



Arkansas State Board of Nursing

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BOARD MEETING MINUTES

TIME AND PLACE: February 14, 2018
Board Conference Room

MEMBERS PRESENT: Ramonda Housh, MNSc, APRN, CNP, C-PNP; Yolanda Green, LPN; Haley Strunk, LPN, Rachel Sims, BSN, RN; Neldia Dycus, BS, MHSM, MHRD, RN; Stacie Hipp, APRN; Pamela Leal, RN, Representative of the Older Population; Michael Burdine, RN; Renee Mihalko-Corbitt, DNP, APRN, ACNS-BC; Melanie Garner, LPN, CLC; Janice Ivers, MSN, RN, CNE; Kaci Bohn, PhD, Consumer Representative; Lance Lindow, 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
Deborah Jones, Assistant Director, MNSc, RN
Karen McCumpsey, Assistant Director MNSc, RN, CNE
Debra Garrett, Program Coordinator, DNP, APRN
Tammy Claussen, Program Coordinator, MSN, RN, CNE
Susan Lester, Executive Assistant to the Director
Albert Williams, Information Systems Coordinator
Jim Potter, Regulatory Chief Investigator
Stephanie Johnsen, Legal Support Specialist

President Ramonda Housh called the meeting to order at 8:39 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.

PAMELA MAE FOWLER BLOCKER, RN LICENSE NO. R040792

Respondent was not present for the proceedings before the Board and was not represented by counsel. Penny Summers, RN, Pharmacy Services and Lisa Wooten, MNSc, RN, provided testimony on behalf of the Board. Respondent is the holder of Arkansas RN License No. R040792. Respondent was terminated about July 27, 2016, from Arkansas Department of Health, Yell County, Dardanelle Health Unit, Dardanelle, Arkansas, when she refused a for-cause drug screen. Respondent admitted to her supervisor she had taken controlled substances (alprazolam and soma) that she did not have prescriptions for in her name. Respondent was observed staggering, being inattentive, and having slurred speech. On or about July 1, 2016, Respondent received a written warning after being observed dozing at work, wasting time, sleeping during orientation and training sessions, and not being able to stay awake in group and individual settings. Respondent related in a written statement to an investigator for Pharmacy Services, Arkansas Department of Health, Little Rock, Arkansas, that she has taken Suboxone for pain management. Respondent wrote that she was unaware that a nurse may not practice while on

Suboxone, Respondent received three Butrans 5mcg/hr prescriptions totaling twelve (12) patches, last filled October 2015; four (4) Suboxone 8mg/2mg prescriptions totaling 96 tablets, last filled April 15, 2016; five (5) hydrocodone/APAP prescriptions for a total of 960 tablets, last filled on April 20, 2016; fourteen Lyrica prescriptions for a total of 384 tablets, last filled on July 31, 2015, eighteen oxycodone/APAP prescriptions for a total of 1620 tablets, last filled on September 16, 2016; and nineteen (19) prescriptions of tramadol for a total of 1,640 tablets, last filled June 10, 2016. Respondent has prior discipline with the Board. In a formal hearing before the Board Respondent was placed on one (1) year probation August 1999. That action was cleared in August 2000.

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 **PAMELA MAE FOWLER BLOCKER, RN LICENSE NO. R040792** , has been charged with a violation of Ark. Code Ann. §17-87-309(a)(4), (a)(6) and (a)(9) and that Respondent's license and privilege to practice as a nurse be suspended two (2) years to be followed by three (3) years probation with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent must pay a civil penalty of \$4,100.00 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 provide a safe to practice statement within six (6) months of reinstatement. Acceptable evidence shall consist of an in-depth psychological/addiction evaluation with appropriate testing by a practitioner, who meets the Board approved criteria and specializes in addiction disorders. Respondent shall ensure the practitioner sends the report directly to the Board. Respondent shall supply a copy of the Board's Order to the evaluator. The evaluation shall contain evidence that the evaluator knows the reason for the referral. The evaluator shall specifically advise the Board that the nurse is or is not presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice could occur. Respondent shall execute any release necessary to give the Board access to records, including but not limited to medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.
- 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 obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner and shall submit the practitioner's progress report every three (3) months until discharged by the practitioner. Treatment shall begin within thirty (30) days of receipt of this order.
- 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 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: *Substance Abuse, and The Nurse and Professional Behaviors*.
- 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.

