



Arkansas State Board of Nursing

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BOARD MEETING MINUTES

TIME AND PLACE: July 12, 2018
Board Conference Room

MEMBERS PRESENT: Ramonda Housh, MNSc, APRN, CNP, C-PNP; Yolanda Green, LPN; Haley Strunk, LPN, 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: Rachel Sims, BSN, RN

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
Debra Garrett, Program Coordinator, DNP, APRN
Tammy Claussen, Program Coordinator, MSN, RN, CNE
Susan Lester, Executive Assistant to the Director
Susan Morris, Computer Operator
Jim Potter, Regulatory Chief Investigator
Stephanie Johnsen, Administrative Analyst
Leslie Suggs, Legal Support Specialist

President Ramonda Housh called the meeting to order at 8:38 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.

KRISTINA MARIE SMITH COMBS, A005509, R097420

Respondent was present for the proceedings before the Board and was not represented by counsel. Debra Garrett, DNP, APRN, provided testimony on behalf of the Board. Respondent has requested a hearing to request a Prescriptive Authority Certificate pursuant to Ark. Code Ann. § 17-87-310. Respondent's Registered Nurse license was placed on probation for one (1) year on January 18, 2017, after she failed a urine drug screen on or about January 25, 2016, at Sparks Health System, Fort Smith, Arkansas. This is a violation of Ark. Code Ann. § 17-87-309(a)(6). On or about January 25, 2016, the Respondent's employment as an RN with Sparks Health System, Fort Smith, Arkansas, was terminated after she tested positive for fentanyl and Norfentanyl. The Respondent was unable to provide a prescription for fentanyl. Respondent's Registered Nurse license was placed on probation per a Consent Agreement with conditions on January 18, 2017. Respondent was compliant with the terms and conditions of her Consent Agreement and her probationary status was lifted by board staff on January 19, 2018. Respondent now seeks prescriptive authority.

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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 **KRISTINA MARIE SMITH COMBS, A005509, R097420**, Prescriptive Authority be issued.

Brought by Kaci Bohn and seconded by Michael Burdine.

PASSED

GWENITH NYNELL ALLEN CULCLAGER, L030607 (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. On November 8, 2017, after a hearing before the Board, Respondent was found guilty of violating Ark. Code Ann. § 17-87-309(a)(6). Her license was placed on probation for one (1) year subject to conditions. In addition to the probation imposed above, Respondent was to pay a fine of \$750.00 pursuant to Ark. Code Ann. § 17-87-104(b)(1). Such fine was payable within fifteen (15) days of receipt of the Order. As of June 13, 2018, Respondent has failed to comply with the terms and conditions of the Board's November 8, 2017 Order. Specifically, the Respondent has failed to comply with any of the terms and conditions of the Board's November 8, 2017 Order. Respondent has not submitted personal reports, employer reports or contracts, urine drug screens, course completion documents, civil penalty payments, and has not signed up with the drug testing company.

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 **GWENITH NYNELL ALLEN CULCLAGER, L030607 (EXPIRED)**, has been charged with a violation of the terms and conditions of probation 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 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.

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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*
- 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 Janice Ivers and seconded by Melanie Garner.

PASSED

LISA MARIE KRAUSE, R097046

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. On February 15, 2017, Respondent entered into a Consent Agreement with the Board. At that time Respondent was found guilty of violating Ark. Code Ann. § 17-87-309(a)(6). Her license was placed on probation for one (1) year with conditions. Respondent failed to comply with the terms and conditions of the February 15, 2017 Consent Agreement she signed and entered into with the Board. On February 14, 2018, Respondent was found to have violated the terms and conditions of her February 15, 2017 Consent Agreement. Her license was placed on probation per a Non-Compliance Consent Agreement for two (2) years subject to conditions. In addition to the probation imposed above, Respondent was to pay a fine of \$1,000.00 pursuant to Ark. Code Ann. § 17-87-104(b)(1). Such fine was payable within fifteen (15) days of receipt of the Order. As of June 12, 2018, the Respondent has failed to comply with the terms and conditions of the Consent Agreement that she signed and entered into with the Board on February 14, 2018. Specifically, the Respondent has failed to comply with any of the terms and conditions of her February 14, 2018, Non-Compliance Consent Agreement. Respondent has failed to submit personal reports, employer reports and civil penalty payments as agreed. Respondent failed to contact FirstSource drug testing on at least forty-six (46) occasions and failed to report for urine drug screen's on February 16, March 15, and March 27, 2018. Respondent has also failed to complete the courses, Documentation for Nurses and The Arkansas Nurse Practice Act, as agreed.

