



# RN UPDATE

A Quarterly Publication of the Board of Nurse Examiners for the State of Texas



April 2000

Volume 31, No. 2

## Return Response Required from All Texas Registered Nurses

◆◆◆ IMPORTANT NOTICE: You must complete and return the form on page 16 by May 19, 2000. Please carefully read the following article which explains the request for this information.◆◆◆

Texas licensed registered nurses were informed of the implementation of the multistate Nurse Licensure Compact (NLC) in the cover article of the October 1999 issue of *RN Update*. This law is an agreement between states to mutually recognize each others' licensees. It permits nurses who hold licensure in a state which has passed the Compact the privilege to practice in other Compact states. On January 1, 2000, Texas, Utah, Maryland, and Wisconsin implemented the NLC. Four other states have passed the Compact into law but will implement at a later date. North Carolina and Arkansas will commence on July 1, 2000 and South Dakota and Nebraska will implement on January 1, 2001.

In order to enjoy the multistate privilege, the Compact requires that the RN be licensed in the party state in which he/she permanently resides. This is known as the *home state license*. The RN must meet the licensure requirements of his/her home state to obtain and retain the home state license. On January 1, 2000, the Board of Nurse Examiners adopted regulations in order to effectuate Texas' compliance with the Compact. These rules are contained in 22 Texas Administrative Code §§220.1–220.4, and are available on the Board's web site ([www.bne.state.tx.us](http://www.bne.state.tx.us)).

How do you determine your home state? Primary state of residence is defined in Rule 220.1 (3) as "the state of a person's declared fixed permanent and principal home for legal purposes; domicile." This is generally the state where you hold a driver's license, vote, and pay your taxes.

Rule 220.2 (a) requires that the licensee "applying for a license in a home party state shall produce evidence of the nurse's primary state of residence. Such evidence shall include a declaration signed by the licensee." The Compact and regulations require that all nurses practicing in Texas make a sworn declaration of their primary state of residence. We have provided the declaration form for your convenience on page 16. Please fill out the form completely and return it to the Board office by May 19, 2000. Failure to do so will result in non-compliance with the Compact and obstruct recognition of a multistate privilege.

How will your license in other party states be affected by the Compact? Only the home state license is valid. Other party states licenses will be invalid; however, the licensee retains the privilege to practice in other party states as long as he/she complies with the practice laws of the state in which the patient is located at the time care is given.

How does this affect active duty members of the armed forces? The NLC does not supercede the federal law and thus, will not affect your current licensure status. However, it is important that you inform the Board of your employment status as an active duty military member.

## A Word from the Executive Director



Kathy Thomas, MN, RN

### *Preventing Medication Errors*

In a recent report from the Institute of Medicine titled, *To Err is Human*<sup>1</sup>, medication errors are described as inevitable events because human beings will make mistakes. The report emphasizes that medication errors can cause death, lengthen hospital stays, increase health care costs, result in loss of trust in the health care system by patients, and demoralize the health care workforce. The report does not, however, hold humans blameless for all errors. Rather, it calls for a comprehensive review of errors and development of remedies for systems problems which contribute to such errors in order to minimize the incidence of errors and the harm to patients.

The Board receives many complaints regarding medication errors, often involving multiple errors, but does not take action on all such complaints. Factors such as patient harm or risk of harm; patterns of poor practice; the individual RN's accountability, knowledge and skills; the particular situation in which the event occurred; and mitigating circumstances are taken into consideration.

Rule 217.16, *Minor Incidents*, of the Board's *Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice*, permits nurse managers to monitor up to 3 minor incidents in one year and not report these errors to the Peer Review Committee or the Board. Medication errors may be considered minor incidents if they meet the criteria outlined in sections (b) and (c) of the rule.

The remedies to these errors are not simple. Careless or incompetent practitioners must be identified early. In instances where practitioner error has been identified as the source of the problem, remediation, supervised practice and evaluation may be effective. However, errors may be made by one or more health care practitioners or support staff. For example, physicians may order inappropriate medication doses, support staff may incorrectly transcribe orders, pharmacists may fail to clearly label drugs with particularly dangerous effects, or nurses may continue to administer medications which have been discontinued. These types of errors may not be related to carelessness or incompetence but may be systems problems. The approaches to minimize errors must be multifaceted.

Nurses in Texas also have a unique opportunity to review errors through Peer Review Committees established under Chapter 303 of the Texas Occupations Code. This process should be designed to proactively address medication errors by identifying systems problems that contribute to these errors and notifying administration and other departments, such as medicine and pharmacy, of policy and procedure changes which may prevent future errors.

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**Medication Errors - continued**

Currently, the Board’s web site contains information on contributing factors and commonly asked questions about medication errors which can be found at <http://www.bne.state.tx.us/mederror.htm>. At their January 2000 meeting, the Board instructed staff to begin discussions with the Board of Pharmacy to develop a position statement on the prevention of medication errors through correcting system design problems. We will keep you informed on any future initiatives through *RN Update*.

<sup>1</sup> Kohn, L.T., Corrigan, J.M., & Donaldson, M.S., (Eds.). (1999). *To Err is Human: Building a Safer Health System*. Washington, D.C.: National Academy Press.  
Executive Summary may be found at <http://www.nap.edu>.



