conclusions of law as amended. This finds that respondent's acts and conduct violated TCA 63-7-101, TCA 63-7-115 (a) (1) (C) (F) and RN Rule 1000-01-.13(1) (t), and 1000-04-.08 and .09. Ms.
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			<p>Akins seconded; motion carried.</p> <p>Ms. Cecil moved to place the APRN certificate on probation for 2 years, continuing education, and speaking engagements at APRN programs, and assess one (11) Type B Civil Penalties in the amount of five hundred (\$500) and assess costs not to exceed one hundred thousand dollars (\$100,000). Ms. Stearnes seconded; motion carried.</p> <p>Mr. Earwood read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried</p>
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Call to Order of Panel 2

Juanita Turnipseed- Vice-chair called the meeting to order at 9:00a.m.in the Iris Room.

Roll Call and Quorum

Ms. Lund called roll.

Present: Juanita Turnipseed, APRN; Leslie Akins, APRN; Marietha Silvers, RN, Samuel Alston, LPN

A quorum was present. Administrative Law Judge Elizabeth Cambron presided.

<p><u>Paul M. Barrineau</u> 201 County Rd 613 Athens, TN 37303</p> <p>Represented by Rob McKinney</p>	RN 181694	Waters, State’s Attorney	<p>Mr. Barrineau was present and was represented by counsel.</p> <p>Ms. Silvers recused.</p> <p>Following testimony and presentation of proof, Ms. Akins moved to dismiss charges with no discipline as facts were deemed insufficient to establish that violations of statutes and rules have been violated by the Respondent. Seconded by Mr. Alston; motion carried.</p>
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			Ms. Turnipseed read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.
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Panel 3 – Mark Young, Chair; Amber Wyatt, Lisa Heaton

A quorum was present. Administrative Law Judge Steve Darnell presided.

<u>Lynnea Beth Marks</u> 670 County Road 1126 Cumby, TX 75433	RN TX 871274	Flinchbaugh, State’s Attorney	<p>Ms. Marks was not present and not represented by counsel. Following proof of service Judge Darnell determined all reasonable attempts for proof of service and notice. Mr. Flinchbaugh moved to proceed in default. Ms. Heaton moved to proceed in default; Ms. Wyatt seconded, motion carried.</p> <p>Following testimony and presentation of proof, Ms. Wyatt moved to accept the findings of fact as listed in the proposed final order true as written and accept the conclusions of law contained in the state’s proposed order; that respondent’s acts and conduct violated TCA 63-7-115 (a) (1) (C) and (F), RN Rule1000-01-.13(1) (b) (d) (f) and (w) and TCA 63-7-302; to revoke RN license and assess costs not to exceed one thousand dollars (\$1,000). Ms. Heaton seconded; motion carried.</p> <p>Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<u>Sherry Alane Gamble</u>	RN 121924	Moore, State’s Attorney	Ms. Gamble was present and was represented by David Grimmatt.

			<p>Following testimony and presentation of proof, Ms. Heaton moved to accept the findings of fact 1, 2, 3, 5, 6, 9, 10 and 11 and 4, 8, (amended), in the proposed final order. Seconded by Ms. Wyatt; motion carried.</p> <p>Ms. Heaton moved to accept conclusions of law in the proposed final order as amended; that the respondent's acts and conduct violated TCA 63-7-115 (a) (1) (F) and RN Rule 1000-01-.13 (1) (e) (m) (s). Ms. Wyatt seconded; motion carried.</p> <p>Mr. Young moved to place RN license on probation, privilege to practice voided pending continuing education of related to management - 10 hours & leadership - 10 hours, ethics - 10 hours, followed by successfully completing EBAS assessment, civil penalty of three thousand dollars (\$3000) and assess costs not to exceed five thousand dollars (\$5,000). Ms. Wyatt seconded; motion carried.</p> <p>Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<p><u>Elizabeth Rich Davis</u></p> <p>Represented by David Grimmett</p>	RN 115509	Moore, State's Attorney	<p>Ms. Davis was present and was represented by David Grimmett.</p> <p>Following testimony and presentation of proof, Ms. Wyatt moved to accept the findings of fact 1, 2, 3 and 4 (amended) in the proposed final order. Seconded by Ms. Heaton; motion carried.</p>

			<p>Ms. Heaton moved to accept conclusions of law in the proposed final order with #6 as amended; that the respondent's acts and conduct violated TCA 63-7-115 (a) (1) (F) and RN Rule 1000-01-.13 (1) (e);. Ms. Wyatt seconded; motion carried.</p> <p>Mr. Young moved to place license on probation, privilege to practice voided pending continuing education of 15 hours related to including documentation and medication waste, and 15 hours of ethics, followed by successfully completing EBAS assessment within 1 year, civil penalty of one thousand dollars (\$1000) and assess costs not to exceed five thousand dollars (\$5,000). Ms. Heaton seconded; motion carried.</p> <p>Mr. Young read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
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Agreed/Consent Orders

Caroline Tippins

John R. White	RN 186733	Ms. Wyatt moved to accept the agreed order of voluntary surrender. Seconded by Ms. Heaton; motion carried.
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Debrief/Open Discussion/Other Business—Deferred debrief; no other business

Adjourn

There being no other business, the meeting of the Tennessee Board of Nursing adjourned at 7:20 p.m., with the next board meeting scheduled May 17-18, 2018.