



Arkansas State Board of Nursing

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BOARD MEETING MINUTES

TIME AND PLACE: April 10, 2019
Board Conference Room

MEMBERS PRESENT: Ramonda Housh, MNSc, APRN, CNP, C-PNP; Lance Lindow, RN; Kaci Bohn, PhD, Consumer Representative; Janice Ivers, MSN, RN, CNE; Michael Burdine, RN; Neldia Dycus, BS, MHSM, MHRD, RN; Jasper Fultz, LPN; Melanie Garner, LPN, CLC; Yolanda Green, LPN; Stacie Hipp, APRN; Pamela Leal, RN, Representative of the Older Population; Renee Mihalko-Corbitt, DNP, APRN, ACNS-BC; Rachel Sims, BSN, RN;

MEMBERS ABSENT: NONE

STAFF ATTENDING AT VARIOUS TIMES: Sue A. Tedford, Executive Director, MNSc, APRN
William F. Knight, General Counsel, JD
Mary Trentham, Attorney Specialist, JD, MNSc, MBA, APRN
Lisa Wooten, Assistant Director, MPH, BSN, RN
Karen McCumpsey, Assistant Director MNSc, RN, CNE
Tonya Gierke, Assistant Director, JD, BSN, RN
Debra Garrett, Program Coordinator, DNP, APRN
Tammy Vaughn, Program Coordinator, MSN, RN, CNE
Deborah Rodgers, Program Coordinator, MSN, RN
Brandon Grimes, Chief Investigator
Susan Lester, Executive Assistant to the Director
Albert Williams, Information Systems Coordinator
Leslie Suggs, Legal Support Specialist

President Ramonda Housh called the meeting to order at 8:30 a.m. Guests were welcomed and a flexible agenda was approved.

DISCIPLINARY HEARINGS

General Counsel, Fred Knight represented the Board. Motions reflect the decisions of the Board reached in deliberation following the hearing of each case.

TARA NICOLE GLOVER, LPN LICENSE NO. L052396

Respondent was not present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, provided testimony on behalf of the Board. Respondent is licensed as a licensed practical nurse and holds license number L052396. On or about November 16, 2018, Board staff received a complaint from Washington Regional Medical Center (WRMC), East Springdale Family Clinic, Springdale, Arkansas, stating Respondent's employment with WRMC had been terminated on October 24, 2018, for Identity Fraud and forging a physician's signature. Respondent was hired by WRMC on July 30, 2018, and on October 22, 2018, the facility was notified that a warrant for Respondent's arrest had been issued for Identity Theft. Respondent forged a letter and signature of Dr. Matthew Totten, MD, on a Motion to Quash that was presented by Respondent in her Identity Theft case where she failed to appear for a court hearing. The forged document stated Respondent was a patient of Dr. Totten's and that she was involved in a motor vehicle accident on May 26, 2018. The document stated Respondent was admitted to WRMC and had multiple surgeries. On October 24, 2018, Patient S.N. contacted WRMC to notify them that Best Egg Personal Loan Company, a lending company, had

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called and told her that the Respondent was trying to take a loan out in S.N.'s name, was using her social security number, and using her date of birth. On or about October 9, 2018, Patient D.G. notified Kristi Spruell, WRMC, that Best Egg Lending of Delaware had contacted her to verify that she had applied for a personal loan. The loan applicant's name was Tara Glover. Patient D.G. and Respondent have the same last name. The Madison County Sheriff's Office was notified. Eddie Boyd, WRMC, IS, Security Manager, confirmed that Respondent accessed the records of Patient S.N. and D.G. Respondent also has an Affidavit of Probable Cause to Obtain a Warrant for her arrest for two (2) Class "C" felonies for Financial Identity Fraud in Benton County, Arkansas. Brian Morgan, Respondent's former boyfriend, has notified Siloam Springs, Arkansas, Police Department that Respondent has fraudulently obtained two (2) credit cards in his and her names. The Bank of America card has a balance of \$5,143.00 and a Capital One (Bank USA) has a balance of \$11,589.00. Respondent was arrested on March 3, 2017, for some of the above charges, and her arraignment was set for April 10, 2017, in Division II of the Circuit Court of Benton, County, Arkansas. Respondent has repeatedly failed to appear at any of her hearings. Staff have attempted to contact the Respondent.

