

Nevada State Board of **NURSING**

BOARD MEETING MINUTES May 21-23, 2014

The Meeting of the Nevada State Board of Nursing was called to order by President Tish Smyer, DNSc, RN, at 8:30 a.m. on May 21, 2014 at the Hilton Garden Inn, 7830 S. Las Vegas Blvd, Las Vegas, NV 89123

MEMBERS PRESENT

Tish Smyer, DNSc, RN, President
Rick Carrauthers, LPN, Vice-President
Jay Tan, DNP, RN, APRN, Secretary
Mary-Ann Brown, MSN, RN, Member
Jennifer Snidow, CNA, Member

MEMBERS ABSENT

Sandy Halley, Consumer Member

OTHERS PRESENT

Debra Scott, MSN, RN, FRE, Executive Director
Chris Sansom, MSN, RN, Director of Operations
Fred Olmstead, General Counsel
Gail Trujillo, Executive Assistant
Dean Estes, Director of IT and Finance
Sophia Long, Deputy Attorney General, Board Counsel
Kathleen Edwards, MS, RN, Compliance Coordinator (5/21-5/22)
Roseann Colosimo, PhD, RN, Education Consultant (5/21-5/22)
Patty Shutt, LPN, Site Operations Supervisor (5/21)
Jeannette Calderon, Management Assistant (5/21-5/22)
Anthony Sipes, Receptionist (5/21)

CALL TO ORDER – 8:30 a.m.

PUBLIC COMMENT:

- Diana Andrei spoke during public comment informing the Board that she would like to work as a volunteer nurse but does not qualify for a license because she does not have a social security number.
- T. Smyer congratulated the Nevada State Board of Nursing for receiving the 2014 National Council of State Boards of Nursing's Regulatory Achievement Award.
- Dr. Carpenter informed the Board that the Nevada Career Institute received its candidacy letter from the Accreditation Commission for Education in Nursing (ACEN).
- D. Scott complimented the Board on its deliberation and decision making processes.
- D. Scott informed the Board that National Council of State Boards of Nursing (NCSBN) has decided to waive its fee for the use of eNotify.

APPROVAL OF CONSENT AGENDA: It was moved and seconded to approve the consent agenda identified as items: A.1., A.2.a., C.1.-3., C.6.-7., D.1.l.,n., & r., D.2.a.-ee., D.3.a.-d., D.7.a.-b., F.1.a.-c. MOTION CARRIED. Items removed: D.7.c., D.8.a. & b.

ACTION

A. BOARD GOVERNANCE AND ADMINISTRATION

1. Approval of Board meeting minutes: March 26-27, 2014: Approved under the Consent Agenda.
2. Conference and seminar report: Approved under the Consent Agenda.
 - o Christie Daliposon: The Exceptional Assistant, Reno, NV
3. Progress report on FY13/14 goals and objectives: T. Smyer led the discussion and the Board reviewed the most recent progress related to the achievement of Board goals and objectives.
4. Review statistics and trends: Board members reviewed information regarding statistics and trends in scope of practice inquiries, licensure, certification, discipline and investigations, and compliance.
5. Review, discussion and action regarding quarterly financial statements: D. Estes presented the progress of the FY13/14 financial report, answering questions from the Board members. It was moved and seconded the Board approve the quarterly financial statement as proposed. MOTION CARRIED.

ACTION

6. Review, discussion and action regarding recommendations to the NCSBN Delegate Assembly: The Board reviewed the summary of recommendations and will continue the discussion during its July Business meeting.
7. Review, discussion and action regarding appointment of delegates and alternate delegates to the NCSBN Delegate Assembly: It was moved and seconded the Board appoint Debra Scott and Rick Carrauthers as delegates and Jay Tan and Roseann Colosimo as alternate delegates. MOTION CARRIED.

ACTION

8. Review, discussion and action regarding the Nevada Prescription Drug Coalition: F. Olmstead presented a review of the Nevada Prescription Drug Coalition meeting he attended and proposed actions NSBN should consider in order to address prescription drug abuse in Nevada. It was moved and seconded the Board direct staff to develop regulations and policies in accordance with the Nevada Prescription Drug Coalition. MOTION CARRIED.