Brought by Yolanda Green and seconded by Melanie Garner.

PASSED

After discussion regarding Respondent Lucy Margaret Carney Joyner McCool, L033547 (expired); the following motion was presented by Fred Knight, General Counsel, JD:

MOTION: I MOVE that the Arkansas State Board of Nursing rescind the Board Order dated October 12, 2017, including the six thousand dollar (\$6,000.00) Civil Penalty that was imposed upon Lucy Margaret Carney Joyner McCool, LPN License No. L033547 (expired).

Brought by Yolanda Green and seconded by Melanie Garner.

PASSED

Fred Knight, General Counsel, JD, the Board's attorney, presented a consent agreement 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 Agreement:

McCool, Lucy Margaret Carney Joyner, L033547(expired) (Bentonville, AR)
Violation – ACA § 17-87-309(a)(2), (a)(4) and (a)(6)
Probation – 3 years
Courses – The Nurse and Professional Behaviors, Anger Management, and Prescription Drug Abuse: Scope, Prevention, and Management Considerations for Nurses.
Brought by Yolanda Green and seconded by Melanie Garner.
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:

Belknap, Jeremy Cole, RN Applicant (Little Rock, AR)
Violation – ACA § 17-87-309(a)(4)
Probation – 1 year

Boudra-Edwards, Rebecca Irene Holliday Edwards Nixon Boudra, R095594(expired) and L031989(expired) (Little Rock, AR)
Violation – ACA § 17-87-309(a)(2), (a)(4), (a)(6), (a)(8) and (a)(9)
Probation – 5 years
Course – The Nurse and Professional Behaviors

Krause, Lisa Marie, R097046 (Lonoke, AR)
Violation – Terms and Conditions
Probation – 2 years
Courses – Documentation for Nurses and The Arkansas Nurse Practice Act
Civil Penalty - \$1,000.00

Lilly, Amanda Carol Lilly Nosler Criss Brown Winders Lilly Nosler Parkman, R032882 (Ward, AR)
Violation – ACA § 17-87-309(a)(4) and (a)(6)
Probation – 4 years
Courses – Documentation for Nurses, Prescription Drug Abuse: Scope, Prevention, and Management Considerations for Nurses, and Sharpening Critical Thinking Skills
Civil Penalty - \$5,400.00

Nutter, Floyd Thomas, R077503 (Rison, AR)
Violation – ACA § 17-87-309(a)(1), (a)(2) and (a)(6)
Probation – 1 year
Courses – Arkansas Nurse Practice Act, and Sharpening Critical Thinking Skills

Quin, Todd Christian, R082913 (Little Rock, AR)
Violation – Terms and Conditions
Probation – 2 years

Ray, Melissa Lynn, R040209(expired) (Benton, AR)
Violation – ACA § 17-87-309(a)(6) and (a)(7)
Probation – 1 year
Course – The Nurse and Professional Behaviors

Ward, Nathan Dwayne, R067098 (Barling, AR)
Violation – Terms and Conditions
Suspension – 3 months to be followed by
Probation – 2 years

Webb, Gina Idelle Moltz, RN Applicant (White Hall, AR)
Violation – ACA § 17-87-309(a)(2)
Probation – 1 year

Williams, Theresa Michelle Harris, L042127 (expired) (Rogers, AR)
Violation – Terms and Conditions
Suspension – 4 months to be followed by
Probation – 3 years
Courses – The Nurse and Professional Behaviors, Documentation for Nurses, and Medication Administration

Brought by Yolanda Green and seconded by Melanie Garner.