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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 **LISA MARIE KRAUSE, R097046**, has been charged with a violation of the terms and conditions of probation 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 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 Documentation*
- 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.

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- 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

Board discussions:

- National Counsel recommendations to the Delegate Assembly were discussed and guidance was provided on how the delegates should vote on the issues.
- Candidate speech presentation for election.

The meeting recessed for lunch at 11:30 a.m. Following lunch, the Board resumed hearings.

President Ramonda Housh called the meeting to order at 1:01 p.m. A flexible agenda was approved.

BRENDA JO MOREHEAD HARPER, L014883 (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. On November 4, 2016, Respondent was found guilty of violating Ark. Code Ann. § 17-87-309(a)(6) and (a)(9), and § 17-87-207(c)(2), the Board's Rules, Chapter Seven, Section IV(a)(6). Respondent was issued a Letter of Reprimand on November 4, 2016, and ordered to provide evidence of completion within six (6) months of receipt of this Letter the following courses: The Nurse and Professional Behaviors, Infection Prevention for Healthcare Professionals, Wound Care Principles and Management, Wound Healing, Acute and Chronic Wound Management and Wound Care. As of June 13, 2018, Respondent has failed to comply with the terms and conditions of the Board's November 4, 2016 Letter of Reprimand.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, in the case of **BRENDA JO MOREHEAD HARPER, L014883 (EXPIRED)**, that the Board suspend the license and privilege to practice nursing until the terms of their letter of reprimand are met.

Brought by Haley Strunk and seconded by Pamela Leal.

PASSED

NOAH ANDREW GATES, L054112 (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. On August 9, 2016, Respondent was found guilty of violating Ark. Code Ann. § 17-87-309(a)(6) and the Board's Rules, Chapter Seven, Section VI(A)(6)(a), (c) and (e). Respondent was issued a Letter of Reprimand on August 9, 2016, and ordered to provide evidence of completion within six (6) months of the courses Medication Errors: Causes and Prevention, Documentation: A Critical Aspect of Client Care, and

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Sharpening Critical Thinking Skills. As of June 4, 2018, Respondent has failed to comply with the terms and conditions of the Board's August 9, 2016, Letter of Reprimand.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, in the case of **NOAH ANDREW GATES, L054112 (EXPIRED)**, that the Board suspend the license and privilege to practice nursing until the terms of their letter of reprimand are met.

Brought by Renee Mihalko-Corbitt and seconded by Lance Lindow.

PASSED

DEREK ALMOND, L055192

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. On March 29, 2016, Respondent was found guilty of violating Ark. Code Ann. § 17-87-309(a)(6) and the Board's Rules, Chapter Seven, Section IV(A)(6)(h) and (c). Respondent was issued a Letter of Reprimand on March 29, 2016, and ordered to provide evidence of completion within six (6) months of the courses The Nurse and Professional Behaviors, Nursing Care of the Older Adult, and Psychological Issues Affecting Older Adults. As of June 4, 2018, Respondent has failed to comply with the terms and conditions of the Board's March 29, 2016, Letter of Reprimand.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, in the case of **DEREK ALMOND, L055192**, that the Board suspend the license and privilege to practice nursing until the terms of their letter of reprimand are met.

Brought by Michael Burdine and seconded by Kaci Bohn.

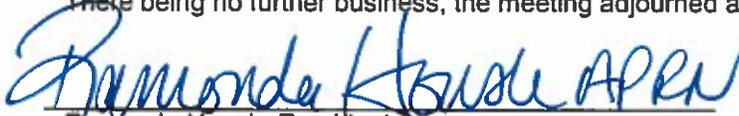
PASSED

MOTION: I MOVE that the violation of A.C.A. § 17-87-309(a)(6) be removed from record as previously listed on Gwenith Nynell Allen Culclager, L030607 (exp), Motion #2 of July 12, 2018.

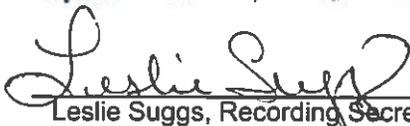
Brought by Kaci Bohn and seconded by Michael Burdine.

PASSED

There being no further business, the meeting adjourned at 1:57 pm.



Ramonda Housh, President



Leslie Suggs, Recording Secretary

9/13/18

Date Approved