ACTION

9. Review, discussion and action regarding budget approval for FY 14/15: It was moved and seconded the Board approve the FY14/15 Budget as proposed. MOTION CARRIED.

ACTION

B. LICENSURE PROGRAMS – No business

C. CERTIFICATION PROGRAMS

1. Ratification of West Career and Technical Academy Nursing Assistant Training Program biannual site survey: Approved under the Consent Agenda.
2. Ratification of East Career and Technical Academy Nursing Assistant Training Program biannual site survey: Approved under the Consent Agenda.
3. Ratification of Sierra Nevada Job Corps Nursing Assistant Training Program biannual site survey: Approved under the Consent Agenda.
4. Review, discussion and action regarding Medicine Cup initial application for a Nursing Assistant Training Program: R. Colosimo explained that Faye Patton, an unlicensed LPN, presented the initial application to NSBN's CNA Advisory Committee. The committee was initially concerned that the cost of the program was not clearly stated, and had

overall concerns with the number of programs hours and the course syllabus, which has since been revised. Facility administrator Barbara Wiggins and program instructor Michelle Kenyon were present to answer Board member questions. R. Colosimo informed the Board that she arranged a meeting to clarify the responsibilities of a program coordinator and to discuss the course objectives; however, the nurse that attended the meeting stated that she will be an instructor for the program, not the program coordinator. R. Colosimo also explained that although the course objectives have been revised they still need improvement. Medicine Cup has an academic administrator agreement with Desert Rose High School. Board staff was also notified that Medicine Cup Nursing Assistant Training Program has not applied for a license by the Commission on Post Secondary Education. Board members expressed concern that the name of the program may be misleading to students, because the CNA scope of practice does not include medications. It was moved and seconded the Board deny Medicine Cup initial application for a Nursing Assistant Training Program. MOTION CARRIED.

ACTION

5. Review, discussion and action regarding Southeast Career and Technical Academy application for a Nursing Assistant Training Program: Southeast Career and Technical Academy (SECTA) did not meet program renewal requirements because they did not teach a course within the previous 12 months. The Career and Technical Academy high schools are transitioning from teaching junior year students to senior year students. SECTA is the first program to complete this transition. The application is the same as previously approved by the Board and both nursing assistant instructors previously taught for the program. It was moved and seconded the Board approve Southeast Career and Technical Academy application for a Nursing Assistant Training Program. MOTION CARRIED.

ACTION

6. Ratification of Battle Mountain High School Nursing Assistant Training Program biannual site survey: Approved under the Consent Agenda.
7. Ratification of Great Basin College Nursing Assistant Training Program biannual site survey: Approved under the Consent Agenda.

D. DISCIPLINE PROGRAMS

1. Applications (initial and renewal in question)
 - a. Fusinski, Elisabeth, RN applicant: Applicant was present. It was moved and seconded the Board accept the applications for completion of a RN refresher program and permanent licensure, and the Agreement for Probation for violation of NRS 632.320 (1)(b) criminal conviction, (1)(e) controlled substances and/or alcohol and (1)(m) action in another state. MOTION CARRIED.
 - b. Gertz, Connie, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
 - c. Opalewski, Joy, RN applicant: Applicant was not present. It was moved and seconded the Board deny the application for licensure for violation of NRS 632.320 (1)(b) criminal conviction, (1)(e) controlled substances and/or alcohol, (1)(m) action in another state and that the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
 - d. Romero, Lucrecia, CNA applicant: Applicant was not present. It was moved and seconded the Board deny the application for certification for violation of NRS 632.320 (1)(b) criminal conviction and that the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

