

TENNESSEE BOARD OF NURSING
227 French Landing, Iris Room
Heritage Place, Metro Center
Nashville, TN 37243
March 3-4, 2010

MINUTES

Call to Order	Dr. Cheryl Stegbauer, Chairperson called the meeting to order at 8:30 a.m.
Roll Call/Declaration of a Quorum	The Chairperson declared a quorum present.
Members Present	Cheryl Stegbauer, R.N., Chairperson Terri Bowman, L.P.N. Barbara Brennan, R.N. Marilyn Dubree, R.N. Kathleen Harkey, Consumer Member Debbie Holliday, L.P.N. Debbie Melina, A.P.N. Marian Stewart, R.N. Arthur Thompson, L.P.N. Betty Thompson, R.N.
Members Absent	Carol Thompson, A.P.N
Introduction of Staff	Lund introduced staff.
Staff Present	Elizabeth Lund, Executive Director Martha Barr, Associate Exec. Director Donna Fairchild, Nurse Consultant Joan Harper, Board Administrator
Guests in the Audience	0850 Dr. Stegbauer recognized and welcomed guests in the audience.
Approval of Minutes of Business Meeting February 18, 2010	Bowman moved to accept the minutes of the Business meetings held January 21 and February 18, 2010. Brennan seconded the motion. The motion carried.
Agenda Review- Ashley Carter	Ms. Carter announced that the Board will not break into panels because many cases

have settled with agreed orders. Judge Wilson will preside. Other business will be held during the two days.

Insufficient Funds/Administrative Revocation Recommendations

B. Thompson moved and Stewart seconded the motion to ratify the **administrative revocations** of:
Jennifer Barlin RN 173002
Bobbie J. Brown LPN 41869
John C. Davis III LPN 76112
Susan Hofheimer RN 172776
Andrea G. Jackson LPN 33204
Judy M Johnsey RN 166564
Ruth Love RN 69342
Christina L Macpherson RN 101675
Dorinda C. Myles LPN 56330
The motion carried.

Letters of Reprimand

Barbara Preston R.N. 89126

Brennan moved to ratify the letter of **reprimand** of this nurse. A. Thompson seconded the motion. The motion carried.

Glenda Savage , R.N. 109503

Brennan moved to ratify the letter of **reprimand**. Harkey seconded the motion. The motion carried.

Attorney General Opinion: Classification and Prescribing Privileges of Nurse Practitioners (APNs)

The opinion was made available to members electronically and in their packets. There were no questions.

Screening Panel Orders

NAME	LICENSE	ACTION
Christine Ann Griffith	RN131593	Malina made a motion to accept the order for probation to run concurrent with the probation on her Alabama license. Bowman seconded the motion. The motion carried.
Ashley Davis Guthrie	RN133379	Holliday made a motion to accept the order

	APN8243	of suspension of the APN license until the respondent takes an advanced health assessment class with a final grade of an A or B. Bowman seconded the motion. The motion carried.
Kimberly S. Massey	RN81458	Dubree made a motion to accept the order of 3 months suspension of respondent's license followed by a 1 year probation of the respondent's license. Malina seconded the motion. The motion carried.
Billie Smith	LPN21097	Holliday made a motion to accept the order to suspend the respondent's license until she signs a contract with TnPAP and they give her clearance to resume nursing duties, at which time her license will be placed on probation to run concurrent with the TnPAP contract. Dubree seconded the motion. The motion carried.
Lori Staggs	RN70905	Holliday made a motion to accept an order of probation to run concurrent with her TnPAP contract. Bowman seconded the motion. The motion carried.