## Proposed Rules



**Proposed Rule 218, Delegation of Selected Nursing Tasks by Registered Professional Nurses to Unlicensed Personnel**

At the January 2000 meeting of the Board of Nurse Examiners, members voted to repeal the current version of Rule 218, Delegation of Selected Nursing Tasks by Registered Professional Nurses to Unlicensed Personnel and authorized staff to publish proposed Rule 218 in the *Texas Register*. The proposed rules were in the February 18, 2000 issue of the *Texas Register* with a comment period of 30 days.

**Proposed Chapter 221, Advanced Practice Nurses**

The Board met on October 28-29, 1999 and approved on an emergency basis to repeal Chapter 221 and adopt new Chapter 221 which establishes minimum standards for the provision of anesthesia services in outpatient settings by certified registered nurses anesthetists (CRNAs). Most of Chapter 221 remains unchanged, but some renumbering occurred. These emergency rules took effect November 28, 1999. At the January 2000 meeting of the Board of Nurse Examiners, members authorized staff to publish proposed new Chapter 221, Advanced Practice Nurses in the *Texas Register*. The proposed Rules were published in the February 4, 2000 issue of the *Texas Register* with a comment period of 30 days. Most of Chapter 221 remains unchanged from the emergency rules, amendments were made to §221.14(b)(2), §§221.14(c)(6)(C)(D) to further refine the rules and provide greater clarity in instances where the rules may appear vague.

**Nursing Supervisors/Administrators: Help Us Help You...**

As a Nursing Administrator or Supervisor, you must often deal with staff turnover and scheduling of employees in your work area. By reminding your employees to update their addresses with the Board of Nurse Examiners, you can ensure that your employees stay up-to-date on the latest rule changes published in the *RN Update* and that they receive their renewal applications prior to their license expiration date. If you know a co-worker (or a friend) who is going to move or may have just moved, remind them to change their address.

<h1 style="margin: 0;">Change of Address</h1>	<p><b>Last Name:</b> _____</p> <p><b>First Name:</b> _____</p> <p><b>Middle Name:</b> _____</p> <p><b>SSN:</b> _____ / _____ / _____</p> <p><b>RN#</b> _____</p> <p><b>Today's Date:</b> _____</p>
<p><b>Old Address:</b></p> <p>Address _____</p> <p>City _____</p> <p>State _____</p> <p>Zip _____</p>	<p><b>New Address:</b></p> <p>Address _____</p> <p>City _____</p> <p>State _____</p> <p>Zip _____</p>

Please send completed form to: **Board of Nurse Examiners, P.O. Box 430, Austin, Texas 78767-0430**

## **Board Approves Task Force Revisions to Rule 218, Delegation of Selected Nursing Tasks by Registered Professional Nurses to Unlicensed Personnel for Public Comment** by Kim Flores, MSN, RN

The July 1999 edition of the *RN Update* reported that the Board of Nurse Examiners approved a Task Force to review the delegation rule beginning in Summer 1999. Since that report the Task Force met three times in the Fall of 1999 and arrived at a rule proposal which was presented to the Board at its January 2000 meeting. The Board reviewed the proposed rule language and heard from several members of the disability community who voiced support for the language. The Board voted to approve the proposed language with modifications as recommended by the disability community and the Texas Nurses Association for publication in the *Texas Register*. The proposed language was published in the *Texas Register* on February 18, 2000, allowing for a 30 day comment period. Based on the number and nature of comments, a decision will be made to either move forward with adoption of the rule or to allow for additional consideration of rule language.

The Task Force worked diligently during the Fall of 1999. At the September 1, 1999 meeting each Task Force member presented their philosophies on delegation, expressed cogent concerns with the current rule language and suggested recommendations for rule revision. The October 11, 1999 meeting provided the opportunity to look at the rule and revisions in minute detail. The rule language was again reviewed by the Task Force on November 30, 1999.

One of the major changes to be considered by the Board is the reorganization of the proposed rule. The proposed rule begins with the "Purpose" and moves to definitions, accountability, exclusions (what is not considered to be delegation) and general criteria. Appropriate supervision is then addressed, followed by levels of particular tasks which may be considered for delegation. The tasks are delineated by: (1) those tasks most easily delegated, (2) discretionary delegation tasks and (3) those tasks which may not be delegated.

The client with stable and predictable health care needs, who is able to participate in the management of the delegated task and is in an independent living environment is addressed in a separate section of the rule. Of significant interest in this section is the proposed language which allows RN delegation of inhalation therapy for prophylaxes and maintenance, unit dose medications from a daily reminder pill container (pill box) and the administration of subcutaneous injectable insulin. This section of the rule contains extensive criteria for the RN to follow in order to assure safe and effective medication administration by the unlicensed person. Rule language still addresses RN responsibility when other licensed practitioners delegate, the nursing student working as an unlicensed person and the medication aide with a Permit issued by the Texas Department of Human Services.

The Task Force should be commended for their thorough and comprehensive review of Rule 218. Language has been proposed to assure safe delegation and increased ease of understanding of delegation by the RN and the client, as well as allow for increased client participation and independence when possible.

Delegation is an empowering way of assuring that clients derive the most benefits from professional nursing judgment and nursing care. Understanding the delegation rule helps RNs feel assured that they are making the right decisions when delegating to unlicensed personnel.

BNE staff will present comments of the proposed language to the Board at the April 2000 meeting. The *RN Update* will continue to report on the progress of this important rule revision. Finally, plans are being finalized to present a four hour workshop exclusively addressing delegation in two locations this summer. The July 2000 edition of the *RN Update* will provide information about the date, place and time of these delegation workshops. Information about the workshops will also be available on the agency's Web site: [www.bne.state.tx.us](http://www.bne.state.tx.us).