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- e. Stroup, Dawn, RN applicant: Applicant was present. It was moved and seconded the Board deny the application for licensure for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(m) action in another state and that the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- f. Plaza, Nicole, RN applicant: Applicant was present with counsel. It was moved and seconded the Board accept the application for licensure and order a three year practice probation for violation of NRS 632.320 (1)(b) criminal conviction, (1)(m) action in another state and that the disciplinary action become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- g. Davis, Markisha, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
- ACTION
- h. Wilkins, Anthony, CNA025253: Applicant was present. It was moved and seconded the Board deny the renewal application for violation of NRS 632.320 (1)(b) criminal conviction. It was further ordered that should the applicant reapply he must be evaluated by the Professional Evaluation Group and return to the Board for final disposition and that the disciplinary action become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- i. Johnson, Ashley, LPN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- ACTION
- j. Popovich, Sandra, RN applicant: Applicant was accepted. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- ACTION
- k. Bjerneberg, Diana, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- l. Aquino, Joe Anson, CNA023947: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, NAC 632.890 (26) violation of state/federal nursing law/regulation and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.
- ACTION
- m. McKinley, Amanda CNA014538: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. In addition, should the applicant reapply for certification within the next thirty (30) days and the application has no material changes and the applicant completes Board approved courses on legal ethics in nursing and the National Council of State Boards of Nursing Nevada Nurse Practice Act, Board staff may clear the application for processing. MOTION CARRIED.
- n. Petralia, Tracy, CNA003056: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, NAC 632.890 (26) violation of state/federal nursing law/regulation and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.
- o. Messer, Sharon, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure and the Agreement for

- ACTION Monitoring for violation of NRS 632.320 (1)(b) criminal conviction, (1)(e) controlled substances and/or alcohol and (1)(m) action in another state. MOTION CARRIED.
- ACTION p. Ortega, Felix, LPN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- ACTION q. Johnson, Valentino, CNA024185, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure, order a fine of \$200 and probation for four years with all substance use disorder stipulations for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. It was further ordered the disciplinary action become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION r. Cagle, Gerald, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- ACTION s. Berroyer, Sharmaine, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED. R. Tan recused himself.
- ACTION t. Cary, Michael, CNA014386: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction and that the disciplinary action become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION u. Robinson, Regina, CNA022039: Applicant was present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction and that the disciplinary action become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION v. Washburn, Amber, CNA025063: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, NAC 632.890 (26) violation of state/federal nursing law/regulation and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.
- ACTION w. Cotten, Jodi, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
- ACTION x. Wright, Jennifer, RN applicant: Applicant was present with counsel. It was moved and seconded the Board accept the application pending an evaluation by the Professional Evaluations Group and following all recommendations. MOTION CARRIED.
- ACTION y. Springer, Melissa, RN applicant: Applicant was present with counsel. It was moved and seconded the Board accept the application for licensure and order monitoring for five years with all substance use disorder stipulations for violation of NRS 632.320 (1)(b) criminal conviction. MOTION CARRIED. R. Tan recused himself.
- ACTION z. Barcher, Michael, RN applicant: Applicant was present. It was moved and seconded the Board deny the application for licensure for violation of NRS 632.320 (1)(b) criminal conviction, (1)(e) controlled substances and/or alcohol, (1)(m) action in another state and that the disciplinary action become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- aa. Armstead, Ula, RN applicant: Applicant was present with counsel. It was moved and seconded the Board accept the application for licensure and order monitoring for one year with abstinence and urine drug screens only for violation of NRS 632.320 (1)(b) criminal conviction. MOTION CARRIED.

2. Settlement agreements

- a. Cabural, Roger, LPN applicant: Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction. Accepted under the Consent Agenda.
- b. Cadaval, Stacey, RN45040, APRN001073: Agreement for Reprimand and classes for violation of NRS 632.320 (1)(n) deceive, defraud or endanger a patient or the general public. Accepted under the Consent Agenda.
- c. Christ, Emily, CNA030880: Agreement for Reprimand, Fine of \$250 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active certificate. Accepted under the Consent Agenda.
- d. Clare, Patrick, RN70996: Contract for Temporary Voluntary Surrender of License for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct and NAC 632.890 (18) diversion of equipment or drugs. Accepted under the Consent Agenda.
- e. Gild, Patricia, RN72124: Agreement for Fine of \$700 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
- f. Gray, Avauna, CNA028455: Agreement for Reprimand and classes for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (12) privacy violation and (42) professional boundaries. Accepted under the Consent Agenda.
- g. Iclodean, Carmen, RN61435: Agreement for Monitoring for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct and NAC 632.890 (9) impaired practice. Accepted under the Consent Agenda.
- h. Farr, Windy, CNA004984: Voluntary Surrender of Certificate in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (9) impaired practice. Accepted under the Consent Agenda.
- i. Figer, Agustin, RN55214: Agreement for Reprimand, classes and Fine of \$500 for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (35) misappropriating property of a patient. Accepted under the Consent Agenda.
- j. Houston, Terrance, CNA020270: Consent Agreement for Fine of \$200 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
- k. Magallanes, Anthony, LPN15410: Agreement for Fine of \$300 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
- l. Marshall, Patricia, RN29451: Agreement for Fine of \$300 for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
- m. Removed
- n. McConville, III, Donald, RN77502: Contract for Temporary Voluntary Surrender of License for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct and NAC 632.890 (11) positive drug screen as condition of employment. Accepted under the Consent Agenda.
- o. Painter, David, RN75623: Agreement for Reprimand for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (16) failing to properly document