PASSED

Darla Erickson, the Board's Administrative Services Manager, provided the Board members with the preliminary 2018 Control Self-Assessment, the following motion was passed:

MOTION: I move that the Arkansas State Board of Nursing approve the preliminary 2018 Control Self-Assessment scheduled to be submitted in March 2018 for the Arkansas State Board of Nursing to the Department of Finance and Administration – Office of Accounting – Internal Audit Section. The final 2018 Control-Self Assessment shall be reviewed by the board in the regularly scheduled business meetings in May 2018.

Brought by Yolanda Green and seconded by Melanie Garner.

PASSED

Sue Tedford, Executive Director, MNSc, APRN, brought the following motion:

MOTION: I MOVE that the Arkansas State Board of Nursing approve the Board Meeting Minutes from the January 10, 2018 and January 11, 2018 meetings.

Brought by Kaci Bohn and seconded by Michael Burdine.

PASSED

The following items were brought by Sue Tedford, Executive Director, MNSc, APRN:

- Discussed update with ARNA that operations are running smooth with no issues. ARNA has also updated 6 of the 8 modules. The ASBN Staff are currently reviewing the updates.
- A copy of the grant ASBN awarded to ACN was provided to the Board members for review.

Sue Tedford, Executive Director, MNSc, APRN, brought the following motion:

MOTION: I MOVE that the Arkansas State Board of Nursing approve the attached changes to the Rules:

- Chapter 2 – Section VIII C (1), (3), and (4)
- Chapter 2 – Section VIII D (1), (2), (3), (4), (5), and (6)
- Chapter 3 – Section II C (2)
- Chapter 3 – Section II D (1), (4), (5), and (6)
- Chapter 4 – Section III G (3)
- Chapter 4 – Section III I (1), (4), and (5)
- Chapter 4 – Section III J (1), (2), (3), (4), (5), (6), and (7)

Brought by Kaci Bohn and seconded by Michael Burdine.

PASSED

Debbie Jones, Assistant Director, RN, MNsc, brought the following motion:

MOTION: I MOVE that the Board approve the addition of diphenhydramine, buprenorphine and PETH test to the drug screen panels for monitoring participants in the ASBN drug monitoring program.

Brought by Kaci Bohn and seconded by Michael Burdine.
PASSED

The meeting recessed for lunch at 11:38 p.m. Following lunch, the Board resumed hearings.

President Ramonda Housh called the meeting to order at 1:23 p.m. A flexible agenda was approved.

MICHELLE LYNN SEXTON HARRIS, RN LICENSE NO. R067853 (EXPIRED) and LPN LICENSE NO. L033592 (EXPIRED)

Respondent was not present for the proceedings before the Board and was not represented by counsel. Jim Potter, Chief Investigator, provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and Licensed Practical Nurse and holds License numbers R067853 (expired) and L033592 (expired). On or about January 30, 2017, the Board received a complaint from the Department of Veterans Affairs, Gainesville, Florida. The complaint included documents from Columbia County, Florida, showing that Respondent had pled guilty to obtaining controlled substance by fraud, a felony. Documents obtained from the Clerk of Courts for Columbia County, Florida, established that on November 14, 2016, Respondent entered a plea of guilty to Obtain Controlled Substance by Fraud or Forgery, Florida Offense statute 893.17(7)(a)(9), a level three (3) felony. Respondent was placed on probation for three (3) years and ordered to pay \$2,118.00 in fines and court cost. On February 8, 2017, the Board received notification from the state of Florida, Department of Health, that Florida, on January 12, 2017 initiated a Summary or Emergency Suspension of Respondent's Florida Registered Nurse (RN) license. The Florida suspension is for an indefinite period of time. Respondent's administrative records from Florida established that she had diverted Dilaudid and oxycodone on one or more occasions for her personal use while employed with Veterans Affairs Medical Center. Staff have repeatedly attempted to contact the Respondent and work with her. Respondent's guilty plea in Florida is a violation of Ark. Code Ann. §17-87-309(a)(2), (a)(6) and (a)(7) and is a bar to the practice of nursing in Arkansas under Ark. Code Ann. § 17-87-312 (e)(28).

