

TENNESSEE BOARD OF NURSING  
227 French Landing, Iris and Popular Rooms  
Heritage Place, Metro Center  
Nashville, TN 37243  
June 3-4, 2009

MINUTES

Call to Order	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, A.P.N., Chairperson Donna Roddy, R.N., Vice-Chairperson Terri Bowman, L.P.N. Barbara Brennan, R.N. Marilyn Dubree, R.N. Kathleen Harkey, Consumer Member Debbie Holliday, L.P.N. Judy Messick, L.P.N. Betty Thompson, R.N. Carol Thompson, A.P.N.
Members Absent	Marian Stewart, R.N.
Staff Present	Elizabeth Lund, Executive Director Elizabeth Miller, Director of Health Related Boards Martha Barr, Associate Exec. Director Donna Fairchild, Nurse Consultant Al Partee, General Counsel Alison Cleaves, Deputy General Counsel Ashley Carter, Legal Associate Joan Harper, Administrative Director Jean Stone, ASA III Christopher Larkin, Assistant General Counsel Ernie Sykes, Assistant General Counsel Lexi Whittemore, Assistant General Counsel Ben Mezer, Assistant General Counsel
Introduction of Staff	Lund, Cleaves and Partee introduced staff.

Guest in the Audience	Stegbauer recognized and welcomed students from Four Rivers Practical Program, Appalachian Regional Practical Nursing Program and Aquinas College.
Conflict of Interest Statement	The Conflict of Interest Statement and the Confidentiality Policy were made available in writing for the board members to review.
Approval of Minutes	Harkey made the motion to accept the February 18 (amended), March 25-26, March 30 (telephonic) and May 20, 2009 (telephonic) minutes as presented. Holliday seconded the motion. The motion carried.
Legislation	Lund reported that the bill authorizing nurse practitioners to issue disability placards is now public chapter 264, Acts of 2009. The medication aide bill has passed both house (HB1647) and senate (SB0009) and has been sent to Governor Bredesen for signature.
Tennessee Center for Nursing Scope of Services (Thursday June 4, 2009)	The Finance Committee recommended to the full board a revised scope of services for TCN consistent with previous board discussion. After reviewing the scope of services and hearing from Dr. Maureen Nalle, TCN President, the board adopted the new scope of services with the addition of adding an online version of <i>Nursing Perspectives</i> . Dubree made the motion. Harkey seconded. The motion carried. Dubree and Harkey volunteered to participate in a subgroup of the Center that would discuss the work of TCN.
NCSBN 2009 Annual Meeting and NLCA Meeting (Thursday June 4, 2009)	The board discussed sending representatives to the annual meeting of the National Council of State Boards of Nursing and the Nurse Licensure Compact Administrator's Meeting. State budget constraints led to an out-of-state travel policy that allows only one representative to be sent at state expense to a meeting. Although NCSBN will pay expenses for two representatives from each member board to attend with an option for additional funding through the NCSBN Resource Fund, state legal counsel advised the board that

state conflict of interest policy prohibits board members and staff from accepting funds for attendance. After discussion, the board decided to appoint the executive director as the board's delegate to the meeting. Dr. Stegbauer encouraged board members to consider attending the meeting at their own expense.

### **Panel 1**

#### **Stegbauer, Chairman; Dubree, Harkey, Holliday, and B. Thompson**

Patricia A. Brooks	RN 100588	Ms. Brooks was not present and was not represented by legal counsel. Ms. S. Lexie Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Brooks is being charged with violating T.C.A. 63-7-115 (a) (1), (C), and (F) and Board rule 1000-1-.13(1)(w). After discussion, Dubree made a motion to find Ms. Brooks guilty of the charges as listed. Thompson seconded the motion. The motion carried. Dubree made the motion to revoke Ms. Brooks' license, assess one (1) type A civil penalty in the amount of \$500.00 and assessed case costs. Thompson seconded the motion. The motion carried.
Kimberly J. Brown	LPN 63282	Ms. Brown was not present nor represented by legal counsel. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the notice of charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Brown is being charged with violating T.C.A. 63-7-115(a) (1) (b) and (f). After discussion, Thompson made a motion to find Ms. Brown guilty of the charges as listed. Holliday seconded the motion. The motion carried. Thompson made the motion to revoke Ms. Brown's

license, assess two (2) Type A civil penalties in the amount of \$1,000.00 each for a total of \$2,000.00 and case costs not to exceed \$1,000.00. Holliday seconded the motion. The motion carried.