MOTION: I MOVE that the Arkansas State Board of Nursing summarily suspend the license of **Tara Nicole Glover, Arkansas Licensed Practical Nurse License #L052396**. The Board declares an emergency and states Respondent is a threat to the health, safety and welfare of the citizens of Arkansas.

Brought by Lance Lindow and seconded by Melanie Garner.

PASSED

ZACK CALEB JENKINS, RN LICENSE NO. R082685 (EXPIRED), LPN LICENSE NO. L047071 (EXPIRED)

Respondent was not present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and Licensed Practical Nurse and holds License Nos. R082685 (expired) and L047071 (expired). On or about March 20, 2018, the Arkansas State Police reported that the Respondent had been charged with numerous felony narcotics violations in Crossett, Arkansas. On or about August 6, 2018, in the Circuit Court of Ashley County, Arkansas, 3rd Division, Tenth Judicial District, Respondent entered into a negotiated plea of guilty to Possession of a Controlled Substance – Schedule II (not methamphetamine or cocaine), a Class "C" felony; Possession of a Controlled Substance – Schedule IV, V <28g, a Class "A" misdemeanor, and Possession of a Controlled Substance – Schedule VI <4oz, a Class "A" misdemeanor. Respondent was sentenced to 24 months in the Arkansas Department of Community Correction. These crimes are a bar to nursing under Ark. Code Ann. § 17-87-312(e)(32). Staff have attempted to contact the Respondent and work with him.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **ZACK CALEB JENKINS, RN LICENSE NO. R082685 (expired) and LPN License No. L047071 (expired)**, pleaded guilty or nolo contendere to, or has been found guilty of a crime making them ineligible to hold a nursing license as cited in Arkansas Code Annotated §17-87-312 and §17-87-309(a)(2) and (a)(6), and that the Board revoke Respondent's nursing license(s) and/or privilege to practice nursing.

Brought by Yolanda Green and seconded by Michael Burdine.

PASSED

KENNETH WAYNE RICHARDS, RN LICENSE NO. R080986 (EXPIRED)

Respondent was not present for the proceedings before the Board and was not represented by counsel. Brandon H. Grimes, Chief Investigator, provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and holds License No. R080986 (expired). On or about November 16, 2017, the Arkansas State Police notified Board staff that the Respondent had been arrested and charged with numerous felony violations involving sexual contact with minors. On or about November 21, 2017, Board staff contacted the Respondent by certified mail and requested that he respond to the allegations

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and consider voluntarily surrendering his RN license until the matter was resolved. On December 8, 2017, Respondent responded to the Board and stated that he had received the Board's letter; that he had been retired since 2003; that he had health issues; and verified his arrest for felony offenses. On or about January 15, 2019, in the Circuit Court of Miller County, Arkansas, 1st Division, Eighth South Judicial District, the Respondent plead guilty to Sexual Assault 4th Degree, a Class "D" felony; six (6) counts of Sexual Assault 2nd Degree, a Class "B" felony; two (2) counts of Sexual Indecency with a Child, a Class "B" felony; and Sexual Assault 4th Degree, a Class "A" misdemeanor. Respondent was sentence to 432 month (36 years) in the Arkansas Department of Community Correction. Respondent's plea to the above charges is a bar to the practice of nursing in Arkansas..

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **KENNETH WAYNE RICHARDS, RN LICENSE NO. R080986 (expired)**, pleaded guilty or nolo contendere to, or has been found guilty of a crime making them ineligible to hold a nursing license as cited in Arkansas Code Annotated §17-87-312 and §17-87-309(a)(2) and (a)(6), and that the Board revoke Respondent's nursing license(s) and/or privilege to practice nursing.

Brought by Jasper Fultz and seconded by Pamela Leal.