## Agreed Orders Often Misunderstood by Nurses and Employers

by Jeanne Jacobson, BSN, RN

There are approximately seven hundred and thirty (730) registered nurses currently working under Agreed Orders in the state. Agreed Orders are disciplinary agreements with the Board of Nurse Examiners (BNE) resulting from investigations of complaints received. These Agreed Orders may include sanctions and stipulations ranging from fines, remedial education, warnings, reprimands, direct or indirect supervision, or limits as to the environment in which a nurse may practice. Many automatically assume that any nurse under an Agreed Order has a drug or alcohol problem, but the largest number of ratified Agreed Orders result from practice errors. Misconceptions about Agreed Orders by the nurses who sign them, their employers, and their peers are numerous.

Nurses who have undergone an investigation for a practice error are often emotionally devastated by the process, and often find it to be a life-changing experience. They frequently equate being disciplined with not being a good nurse or a good person, even though their error may have resulted from a momentary lapse of judgment. The Board realizes errors will occur and recognizes that everyone makes mistakes. The Board also believes that accountability for these mistakes is essential by the nurse who commits them. The Board's disciplinary process is designed to help nurses get what they need to correct the behavior that led to the error, and to force nurses to take actions to improve and strengthen their practice so they may continue to hold a license.

Licenses are suspended or revoked much less frequently than many nurses expect. Even if a license is voluntarily surrendered or revoked, it is still possible for a nurse to reinstate after a designated period of time (usually one year). Nurses who have had a drug or alcohol problem can be reinstated unencumbered after five (5) years clean and sober, with one (1) year not working, and four (4) years working under stipulations. The range of disciplines given today is wider and is designed for each case in order to take into consideration individual and mitigating circumstances.

Many nurses find being sanctioned painful and frequently say that the publication of their name in the *RN Update* stigmatizes them the most. The legislature requires the Board to make all disciplines public information, and publishing the names of nurses who have been disciplined in the *RN Update* is the way the Board has chosen to meet this requirement. There are no private disciplines and there are no exceptions to this.

While the Board exists to protect the public and is not an advocate for nurses, Agreed Orders are not designed to set up nurses for failure when it comes to finding employment. Many nurses fear that if they receive discipline, they may never be able to work again. It is important to differentiate that company policy for termination or non-hire of a nurse who has received a sanction from the BNE, is different than employers who simply don't understand what the stipulations mean and react on the basis of their misunderstanding. Investigators will help potential employers understand the Orders, which can often be intimidating, but if company policy requires termination or non-hire, the BNE is unable to intervene in this regard. The Board does not have a list of particular employers who hire nurses working under Agreed Orders, however, in general, nurses under Orders will be more successful at the larger facilities.

If a nurse under an Order is not hired right away, she/he frequently blames the Order, but often forgets that a spotty employment history, personality, or not being qualified may be the real reasons they weren't successful. Nurses who live in small towns may find it necessary to go elsewhere to find a job, or to consider a different setting. Nurses working under Agreed Orders may need to be open-minded about what avenues they will pursue for employment.

Nurses who have received a sanction or discipline from the BNE will have to make a judgement as to when to tell their current employers, or if the nurse is interviewing for a new position, when to tell the prospective employer. They may consider telling them at the time they are filling out an application or at the time of their

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## Practice Question and Answer

by Cara S. Mueller, MSN, RN



Q: Doctors in our area are really busy and frequently have their office staff call over orders for individuals hospitalized in our facility. My nursing staff is concerned because most of these office staff are unlicensed medical assistants. Can RNs accept such orders?

A: Section 301.002 (2) (C) of the Nursing Practice Act states that a RN may accept and carry out orders for the administration of medications and treatments directly received from a licensed physician, dentist or podiatrist. An RN also may accept orders transmitted or relayed through a third party as long as it is understood that the order originates from one of the three licensed practitioners referenced above.

To minimize error and still provide reasonable accommodation to physicians' offices, some facilities have instituted policies authorizing the acceptance of signed physician orders transmitted via fax. Although the office staff may write down the orders, the physician signs and hopefully screens prior to sending. As with any order, however, the RN continues to remain accountable to "clarify any order or treatment regimen that the nurse has reason to believe is inaccurate, non-efficacious or contraindicated..." as stated in §217.11(19), Standards of Professional Nursing Practice.

Another commonly instituted practice is for the facility to request that the physician put in the form of a letter, his named designated agent(s) for transmitting telephone orders of any kind. The information is shared with appropriate facility staff. When orders originating from the physician are then transmitted by the named designated agent, they are

typically transcribed into the client record in the following way:

Dr. Smith per Jane Doe (designated agent)/Mary Jones, RN (receiving nurse)

Although this second practice does not reduce the potential for error inherent in any third party transmission, it does afford both the facility and physician some measure of protection from unauthorized orders and use of name.

### Agreed Orders - continued from previous page

first interview. While they are not required to tell possible employers until after a job offer is made, nurses need to understand the employers' point of view if they should find out another way. Not every nurse who signs an Agreed Order is required to tell the employer, and the code placed on the license is a way for employers to verify which nurses do have a sanction and/or stipulations.