- controlled substances and (27) customary standards of nursing practice. Accepted under the Consent Agenda.
- p. Parker, Doreen, RN76312: Agreement for Reprimand for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (16) failing to properly document controlled substances and (27) customary standards of practice. Accepted under the Consent Agenda.
 - q. Rodriguez, Kimberley, RN43237: Agreement for Reprimand and classes for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (20) inaccurate recording, falsifying and (27) customary standards of practice. Accepted under the Consent Agenda.
 - r. Saene-Valdez, Ruth, CNA020079: Agreement for Reprimand, Fine of \$50 and classes for violation of NRS 632.320 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. Accepted under the Consent Agenda.
 - s. Shapiro, Suzanne, RN69772: Agreement for Reprimand and Fine of \$1,200 for violation of NRS 632. 320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
 - t. Tomaras, Koren, RN applicant: Agreement for Fine of \$600 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
 - u. Villegas, Brenda, CNA010795: Agreement for Fine of \$100 and class for violation of NRS 632. 320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active certificate. Accepted under the Consent Agenda.
 - v. Wegner, Winnie, RN72254: Agreement for Fine of \$300 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
 - w. Calungsud, Karen Jane, RN applicant: Agreement for Reprimand for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice. Accepted under the Consent Agenda.
 - x. Ourada, Kathryn, RN25389: Agreement for Suspension and Probation for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, NAC 632.890 (10) positive drug screen on duty and (27) customary standards of practice. Accepted under the Consent Agenda.
 - y. Hollen, Jacob, RN applicant: Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction. Accepted under the Consent Agenda.
 - z. Peraza, Michael, RN65391: Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction. Accepted under the Consent Agenda.
 - aa. Yost, Emily, RN applicant: Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction. Accepted under the Consent Agenda.
 - bb. Gentry, Sherrell, CNA applicant: Agreement for Probation for violation of NRS 632.320 (1)(b) criminal conviction. Accepted under the Consent Agenda.
 - cc. Wallace, Jr., Antony, LPN applicant: Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal convictions. Accepted under the Consent Agenda.
 - dd. Lowry, Lane, RN58223: Agreement for Probation for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (27) customary standards of practice and (39) pattern of conduct demonstrates failure to protect public. Accepted under the Consent Agenda.
 - ee. Stephenson, Debra, CNA016385: Agreement for Reprimand, Fine of \$50 and classes for violation of NRS 632.320 (1)(g) unprofessional conduct, NRS 632.415

unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. Accepted under the Consent Agenda.

- ff. Holler, Tamara, CNA022647: Agreement for Monitoring for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol. Accepted under the Consent Agenda.

3. Successful completion of probation

- a. McCarthy, Kathryn, RN64620: Termination of monitoring approved under the Consent Agenda.
- b. De Vault, Terry, RN21427: Termination of monitoring approved under the Consent Agenda.
- c. McGrogan, Angelique, RN75447: Termination of probation approved under the Consent Agenda.
- d. Miller, Melanie, RN49493: Termination of monitoring approved under the Consent Agenda.

4. Reinstatement of licensure/certification

- a. Hart, Brickly, RN18434: Applicant was not present. It was moved and seconded the Board accept the reinstatement application for licensure and the Agreement for Probation for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice. MOTION CARRIED.

