

TENNESSEE BOARD OF NURSING
Teleconference Meeting
(532-1399 local, 1-888-375-4655 long distance)
May 20, 2009
3:00 p.m. CDT

Minutes

Dr. Stegbauer, Chairman, called the meeting to order at 3:00 p.m. CDT on Wednesday May 20, 2009 and requested a Roll Call:

<u>NAME</u>	<u>RESPONSE</u>
Cheryl Stegbauer, APN, Board Chairman	Y
Donna Roddy, RN, Vice Chairman	Y
Terri Bowman, LPN	Y
Barbara Brennan, RN	Not present
Marilyn Dubree, RN	Y
Kathleen Harkey, Public Member	Y
Debbie Holliday, LPN	Y
Judy Messick, LPN	Not present
Marian Stewart, RN	Not present
Betty Thompson, RN	Y
Carol Thompson, APN	Not present

The chairman declared a quorum present and declared the purpose of the meeting to:

1. Consider approving public necessity rules re: tamper-resistant prescriptions as well as approve a regulatory flexibility analysis and economic impact statement
2. Consider motion for reconsideration of board action re: Dana C. Wallis, LPN # 43790 (revoked)

Dr. Stegbauer welcomed members and staff and turned the meeting over to the Board's attorney, Alison Cleaves. Ms. Cleaves advised the board on legal issues relating to electronic meetings. She requested a motion and a second followed by a roll call vote to determine if the matter or matters to be discussed met the following requirements:

- 1) The subject matters requires timely action,
- 2) The physical presence of all members is not possible considering the time period required for action

Roddy made a motion to proceed to conduct this meeting electronically. Dubree seconded the motion. The motion carried.

<u>NAME</u>	<u>RESPONSE</u>
Cheryl Stegbauer, Board Chairman	Y
Donna Roddy, Vice Chairman	Y
Terri Bowman	Y
Barbara Brennan	Not present
Marilyn Dubree	Y
Kathleen Harkey	Y
Debbie Holliday	Y
Judy Messick	Not present
Marian Stewart	Not present
Betty Thompson	Y
Carol Thompson	Not present

After establishing that the meeting met the requirements to conduct an electronic meeting, Dr. Cheryl Stegbauer, Chairman, requested Alison Cleaves to speak to agenda item # 1 relating to tamper resistant prescriptions.

Discussion: Ms. Cleaves reviewed the history of the statute requiring the rules, the public necessity rule process, the need for a rulemaking hearing for permanent rules and the legal requirements for a flexibility analysis and economic impact statement. The chairman requested a motion.

- 1. Motion:** Approve public necessity rules re: tamper-resistant prescriptions as well as approve a regulatory flexibility analysis and economic impact statement and allow a rulemaking hearing re: tamper-resistant prescriptions.

Motion Made by: Harkey Second: Holliday, The motion carried.

<u>NAME</u>	<u>RESPONSE</u>
Cheryl Stegbauer, Board Chairman	Y
Donna Roddy, Vice Chairman	Y
Terri Bowman	Y
Barbara Brennan	Not present
Marilyn Dubree	Y
Kathleen Harkey	Y
Debbie Holliday	Y
Judy Messick	Not present
Marian Stewart	Not present
Betty Thompson	Y
Carol Thompson	Not present

Dr. Stegbauer requested attorney Lexi Whittemore to speak to agenda item # 2 relating to a motion for reconsideration of board action re: Dana C. Wallis, LPN # 43790 (revoked).

Discussion: Ms. Whittemore reviewed the documents relating to the request for a motion for reconsideration and responded to questions. The chairman requested a motion on the request.

2. Motion: Deny motion for reconsideration of board action re: Dana C. Wallis, LPN # 43790 (revoked).

Motion made by: Roddy Second: Dubree The motion carried.

<u>NAME</u>	<u>RESPONSE</u>
Cheryl Stegbauer, Board Chairman	Y
Donna Roddy, Vice Chairman	Y

Terri Bowman	Y
Barbara Brennan	Not present
Marilyn Dubree	Y
Kathleen Harkey	Y
Debbie Holliday	Y
Judy Messick	Not present
Marian Stewart	Not present
Betty Thompson	Y
Carol Thompson	Not present

The teleconference board meeting adjourned at 3:35 p.m.

These minutes were ratified by the Board of Nursing at the June 4, 2009, meeting.