PASSED

Mary Trentham, the Board's attorney, presented consent agreements that had been entered into since the last meeting. Following discussion of each individual agreement, the following motion was passed:

MOTION: I MOVE that the Arkansas State Board of Nursing ratify the following Consent Agreements:

- Bell, Zanneckia Shunnessa L., L050587(expired)** (Dierks, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(7), (a)(8), and (a)(9)
Probation – 2 years
Courses – LPN Refresher Course and Pharmacology Course
- Edgemon, Debra Denise Coyne, R070652** (Barling, AR)
Violation – Terms and Conditions of Probation
Probation – 2 ½ years
Course – Substance Use Disorder and Addiction
- Franks, Franklin Delano R., L056932 (expired)** (Searcy, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(2)
Probation – 1 year
Course – The Nurse and Professional Behaviors
- Friedland, Aubyn Wooldridge, RN Applicant, L059342** (Mt. Home, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(2)
Probation – 1 year
- Gregory, Amy Leanne Broadwater Canard, R085012(expired), L044427(expired)** (Colt, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(8)
Probation – 3 years
Courses – Documentation for Nurses, and Sharpening Critical Thinking Skills
- Hart, Stephanie Jean Andrews Griffin Andrews, R069792(expired)** (Ward, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(4), (a)(6), (a)(7) and (a)(8)
Probation – 3 years
Courses – The Nurse and Professional Behaviors, Documentation for Nurses, and Sharpening Critical Thinking Skills
Civil Penalty - \$750.00

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- Inskeep, Donna Lynn Rose, L035337** (Midway, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)
Probation – 1 year
Course – Sharpening Critical Thinking Skills
Civil Penalty - \$750.00
- Jones, Sarah Jean, L057365** (Sherwood, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)
Probation – 2 years
Courses – Documentation for Nurses, and Sharpening Critical Thinking Skills
Civil Penalty - \$2,250.00
- Jones, Susan Malone Pride Toubeau Connell, R092311** (Berryville, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(2), (a)(4), and (a)(6)
Probation – 1 ½ years
Courses – Sharpening Critical Thinking Skills and Ethics of Nursing Practice
Civil Penalty - \$750.00
- Lilly, Amanda Carol Lilly Nosler Criss Brown Winders Lilly Nosler Parkman, R032882** (Austin, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(9), and Terms and Conditions of Probation
Probation – 4 years
- Neagles, Amanda Christine Gray, R072944** (Russellville, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)
Probation – 1 year
Course – Sharpening Critical Thinking Skills
- Reddell, Jeanna Sue, L056010** (Atkins, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)
Probation – 1 year
Course – Sharpening Critical Thinking Skills
Civil Penalty - \$750.00
- Robinson, Kiara Andrea, L059843** (Elaine, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)
Probation – 2 years
Courses – Documentation for Nurses and Sharpening Critical Thinking Skills
Civil Penalty - \$2,500.00
- Tatum, Theresa Lee, R088152, L048401(expired)** (Jonesboro, AR)
Violation – Terms and Conditions of Probation
Probation – 1 year
- Thornton, Melanie Breanne, R107677(expired), L051276(expired)** (Hensley, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(4) and (a)(8)
Probation – 1 year
- Trout, Annabelle Marissa, RN Endorsement** (Fayetteville, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6) and (a)(7)
Probation – 2 years
Courses – The Arkansas Nurse Practice Act, Documentation for Nurses, Medication Errors, and Sharpening Critical Thinking Skills
- Watson, Amy Jo Hudson Adams, L039425(expired)** (Brookland, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(2) and (a)(4)
Probation – 2 years
- West, Stevi Renee, L051441(expired)** (Ola, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(8)
Probation – 4 years
- Wofford, Larry Steve, LPN Applicant** (Melbourne, AR)
Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(2)
Probation – 1 year

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Brought by Kaci Bohn and seconded by Janice Ivers.

PASSED

After discussion, the following Motion was presented to the Board:

MOTION: I MOVE that the Arkansas State Board of Nursing approve the Board Meeting Minutes from the February 13, 2019 and February 14, 2019 Board Meetings.

