



Arkansas Department of Health

Arkansas State Board of Nursing
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Governor Asa Hutchinson
Nathaniel Smith, MD, MPH, Secretary of Health
Sue A. Tedford, MNSc, APRN, Director

BOARD MEETING MINUTES

- TIME AND PLACE:** February 12, 2020
Board Conference Room
- MEMBERS PRESENT:** Michael Burdine, RN; Lance Lindow, RN; Janice Ivers, MSN, RN, CNE; Stacie Hipp, APRN; Neldia Dycus, BS, MHSM, MHRD, RN; Jasper Fultz, LPN; Melanie Garner, LPN, CLC; Yolanda Green, LPN; Ramonda Housh, MNSc, APRN, CNP, C-PNP; Rachel Sims, BSN, RN
- MEMBERS ABSENT:** None
- STAFF ATTENDING AT VARIOUS TIMES:** Sue A. Tedford, Director, MNSc, APRN
Lacie Kirchner, Assistant Attorney General
Julie Chavis, Assistant Attorney General
Lisa Wooten, Assistant Director, MPH, BSN, RN
Karen McCumpsey, Assistant Director MNSc, RN, CNE
Tonya Gierke, Assistant Director, JD, BSN, RN
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
Corrie Edge, Legal Support Specialist

President Michael Burdine called the meeting to order at 8:38 a.m. Guests were welcomed and a flexible agenda was approved.

DISCIPLINARY HEARINGS

Lacie Kirchner, Assistant, represented the Board. Motions reflect the decisions of the Board reached in deliberation following the hearing of each case.

KELSIE ROBIN CLARK, LPN LICENSE NO. L060369

Respondent was 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 has requested a hearing to appeal a Letter of Reprimand and pleads not guilty to the charges. Respondent is licensed as a Licensed Practical Nurse and holds license number L060369. Respondent received the Letter of Reprimand after it was determined that Respondent violated HIPAA / patient confidentiality while employed at St. Bernard's Regional Medical Center, Jonesboro, Arkansas. Respondent audio and video recorded patients without proper consent. This was a violation of Ark. Code Ann. § 17-87-309(a)(6) and Arkansas State Board of Nursing Rules, Chapter Seven, Section IV(a)(6)(g).

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, in the case of **KELSIE ROBIN CLARK, LPN LICENSE NO. L060369**, the Arkansas State Board of Nursing finds that the Board Uphold the Letter of Reprimand issued on November 15, 2018.

Brought by Lance Lindow and seconded by Melanie Garner.

PASSED

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CHRISTINA LENA GOODRUM, LPN LICENSE NO. L052454

Respondent was 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 has been charged with violating the terms and conditions of the Board's December 4, 2018, Letter of Reprimand and pleads not guilty to the charges. On December 4, 2018, 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)(e). Respondent was issued a Letter of Reprimand on December 4, 2018, and ordered to provide evidence of completion of the board approved courses *The Nurse and Professional Behaviors* and *Sharpening Critical Thinking Skills*. The courses were to be completed within six (6) months of receipt of the Letter of Reprimand. As of January 16, 2020, Respondent has failed to comply with the terms and conditions of the Board's December 4, 2018, Letter of Reprimand. Staff have attempted to contact Respondent at her last known address.

Comment [ST1]: I have pled guilty. Ask Albert for the recording to determine the correct status

MOTION: I MOVE that the Arkansas State Board of Nursing extend the December 4, 2018, Letter of Reprimand for **CHRISTINA LENA GOODRUM, LPN LICENSE NO. L052454**, course completion of *Sharpening Critical Thinking Skills* and the *Nurse and Professional Behaviors* for six (6) months with the stipulations of staying in touch with the Arkansas State Board of Nursing and failure to complete in six (6) months will result in a suspension of license until completion of requirements of the Letter of Reprimand are met.

Brought by Janice Ivers and seconded by Neldia Dycus.

PASSED

The meeting recessed for lunch at 11:20 a.m. Following lunch, the Board resumed hearings.

Dr. Nate Smith, AR Dept of Health Secretary, attended to introduce himself to the Board.

President Michael Burdine called the meeting to order at 1:15 p.m. A flexible agenda was approved. Julie Chavis, Assistant, represented the Board.