Joan Gary

RN 152744

Ms. Gary was not present and was not represented by legal counsel. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Gary is being charged with violating T.C.A. 63-7-115 (a) (1) (C), (F) and (G) and Board rule 1000-1-.13 (1) (b) and (d). After discussion, Thompson made a motion to find Ms. Gary guilty of the charges as listed. Holliday seconded the motion. The motion carried. Thompson made the motion to revoke Ms. Gary's license, assess three (3) Type A civil penalties in the amount of \$1,000.00 each for a total of \$3,000.00 and case costs not to exceed \$1,000.00. Holliday seconded the motion. The motion carried.

Lakisha Hodges

LPN 57425

Ms. Hodges was not present and was not represented by legal counsel. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Hodges is being charged with violating T.C.A. 63-7-115 (a)(1)(B) and Board Rule 100-2-.13 (1)(w). After discussion, Holliday made a motion to find Ms. Hodges guilty of the charges as listed. Dubree seconded the motion. The motion carried. Holliday made the motion to revoke Ms. Hodges' license, assess two (2) Type A civil penalties in the amount of \$1,000.00 each for a total of \$2,000.00 and

assess case costs not to exceed \$1,000.00. Harkey seconded the motion. The motion carried.

Antonia Reynolds	LPN 69856	Ms. Reynolds was not present and was not represented by legal counsel. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Reynolds is being charged with violating T.C.A. 63-7-115 (a)(1)(B)(C) and (F). After discussion, the motion was made, seconded, and carried to find Ms. Reynolds guilty of the charges as listed. The motion was made, seconded, and carried to revoke Ms. Reynold's license, assess three (3) Type A civil penalties in the amount of \$1,000.00 each for a total of \$3,000.00 and assess case costs.
Lisa Renee Smith (Goodwin)	LPN 55869	Ms. Smith was present pro se by teleconference. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. Ms. Smith is being charged with violating Board Rule 1000-2-.13 (1)(d)(g). After discussion, Holliday made the motion to find Ms. Smith guilty of the charge 1000-2-.13(1)(d). Thompson seconded the motion. The motion carried. Holliday made the motion to put Ms. Smith's license on probation, require a mandatory evaluation by TNPAP, require that her license remain on probation for the duration of the monitoring agreement, and that she be assessed case costs. Thompson seconded the motion. The motion carried
Amber Knutson Carlson	LPN 54652	Ms. Carlson was present pro se by teleconference. Mr. Benjamin Mezer, Attorney, represented the State. Mr. Tom

Stovall presided as Administrative Law Judge. Mr. Mezer passed out the Notice of Charges. Ms. Carlson is being charged with violating T.C.A. 63-7-115 (a)(1)(F) and Board Rule 1000-2-.13 (1)(j). After discussion, Thompson made the motion to find Ms. Carlson guilty of the charges as listed. Holliday seconded the motion. The motion carried. Thompson made the motion to suspend Ms. Carlson's license until she has complied with the Order of the Minnesota Board of Nursing and assess case costs. Holliday seconded the motion. The motion carried.

Christy A. Deal Trotter

RN 95094

Ms. Trotter was not present and was not represented by legal counsel. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Trotter is being charged with violating T.C.A. 63-7-115 (a)(1)(F) and Board Rule 1000-1-.13(1)(e). After discussion, Holliday made the motion to find Ms. Trotter guilty of the charges as listed. Harkey seconded the motion. The motion carried. Holliday made the motion to revoke Ms. Trotter's license, assess one (1) Type A civil penalty in the amount of \$1,000.00 each for a total of \$1,000.00 and assess case costs. Harkey seconded the motion. The motion carried.