Brought by Kaci Bohn and seconded by Janice Ivers.

PASSED

Board members who attended NCSBN APRN Round table and Midyear meetings informed the Board of the topics discussed.

The meeting recessed for lunch at 11:40 a.m. Following lunch, the Board resumed hearings.

Vice President Lance Lindow called the meeting to order at 1:00 p.m. A flexible agenda was approved.

ELIZABETH DIANE RICKEY, R095629 (expired), LPN LICENSE NO. L046060 (expired)

Respondent was not present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and Licensed Practical Nurse and holds License Nos. R095629 (expired) and L046060 (expired). On or about June 22, 2017, Respondent self-reported to Board staff that she had been taking friend's controlled substances. Respondent also reported that in the last few weeks she had diverted waste medication from work. Respondent reported she was taking morphine and acknowledged that she had been confronted at work by her charge nurse. On June 18, 2017, NEA Baptist Memorial Hospital, Jonesboro, Arkansas, began an investigation of Respondent's practice after she exhibited unusual behaviors while at work and the discovery of several vials of morphine in her medication cart. Respondent's June 18, 2017 for cause urine drug screen was positive for morphine and hydromorphone and the test results were GC/MS confirmed. Respondent resigned her position with NEA Baptist on June 21, 2017, in lieu of termination. Staff have been in contact with the Respondent and have attempted to work with her.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **ELIZABETH DIANE RICKEY, R095629 (expired), LPN LICENSE NO. L046060 (expired)**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(4) and (a)(6) and that Respondent's license and privilege to practice as a nurse be suspended two (2) years, to be followed by probation for three (3) years, with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent must pay a civil penalty of \$3,750.00 plus any outstanding balance associated with previous disciplinary action.
- Respondent shall immediately notify the Board in writing of any change, even a temporary one, in name or address.
- Respondent shall attend AA/NA, or other Board approved treatment program/support group meetings and shall submit quarterly reports to the Board. Respondent shall provide acceptable evidence of attendance. Acceptable evidence shall consist of completion of the disciplinary form, *Aftercare Meetings Report*. Respondent shall attend at least three (3) AA/NA or other Board approved support group meetings a week during the period of supervision or follow the evaluator's recommendations if the evaluator's recommendations are greater.
- Respondent shall submit to observed, random drug screens. The observed drug screens shall meet the criteria established by the Board and be conducted through a Board-approved drug screen monitoring program, laboratory, and collection site. Respondent shall contact a Board-approved drug screen-monitoring program within five (5) business days of receipt of

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this Order. Respondent shall not submit specimens at Respondent's place of employment or practice site. Respondent shall not collect any drug screen ordered by the Board of Nursing. Respondent shall contact the drug screening company daily. If selected for testing, Respondent shall present for a drug screen the same day of the notification and shall have two (2) hours to submit a specimen. Dilute specimens will be considered an attempt to alter test results.

- Respondent shall abstain at all times from the use of controlled or abuse potential substances, including alcohol and products that contain alcohol. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Short-term treatment may be allowed for an acute illness or acute condition. Short-term treatment is a course of treatment that is limited in duration. Respondent shall notify board staff in writing immediately of any acute illness or condition treated with abuse potential substances. Respondent shall ensure that the prescribing practitioner submits a written report to Board staff within ten (10) days of prescribing a controlled or abuse potential substance.
- Respondent shall provide evidence of successful completion of a continuing education course approved by the Board staff in the following: *The Nurse and Professional Behaviors and Substance Abuse*.
- Respondent shall request license reinstatement in a registered letter to the Board once compliance with the Board's Order is met.
- Respondent shall submit a personal report to accompany required data to the Board on a quarterly basis.
- Respondent shall ensure that all required reports are submitted to the Board on a quarterly basis.
- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's Order.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this Order may result in additional disciplinary action on the Respondent's licensure and /or privilege, including but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.
- A probation period of three (3) years shall follow the suspension period. All conditions of the suspension period regarding treatment programs, random drug screens, and abstinence shall continue through the probation period.
- While on probation, if working as a nurse Respondent shall notify each employer of the Board's Order and shall practice under an employer monitored nurse contract. The employer shall submit to the Board a copy of the employer-monitored nurse contract and quarterly Performance Evaluation Reports.
- Respondent shall work under direct supervision in any setting. Direct supervision requires another nurse to be working in the same setting as Respondent and readily available to provide assistance and intervention.
- Respondent shall not be employed in critical care, hospice or home health settings.
- Respondent shall not work outside the State of Arkansas in another compact licensure state.
- Respondent shall request verification of termination of the probationary period in a registered letter to the Board.

