

TENNESSEE BOARD OF NURSING
227 French Landing, Iris and Popular Rooms
Heritage Place, Metro Center
Nashville, TN 37243
December 3 & 4, 2008

MINUTES

Call to Order	Cheryl Stegbauer, Chairperson called the meeting to order at 8:40 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 Holiday, L.P.N. Betty Thompson, R.N.
Members Absent	Judy Messick, L.P.N. Marian Stewart, R.N. Carol Thompson, A.P.N.
Staff Present	Elizabeth Lund, Executive Director Martha Barr, Assoc. Executive Director Elizabeth Miller, Director of Health Related Boards Donna Fairchild, Nurse Consultant Joan Harper, Administrative Director Sheila Bush, Administrative Manager Wilma James, Deputy General Counsel Christopher Larkin, Assistant General Counsel Diona Layden, Assistant General Counsel Ernie Sykes, Assistant General Counsel Lexi Whittemore, Assistant General Counsel
Introduction of Staff	Elizabeth Lund introduced the staff.
Guests in the Audience	Stegbauer recognized and welcome Four

Rivers Practical Program from Ripley, TN and Union City, TN.

Conflict of Interest Policy

James, Deputy General Counsel, reviewed the Conflict of Interest and Confidentiality Policy.

Approval of Minutes

Roddy made a motion to approve the minutes as present. Holiday seconded the motion. The motion carried.

Nursing School Programs

King College

MSN Program

James presented to the Board a request from King College for reconsideration of the Board's decision to place the MSN program on conditional approval. Carolyn Robinson, Dean of Nursing, King College was present. After discussion, Roddy made the motion for the matter to be presented at the next scheduled business meeting to be held on February 18, 2009. Holiday seconded the motion. The motion carried.

Contested Case Hearings

Panel 1

Stegbauer, B. Thompson, Holliday, Harkey

Tiffany N. Peters

RN 139631

Ms. Peters was present but not represented by legal counsel. Ms. Lexie Whittemore represented the State. Mr. Tom Stovall was the Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. Ms. Peters is being charged with violating T. C. A. 63-7-115(a) (1) (G). After discussion, Harkey made the motion to find Ms. Peters guilty of the charges as amended. B. Thompson seconded the motion. The motion carried. Holliday made the motion to suspend Ms. Peters' license until she has signed a contract with TNPA

and she must appear before the Board at the March 25 & 26 2009 Board Meeting. Ms. Peters will also be assessed case costs. B. Thompson seconded the motion. The motion carried.

Sherri L. Reddix

RN 106582

Ms. Reddix was present but not represented by legal counsel. Mr. Christopher Larkin represented the State. Mr. Tom Stovall was the Administrative Law Judge. Mr. Larkin passed out the Notice of Charges. Ms. Reddix is being charged with violating T.C.A 63-7-115 (a) (1) (B), (C), (F) and (G). After discussion, B. Thompson made the motion to find Ms. Reddix guilty of the charges as amended. Harkey seconded the motion. The motion carried. B. Thompson made the motion to revoke Ms. Reddix's license and assess one (1) type A civil penalty in the amount of \$1000.00 and case costs not to exceed \$3000.00. Holliday seconded the motion. The motion carried.

Gina Elaine Smith

LPN 48072

Ms. Smith was present but not represent by legal counsel. Mr. Christopher Larkin represented the State. Mr. Tom Stovall was the Administrative Law Judge. Mr. Larkin passed out the Notice of Charges. Ms. Smith is being charged with violating T.C.A. 63-7-115 (a) (1) (B), (C), (D), (F) and (G) and Board Rule 1000-2-.13 (1) (c) and (v). After discussion, Holliday made the motion to find Ms. Smith guilty of the charges as amended. Harkey seconded the motion. The motion carried. Holliday made the motion to suspend Ms. Smith license until she has been evaluated by TNPAP and signed a TNPAP contract. Once TNPAP contract has been signed, Ms. Smith license will be placed on probation to run concurrent with the TNPAP contract. Ms. Smith will also be assessed three (3) type A civil penalties in the amount of \$1000.00 each for a total of \$3000.00, two (2) type C civil penalties in the amount of \$500.00 each for a total of

\$1000.00 and case costs. Ms. Smith multi-state privilege will be suspended until her probation is lifted. B. Thompson seconded the motion. The motion carried.