ACTION

5. Formal administrative hearings

- a. Adedotun, Oluyemisi, RN71322, APRN001368: Respondent was not present. It was moved and seconded the Board accept the Agreement for Fine of \$400 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. MOTION CARRIED.
- b. Alvarez, Lindsey, RN76659: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(a) fraudulent application and (1)(m) action in another state. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for two years and until all requirements of the Washington Board of Nursing have been completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- c. Armstrong, Debra, LPN09791: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(b) criminal conviction. It was moved and seconded the Board order practice probation for two years, and that the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- d. Bailey, Kayla, RN75805: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(o) failing to comply with Board order. It was moved and seconded the Board order probation for three years with all substance use disorder stipulations and that the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

ACTION

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ACTION

- e. Bell-Johnson, Tinika, CNA025108: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active certificate. It was moved and seconded the Board order a fine of \$100 and that she take and successfully complete the National Council of State Boards of Nursing Nevada Nurse Practice Act course within ninety days or the certificate is automatically suspended without further proceedings. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- f. Bonnell, Heidi, RN69769: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(o) failing to comply with Board order. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for two years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- g. Buntin, Nicole, RN70068: Respondent was present. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(o) violation of Board order. It was moved and seconded the Board order probation for five years, and that the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. Pursuant to NRS 622.400, the Board charged the respondent with the actual attorney fees and costs of the hearing which are due and payable within one hundred twenty days from issuance of the actual costs. MOTION CARRIED.

ACTION

- h. Ele, Alexander, RN47392: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(b) criminal conviction. It was moved and seconded the respondent be reprimanded, fined \$250, and that the respondent complete Board approved courses on handling difficult patients, anger management, domestic violence and the National Council of State Boards of Nursing Nevada Nurse Practice Act within ninety days or the license is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- i. Ewell, Julie, RN26594: Respondent was not present. It was moved and seconded the Board accept the Agreement for Probation for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (42) professional boundaries. MOTION CARRIED.

ACTION

- j. Fleming, Una, RN29838: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next meeting in Las Vegas currently scheduled in September 2014. MOTION CARRIED.

ACTION

- k. Fraser, Maria, LPN13022: Respondent was not present. It was moved and seconded the Board close the complaint. MOTION CARRIED.

ACTION

- l. Gooch, Grace, RN74789: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next meeting in Las Vegas currently scheduled in September 2014. MOTION CARRIED.

ACTION

m. Henry, Maria, LPN14426: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. It was moved and seconded the respondent be reprimanded, fined \$200, and that she take and successfully complete a Board approved legal ethics in nursing course, the National Council of State Boards of Nursing Nevada Nurse Practice Act course and a 4 CE bioterrorism course to be completed within thirty days or the license is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED. R. Tan recused himself.

ACTION

n. Jackson, Siska, RN68417: Respondent was present with counsel. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(b) criminal conviction and (1)(m) action in another state. It was moved and seconded the respondent be reprimanded, fined \$250, that the respondent complete Board approved courses on legal ethics in nursing and the National Council of State Boards of Nursing Nevada Nurse Practice Act within ninety days or the license is automatically suspended without further proceedings until all requirements are completed. It was further moved and seconded the respondent take and successfully pass a Board approved English language proficiency examination or the license is automatically suspended without further proceedings until the exam is passed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

o. King, Jodi, LPN12118: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(o) failing to comply with Board order. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for two years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

p. Lago, Emerson, LPN13226: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. It was moved and seconded the respondent be reprimanded, fined \$250, and that the respondent complete Board approved courses on legal ethics in nursing and the National Council of State Boards of Nursing Nevada Nurse Practice Act within ninety days or the license is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

q. McGowan, Tami, RN66482: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next meeting in Las Vegas currently scheduled in September 2014. MOTION CARRIED.

ACTION

r. Montecillo, Marc, RN38275: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the