Contested Case Hearings
March 3, 2010
8:55 A.M.
Judge Rob Wilson Presiding

NAME	LICENSE	ACTION
Angela Nichols	R.N. 155638	Angela Nichols, RN was not present and not represented by an attorney. Mr. Marc Guilford, Attorney, represented the State. Rob Wilson presided as Administrative Law Judge. Mr. Guilford requested that the case be heard in default. He presented evidence of notice. Bowman moved to proceed in default. B. Thompson. Seconded the motion. The motion carried. Mr. Guilford passed out the Notice of Charges. Ms Nichols is charged with violating T.C.A. 63-7-115(a)(1)(F)(G), and Nursing

Rule1000-1-.13(1)((u)(w). Following testimony by witnesses and questions and discussion by the Board, Brennan made the motion to find allegations 3, 4, 5, 6, (with change of consent order to agreed order), 7, 8 to be true. Bowman seconded, motion carried. Brennan made the motion to find Ms. Nichols in violation of T.C.A. 63-7-115. B. Thompson seconded the motion. The motion carried. Holliday made the motion to **revoke** the license of the respondent with one type B penalty of \$100.00 and costs. Bowman seconded the motion. The motion carried.

Lee Ann Hardin

R.N. 138867 Ms. Hardin was present and represented herself *pro se*. Ms. Lexie Whitmore represented the state. Ms. Whitmore distributed the notice of charges. Ms. Hardin is charged with violation of T.C.A. 63-7-115(a)(1)(B)(F) and Nursing Rule 1000-1-.13(1)(h)(j). Following testimony by witnesses, consideration of evidence, questions and discussion by the Board, Dubree made the motion to find allegations 3, 4(amend to three prescriptions at three different times) 5, 6, 7 (amend to eleven checks), and add 8 (was discharged from a TnPAP contract) to be true. Brennan seconded the motion. The motion carried. It was noted that respondent now resides in Arkansas. Dubree made the motion that the respondent was in violation of T.C.A. 63-7-115(a)(1)(F)(G), and Nursing Rule1000-1-.13(1)((u)(w). Dubree made the motion to **revoke** the license and multi state privilege of the respondent along with two type A penalties of \$2000.00 and costs, with maximum of \$3,000.00. Brennan seconded the motion. The motion

carried.

Lori Nicholas

LPN 33593

Ms. Nicholas was present and represented herself *pro se*. Mr. Marc Guilford, Attorney, represented the State. Wilson presided as Administrative Law Judge. Mr. Guilford distributed the notice of charges. Ms. Nicholas is charged with violation of T.C.A. 63-7-115(a)(1)(F) and Nursing Rule 1000-2-.13(1)(t). Following testimony by witnesses, consideration of evidence, questions and discussion by the Board, Brennan made the motion to find allegations 3, 4, 5 (add patient's patch was missing on March 17, 2009), add 6: respondent was referred to TnPAP at the time of her termination from employment, to be true. B.Thompson seconded the motion. The motion carried. A motion was made and seconded to find the respondent in violation of T.C.A. 63-7-115(a)(1)(C)(F) and Nursing Rule 1000-2-.13(1)(f)(g)(t). Brennan made the motion to **suspend** the license pending TnPAP contract with **probation** to run the length of the contract. Suspension to be lifted if the TnPAP evaluation does not indicate a need for a contract. impose one type B. civil penalty in the amount of \$100.00 and case costs. B. Thompson seconded the motion. The motion carried.

William Scott Ivey

R.N. 100447

Mr. Ivey was present and represented himself *pro se*. Ms. Lexie Whitemore, Attorney, represented the State. Mr. Rob Wilson served as Administrative Law Judge. The state proposed to waive civil penalties, collect case costs, place the respondent's license on suspension pending an evaluation through TnPAP, followed by probation and entering into a contract there. The probation is to run the

length of the TnPAP contract. Ms. Whitmore distributed an agreed order for ratification. She also entered into evidence a counseling record of the respondent. The respondent made a statement to the Board. Following questions by Board members and review of evidence, B. Thompson moved to ratify the agreed order with no court costs, waive civil penalties, **suspension** of the license until the respondent has entered a TnPAP contract, followed by **probation** of the license to run concurrent with the contract, if a contract is recommended. Brennan seconded the motion. The motion carried.