SHARON DELORIS ANN TAYLOR, LPN LICENSE NO. L047056

Respondent was present for the proceedings before the Board and was not represented by counsel. Penny Summers, RN, and Deborah Rodgers, MSN, RN, provided testimony on behalf of the Board. Respondent has been charged with violating Ark. Code Ann. § 17-87-309(a)(2) and (a)(6), and pleads not guilty to the charges. Respondent is licensed as a Licensed Practical Nurse and holds License No. L047056. On or about January 4, 2019, the Board received a complaint involving Respondent. The complaint was prompted by a Maumelle, Arkansas, Police Incident Report, dated November 9, 2018, that was filed by Susan McNully, Administrator, Stonehaven Assisted Living, Maumelle, Arkansas. In part Ms. McNully reported the loss of 59 tramadol tablets in which Respondent, who was identified as Sharon Taylor-Pippen at the time, was one (1) of three (3) nurses who had access to the locked narcotic cart at the time. On November 9, 2018, the Resident Care Director (RCD) was performing a routine narcotic count and went to collect a resident's tramadol that had been discontinued on March 25, 2018. It was discovered that the resident's discontinued tramadol, 50 mg, 59 tablets, were unaccounted for. Witness statements were collected and the LPNs were drug tested and suspended pending the investigation. Respondent stated in her statement that the narcotic count was correct for her shift dated November 17, 2018. However, since the tramadol had been discontinued for the patient, the tramadol would not have been counted due to the page being folded over. On November 15, 2018, the Maumelle Police Incident Report stated Respondent was pulled over due to an outstanding warrant. Her vehicle was searched and a prescription bottle for tramadol was found containing 153 tablets. The prescription had been written and filled the day before on November 14, 2018. Fifteen (15) tramadol tablets had been removed in less than 24 hours. There was also an empty bottle of hydrocodone, 30 count, and that prescription had been issued on October 22, 2018. Respondent's initial employment with Stonehaven was through a temporary employment agency. On November 29, 2018, Stonehaven offered Respondent a staff position with Stonehaven, and Respondent failed to report for work or call-in for work on her first

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day of employment. Stonehaven terminated Respondent's offer of employment and she is not eligible for re-hire. An investigator with the Arkansas Department of Health, Pharmacy Services, reviewed three (3) medical records and found that 0.25 mg of alprazolam was unaccounted for by Respondent. Respondent failed to document the administration of alprazolam to Patient T.L. or the wastage of the drug. On January 24, 2019, a second complaint against the Respondent was sent to the Board by Michael Harrison, Administrator, Hillview Post-Acute and Rehabilitation Center, Little Rock, Arkansas, presently known as The Waters of Woodland Hills. Mr. Harrison reported, in part, the loss of controlled substances and suspicion of drug diversion. Respondent was hired by Hillview on December 26, 2018. On January 6, 2019, Respondent left the facility at 20:00 and returned to the facility around 02:00. Respondent did not have permission to leave and another nurse had to pass medications for Respondent's patients. In addition, Respondent's Patient S.S. pulled out her trach, her O2 sats dropped to the low 80's, and Patient S.S. had to be sent to the emergency room (E.R.) and hospitalized. On January 8, 2019, controlled substances were found unaccounted for. Respondent failed to call-in to work, or report to work, after narcotics were discovered missing. On January 15, 2019, one (1) week later, Respondent returned to work and submitted a urine drug screen that was reported as negative. Respondent's employment with Hillview was terminated and she is ineligible for re-hire. An investigator with the Arkansas Department of Health, Pharmacy Services, went to Hillview / The Waters of Woodland Hills and reviewed eight (8) medical records of Respondent's patients. Between December 28, 2018, and January 14, 2019, Respondent failed to document the administration or wastage of 15 mg of hydrocodone, 1 mg of clonazepam, and 5 mg of oxycodone. Respondent's Pharmacy Computer Printout established that between March 4, 2017, and March 4, 2019, Respondent used three (3) different pharmacies and six (6) different providers. During this time Respondent obtained 182 tablets of alprazolam (Xanax), 376 tablets of Hydrocodone / APAP, 30 tablets of phentermine, and 4,367 tablets of tramadol. The investigators and staff have made multiple attempts to contact the 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 **SHARON DELORIS ANN TAYLOR, LPN LICENSE NO. L047056**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(2) and (a)(6), and that Respondent's license and privilege to practice as a nurse be placed on probation for one (1) year with the following terms and conditions:

- Pursuant to A.C.A. § 17-87-104(b)(1), Respondent must pay a civil penalty of \$1,500.00 plus any outstanding balance associated with previous disciplinary action.
- Respondent shall attend AA/NA, or other Board approved counseling / support group meetings and shall submit quarterly reports to the Board through the Board approved monitoring program. Acceptable evidence shall consist of completion of the disciplinary form, *Aftercare Meetings Report*. Respondent shall log attendance of all support group meetings via the Board approved monitoring program. 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 quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.
- 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. Respondent shall not use or consume products that contain Cannabidiol (CBD). Short-term treatment with a controlled medication 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 within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved drug screen monitoring program. Respondent shall log all

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medications, including over-the-counter medications via the Board approved drug screen monitoring program. Acceptable documentation includes, but is not limited to photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy indicating the prescriber, medication, dose, date prescribed and amount dispensed.