respondent guilty of violating NRS 632.320 (1)(b) criminal conviction. It was moved and seconded the Board reprimand the respondent and order practice probation for three years to include counseling. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- s. Mothershead, Sara, RN59861: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(k) falsified information to obtain controlled substances, (1)(g) unprofessional conduct and NAC 632.890 (21) obtain, possess, furnish prescription drugs without authorization. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for one year. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- t. Quicho, Perpetua, RN21220: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (24) failing to collaborate with health care team and (27) customary standards of practice. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- u. Urbina, Gerardo, CNA015584: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (29) sexual contact with patient or client and (33) abuse of a patient. It was moved and seconded the Board revoke the respondent's certificate. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- v. Vaughn, Bobbie, RN12439: Respondent was present with counsel. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct and NAC 632.785 duties of coordinator of approved program as stipulated on the record. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for a period of three years and until the respondent submits documentation to the Board that all finances are reimbursed to all parties. In addition, prior to application for reinstatement respondent must complete Board approved courses on legal ethics in nursing, the National Council of State Boards of Nursing Nevada Nurse Practice Act and the Train the Trainer course. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- w. Zamir, Maya, RN71301: Respondent was present with counsel. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. It was moved and seconded the Board close the complaint. MOTION CARRIED.

ACTION

- x. DeFranza, Janice, RN19434: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the

respondent guilty of violating NRS 632.320 (1)(b) criminal conviction. It was moved and seconded the respondent be reprimanded, fined \$250, and that the respondent complete Board approved courses on handling difficult patients, domestic violence and the National Council of State Boards of Nursing Nevada Nurse Practice Act within ninety days or the license is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

y. Prima, Jannine, RN55460: Respondent was present. It was moved and seconded the Board accept the Voluntary Surrender of license for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction, (1)(g) unprofessional conduct, NAC 632.890 (18) diversion of equipment or drugs and that the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

z. Morasco, James, RN74242: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next meeting in Las Vegas currently scheduled in September 2014. MOTION CARRIED.

ACTION

6. Board-directed investigations - No business

7. Ratification of staff denials – NRS 632.320 (1)(a) fraudulent application

a. Johnson, Vernon, RN applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of the application for licensure for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction, (1)(m) action in another state and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.

b. Ramirez, Herlinda, RN applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of the application for licensure for violation of NRS 632.320 (1)(a) fraudulent application, (1)(m) action in another state and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.

c. Lott, Shanikqua, CNA applicant: Applicant was present to appeal the staff denial. It was moved and seconded the Board ratify the staff denial of the application for certification for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. In addition, should the applicant reapply for certification within the next thirty (30) days and the application has no material changes and the applicant completes Board approved courses on legal ethics in nursing, and the National Council of State Boards of Nursing Nevada Nurse Practice Act, Board staff may clear the application for processing. MOTION CARRIED.

ACTION

8. Ratification of staff denials – NRS 632.320 (1)(b) convictions

a. Adrion, Barbara, CNA applicant: Applicant was present to appeal the staff denial. It was moved and seconded the Board overturn the staff denial and accept the application for certification and order Monitoring for two years with all substance

ACTION use disorder stipulations for violation of NRS 632.320 (1)(b) criminal convictions and (1)(e) controlled substances and/or alcohol. MOTION CARRIED.

- b. Zambrano, Miguel, CNA applicant: Applicant was present. It was moved and seconded the Board ratify the staff denial of the application for certification for violation of NRS 632.320 (1)(b) criminal conviction and (1)(m) action in another state and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

9. Special Action

- a. Watkins, Gwendolyn, LPN13255: Respondent was present. It was moved and seconded the Board grant reconsideration. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (28) causing harm to a patient or family of a patient and (34) neglecting a patient. It was moved and seconded the respondent's license be revoked. Respondent may not apply for reinstatement for four years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- b. Mackey, Sana, LPN15306: Respondent was represented by counsel. It was moved and seconded the Board grant reconsideration and stay the previous disciplinary action. MOTION CARRIED.