Kathy Holobar

R.N. 98743

Ms Holobar was present and represented herself *pro se*. Mr. Marc Gilford, Attorney, represented the State. Mr. Rob Wilson served as Administrative Law Judge. Mr. Guilford distributed the notice of charges. Ms. Holobar is charged with violation of T.C.A. 63-7-(a)(1)(C)(F) and Nursing Rule 1000-1-.13(1)(j)(w). Following testimony by witnesses, consideration of evidence, questions and discussion by the Board, A motion was made and seconded to find allegations 1, 2, 3, and respondent admitted she worked on an expired license, to be true. The motion carried. A motion was made and seconded to find the respondent in violation of T.C.A. 63-7-115(a)(1)(C)(F)(B) and Nursing Rule 1000-1-.13(1)(j)(w). Brennan moved and Stewart seconded the motion to **revoke** the respondent's license, assess five type A civil penalties in the amount of \$1,000 each for a total of \$5,000 and case costs. The motion carried.

Marian Stewart excused

11:30 quorum present

Recess for Lunch

12:15 P.M.

Reconvene

1:00

Roll Call: Members Present

Cheryl Stegbauer, R.N., Chairperson
Terri Bowman, L.P.N.
Barbara Brennan, R.N.
Marilyn Dubree, R.N.
Kathleen Harkey, Consumer Member
Debbie Holliday, L.P.N.
Debbie Melina, A.P.N.
Arthur Thompson, L.P.N.
Betty Thompson, R.N.

Members Absent

Marilyn Dubree, R.N.
Carole Thompson, A.P.N.
Marian Stewart R.N.

Contested Cases Continued

NAME	LICENSE	ACTION
Sharon Bills	R.N.36048	Ms. Bills was present and represented by counsel, Mr. Calendria. Ms Layden Attorney, represented the State. Rob Wilson presided as Administrative Law Judge. Ms. Layden distributed the notice of charges. Ms. Bills is charged with violation of T.C.A. 63-7-115(a)(1)(F) and Nursing Rules 1000-1-.13(1)(n) and (u). The state and the respondent have agreed on the stipulations of fact and conclusions of law. Following discussion by the Board, Brennan made the motion to accept the allegations of fact and conclusions of law to be true. Brennan made a motion to put the privilege to practice on probation in Tennessee, impose an assessment of one type A Civil Penalties in the amount \$1,000 and case costs. A. Thompson seconded the motion. Holliday moved to suspend rather than probate the privilege to practice. The maker of the motion did not accept the amendment.

The motion carried as originally stated.

Marilyn Dubree returned

2:30 P.M.

Patricia R. McCutchen Speller R.N. 43745

Ms. McCutchen Speller was not present and not represented by counsel. Ms. Lexie Whittemore represented the state. Ms. Whittemore requested that the case proceed in default. Following a review of attempts to locate and notify the respondent, B. Thompson made a motion to proceed in default. Bowman seconded the motion. The motion carried. Ms. Whittemore distributed the notice of charges. M. Dubree recused herself. A. Thompson recused himself. A quorum remained seated. Ms. McCutchen is charged with violation of T.C.A. 63-7-115(a)(1)(F) and Nursing Rules 1000-1-.13(1)(u) and (w). Following testimony by witnesses, consideration of evidence, questions and discussion by the Board, Bowman moved to find allegations 3, 4, 5, 6, 7, 8, 9, 10, 11 to be true. B. Thompson seconded the motion. The motion carried. Bowman moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(F) and Nursing Rules 1000-1-.13(1)(u) and (w). B. Thompson seconded the motion. The motion carried. Bowman moved and Malina seconded to **revoke** the respondent's license, assess one Type A Penalty of \$1,000 for a total of \$1,000 and case costs not to exceed \$2,000. The motion carried.

Vanessa Kyger

R.N. 155026

Ms. Kyger was present by telephone and represented herself *pro se*. Ms. Lexie Whittemore represented the state. Rob Wilson presided as Administrative Law Judge. Ms. Whittemore distributed the notice of

charges. Ms. Kyger is charged with violation of T.C.A. 63-7-115(a)(1)(F) and Nursing Rules 1000-1-.13(1)(e)(g) and (u). Following testimony by witnesses, consideration of evidence, questions and discussion by the Board, B. Thompson moved to find the allegations of fact, with additions, to be true. Brennan seconded the motion. The motion carried. B. Thompson moved and Brennan seconded to find the respondent in violation of T.C.A. 63-7-115(a)(1)(F) and Nursing Rules 1000-1-.13(1)(e)(g) and (u). The motion carried. B. Thompson moved to **suspend** the license of the respondent until she is evaluated by Dr. West and this is reported to TnPAP and advocacy is restored, Then the license will be placed on **probation** to run concurrent with the TnPAP contract. The motion included waiver of civil penalties and an assessment of case costs but cap costs at \$1,000. Brennan seconded the motion. The motion carried.