- 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 the monitoring program to activate their account and begin checking in daily beginning the first of the month following Board order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription. Failed drug screens also include failure of Respondent to check-in daily, failure of Respondent to present and provide specimen when notified, and failure of Respondent to provide specimen within the allotted time.
- Respondent shall provide evidence within six months of successful completion of the Board approved course(s): *Documentation*. Respondent shall submit the certificate(s) of completion via the Board approved monitoring program.
- The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the state of Arkansas. Respondent may submit the *Multistate Nursing License Application* after successful completion of probation to determine if license qualifies for multi-state compact status.
- Respondent shall submit the *Enforcement Personal Report* to the Board via the Board approved monitoring program quarterly.
- If working as a nurse while on probation, Respondent shall notify and present to each employer a copy of this Board order. Respondent shall have employer sign and submit directly to the Board the document, *Employer Acknowledgement*.
- Respondent shall have their employer submit directly to the Board a *Performance Evaluation Report* quarterly.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher education level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention.
- Respondent shall not be employed in critical care, in-home hospice or home health settings.
- Respondent shall not collect any drug screen from a participant whom has been ordered to drug screen by the Board of Nursing.
- 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 ensure that all reports, of Respondent and the employer, are submitted quarterly.
- 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.
- Respondent shall request to the Board verification of termination of the probationary period and license reinstatement via the Arkansas Nurse Portal once compliance with the Board's order is met.
- Respondent shall notify the Board within ten (10) days, via the Arkansas Nurse Portal, of any change, even a temporary one, in name, address, or employer.

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- 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.

Brought by Jasper Fultz and seconded by Neldia Dycus.

PASSED

RICKY DEAN PERIDORE, RN LICENSE NO. R084021

Respondent was not present for the proceedings before the Board and was not represented by counsel. Penny Summers, RN, and Deborah Rodgers, MSN, RN, provided testimony on behalf of the Board. Respondent is licensed as a Registered Nurse and holds License No. R084021. On or about June 14, 2018, Brenda Million, RN, Vice-President of Patient Care, St. Bernard's Medical Center, Jonesboro, Arkansas, reported that camera footage indicated that Respondent may have been diverting controlled substances from the Omnicell. On May 23, 2018, Carmen Smith, Emergency Room Director, reported that the Benadryl counts were consistently off. After a review it was determined that a total of 945 vials of Benadryl were missing. The only nurse consistently pulling vials of Benadryl was Sara Jo Peridore, Respondent's wife. Due to the loss it was decided that a camera would be placed in the emergency room to observe the Benadryl and Omnicell systems. On June 8, 2018, St. Bernard's reviewed the Benadryl and narcotic medication withdrawals and video footage. The video footage recorded the following: At 08:31, Respondent removed Zofran from Omnicell with right hand. Tossed vial to left hand. Removed morphine vial with right hand. He appears to transfer vial from left to right hand. Discarded unknown in trash/sharps. Withdrew volume from a vial in his left hand a second time. Signed log book with syringe and at least one (1) vial remaining in left hand; At 09:41, Respondent removed one (1) morphine 4 mg vial with left hand. Drew unknown volume into syringe. Placed vial into left scrub-pant pocket. Discarded trash/sharps. Left from view of the camera with syringe in left hand; At 09:57, Respondent removed Zofran vial with right hand. Tossed vial to left hand. Removed morphine vial with left hand. Dropped morphine vial into left scrub-top pocket. Performed "pocket check" of left scrub-pant pocket. Withdrew volume from vial in left hand. Dropped unopened syringe into left scrub-pant pocket. Withdrew additional volume from vial in left hand. Discarded vial from left hand. Left from view of the camera with syringe in left hand; At 13:44, Respondent removed morphine vial with left hand. Left hand and arm largely concealed but appeared to pop vial top and discard. Removed phone from right scrub-pant pocket. Returned phone to pocket. Withdrew unknown volume from vial. Discarded trash/sharps/vial. Left from view of the camera; and at 14:30, Respondent removed hydromorphone ampule with right hand. Transferred ampule and unopened syringes into left hand and placed all into left scrub-top pocket. Left from view of the camera. It should be noted the Omnicell Report appears to show Respondent removed one (1) Zofran 4 mg/ml vial and one (1) hydromorphone 1 mg/ml ampule for Patient-KP. The medication administration does not indicate Respondent administered Zofran or hydromorphone to Patient-KC. Nurse-SG administered Zofran and hydromorphone to Patient-KC at 14:47. After reviewing the video footage, Respondent and his wife were confronted by staff. Ms. Peridore removed eight (8) vials of Benadryl from her pocket. Respondent had some syringes in his pocket. One (1) vial contained 2 ml of a clear liquid and two (2) others had a few drops of solution. The three (3) syringes taken from Respondent were drug tested and found to be positive for opioids. Respondent's employment with St. Bernard's was suspended pending an investigation. On June 13, 2018, Respondent was asked to return to St. Bernard's to discuss the allegations and findings of the facility's investigation. Respondent texted his employers and stated he would not come in and that he would be turning in his resignation. St. Bernard's terminated Respondent's employment on June 14, 2018, due to negligence, unsafe medication practices, and he is not eligible for re-hire. On or about June 26, 2018, Arkansas Department of Health, Pharmacy Services, initiated an independent investigation into Respondent's practice at St. Bernard's Medical Center after receiving the complaint from the Board of Nursing. Investigators with Pharmacy Services reviewed nine (9) of Respondent's patient's records and discovered that between March 1, 2018, and July 9, 2018, that Respondent failed to document either the administration or wastage of ten (10) mg of morphine and 100 mcg of Fentanyl.