ACTION

E. EDUCATION

1. Review and discussion regarding the NCLEX first time pass rates year-to-date for CY2014: R. Colosimo informed the Board that Nevada's fully approved programs are doing well. She added that there continues to be a concern with Breckinridge School of Nursing at ITT who has an aggregate NCLEX first time pass rate of 54% since the program's inception. She also explained that Everest College has obtained accreditation from the Accreditation Commission on Education in Nursing (ACEN) and their NCLEX pass rate is currently at 75%. Kaplan College RN program has improved during the second quarter and currently has an 86% pass rate. R. Colosimo also informed the Board that, Nevada Career Institute only had 4 students test in the second quarter and they are struggling with a 66% pass rate.
2. Review, discussion and action regarding Breckinridge School of Nursing at ITT Technical Institute compliance with Nevada regulations during the "teach out" of program and resources available for students after closure: Campus President Kirk Borkowski, Program Director Cheryl Ratliff and Counsel John Cotton presented the April report. C. Ratliff informed the Board that there are 11 students remaining in the program and only 7 of those students are meeting the standards. She explained that the students enrolled in the Capstone course must still take unit exams and if they do not meet the standards they will be required to repeat the course. She added that these students would not be able to repeat the course at this campus because the "teach out" must be completed by June 7th. The Board noted on the monthly report that only 2 students are meeting HESI standards. R. Colosimo also explained that a total of 171 students were admitted into the program and further clarified that 58 of those students have taken NCLEX with only 31 of those students passing the NCLEX. Board staff requested that the current students be provided with contact information and a list of resources available to them prior to the end of the "teach out". Counsel J. Cotton informed the Board that they will generate a notice to send to their students and will also send a copy to Board staff. The final "teach

out” report will be discussed at the July Board meeting. It was moved and seconded the Board accept Breckinridge School of Nursing at ITT’s report, continue approval of the “teach out” and order Breckinridge School of Nursing at ITT to send a list of resources to its students. MOTION CARRIED. T. Smyer and J. Tan recused.

ACTION

3. Review, discussion and action regarding Kaplan College, ADN program staff survey: Campus President Lisia Moore, Interim Program Director Lilly Gonzales and Assistant Director Ramon Amezcua introduced the new RN Program Director Cherrie Evans. R. Colosimo clarified that C. Evans meets Nevada regulations as program administrator and she has ACEN accreditation experience. R. Colosimo presented the Board with the site survey report and explained that Dr. Margaret Louis, an independent consultant, accompanied her on this survey. Both surveyors were impressed with the improvement of faculty involvement in the curriculum and systematic evaluations. R. Colosimo expressed concern of excessive testing and analysis not being integrated into the program evaluation. In addition, books have not been arriving on time, which is an issue that was addressed during the March 2013 survey. R. Carrauthers added that he was pleased with Kaplan College for voluntarily halting admissions to improve the program and concentrate on its current students. L. Gonzales explained that she will continue to work on curriculum with the faculty. It was moved and seconded the Board accept Kaplan College, ADN program staff survey. MOTION CARRIED.

ACTION

4. Review, discussion and action regarding Chamberlain College application for a baccalaureate nursing program: Western Conference Consultant Dr. Jan DeMasters, Senior Director of Accreditation and Professional Regulation Dr. Ruth Waibel and Dr. Judith Hightower presented the executive summary of the application to establish a baccalaureate nursing program for Chamberlin College in Las Vegas, Nevada. R. Colosimo added that she has reviewed Dr. Hightower’s curriculum vitae and she meets Nevada regulations as nursing program administrator. She informed the Board that the Education Advisory Committee was supportive of the application because the 13 other Chamberlin campuses were performing well, they have regional institution accreditation and they have CCNE accreditation. Tuition for program is \$87,000 with books. M. Brown questioned how they will acquire qualified instructors and J. DeMasters replied that their human resources department will actively recruit and Chamberlain offers benefits, including \$50,000 towards faculty’s Doctor of Nursing Practice degrees. Chamberlain also has a participatory curriculum, mentorship programs and faculty have the option of teaching online which may help entice faculty. R. Waibel shared the history of Chamberlain College and their philosophy on “Chamberlain Care”. J. Hightower stated that specialty clinicals is an issue in many states and she has experience with alternative sites and non-traditional clinical placements, including placements on weekends and evenings and in non-acute settings. Chamberlain does not have facility established but will request a site survey once they do. It was moved and seconded the Board accept Chamberlain application for a baccalaureate nursing program and grant candidacy for provisional approval. MOTION CARRIED.

ACTION

5. Review, discussion and action regarding Touro University request for change in admission criteria: Director Diane Elmore presented the change in admission criteria. The program has changed from utilizing Assessment Technologies Institute (ATI) products to Health Education Systems, Inc. (HESI); therefore, they are requesting to change their admission test to HESI with the standard passing score of 75%. The admission criteria will also change for students with previous baccalaureate degrees because pre-requisite classes including science courses will be accepted and, if lacking, the state constitution

course will need to be taken at CSN or Great Basin College. D. Elmore expressed gratitude for the Board's decision to cap admissions at 24 students per cohort making it easier to focus on the small groups of students. R. Colosimo informed the Board that a site survey will be conducted before the September Board meeting. It was moved and seconded the Board accept the Touro University change in admission criteria. MOTION CARRIED.