B. Thompson excused.

4:00 P.M. Quorum present

Julie Davis Maness

LPN 69008

Julie Davis Maness was present by telephone and represented herself *pro se*. Ms. Lexie Whittemore represented the state. Rob Wilson presided as Administrative Law Judge. Ms. Whittemore distributed the notice of charges which were read to Ms. Davis. Ms. Davis and the state stipulated to the allegations of fact 3-8. Ms. Davis is charged with violation of T.C.A. 63-7-115(a)(1)(C)(F) and Nursing Rules 1000-2-.13(1)(w). Following testimony by witnesses, consideration of evidence, questions and discussion by the Board, Holliday moved and Bowman seconded to find Ms. Maness in violation of T.C.A. 63-7-

115(a)(1)(C)(F) and Nursing Rules 1000-1-.13(1)(w). The motion carried. Holliday moved and Bowman seconded to **suspend** the respondent's license pending TnPAP evaluation and contract, followed by **probation** to run concurrent with the TnPAP contract, waive civil penalties and costs. Motion carried.

Agreed Orders

Carolyn Berreta	RN99409	Dubree made a motion to request OGC to refer the case to the abuse registry and accept the order to place the respondent's license on probation to run concurrent with TnPAP contract. Holliday seconded the motion. The motion carried.
Leigh Blalock	RN150114	Dubree made a motion to accept the order to place the respondent's license on probation to run concurrent with TnPAP contract. Holliday seconded the motion. The motion carried.
Amanda Dunn	LPN69979	Bowman made a motion to accept the order to place on suspension , followed by evaluation through TnPAP and compliance with recommendation and probation to run concurrent with TnPAP contract if one is recommended, otherwise probation for 3 years. Holliday seconded the motion. The motion carried.
Donna Yvonne Gilreath	LPN60353	Malina made a motion to accept the order to suspend the respondent's license until she obtains an evaluation through TnPAP within 30 days of the effective date of the order and comply with the recommendations of the evaluation. At that time the license will be placed on probation to run concurrent with TnPAP contract, if one is recommended, otherwise

		probation to last 3 years. Dubree seconded the motion. The motion carried.
Tammy Long-Cowan	RN117096	Holliday made a motion to accept the order of probation to run concurrent with Respondent's current TnPAP contract, costs assessed. Malina seconded the motion. The motion carried
Bobbie Phillips	LPN58250	Bowman made a motion to accept the order to suspend the license of the respondent, then place the license on probation subject to TnPAP evaluation and contract, probation to run concurrent with TnPAP contract if one is recommended, otherwise, probation for three years. Dubree seconded the motion. The motion carried.
Lugenia Martin Washington	LPN47783	Holliday moved to accept the order to suspend the license of the respondent. Respondent must obtain an evaluation with TnPAP within 30 days of the effective date of the order and comply with the recommendations of the evaluation, at that time the license will be placed on probation to run concurrent with TnPAP contract if one is recommended, otherwise probation to last 3 years. Dubree seconded the motion. The motion carried.
Dusti Webb	RN136719	Dubree made a motion to accept the order to suspend the license of the respondent. Respondent must obtain an evaluation with TnPAP within 30 days of the effective date of the order and comply with the recommendations of the evaluation, at that time the license will be placed on probation to run concurrent with TnPAP contract if one is recommended, otherwise probation to last 3 years. Bowman seconded the motion. The motion