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Respondent's pharmacy report indicated that he had obtained prescriptions for oxycodone/APAP and hydrocodone in 2018. Staff have attempted to contact and work with the 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 **RICKY DEAN PERIDORE, RN LICENSE NO. R084021**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6), and that Respondent's license and privilege to practice as a nurse be suspended one (1) year, to be followed by probation for two (2) years, with the following terms and conditions:

- Pursuant to A.C.A. § 17-87-104(b)(1), Respondent must pay a civil penalty of \$2,975.00 plus any outstanding balance associated with previous disciplinary action.
- Respondent shall attend AA/NA, or other Board approved counseling / support group meetings and shall submit quarterly reports to the Board through the Board approved monitoring program. Acceptable evidence shall consist of completion of the disciplinary form, *Aftercare Meetings Report*. Respondent shall log attendance of all support group meetings via the Board approved monitoring program.
- 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 quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.
- 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. Respondent shall not use or consume products that contain Cannabidiol (CBD). Short-term treatment with a controlled medication 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 within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved drug screen monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved drug screen monitoring program. Acceptable documentation includes, but is not limited to photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy indicating the prescriber, medication, dose, date prescribed and amount dispensed.
- 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 the monitoring program to activate their account and begin checking in daily beginning the first of the month following Board order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription. Failed drug screens also include failure of Respondent to check-in daily, failure of Respondent to present and provide specimen when notified, and failure of Respondent to provide specimen within the allotted time.
- Respondent shall provide evidence within six months of successful completion of the Board approved course(s): *The Nurse and Professional Behaviors* and *Documentation*. Respondent shall submit the certificate(s) of completion via the Board approved monitoring program.

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- Respondent shall submit the *Enforcement Personal Report* to the Board via the Board approved monitoring program quarterly.
- 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 ensure that all reports, of Respondent and the employer, are submitted quarterly.
- 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.
- Respondent shall request license reinstatement to the Board via the Arkansas Nurse Portal once compliance with the Board's suspension order is met.
- A probation period of two (2) 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, The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the state of Arkansas. Respondent may submit the *Multistate Nursing License Application* after successful completion of probation to determine if license qualifies for multi-state compact status.
- Respondent shall notify and present to each employer a copy of this Board order. Respondent shall have employer sign and submit directly to the Board the document, *Employer Acknowledgement*.
- Respondent shall have their employer submit directly to the Board a *Performance Evaluation Report* quarterly.
- Respondent shall not collect any drug screen from a participant whom has been ordered to drug screen by the Board of Nursing.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher education level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention.
- Respondent shall not be employed in critical care, in-home hospice or home health settings.
- Respondent shall notify the Board within ten (10) days, via the Arkansas Nurse Portal, of any change, even a temporary one, in name, address, or employer.
- Respondent shall request verification of termination of the probationary period via the Arkansas Nurse Portal.
- 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.

Brought by Jasper Fultz and seconded by Neldia Dycus.

PASSED

There being no further business, the meeting adjourned at 5:15 pm.

Michael Burdine, President

Leslie Suggs, Recording Secretary

Date Approved