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 **MICHELLE LYNN SEXTON HARRIS, RN LICENSE NO. R067853 (EXPIRED) and LPN LICENSE NO. L033592 (EXPIRED)**, has been charged with a violation of Ark. Code Ann. §17-87-312 and §17-87-309(a)(2), (a)(6), and (a)(7) and that Respondent's license and privilege to practice as a nurse be Revoked.

Brought by Michael Burdine and seconded by Neldia Dycus.
PASSED

SCOTT ALLEN TREADAWAY, RN LICENSE NO. R076925 (EXPIRED) and LPN LICENSE NO. L044014 (EXPIRED)

Respondent was not present for the proceedings before the Board and was not represented by counsel. Jim Potter, Chief Investigator, provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and Licensed Practical Nurse and holds License numbers R076925 (expired) and L044014 (expired). On or about May 17, 2016, the Board received a complaint stating the Respondent had been arrested for shooting another person. The complaint contained a link to a news site that indicated Respondent had been charged with First Degree Domestic Battery in the shooting of his wife. The Walnut Ridge Police Department confirmed on May 23, 2016, that Respondent had been charged

with 1st Degree Battery on May 14, 2016. On or about June 1, 2016, Respondent notified Board staff by phone that he was confined in the Arkansas Detention Center, Lawrence County, Arkansas. On or about April 5, 2017, Respondent entered a negotiated plea of guilty in the 1st Division Circuit Court of Lawrence, County, Arkansas, to one (1) count of Domestic Battering, 2nd Degree, a Class "C" felony. Respondent was sentenced to forty- eight (48) months' probation. This conviction is a bar to holding a nursing license in Arkansas under Ark. Code Ann. § 17-87-312 (e)(18). Staff have made reported attempts to contact the Respondent by both certified and regular mail. Staff have been unable to locate Respondent.

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 **SCOTT ALLEN TREADAWAY, RN LICENSE NO. R076925 (EXPIRED) and LPN LICENSE NO. L044014 (EXPIRED)**, has been charged with a violation of Ark. Code Ann. §17-87-312 and §17-87-309(a)(2) and (a)(6) and that Respondent's license and privilege to practice as a nurse be Revoked.

Brought by Rachel Sims and seconded by Lance Lindow.
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:

Faulkner, Bryan Allen, L054817

(Hot Springs, AR)

Violation – ACA § 17-87-309(a)(6)

Probation – 1 year

Civil Penalty - \$750.00

Janice Ivers has recused herself from this case.

Brought by Yolanda Green and seconded by Melanie Garner.

PASSED

LACEY KAYLEIGH MORRIS GREENAMYER GALE MORRIS, RN LICENSE NO. R084815

Respondent was not present for the proceedings before the Board and was not represented by counsel. Penny Summers, RN, Pharmacy Services provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and holds license number R084815. Respondent received the Letter of Reprimand after Respondent failed to report to the Board on her March 23, 2010 license renewal that she had plead guilty to DWI 1st in Boone County District Court on July 9, 2009. This was a violation of Ark. Code Ann. §17-87-309(a)(1) and Arkansas State Board of Nursing Rules.

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 **LACEY KAYLEIGH MORRIS GREENAMYER GALE MORRIS, RN LICENSE NO. R084815**, had requested a hearing to appeal a Letter of Reprimand and that the Respondent's request to appeal a Letter of Reprimand be dismissed for failure to appear at the hearing held February 15, 2017.

Brought by _____ and seconded by _____.

PASSED

There being no further business, the meeting adjourned at 2:45 pm.



Ramonda Housh, President



Stephanie Johnsen, Recording Secretary



Date Approved