Consent Order

Patricia A. Goodwin RN 123986 Ms. Goodwin was not present nor represented by legal counsel. Ms. Wilma James represented the State. Ms. James passed out the Consent Order. Ms. Goodwin's license will be placed on probation to run concurrent with the Massachusetts Board of Registration in Nursing, Substance Abuse Rehabilitation Program's five (5) year contract. After discussion, Holliday made the motion to accept the Consent Order as presented. Harkey seconded the motion. The motion carried.

Licensure Denial Appeal

Sandra J. Matthews RN 47895 Ms. Matthews was presented but not represented by legal counsel. Ms. Wilma James represented the State. Mr. Tom Stovall was the Administrative Law Judge. Ms. James passed out the Notice of Hearing. Ms. Matthews is requesting reinstatement of her license which was revoked by the Board on July 12, 2006 for violating her previous Agreed Order. On July 31, 2008 Ms. Matthews appeared before the Application Review Committee to request the reinstatement of her nursing license. The Committee denied Ms. Matthews request due to lack of documentation showing two (2) years of sobriety and several relapses with TNPA. After discussion, Holliday made the motion to uphold the recommendation of the Committee to deny the reinstatement of Ms. Matthews' license. B. Thompson seconded the motion. The motion carried.

Contested Cases
Panel 2
Roddy, Brennan and Bowman

Baysa Goldstein	RN 112829	<p>Ms. Goldstein was present and represented by Mr. Garret Asher, Attorney. Mr. Ernie Sykes represented the State. Ms. Mary Collier was the Administrative Law Judge. Mr. Sykes passed out an Agreed Order of Dismissal. Ms. Goldstein was charged with violating her original Agreed Order. After discussion, Bowman made the motion to accept the Agreed Order of Dismissal as presented. Brennan seconded the motion. The motion carried. According to the original Agreed Order, Ms. Goldstein must appear before the Board to show proof that she has signed a contract with TNPAP, one (1) year of documented sobriety and to request lifting the suspension of her nursing license and placing the license on probation for no less than five (5) years to run concurrent with a TNPAP contract. Mr. Sykes informed the Board that he has received documentation from TNPAP stating that Ms. Goldstein has signed a five (5) year contract and submitted proof of one (1) year of documented sobriety. After discussion, Bowman made the motion to accept the documentation submitted and to place Ms. Goldstein license on probation for no less than five (5) years. Brennan seconded the motion. The motion carried.</p>
Lorianne T. Landguth	LPN 66656	<p>Ms. Landguth was present and represented by Mr. Joseph P Calandriello, Attorney. Mr. Sykes represented the State. Ms. Mary Collier was the Administrative Law Judge. Mr. Sykes passed out the Notice of Charges. Ms. Landguth is being charged with violating T.C.A. 63-7-115(a) (1)(A), (B), and (F). After discussion, Brennan made the motion to find Ms. Landguth guilty of the charges as amended. Bowman seconded the motion. The motion carried. Brennan made the motion to suspend Ms.</p>

Landguth's license until she has an evaluation with TNPAP. Once a TNPAP contract has been signed, Ms. Landguth license will be placed on probation to run concurrent with the TNPAP contract. Ms. Landguth will be assessed two (2) type A civil penalties in the amount of \$500.00 each and one (1) type A civil penalty in the amount of \$500.00, one (1) type A civil penalty in the amount of \$1000.00 and one (1) type B civil penalty in the amount of \$100.00 for a total of \$1,600.00 in civil penalties and case costs. Bowman seconded the motion. The motion carried.