ACTION

6. Review, discussion and action regarding Nevada State College program staff survey: Interim Dean Shirlee Snyder introduced the new Dean for NSC's nursing program, Neal Rosenburg. Dr. Rosenburg shared his ideas about the importance of diversity and global nursing opportunities. R. Colosimo explained that the NSC 2013 Program Review Report was provided prior to the site survey which helped her prepare for the survey. NSC consistently has a NCLEX first time pass rate above 80%. R. Colosimo explained that NSC has the only part-time program in the state, one of a few in country, and they have an accelerated and regular track. In addition, a contract is in place with CSN and TMCC for students to accumulate pre-requisites for the BSN program at NSC. The Board was extremely pleased to have them on the agenda and congratulated NSC for running such successful programs. R. Colosimo thanked Dr. Snyder for all she has done for the nursing education community; she wished her well in her retirement and welcomed Dr. Rosenburg. It was moved and seconded the Board accept NSC staff survey and continue program approval. MOTION CARRIED.

ACTION

7. Review, discussion and action regarding College of Southern Nevada program staff survey: Director Deborah Ain and LPN Program Director Barbara Krauss were present to answer questions. R. Colosimo presented the site survey report. She congratulated CSN for a wonderful nursing program. CSN currently has one of the largest RN programs in the state, a LPN program, the only active refresher program, a successful CNA program and the train the trainer program. In addition, CSN took the lead in developing a military medic to LPN program which is projected to start in spring of 2015. Both the RN and LPN NCLEX first time pass rates are consistently above 80%. CSN maintains their ACEN programmatic accreditation. The Board congratulated CSN on its successful programs. It was moved and seconded the Board accept the staff site survey and continue program approval. MOTION CARRIED.

ACTION

8. Review and discussion regarding the six month reports for provisionally approved nursing programs: R. Colosimo reviewed the six month reports with the Board. She explained that Nevada Career Institute has received official notice that its ACEN candidacy status has been granted and at this time their NCLEX pass rates need improvement. Kaplan College has submitted its application for ACEN candidacy but will not get a response until June 2014. Everest College has obtained its ACEN programmatic accreditation but also need to improve their NCLEX first time pass rate to achieve full Board approval. Breckinridge School of Nursing at ITT is currently under a "teach out" which will be completed by June 7, 2014.
9. Review, discussion and action regarding appointment to the Education Advisory Committee: It was moved and seconded the Board appoint Mary Ann Lambert RN05318 and Wendy Merchant RN34748 to the Education Advisory Committee. MOTION CARRIED.

ACTION

F. NURSING PRACTICE:

1. Applications in question regarding NRS 632.307

- a. Martin, Julie, RN53554: Applicant was not present. It was moved and seconded the Board accept the renewal application for licensure and issue a license with limitations pursuant to NRS 632.307. Accepted under the Consent Agenda.
- b. Ercolin, Stephanie, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure and issue a license with limitations pursuant to NRS 632.307. Accepted under the Consent Agenda.
- c. Largent, Krystal, CNA applicant: Applicant was not present. It was moved and seconded the Board accept the application for certification and issue a certificate with limitations pursuant to NRS 632.307. Accepted under the Consent Agenda.

G. REPORTS FROM EXTERNAL STAKEHOLDERS

1. Review and discussion of the Nevada Donor Network introduction to NSBN: Leslie Baron, Galyn Schoenstein and Louis Jackson appeared to share information about the Nevada Donor Network. They informed the Board that the Nevada Donor Network is a member of the United Network for Organ and Tissues Donors. They provide many services including onsite donor evaluations and aftercare for families. L. Jackson will work closely with Board staff to develop an informative article about the Nevada Donor Network to be published in the NSBN News Magazine. The Board thanked them for providing their services to Nevada's citizens.

PUBLIC COMMENT: There were no public comments at the end of the meeting.

ADJOURNMENT

The meeting adjourned at 10:29 a.m. on Friday, May 23, 2014.