		carried.
Barbara Williams	LPN56198	Holliday recused herself from this case. Bowman made a motion to accept the order to suspend the license of the respondent. Respondent must obtain an evaluation with TnPAP within 30 days of the effective date of the order and comply with the recommendations of the evaluation, at that time the license will be placed on probation to run concurrent with TnPAP contract if one is recommended, otherwise probation to last 3 years. If respondent fails to obtain an evaluation within 30 days, license will be suspended until respondent completes an evaluation and signs a contract with TnPAP if one is recommended, assess costs. Malina seconded the motion. The motion carried.
Mary Canaday	LPN61034	Bowman moved to accept the order of revocation of the respondent's license. Malina seconded the motion. The motion carried.
Debra Marie Owen	LPN35470	Dubree made a motion to accept the order of revocation of the respondent's license. Bowman seconded the motion. The motion carried.
Edward Reilly	RN115268	Harkey made a motion to accept the order of revocation of the respondent's license. Dubree seconded the motion. The motion carried.
Michelle Rychen	RN133578	Bowman made a motion to accept the order of revocation of the nurse's license. A.Thompson seconded the motion. The motion carried.
Apryl White	LPN54928	Bowman made a motion to accept the order of revocation of the respondent's license. Holliday

seconded the motion. The motion carried.

Lindsey Williams LPN62616 Dubree made a motion to accept the order of **revocation** of the respondent's license. Holliday seconded the motion. The motion carried.

Karri Willoughby RN126447 Dubree made a motion to accept the order of **revocation**. A. Thompson seconded the motion. The motion carried.

Consent Orders

Nancy Eller LPN28301 Bowman made a motion to accept the order of **suspension** until the respondent has obtained an evaluation within 30 days of the effective date of the order and complies with the recommendations of the evaluation, at that time license will be placed on **probation** to run concurrent with TnpAP contract if one is recommended, otherwise, probation to last 1 year. Holliday seconded the motion. The motion carried.

Rachel Hicks LPN70986 Malina made a motion to accept the order of suspension until evaluation with TnPAP, compliance with recommendations of the evaluation at that time license will be placed on probation to run concurrent with TnPAP contract if one is recommended, otherwise probation to last 3 years. Bowman seconded the motion. The motion carried.

Tracy Housley RN71296 Holliday made a motion to accept the order to place the respondent's license on **probation** to run concurrent with TnPAP contract.

Lesley Denise Reed RN116387 Bowman made a motion to accept the

order of **probation** to run concurrent with TnPAP contract, 10 hours CE in charting. Dubree seconded the motion. The motion carried.

Amber Carpenter	LPN59344	Holliday made a motion to accept the order of revocation . Bowman seconded the motion. The motion carried.
Kristin Donati	RN98255	Bowman made a motion to accept the order of revocation . Dubree seconded the motion. The motion carried.
Diana Jackson	RN128144	Dubree made a motion to accept the order of revocation . Malina seconded the motion. The motion carried.
Bonnie Jean Lewallen	LPN55637	Holliday made a motion to accept the order of revocation . Holliday seconded the motion. The motion carried.
April Wisdom	LPN56867	Holliday made a motion to accept the order of revocation . Bowman seconded the motion. The motion carried.

Board Recess until March 4, 2010

6:45 P.M.

**March 4, 2010
Board Reconvenes
Call to Order**

Dr. Stegbauer, Board Chairperson, called the meeting to order at 8:45 A.M.

**Roll Call
Members Present**

Cheryl Stegbauer, R.N., Chairperson
Terri Bowman, L.P.N.
Barbara Brennan, R.N.
Kathleen Harkey, Consumer Member
Debbie Holliday, L.P.N.
Debbie Melina, A.P.N.
Marian Stewart, R.N.

Arthur Thompson, L.P.N.
Betty Thompson, R.N.

Members Absent

Marilyn Dubree, R.N.
Carol Thompson, A.P.N.

Welcome Guests

Dr. Stegbauer welcomed guests in the audience.

**Rule-making Hearing
Rules to implement changes in
Nursing Compact Rules
amendments to 1000-1.17
and 1000-2-.16**

Ashley Carter announced a rule-making hearing and that she would moderate this hearing. Ms. Carter explained the rule-making process and asked those who would offer public comment to sign their names to a list. Ms. Carter read the amendments to the compact rules. There were no public comments. Malina moved to accept the amendments to the compact rules. B. Thompson seconded the motion. The motion carried by unanimous roll call vote.