Linda L. Matheson

RN 90750

Ms. Matheson was not present nor represented by legal counsel. Mr. Ernie Sykes represented the State. Ms. Mary Collier was the Administrative Law Judge. Mr. Sykes asked for a motion to precede in default. After discussion, Bowman made the motion to precede in default. Brennan seconded the motion. The motion carried. Ms. Sykes passed out the Notice of Charges. Ms. Matheson is being charged with violating T.C.A. 63-7-115 (a) (1)(A), (F) and Board Rule 1000-1-13(1) (j). After discussion, Bowman made the motion to find Ms. Matheson guilty of the charges as amended. Brennan seconded the motion. The motion carried. Bowman made the motion to revoke Ms. Matheson license and assess three (3) type A civil penalties in the amount of \$1000.00 each for a total of \$3000.00. Brennan seconded the motion. The motion carried.

Katherine S Persich

LPN 65156

Ms. Persich was not present nor represented by legal counsel. Mr. Ernie Sykes represented the State. Ms. Mary Collier was the Administrative Law Judge. Mr. Sykes passed out the Notice of Charges. Ms. Persich is being charged with violating T.C.A. 63-7-115 (a) (1)(G) and Board Rule 1000-2-.13(1). After discussion, Brennan made a motion to find

Ms. Persich guilty of the charges as amended. Bowman seconded the motion. The motion carried. Brennan made the motion to revoke Ms. Persich's license, assess two (2) type A civil penalties in the amount of \$500.00 for a total of \$1000.00 and case costs in addition to the cost associated with the previous Board Order. Bowman seconded the motion. The motion carried.

Shonna L Reed

RN 158998

Ms. Reed was present but not represented by legal counsel. Mr. Ernie Sykes represented the State. Ms. Mary Collier was the Administrative Law Judge. Mr. Sykes passed out the Notice of Charges. Ms. Reed is being charged with violating T.C.A. 63-7-115 (a) (1) (C) and (F) and Board Rule 1000-1-.13 (1)(b), (c), (d), (e), (u) and (w). After discussion, Brennan made the motion to find Ms. Reed guilty of the charges as amended. Bowman seconded the motion. The motion carried. Brennan made the motion to suspend Ms. Reed's license until she has signed a contract with TNPAP. Once the TNPAP contract has been signed, Ms. Reed's license will be placed on probation to run concurrent with the TNPAP contract. Ms. Reed will be assessed five (5) type A civil penalties in the amount of \$1000.00 each for a total of \$5000.00, assessed costs and her multi-state privilege is revoked. Bowman seconded the motion. The motion carried.

Agreed/Consent Orders

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

Tracy Flanary

LPN 66249

Letter of Reprimand and assessed case costs.

Cindy Knight

RN 115026

Suspended until TNPAP contract has been

Donna McIntyre	LPN 16569	signed. Once the TNPAP contract has been signed, Ms. Knight's license will be placed on probation to run concurrent with the TNPAP contract and the multi-state privilege has been revoked. Assessed costs. Ms. McIntyre license and multi-state privilege will be suspended until TNPAP contract has been signed. Once the TNPAP contract has been signed, Ms. McIntyre's license and multi-state privilege will be placed on probation to run concurrent with the TNPAP contract.
Meredith York	RN 137218	Suspended until TNPAP contract has been signed. Once the TNPAP contract has been signed, Ms. York's license will be placed on probation to run concurrent with the TNPAP contract. Ms. York's multi-state privilege has been revoked until her license is placed on probation. Assessed cost.
Christine D. Ackley William Robert Delfs	RN 131573 RN 122243	Revoked and assessed case costs. Mr. Delfs' license shall not be renewed/reinstated until he submits to a TNPAP evaluation. Mr. Delfs must come to Application Review Committee to request reinstatement and provide proof of his evaluation from TNPAP. Assessed costs.
Maureen Green	RN 113360	Suspended until TNPAP evaluation. If a TNPAP contract is required, Ms. Green's license will be placed on probation to run concurrent with the TNPAP contract but for no less than three (3) years. If a contract is not required, Ms. Green's license will be placed on probation for one (1) year.
Cassandra Griffin	RN 135411	License and multi-state privilege revoked. Assessed costs.
Jennie James	RN 52451	Suspended until TNPAP evaluation. Once the TNPAP contract has been signed, Ms. James' license will be placed on probation to run concurrent with the TNPAP contract for no less than three (3) years. Ms. James can only practice in Tennessee. Assessed costs.
Mona Brittain Langley	LPN 57120	Suspended until TNPAP evaluation. Once the TNPAP contract has been signed, Ms. Langley's license will be placed on