Elizabeth Kay Bailey  
(Tucker)

RN 115779

Ms. Bailey was not present and was not represented by legal counsel. Mr. Benjamin Mezer, Attorney, represented the State. Mr. Tom Stovall presided as Administrative Law Judge. Mr. Mezer passed out the Notice of Charges. After discussion, the motion was made, seconded, and carried to proceed in default. Ms. Bailey is being charged with violating T.C.A. 63-7-115 (a)(1)(F)(G). After

discussion, Dubree made the motion to find Ms. Bailey guilty of the charges as listed. Thompson seconded the motion. The motion carried. Dubree made the motion to revoke Ms. Bailey's license, assess two (2) Type A civil penalty in the amount of \$1,000.00 each for a total of \$2,000.00 and assess case costs. Thompson seconded the motion. The motion carried.

Dana Wallis

LPN 43790

Ms. Wallis was present and represented by counsel. Mr. Tom Stovall presided as Administrative Law Judge. Ms. Wallis was requesting a stay of a previous Board order. After discussion, Holliday moved to deny the stay. Harkey seconded the motion. The motion carried.

## **Panel 2**

### **Roddy, Chairman; Messick, Bowman, Brennan, and C. Thompson**

Meredith Brown

RN 139948  
APN 11610

Ms. Brown was not present nor represented by legal counsel. Mr. Christopher Larkin, Attorney, represented the State. Mr. John Hicks presided as Administrative Law Judge. Mr. Larkin asked for a motion to proceed in default. After discussion, the motion was made, seconded, and carried to proceed in default. Mr. Larkin passed out the Notice of Charges. Ms. Brown is being charged with violating T.C.A. 63-7-115(a) (1) (B)(C),(F) and (G) and Board rule 1000-1-.13(1) (b)(d)(h)(t)(u) and (w). After discussion, Thompson made the motion to find Ms. Brown guilty of the charges as listed. Bowman seconded the motion. The motion carried. Brennan made the motion to revoke Ms. Brown's license to practice as a registered nurse and license to practice as an Advanced Practice Nurse in TN and the multi-state privilege to practice in any other party state. She was assessed ten (10) Type A civil penalties in the amount of \$1,000.00 each for a total assessment of \$10,000.00 and case costs. Bowman

		seconded the motion. The motion carried.
Rebecca M. Crawford	LPN 55643	Ms. Crawford was not present nor represented by legal counsel. Mr. Ernest Sykes, Attorney, represented the State. Mr. John Hicks presided as Administrative Law Judge. Mr. Sykes asked for a motion to proceed in default. After discussion, the motion was made, seconded, and carried to proceed in default. Mr. Sykes passed out the Notice of Charges. Ms. Crawford is being charged with violating T.C.A. 63-7-115(a) (1) (C), and (F) and Board rule 1000-2-.13(1) (e). After discussion, Thompson made the motion to find Ms. Crawford guilty of the charges as listed. Brennan seconded the motion. The motion carried. Thompson made the motion to revoke Ms. Crawford's license, assess one (1) Type A civil penalty in the amount of \$1,000.00 and assess case costs. Bowman seconded the motion. The motion carried.
Cherice C. (Mitchell) Herndon	RN 101425	Ms. Herndon was not present and not represented by counsel. Mr. Ernest Sykes, Attorney, represented the State. Mr. John Hicks presided as Administrative Law Judge. After discussion, the motion was made, seconded, and carried to proceed in default. Mr. Sykes passed out the Notice of Charges. Ms. Herndon is charged with violating T.C.A. 63-7-115 (a) (1) (F). After discussion, Bowman made the motion to find Ms. Herndon guilty of the charges as listed. Brennan seconded the motion. The motion carried. Bowman made the motion to revoke Ms. Herndon's license, assess one (1) Type A civil penalty in the amount of \$1,000.00 for a total of \$1,000.00 and assess case costs. Brennan seconded the motion. The motion carried.
Adam Thomas Housley	LPN 67738	Mr. Housley was not present and not represented by counsel. Mr. Christopher Larkin, Attorney, represented the State. Mr. John Hicks presided as Administrative Law

Judge. After discussion, the motion was made, seconded, and carried to proceed in default. Mr. Larkin passed out the Notice of Charges. Mr. Housley is charged with violating T.C.A. 63-7-115 (a) (1) (C) (F), and (G) and Board Rule 1000-2-.13(1)(e)(g)(t) and (w). After discussion, Brennan made the motion to find Mr. Housley guilty of the charges as listed. Bowman seconded the motion. The motion carried. Brennan made the motion to revoke Mr. Housley's license, assess seven (7) Type A civil penalties in the amount of \$1,000.00 for a total of \$7,000.00 and assess case costs. Bowman seconded the motion. The motion carried.