Nurses who learn that one of their peers is working under an Agreed Order often find themselves treating that nurse differently, usually out of fear that the nurse is not safe or from a lack of understanding as to what the disciplinary process is all about. It is important for all nurses to understand that if the Board did not think that a nurse could be remediated, the nurse would have lost her/his license. Although some nurses may feel embarrassed about their discipline, many want to share their experiences with peers. The entire process can be a learning experience for everyone.

Korena Schaaf, monitoring investigator for the entire state, reminds all nurses under Agreed Orders that communication with her and the Board is critical to a successful conclusion of the Order that will regain them their unencumbered license. Failure to take the initiative to talk with employers in a timely manner, to obtain all the paperwork needed by employers, to get information about the classes they may need and/or to change their address if necessary, results in further problems for the nurse. It is not the employer's responsibility to take the initiative, but the nurse who has signed the Agreed Order. When this is completed correctly, employers will find it reasonable to hire nurses under Agreed Orders, and nurses will find it a reasonable process to complete.

#### Did you know...

There is a difference between "making assignments" and "delegation." RNs "make assignments" to other RNs and LVNs in accordance with Rule 217.11(9). Once that assignment has been made in good faith, those RNs and LVNs who have accepted the assignment are accountable for the care they render. RNs may "delegate" or authorize an unlicensed person to provide nursing services but the RN retains accountability for the outcome.



## EDUCATION REPORT

By Anne Garrett, PhD, RN



### *January 2000 Board Actions*

**Based on the 1999 Annual Reports and NCLEX-RN® Pass Rates, continued full accreditation with commendations for:**

#### *Associate Degree Programs*

Alvin Community College  
 Amarillo College  
 Austin Community College  
 Cisco Junior College, Abilene  
 Collin County Community College, McKinney  
 Galveston College  
 Houston Baptist University  
 Laredo Community College  
 Lee College, Baytown  
 McLennan Community College, Waco  
 North Harris Montgomery Community  
 College District, Houston  
 Northeast Texas Community College, Mt. Pleasant  
 San Jacinto College Central, Pasadena  
 Tarrant County College, Fort Worth  
 Trinity Valley Community College, Kaufman  
 Tyler Junior College  
 Vernon Regional Junior College  
 Victoria College  
 Wharton County Junior College

#### *Baccalaureate Degree Programs*

Houston Baptist University  
 Lamar University at Beaumont  
 Stephen F. Austin State University, Nacogdoches  
 Texas Woman's University, Denton  
 University of Texas at Austin  
 University of Texas at Tyler  
 UTHSC at Houston  
 UTMB at Galveston

#### *Master's Degree Program*

University of Texas at Austin

**Based on the 1999 Annual Reports and NCLEX-RN® Pass Rates, continued full accreditation with no commendations, recommendations, or requirements to be met for:**

#### *Diploma Program*

Covenant School of Nursing, Lubbock

#### *Associate Degree Programs*

Angelina College, Lufkin  
 Blinn College, Bryan  
 Central Texas College, Killeen  
 Del Mar College, Corpus Christi  
 El Centro College, Dallas  
 Kilgore College  
 Lamar University at Beaumont  
 San Antonio College  
 San Jacinto College South, Houston  
 Tarleton State University, Stephenville  
 Texarkana College

#### *Baccalaureate Degree Programs*

Baylor University, Dallas  
 East Texas Baptist University, Marshall  
 Midwestern State University, Wichita Falls  
 Texas A & M University - Corpus Christi  
 University of the Incarnate Word, San Antonio  
 University of Texas at El Paso  
 UTHSC at San Antonio

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## Education Report - continued from previous page

Based on the 1999 Annual Reports and NCLEX-RN® Pass Rates, continued **full accreditation** with recommendations or requirements to be met for:

### *Diploma Program*

Baptist Health System, San Antonio

### *Associate Degree Programs*

El Paso Community College  
 Grayson County College, Denison  
 Houston Community College System  
 Lamar State College - Orange  
 Midland College  
 North Central Texas College, Gainesville  
 Odessa College  
 Paris Junior College  
 Southwestern Adventist University, Keene  
 South Plains College, Levelland  
 Temple College  
 University of Texas - Pan Am, Edinburg

### *Baccalaureate Degree Programs*

Tarleton State University, Stephenville  
 Texas Christian University, Fort Worth  
 Texas Tech University Health Sciences Center, Lubbock  
 University of Mary Hardin Baylor, Belton  
 University of Texas at Pan American, Edinburg  
 University of Texas Arlington  
 West Texas A & M University, Canyon

Based on the 1999 Annual Reports, confirmed:

A. **Continued initial accreditation** for South Texas Community College, McAllen, ADN

### B. **Continued full accreditation**

#### 1. *Baccalaureate Degree Programs for Registered Nurses*

Angelo State University, San Angelo  
 Southwestern Adventist University, Keene  
 Texas A & M International University, Laredo  
 The University of Texas at Brownsville/Texas Southmost College

#### 2. *Advanced Practice Nursing Programs*

Abilene Intercollegiate School of Nursing Family Nurse Practitioner Program  
 Houston Baptist University Family Nurse Practitioner Program  
 UT at Pan American Adult Health Clinical Nurse Specialist Program

Based on the 1999 Annual Reports and NCLEX-RN® Pass Rates, or survey visit, made the following changes in accreditation status:

### A. **Initial accreditation to full accreditation:**

Lamar State College-Port Arthur, Associate Degree

### B. **Warning to full accreditation with commendations, recommendations, or requirements:**

Angelo State University, Associate Degree  
 Navarro College, Associate Degree  
 Abilene Intercollegiate School of Nursing, Baccalaureate Degree

### C. **Warning to conditional accreditation with requirements to be met for:**

College of the Mainland, Texas City, Associate Degree  
 University of Texas at Brownsville/Texas Southmost College, Associate Degree



## **Education Report** - continued from previous page

Based on the 1999 Annual Report and survey visit confirmed full accreditation with recommendations and requirements to be met for The University of Texas Southwestern Medical Center at Dallas, Women's Health Care Nurse Practitioner Program.