		probation to run concurrent with the TNPAP contract for no less than three (3) years. Assessed \$2000.00 in civil penalties and case costs.
Bonnie Jean Lewallen	LPN 55637	Suspended until TNPAP evaluation. Once the TNPAP contract has been signed, Ms. Lewallen's license will be placed on probation to run concurrent with the TNPAP contract but no less than three (3) years. Assessed costs.
Monica C. Phillips	RN 83404	Suspended until TNPAP evaluation. Once the TNPAP contract has been signed, Ms. Phillips' license will be placed on probation to run concurrent with the TNPAP contract but no less than three (3) years. Ms. Phillips can only practice in Tennessee.
Janet Leah Rhodes	LPN 64981	License and multi-state privilege revoked. Assessed costs.
Betina R. Saunders	RN 119935	Suspended until TNPAP evaluation. Once the TNPAP contract has been signed, Ms. Saunders' license will be placed on probation to run concurrent with the TNPAP contract but no less than three (3) years. Ms. Saunders can only practice in Tennessee and has been assessed costs.
Susan W. Skidmore	RN 140370	License and multi-state privilege voluntarily surrendered. Assessed costs.
Stephanie Snowberger	LPN 51924	License and multi-state privilege revoked. Assessed cost.
Marcus R. Williams	LPN 60279	License and multi-state privilege revoked. Assessed costs.
Christina Wilson	RN 142171	Ms. Wilson has thirty (30) days from the effective date of the Consent Order to have a TNPAP evaluation. If Ms. Wilson fails to undergo the TNPAP evaluation within the thirty (30) days, her license will be suspended. Once a TNPAP contract has been signed, Ms. Wilson's license will be placed on probation to run concurrent with the TNPAP contract. If a TNPAP contract is not required, Ms. Wilson's license will be on probation for one (1) year.

Screening Panels

Bowman made a motion to accept the Screening Panels Orders as presented. Brennan seconded the motion. The motion carried.

Sarah P Davis	RN 126433	License and multi-state privilege revoked.
Janet M. Dotson	RN 136693	License and multi-state privilege revoked.
Deborah Kay Lovvorn	RN 50244	License and multi-state privilege revoked.
Joshua A. Poche	APN 12840 RN 142150	License and multi-state privilege on probation to run concurrent with the TNPAP contract but for no less than one (1) year.
Mary Ann Spain	APN 5243	License and multi-state privilege revoked.
Harriett Olivia Todd	LPN 50324	License and multi-state privilege revoked.
Jana Wheeler	APN 7913 RN 123920	Ms. Wheeler's license will be placed on probation. Ms. Wheeler must undergo a TNPAP evaluation within thirty (30) days of the effective date of the Amended Consent Order. If a TNPAP contract is signed, Ms. Wheeler's license will remain on probation for the duration of the TNPAP contract. If a TNPAP contract is not required, Ms. Wheeler's license will be unencumbered.
Debra Marie Wohrley (Owen)	LPN 35470	Probation for no less than three (3) years to run concurrent with TNPAP contract

Insufficient Funds

Brennan made the motion to administratively revoke the following licensees for insufficient funds and to take the expiration date back to the previous renewal date. Bowman seconded the motion. The motion carried.