Jessica A. Lewis

RN 66990

Ms. Lewis was not present nor represented by legal counsel. Mr. Ernest Sykes, Attorney, represented the State. Mr. John Hicks presided as Administrative Law Judge. After discussion, the motion was made, seconded, and carried to proceed in default. Mr. Sykes passed out the Notice of Charges. Ms. Lewis is being charged with violating T.C.A. 63-7-115 (a) (1) (F) and (G). After discussion, Brennan made the motion to find Ms. Lewis guilty of the charges as listed. Bowman seconded the motion. The motion carried. Brennan made the motion to revoke Ms. Lewis' license, assess five (5) Type A civil penalties in the amount of \$1,000.00 each for a total of \$5,000.00 and an additional nine (9) Type A civil penalties in the amount of \$500.00 each for a total assessment of \$9,500.00, and assess case costs. Bowman seconded the motion. The motion carried.

Sharon Price

LPN 42349

Ms. Price was not present nor represented by legal counsel. Mr. Ernest Sykes, Attorney, represented the State. Mr. John Hicks presided as Administrative Law Judge. After discussion, the motion was made, seconded, and carried to proceed in default. Mr. Sykes passed out the Notice of

Charges. Ms. Price is being charged with violating T.C.A. 63-7-115 (a) (1) (C) (D) and (F) and Board Rule 1000-2-.13(a)(d)(e)(f)(g) and (v). After discussion, Thompson made the motion to find Ms. Price guilty of the charges as listed. Bowman seconded the motion. The motion carried. Thompson made the motion to revoke Ms. Price's license, assess one (1) Type A civil penalty in the amount of \$1,000.00 and two (2) Type B civil penalties in the amount of \$500.00 each for a total of \$2,000.00 and assess case costs. Bowman seconded the motion. The motion carried.

Sherry Kaye Roark	LPN 35168	Ms. Roark was present pro se. Mr. Christopher Larkin, Attorney, represented the State. Mr. John Hicks presided as Administrative Law Judge. Mr. Larkin passed out the Notice of Charges. Ms. Roark is being charged with violating T.C.A. 63-7-115 (a) (1) (B). After discussion, Thompson made the motion to find Ms. Roark guilty of the charge as listed. Brennan seconded the motion. The motion carried. Thompson made the motion to take no action against Ms. Roark's license. Brennan seconded the motion. The motion carried
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**Consent/Agreed Orders**

C. Thompson made the motion to accept the Consent/Agreed Orders as presented. Brennan seconded the motion. The motion carried.

Ashley L. Haygood	RN 141014	Suspended. TNPAP evaluation followed by probation to run concurrently with TNPAP contract.
Teresa Gayle Hazelwood	LPN 24980	Suspended. TNPAP evaluation; license on probation for no less than 3 years to run concurrently with TNPAP contract.
Dianna M. Jackson	RN 128144	Suspended. TNPAP evaluation; license on probation for no less than 3 years to run