Based on the 1999 Annual Report and survey visit, changed the accreditation status from initial accreditation to full accreditation for Angelo State University Medical-Surgical Clinical Nurse Specialist Program.

Based on the 1999 Annual Report, changed the accreditation status from initial accreditation with warning to continued initial accreditation for Prairie View A & M University Family Nurse Practitioner Program.

## **Board Continues to Recognize NLNAC**

During the Fall staff made joint survey visits with the National League for Nursing Accrediting Commission (NLNAC) to North Central Texas Associate Degree Nursing Program and to Angelo State University's Associate Degree Nursing Program, RN-to-BSN Nursing Program, and Medical-Surgical Clinical Nurse Specialist (MSN) Program for the purposes of re-evaluating the NLNAC's accreditation and survey visit process. Based on review of the NLNAC's accreditation process, the Board approved the following two policies at the January 2000 meeting.

### ***Policy for Basic Nursing Programs and Baccalaureate Degree Programs for Registered Nurses***

Continue to recognize the National League for Nursing Accrediting Commission (NLNAC) as a voluntary accrediting body from whom a report regarding a program's accreditation status may be accepted in lieu of a Board survey visit to basic degree nursing programs and baccalaureate degree programs for registered nurses.

### ***Policy for Advance Practice Nursing Programs***

Continue to recognize the National League for Nursing Accrediting Commission (NLNAC) as a national accrediting body deemed acceptable to accredit advanced educational programs of study (Advanced Practice Nursing Programs).

## **Nurse Participates as Item Reviewer**

The Board is pleased to recognize Alice E. Lochman, RN, for her participation as a member of the **NCLEX-RN®** examination Item Reviewer Session held January 9-12, 2000. The quality of the National Council Licensure Examination depends on the commitment of volunteers such as Ms. Lochman to maintain high standards for the assessment of nursing competency at entry level.

## **Advisory Committee on Education Report**

The Advisory Committee on Education met February 23, 2000 to review new charges issued by the Board at its October 1999 and January 2000 meetings. It was the first meeting for Cora Clay, MA, RN, from the Board of Vocational Nurse Examiners who replaced Joy Fleming who retired last year.

The committee reviewed and made recommendations regarding issues related to documentation of total program evaluation and the Annual Report as well as the evaluation of the NEAC competencies.

# IMPOSTOR WARNING

*If you have any knowledge or information regarding the employment practices of the following individuals, please contact the Board's Enforcement Division immediately at (512) 305-6838.*

**Kelly Michele Sutton,**  
**aka: Kelly Michele Rollins**

Kelly Michele Sutton presented a copy of a license and secured employment as a registered nurse in a nursing home in the San Antonio area. Ms. Sutton worked as a registered nurse from September 7, 1999 through January 13, 2000. A staff member saw the article in the January issue of the *RN Update* and reported to the supervisor that Ms. Sutton was not a registered nurse. The facility contacted the Board office to verify licensure and they were informed that Ms. Sutton does not hold a license to practice professional nursing in Texas. The police were contacted by the facility and Ms. Sutton was terminated from employment. The Board is pursuing legal action against Ms. Sutton through the Bexar County District Attorney's Office.



**Julianne J. Hueske**

Julianne J. Hueske presented a copy of a license and secured employment as a registered nurse with a home health agency in Brenham, Texas. Ms. Hueske worked for the nursing home from September 1998 through December 16, 1999. The Board received a report regarding the illegal practice and contacted the facility. Ms. Hueske was terminated from employment after she was unable to produce verification of licensure. The Board is pursuing legal action against Ms. Hueske through the Washington County District Attorney's Office.



## NOTICE OF DISCIPLINARY ACTION

*The following registered nurses had disciplinary action taken against their licenses. If you would like to receive additional information regarding the disciplinary action which has been imposed, please send your request to the Board of Nurse Examiners, Enforcement Division, P.O. Box 430, Austin, Texas, 78767-0430.*

<u>NAME</u>	<u>LICENSE #</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Atteridge, Gail Marcia	541985	License Revoked	January 20, 2000
Bacey, Gloria Dell	504699	Reprimand with Stipulations	December 14, 1999
Barnhill, Ginger Ann	570999	Reprimand with Stipulations	January 20, 2000
Bjerke, Barbara Ione	551028	Remedial Education	December 27, 1999
Booker, Nancy Gail	254617	Reprimand with Stipulations	January 20, 2000
Boswell, Angela Joyce	600039	Reprimand with Stipulations	December 14, 1999
Brau, Diana Jean	217307	Warning with Stipulations	January 20, 2000
Brittain, Glenda Faye	593755	Reprimand with Stipulations	December 14, 1999
Brookshire, Evelyn P.	520896	Warning with Stipulations	January 20, 2000
Byrd, Shirley B. Smith	220199	Reprimand with Stipulations	December 14, 1999
Cantu, Sandra Munson	604077	Reprimand with Stipulations	December 14, 1999