Kizzie A. Anderson	Unlicensed	
Justin J. Laymance	LPN 57782	06/30/2008
Ima A. Ndon	LPN 59124	08/31/2008
Barbara K. Simmons	LPN 33573	08/31/2008
Tamara L. Stephens	LPN 41284	06/30/2008
Regina Wilson	Unlicensed	

Board Meeting adjourned at 4:45 p.m.

December 4, 2008

Contested Cases

Panel 1

Stegbauer, B. Thompson, Holliday, Harkey

Teresa A. Alexander	LPN 26875	Ms. Alexander was present and represented by Ms. Brandi Snow. Mr. Christopher Larkin represented the State. Ms. Ann Johnson was the Administrative Law Judge. Mr. Larkin passed out the Notice of Charges. Ms. Alexander is being charged with violating T. C.A. 63-7-115 (a)(1) (F) and (G). After discussion, Holliday made the motion to find Ms. Alexander guilty of the charges as amended. Harkey seconded the motion. The motion carried. Holliday made the motion place Ms. Alexander on probation with a TNPAP evaluation within 30 days. After the evaluation Ms. Alexander license will be placed on probation to run concurrent with the TNPAP contract or if a TNPAP contract is not required the license will be placed on probation for one (1) year. Ms. Alexander was assessed three (3) type B civil penalties in the amount of \$750.00 each for a total of \$2250.00 and cases cost not to exceed \$1000.00. B. Thompson seconded the motion. The motion carried.
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Panel 2

Roddy, Brennan, Bowman

Debra D. Kleven	APN 6707 RN 92604	Ms. Kleven was not present nor represented by legal counsel. Ms. Lexie Whittemore represented the State. Ms. Mary Collier was the Administrative Law Judge. Ms. Whittemore asked the Board for a motion to preceede in default. After discussion, Bowman made the motion to preceede in default. Brennan seconded the motion. The motion carried. Ms. Whittemore passed out the Notice of
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Charges. Ms. Kleven is being charged with violating T. C. A. 63-7-115 (a) (1) (C), (F) and (G) and Board Rule 1000-1-.13 (1)(g), (h) and (w). After discussion, Brennan made the motion to find Ms. Kleven guilty of the charges as amended. Bowman seconded the motion. The motion carried. Brennan made the motion to revoke Ms. Kleven's APN and RN license, assess five (5) type A civil penalties in the amount of \$1000.00 each for a total of \$5000.00 and case costs. Bowman seconded the motion. The motion carried.

Linda M. Masters

RN 105594

Ms. Masters was present but not represented by legal counsel. Ms. Lexie Whittemore represented the State. Ms. Mary Collier was the Administrative Law Judge. Ms. Whittemore passed out the Notice of Charges. Ms. Masters is being charged with violating T. C. A. 63-7-115 (a)(1), (C), (F) and (G) and Board Rule 1000-1-.13 (1)(e), (g) and (w). After discussion, Brennan made the motion to find Ms. Masters guilty of the charges as amended. Bowman seconded the motion. The motion carried. Brennan made a motion to place Ms. Masters' license on probation to run concurrent with the TNPAP contract for five years and case costs. Bowman seconded the motion. The motion carried.

Screening Panels Orders

Brennan made the motion to accept the Screening Panels Orders as presented. Bowman seconded the motion. The motion carried.

Angel Lee Crites

LPN 60854

Suspended until TNPAP evaluation. Once a TNPAP contract has been signed, Ms. Crites license will be placed on probation no less than three (3) years to run concurrent with the TNPAP contract. Ms. Crites can only practice in Tennessee and has been assessed costs.

Bari Renee Gray RN 108801 Probation for no less than two (2) years to
run concurrent with TNPAP contract

Consent Order

Lissa L. Staples RN 141766 Ms. Staples was not present nor
represented by legal counsel. Ms. James
represented the State. Ms. James passed out
the Consent Order. After review, Bowman
made the motion to accept the Consent
Order as presented. Brennan seconded the
motion. The motion carried. Ms. Staples'
license was revoked.

The Board meeting adjourned at 1:30 p.m.

Ratified at the February 18, 2009 Board Meeting.