Harriett A. Jarrett	LPN 62225	concurrently with TNPAP contract. License on probation for 1 year during which time she shall complete 3 board-approved hours in charting. Shall submit proof of completion to staff before probation is lifted.
Barbara Dawn Johnson	RN 127876	License suspended. TNPAP evaluation; license shall be placed on probation for no less than 3 years to run concurrently with TNPAP contract.
Christy D. Jones	RN 161804	Voluntary surrender of RN license. Multi-state privilege revoked.
Shirley Miller	LPN 67993	Suspended pending successful completion of LPN refresher course approved by the board with emphasis on patient care, charting, medication administration, medical ethics, and activation of chain of command. Upon course completion, license will be on probation for 2 years. Will limit practice to TN only during suspension/probation.
German Rafael Nopo	LPN 64357	Revoked
Janice Towns	LPN 31424	Suspended. TNPAP evaluation. Probation for no less than 3 years to run concurrently with TNPAP contract.
Charna M. Willoughby	RN 124214	Probation for 6 months; multi-state privilege revoked.
Patty A. Bowling	LPN 38826	Revoked
Andrea Renee Ralston	RN 124466	Suspended. TNPAP evaluation. License will be placed on probation to run concurrently with TNPAP contract. Assessed case costs.
April Banfield	RN149995	Suspended. TNPAP evaluation. Probation for no less than 3 years to run concurrently with TNPAP contract.
Rosalind Rae Brantley	RN 138708	Revoked
Michelle Babcock	RN 12819	Suspended until enters monitoring contract with TNPAP. Probation throughout duration of TNPAP contract. Multi-state privilege revoked.
Sheila Coffman	RN 80432	Revoked
Robin Evans	RN 59746	TNPAP contract. Probation; multi-state privilege revoked until encumbrance lifted.
Jonathan P. Hall	RN 149579	Revoked
Rebecca Lynn Hodge	LPN 53033	Suspended for 3 months. Probation for 2 years; assessed case costs.

Melissa S. Horton	RN 138250	Surrender of license and multi-state privilege.
Ruby A. Howard	LPN 43945	TNPAP evaluation. Probation for no less than 3 years to run concurrently with TNPAP contract. Practice only in TN during probation.
Crystal Nicole Mason	RN 140961	Revoked
Tracy A. Rehm McBrearty	RN 113728	License reprimanded
Vickie L. McNamee	RN 60124	Probation for no less than 3 years to run concurrently with TNPAP contract.
Michele Porceddu-Summers	LPN 52248	Suspended until TNPAP contract. Probation for the duration of TNPAP contract. If TNPAP determines no contract is necessary, probation for 3 years.
Terrie L. Gibson Potts	RN 70284	Probation for no less than 3 years to run concurrently with TNPAP contract.
Sheila D. Sanders	RN 58650	Revoked
Holly L. Seaton	LPN 42041	Voluntary surrender of license and multi-state privilege.
Michael Shelton	RN 83914	Probation for no less than 3 years to run concurrently with TNPAP contract.
Andrea M. Simonetti	RN 145027	Suspended pending TNPAP evaluation. Probation for no more than 3 years to run concurrently with TNPAP contract.
Leslie P. Stewart	RN 111614	Probation for no less than 3 years to run concurrently with TNPAP contract.
Somer N. White	RN 145568	Revoked
Amy Winsett	RN 133062	Probation for no less than 3 years to run concurrently with TNPAP contract.
April Wisdom	LPN 56867	Probation for no less than 3 years to run concurrently with TNPAP contract.

**Letter of Reprimand**

C. Thompson made the motion to accept the Letter of Reprimand as presented. Brennan seconded the motion. The motion carried.

Kristy Leann Holloway	RN 125285	Guilty of unprofessional conduct
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**License Denial Appeal**

Lewis W. Swarthout	Unlicensed	Mr. Swarthout was present pro se. Ms. S. Lexi Whittemore, Attorney, represented the State. Mr. Tom Stovall presided as
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Administrative Law Judge. Ms. Whittemore passed out Mr. Swarthout's petition for registered nurse licensure. Application Review Committee denied petitioner's application due to convictions. After discussion, Dubree made the motion to grant a registered nurse license with probation for one year after initiating a modified TNPAP contract, including workplace monitoring. Mr. Swarthout will be evaluated at the end of one year with his physical appearance before the Application Review Committee to request probation be lifted. Thompson seconded the motion. The motion carried.

### **Insufficient Funds**

C. Thompson made the motion to administratively revoke the following licenses until fees are paid. Brennan seconded the motion. The motion carried.

Jenny E. Atkins	LPN 65951	Administratively revoke until fees are paid
Marvin M. Brown	RN 53805	Administratively revoke until fees are paid
Joyce A. Miller	LPN 40518	Administratively revoke until fees are paid
Christinia Y. Smith	LPN 70179	Administratively revoke until fees are paid

Adjournment: 3:30 p.m.

The meeting of the Tennessee Board of Nursing adjourned at 3:30 p.m. on Thursday June 4, 2009.

These minutes were ratified by the Board of Nursing at the September 2, 2009, meeting.