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## DISCIPLINARY ACTION

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<u>NAME</u>	<u>LICENSE #</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Castilleja, Maria Eugenia	593988	Warning with Stipulations	January 20, 2000
Chan, Wintom Wing Tong	551123	Reprimand with Stipulations	January 20, 2000
Cheatham, Janice R.	508987	Reprimand with Stipulations	January 20, 2000
Cobb, Carrie Carroll	581789	Reprimand with Stipulations	February 8, 2000
Colley, Liane Marie	610535	Warning with Stipulations	December 14, 1999
Custer, Cynthia Diane	462577	Remedial Education	February 14, 2000
Darnell, Brenda Christy	551134	Reprimand with Stipulations	February 8, 2000
Duke, Noble Scott	562401	Reprimand with Stipulations	January 20, 2000
Elliott, Teri A.	537962	Reprimand with Stipulations	January 20, 2000
Emberling, Merlelyn Gaea	510440	License Revoked	December 14, 1999
Eustace, Lydia Frances	254526	Warning with Stipulations	December 14, 1999
Fadol, Anecita P.	444828	Fine & Remedial Education	March 1, 2000
Fernandez, Yvonne Hoyos	235217	Reprimand with Stipulations	January 20, 2000
Flint, Mary A.	504878	Reprimand with Stipulations	December 14, 1999
Franklin, Elissa Joy	624033	Remedial Education	December 6, 1999
Friend, Janice Elizabeth	594653	Remedial Education	March 3, 2000
Fulton, Rebecca Jean	654073	Remedial Education	February 14, 2000
Gamble, Cynthia	644852	Warning with Stipulations	December 14, 1999
George, Annamma	591880	Reprimand with Stipulations	December 14, 1999
George, Barbara Gene	612272	Reprimand with Stipulations	December 14, 1999
Golden, Terri	657568	Warning with Stipulations	January 20, 2000
Goodge, David Ray	582570	Reprimand with Stipulations	January 20, 2000
Habacon, Natividad C.	505826	Reprimand with Stipulations	January 20, 2000
Heberly, Deborah	649241	Warning with Stipulations	January 20, 2000
Jackson, Milda Alis	583001	Warning with Stipulations	February 8, 2000
Jansen, Vicki Suzanne	504364	License Revoked	January 20, 2000
Jones, Norma Barbara	583081	Remedial Education	December 1, 1999
Kuehn, Carol Ann	608794	Reprimand with Stipulations	December 14, 1999
Lartson, Ekua	648937	Warning with Stipulations	February 8, 2000
Lavalais, Josie R.	635105	Warning with Stipulations	December 14, 1999
Malone, Joanne Tatum	250985	Reprimand with Stipulations	February 8, 2000
Martin, Janice Ann	459577	License Revoked	February 8, 2000
Mathew, Kunjamma	444911	Warning with Stipulations	December 14, 1999
Montoya, Chris Gerard	568216	Remedial Education	December 15, 1999
Nwosu, Prisca	613945	Reprimand with Stipulations	January 20, 2000
Oakley, Frances Hartness	606816	Warning with Stipulations	February 8, 2000
Orren, Karin Lynne	566970	License Revoked	January 20, 2000
Oser, Christina Allchin	656509	Reprimand with Stipulations	February 8, 2000
Peasgood, Jymlin K. Essary	232966	Remedial Education	January 24, 2000
Peña, Jimmy Lopez	610787	Warning with Stipulations	January 20, 2000
Plasencio, Tonia Sue	601832	Warning with Stipulations	December 14, 1999
Quintana, Juan F.	534456	Remedial Education	January 25, 2000
Ritchey, Jan Renee	606928	Reprimand with Stipulations	February 8, 2000
Robertson, Dorothy Ann	549020	License Revoked	January 20, 2000
Robinson, Lisa Michelle	563038	Warning with Stipulations	December 14, 1999
Rogers, Mitzy Gean	601958	Reprimand with Stipulations	December 14, 1999

continued on next page

## DISCIPLINARY ACTION

- continued from previous page

<u>NAME</u>	<u>LICENSE #</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Romanos, Sharon Ann	646659	Reprimand with Stipulations	January 20, 2000
Ross, Debra Lynn	555576	Reprimand with Stipulations	January 20, 2000
Schmaltz, Connie Louise	602026	Reprimand with Stipulations	December 14, 1999
Simpson, Juliann E.	501805	License Revoked	January 20, 2000
Smith, Allison K.	252988	Reprimand with Stipulations	January 20, 2000
Smith, Mary	642751	Reprimand with Stipulations	December 14, 1999
Standard, Leahnn Veronica	581364	Reprimand with Stipulations	February 8, 2000
Stevens, Robin Russell	582871	Reprimand with Stipulations	December 14, 1999
Stone, Irene Harriet	649420	Warning with Stipulations	February 8, 2000
Sweeney, Michael Francis	590033	Remedial Education	February 3, 2000
Thomson, Margaret Faith	456401	Warning with Stipulations	December 14, 1999
Turner, Margaret E.	518656	Remedial Education	November 29, 1999
Uribe, Christi Kay	639441	Remedial Education	January 24, 2000
Uribe-Sanders, Andrea	223906	Remedial Education	December 28, 1999
Wade, James Earl	599334	Reprimand with Stipulations	December 14, 1999
Whatley, Rhonda R.	625394	Warning with Stipulations	December 14, 1999
Yantis, Theresa Marie	605429	Warning with Stipulations	January 20, 2000
Yarbrough, Kelly Ann	603952	Warning with Stipulations	December 14, 1999