**Process to assign a judge to
hear and determine discipline
for disciplinary cases.**

Judge Stovall

Judge Stovall explained a process whereby an administrative law judge could hear Board of Nursing cases and make case findings of fact and conclusions of law to be reviewed by the Board for possible disciplinary action. Ms. Carter suggested the category of cases would be violations of Board orders or disciplinary action in another state. It is possible for the judge to also determine the discipline if the Board authorizes this. There is potential for the judges to also hear complex cases. The consensus of the Board was to gather data and discuss the issue after it has been “sunshined” on the agenda of a future meeting..

**Contested Case Hearings
 March 4, 2010
 10:10 :A.M.
 Judge Betty Springfield Presiding**

NAME	LICENSE	ACTION
Kelly Rooks, AKA Casey, AKA Davenport	R.N. 87779	Ms. Rooks was not present and not represented by counsel. Judge Springfield sat as Administrative Judge. Marc Guilford, state's attorney, requested a motion to proceed in default. Malina moved and Bowman seconded to proceed in default. The motion carried. Mr. Guilford distributed the notice of charges. Ms. Rooks is charged with violation of T.C.A. 63-7-115(a)(1)(C)(F) and Nursing Rule 1000-1-.13(1)(a)(b)(c)(d)(e)(g)(u) and (w) Following testimony by witnesses, consideration of evidence, and discussion by the Board, Brennan moved to find allegations 3, 4, 5, 6 with amendments, 7 with amendments, 8 with amendments and an additional fact- that the respondent's conduct affected the care of vulnerable patients under the age of 18 and over the age of 65 and the mentally impaired- as an amendment, to be true. B. Thompson seconded the motion. The motion carried. Brennan moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(C)(F) and Nursing Rule 1000-1-.13(1)(a)(b)(c)(d)(e)(g)(u) and (w). Bowman seconded the motion. The motion carried. Brennan moved to assess one hundred eighty five Type A Civil Penalties of \$1,000 for a total of \$185,000, case costs and revoke the license of the respondent. Bowman seconded the motion. The motion carried.
Angela Snyder Vogel	LPN 49004	Ms. Vogel was present by telephone

and represented herself pro se. Ms. Lexie Whittemore, attorney, represented the state. Judge Springfield served as Administrative Judge. Ms. Whittemore distributed the notice of charges. The parties in the case had previously stipulated to allegations of fact 1-7. Ms. Vogel is charged with violation of T.C.A. 63-7-115(a)(1)(C)(F) and Nursing Rule 1000-1-.13 (g)(t)(v). The state requested suspension of the license until a TnPAP contract is in place, followed by license probation for the length of the contract, waiver of case costs and penalties. Ms. Whittemore agreed to drop allegation of fact number 5. The respondent agreed. Ms. Whittemore requested that paragraph 9 be dropped from the alleged violations in the notice of hearing. Bowman moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(C)(F). B. Thompson seconded the motion. The motion carried. Bowman moved for **suspension** of the license until a TnPAP contract is in place, then place the respondent's license on **probation** for the length of the contract, waiver of case costs and civil penalties. B. Thompson seconded the motion. The motion carried.

Stephanie K. Wortham

LPN 44874

Ms. Wortham was not present and not represented by counsel. Ms. Diona Layden represented the state. Ms. Layden presented evidence of attempts to communicate with the respondent and adequate notice of hearing. Ms. Layden requested to proceed in default. Holliday moved to proceed in default. Malina seconded the motion. The motion carried. Ms. Layden distributed the notice of charges. Ms. Wortham is charged with violation of T.C.A. 63-7-

115(a)(1)(g). Following review of the evidence, testimony by the witness and discussion, Holliday moved to find allegation of facts 3, 4, 5, 6, to be true. Brennan seconded the motion. The motion carried. Holliday moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(G). Stewart seconded the motion. The motion carried. Holliday moved to **revoke** the respondent's license, assess one Type C Civil Penalty of \$100.00 for a total of \$100.00 and assess case costs. B. Thompson seconded. Brennan requested that the Civil Penalty be amended to Type A \$1,000. Holliday agreed. The motion carried.