Ramonda Housh has recused herself from this case.
Brought by Jasper Fultz and seconded by Pamela Leal.
PASSED

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Mary Trentham, the Board's attorney, presented the following consent agreement and after discussion, the following motion was passed:

MOTION: I MOVE that the Arkansas State Board of Nursing ratify the following Consent Agreement:

Waldrup, James Derrick, L049993

(Warren, AR)

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(9), and Terms and Conditions of Probation

Probation- 1 year

Brought by Kaci Bohn and seconded by Janice Ivers

PASSED.

After discussions with the Board, the following Motions were passed:

MOTION: I MOVE that the Arkansas State Board of Nursing rescind Motion #8 from the February 14, 2019 Board meeting regarding the Arkansas Nurses Alternative Program (ArNAP).

Brought by Kaci Bohn and seconded by Janice Ivers.

PASSED.

MOTION: I MOVE that the Arkansas State of Nursing approve the following non-testing days during drug screening monitoring: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve and Christmas Day.

Brought by Melanie Garner and seconded by Lance Lindow.

PASSED.

MOTION: I MOVE that the Arkansas State of Nursing approve the attached, marked list of Evaluators, and that attached, marked list of Treatment Providers for participants of ArNAP to use for their evaluations and treatment.

Brought by Kaci Bohn and seconded by Janice Ivers.

PASSED.

Tonya Gierke, Assistant Director, updated the Board of participants currently in the ArNAP program.

Sue Tedford, Executive Director, updated the Board with the following Legislative Items:

- Act 447 – Require mandatory electronic prescribing for Schedule II-VI
- Act 687 – Immunity of Expert Witness
- Act 626 – FBI Rap Back
- SB564 – Licensure Active Duty (to Governor)
 - May engage in occupation if hold equivalent license
 - Applies to agencies who didn't adopt Rules
- Act 308
 - Add podiatrist to collaborating physician
 - APRN must be employed by podiatrist
- HB1252 – Anesthesiologist Assistant (sent to interim study)
- HB1255 – System of Endorsement, Recognition & Reciprocity (Passed House – In Senate)
 - Grants 90 day TP
- Act 593 – Full Schedule II
 - Opioid for 5 days or less
 - Stimulant – initial script by MD and continues for same purpose
- Act 309 – Remove duplicative language regarding prescriptive abilities
 - Combines APRN, optometrist and PA prescribing language

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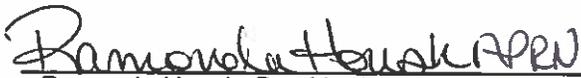
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- Act 250 – Keep Arkansans Working
 - Stops licensure suspension or revocation for nonpayment of student loans
- Act 426 – Expedited temporary and provisional licenses
 - Provides for a 90 day temporary permit
- Act 319 – Expedited rule making
 - Agencies can group rule making activities
- Act 600 – Sunrise/sunset
 - Review of each agency every 6 years by Legislative Council
- HB1552 – DACA for nursing licensure (to Governor)
- HB1763 - Transformation (In Senate)

After Board discussion, the following Motion was presented:

I MOVE that the Arkansas State Board of Nursing go into Executive Session to discuss the annual personnel evaluation of Arkansas State Board of Nursing Executive Director, Sue Tedford. Brought by Lance Lindow and seconded by Melanie Garner.
PASSED.

There being no further business, the meeting adjourned at 4:09 pm.



Ramonda Housh, President



Leslie Suggs, Recording Secretary

5/9/19

Date Approved