## VOLUNTARY SURRENDERS

*The following individuals have voluntarily surrendered their license to practice professional nursing in the State of Texas.*

<u>NAME</u>	<u>LICENSE #</u>	<u>DATE OF SURRENDER</u>
Aguilar, Katherine L.	658061	January 5, 2000
Armstrong, John Franklin	546790	December 30, 1999
Brassfield, Dennis Wayne	588569	March 8, 2000
Deleon, Sherry Diaz	587384	December 16, 1999
Formet, Colleen	588894	February 28, 2000
Hoffschneider, Dolores	648245	February 9, 2000
Kent, Kathryn Amy	574576	December 7, 1999
Levy, Nancy L	533902	February 11, 2000
Markham-Douthitt, Bonita	520465	December 16, 1999
Parker, Marne Michelle	649605	February 15, 2000
Ray, Tammie Jo	564016	December 8, 1999
Remel, Katherine Diahn	615598	January 26, 2000
Rodriguez, Scott A.	612906	December 30, 1999
Schreiner, Marla Rae	593063	January 6, 2000
Servaty, Janet Lynn	578841	March 1, 2000
Treviño, Cheryl Lynn	570597	March 1, 2000
Tunon, Daisy Carranza	429978	December 27, 1999

### VOLUNTEER FOR A PEER

You can make a difference. "TPAPN saved my life." Become a part of nurses helping nurses by calling the Texas Peer Assistance Program for Nurses at **1-800-288-5528**.

## Insufficient Funds

As of March 9, 2000, the following nurses appear on the records of the Board of Nurse Examiners as debits for failure to respond to notices of returned checks. Should any of these nurses be in your employ or seek employment with your agency/institution, please contact the Board's office. If any of these nurses are practicing in Texas as a registered nurse, they may be in violation of the Nursing Practice Act and may be subject to disciplinary action by the Board.

<u>NAME</u>	<u>LICENSE #</u>	<u>NAME</u>	<u>LICENSE #</u>
Allen, Julie Ann	623827	Jenkins, Victor I	517158
Asble, Alex Walter	564983	Kirk, Sandra Andrews	521416
Bargas, Virginia	257121	Kishbaugh, Shari Elizabeth	575583
Barr, Lori Anne	537652	Kuntz, Eileen Marie	514331
Buol, Kolleen Kay	516233	Kurylo, Kim Diane	580995
Conti, Angela Rose	552231	Masters, Mary Jane	550218
Cotterell, Jennifer Sandra	516426	Meyers, Stephanie	655919
De John, Ida C Caperna	424176	Milam, Vicki Jeannette	639563
Dennis, Patricia Ann	503975	Mitchell, Sandra	565160
Dever, Lorraine Marie	579468	Nims, Teresa Masadie	565233
Dillon, Patricia	560309	Olivier, Marie Claudia	514361
Falkner, Barbara Marie	587013	Pangilinan, Julie	445792
Farra, Diane Rae	560781	Payne, Traci Lee	569734
Felkins, Bettye Lisa	557452	Rae, Lisbeth Sue	538984
Filler, Marcia Ann	553220	Rosko, Lisa Marie	538707
Fryer, Renee Marie	578735	Sanderson, Brenda Mary	538111
Glisson, James M	239549	Severtson, Marianne Maples	416386
Gunnels, Lorrie Ann V	623930	Sloane, Gail Theresa	550406
Guthrie, Kelly R	547982	Stringer, Jacqueline	TL 73896
Hatter, Deanne Marie	568968	Vasquez, Emerald J D	207588
Hess, Cathy Christine	628267	Wilson, Vicki L	220897
Howard, Dorothy	613705	Yoho, Amy Joyce	599381
Howell, Sharon	459387		

## WANTED

### Advanced Practice Nurses and Registered Nurses looking for a Practice Opportunity!

**TEXAS PRAIRIE DOC** has **current** and **anticipated practice opportunities** that meet your **professional and personal** goals and needs. *The TEXAS PRAIRIE DOC program assists Advanced Practice Nurses and Registered Nurses in locating practice opportunities in rural Texas, as well as scholarship and loan repayment opportunities. The TEXAS PRAIRIE DOC program currently offers the following services:*

#### Practice Opportunity

##### Registry (Free)

- This is a list of primary care practice opportunities located in rural Texas communities.

#### Locum Tenens Practice

##### Opportunity Registry (Free)

- This is a list of temporary practice opportunities located in rural Texas communities.