Agreed Orders

Tina Johnson	R.N. 98415	Malina moved and Stewart seconded a motion ratify the order to suspend the license until TnPAP contract and probation for the length of the contract. Malina moved and Stewart second
April E. Banfield	R.N. 14995	Revocation. Brennan moved and A. Thompson seconded to ratify the agreed order. The motion carried.
Tami L. Collins	LPN48652	Surrender of license. Stewart moved to ratify. A. Thompson seconded the motion. The motion carried.
Sheila C. Dritt	LPN 63972	Respondent has been evaluated. Probation for length of TnPAP contract, suspension if contract is not signed. Holliday moved to ratify the agreed order. A. Thompson seconded the motion. The motion carried.
Patricia McGroom		Consent order withdrawn by Ms. Ashley Carter.
Break for Lunch	12:10	

Board Reconvened

1:10

Amendment to SB3144 Black

Ashley Carter presented the amendment to SB3144 Black, which amends 63-7-127 proposed (m), which, previously added a section to define nurse “means a licensed nurse a registered nurse or licensed practical nurse”. The Board opposed this bill based on NCSBN language about delegation. The amendment reads “a licensed nurse for the purpose of this section shall include (delete “means”) a registered nurse, a licensed practical nurse or either one”. Holliday moved to oppose this amendment and continue to oppose the bill. Malina seconded the motion. The motion carried.

Resume Hearings

NAME	LICENSE	ACTION
Lee Ann McCain	R.N. 62848	<p>Lee Ann McCain was present and represented herself pro se. Mr. Marc Guilford represented the state. Judge Betty Springfield sat as Administrative Judge. Mr. Guilford distributed the notice of charges. Ms. McCain is charged with violation of T.C.A. 63-7-115(a)(1)(B)(F)(G) and 1000-1-.13(1)(j)(w). Following review of the evidence, testimony by the witness and discussion, B. Thompson moved to find allegation of facts 1 through 17 to be true. Holliday seconded the motion. The motion carried. B. Thompson moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(B)(F)(G) and 1000-1-.13(1)(j)(w)(3). Stewart seconded the motion.</p> <p>B. Thompson yes Terry Bowman no Barbara Brennan no Marian Stewart yes</p>

Debbie Malina no
Debbie Holliday yes
Kathleen Harkey no
Cheryl Stegbauer abstain
The motion did not carry

Holliday moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(A)(F) and 1000-1-.13(1)(j)(3). Stewart seconded the motion. Roll call vote

B. Thompson no
Bowman no
Brennan no
A Thompson no
Marian Stewart yes
Malina no
Holliday yes
Harkey yes
Stegbauer abstain
The motion did not carry.

B. Thompson moved to find the respondent in violation of T.C.A. 63-7-115(a)(1)(F) and 1000-1-.13(1)(j)(3). A. Thompson seconded. Roll call vote:

B. Thompson yes
Bowman yes
Brennan no
A Thompson yes
Stewart yes
Malina no
Harkey yes
Stegbauer abstain

The motion carried. Holliday moved to waive civil penalties and court costs and suspend the respondent's Tennessee license until the respondent's Alabama license is reinstated and unencumbered. B. Thompson seconded the motion. The motion carried with one abstention.

SB2071/HB2337 Burks/Winningham amends T.C.A. 68. Allows private companies providing personal care assistants not reimbursed by Medicare

Legislative Update

or TennCare to permit personal care assistant to assist their clients with care to keep them in their own home, including medication administration of prescription and non prescription drugs with no limitations on drug classes and routes. Holliday moved that the Board **oppose** the bill because it does not provide adequate information about personnel qualifications and training. B. Thompson seconded the motion. The motion carried.

Finance Committee Meeting

Ms. Lund presented a draft of current revenue and expenditures of the Board of Nursing. Current year net is (\$143,117.02).

Brennan is available to represent the Board at legislative committee meetings relative to continuation of the Board Nursing Sunset Law and fee increase rules.

Adjourn

The meeting of the Tennessee Board of nursing adjourned at 3:30 P.M.