#### Educational Debt Repayment

- Loan repayment programs
- Scholarship programs
- Stipend programs

#### Resource Services (Free)

- Practice evaluation checklist
- Interviewing
- Establishment of Rural Health Clinics
- Community information
- Compensation and contract provisions

#### HealthFind

An annual weekend "healthcare job fair", providing rural Texas communities and healthcare professionals the opportunity to meet face-to-face to discuss rural Texas practice opportunities and practitioner availability. *HealthFind 2000 is coming to Austin September 17, 2000!*

For more information, contact  
Bob Moore, Program Administrator

#### CENTER FOR RURAL HEALTH INITIATIVES

TEXAS STATE OFFICE OF RURAL HEALTH  
**Toll Free:** (877) TEX-CRHI or (877) 839-2744  
**Phone:** (512) 479-8891 **Fax:** (512) 479-8898  
**E-Mail:** bobmoore@crhi.state.tx.us  
**Web:** www.crhi.state.tx.us



# BNE EVENTS

## Board Meeting Schedule

**April 13-14**

**July 20-21**

**October 12-13**

All meetings to be held in Austin

## **HPC Toll-Free Number for Complaint Forms**

The Health Professions Council has a toll-free phone number for obtaining complaint forms to report inappropriate actions by Texas-licensed health professionals including Doctors, Physician Assistants, Therapists, RNs, and LVNs. That number is: **1-800-821-3205**.

## Workshop Update

Three "Focus on Nursing Practice" workshops are scheduled for April-June 2000:

**April 20 - Tyler**

**May 18 - Ft. Worth**

**June 1 - Wichita Falls**

Brochures and registration forms will be available and pre-registration will be accepted **six weeks** prior to the workshop, and is always encouraged since space is limited. Payment *must* accompany the registration form, so registration cannot be taken over the phone, e-mail, or fax. If you do not receive a brochure and registration form by six weeks prior to the workshop, you may download one from our website or request one by contacting us. Our phone number for workshop information is (512) 305-6844 and e-mail address is <SchwartzA@mail.bne.state.tx.us>

Also, look for our upcoming half-day workshops on delegation. One workshop is planned for Houston in July and another August 24, 2000 in Austin. Topics include: revisions to the Delegation Rule, the Delegation Task Force, the RN's licensure accountability, and expanded tasks that may be delegated. For additional information, check the BNE website or contact us directly.

## BNE HELPFUL NUMBERS

MAIN NUMBER .....(512) 305-7400  
-- 24 Hour Access  
-- License Verification  
-- General Information

ACCOUNTING SERVICES.....(512) 305-6853  
-- Returned checks  
-- Refunds  
-- Debits

LICENSING.....(512) 305-6809  
-- Renewals  
-- Endorsement/Reciprocity  
-- Continuing Education for RNs

SALES OF LISTS.....(512) 305-6848  
-- Computerized RN mailing lists or labels  
-- Publications

NEWSLETTER INFORMATION...(512) 305-6842

WEB Address.....www.bne.state.tx.us  
-- Refer e-mail inquiries to:  
webmaster@mail.bne.state.tx.us

ENFORCEMENT.....(512) 305-6838  
-- Complaint and disciplinary action inquiries  
-- Violations of NPA rules and regulations  
-- Monitoring of disciplined RNs

ADVANCED PRACTICE.....(512) 305-6843  
-- APN application and  
Prescriptive Authority procedures  
-- Application Requests.....(512) 305-6867  
(Voice Box Only)  
-- Initial Authorization to Practice  
-- Prescriptive Authority

EDUCATION & EXAM.....(512) 305-6818  
-- RN/APN nursing programs  
-- Distance Education Initiatives  
-- NCLEX-RN applications  
-- Graduate Nurse permits  
-- Declaratory orders

NURSING PRACTICE.....(512) 305-6844  
-- Nursing practice issues  
-- Legislation  
-- Workshop Information.....(512) 305-6840

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for the State of Texas  
P.O. Box 430  
Austin, TX 78767-0430



The purpose of the *RN Update* is to disseminate information to registered nurses licensed by the State of Texas, their employers, health care providers, and the public concerning laws and regulations established by the Board of Nurse Examiners related to the safe and legal practice of professional nursing. The *RN Update* provides information on current issues and trends in nursing regulation, status of nursing education programs, information regarding licensure and nursing practice, and disciplinary action taken against licensees who violate the Nursing Practice Act.

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#### Office Hours and Location

The Office of the Board of Nurse Examiners is located in The William P. Hobby Building, located at the corner of 4th and Guadalupe in downtown Austin. The mailing address is P.O. Box 430, Austin, Texas 78767-0430. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for designated holidays.

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## Sworn Declaration of Primary State of Residence

Please complete the affidavit below, remove the return card from the *RN Update*, fold the card in half at the dotted line, staple the bottom edge of the form, affix a 33¢ stamp in the top right corner, and mail the form to the Board of Nurse Examiners.

*Signing of form must be witnessed and attested to by a Notary Public.*

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

Middle Name: \_\_\_\_\_

Current Address: \_\_\_\_\_

Street Address

City

State

Zip Code

Please check box if address above is a Change of Address.

RN# \_\_\_\_\_

SSN: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

In accordance with the Nursing Practice Act, Article 4528b and 22TAC §220.2, I declare that the State of \_\_\_\_\_ is my primary state of residence and that such constitutes my permanent and principal home for legal purposes. ("Primary state of residence" is defined as the state of a person's declared fixed permanent and principal home for legal purposes; domicile.)

I intend to practice in state(s) of \_\_\_\_\_

(e.g. Texas, Arkansas, Maryland, etc.)

Signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_

This instrument was acknowledged, sworn to and subscribed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

(SEAL)

Signature

Notary Public in and for the State of \_\_\_\_\_

Typed or printed name: \_\_\_\_\_

Notary Commission expires \_\_\_\_\_

For more information about completing this form, see the article on page one of *RN Update*.

Board of Nurse Examiners  
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