



Wyoming State  
**Board of Nursing**  
*Board Meeting Minutes*

**PUBLIC SESSION:** The Wyoming State Board of Nursing held its regularly scheduled meeting on October 22, 23 and 24, 2001, at the Barrett Building, 4th Floor Conference Room, 2301 Central Avenue, Cheyenne, Wyoming.

**Voting numbers on all decisions and motions are as follows:  
IN FAVOR - OPPOSED - ABSTAINING - ABSENT**

**CALL TO ORDER:** The meeting of the Wyoming State Board of Nursing was called to order at 9:00 a.m., Monday, October 22, 2001, at the University of Wyoming Family Practice Center by Patricia Fritz, Board President.

**ROLL CALL:** President Patricia Fritz took the roll call.

**Board Members Present:**

Patricia Fritz, BSN, RNC, President, Basin (9:00 a.m. - 2:30 p.m. October 22, 2001)  
Judy Turner, MS, RN, Vice President, Story  
Beth Evans, Ph.D., Secretary, Consumer Board Member, Cheyenne  
Karla Roich, LPN, Board Member, Rock Springs (9:00 a.m. - 5:00 p.m. October 22, 2001)  
Patti Ellis, LPN, Board Member, Pinedale  
Ruthann Holzer, RN, Board Member, Lovell  
David Sones, MA, RN, CS, Board Member, Cheyenne

**Board Members Absent:**

None.

**Staff Present:**

Cheryl Koski, MN, RN, CS, Executive Director  
Mary Schaper, MS, RN, Nursing Practice Consultant  
Mary Calkins, Ph.D., RN, CNN, Compliance Consultant  
Rachel Riles, Administrative Specialist  
Paula Shepherd, Exam Coordinator (10:00 a.m. - 12:00 p.m., October 23, 2001)  
Fran Hawkins, Management Services Officer (10:00 a.m. - 12:00 p.m., October 23, 2001)  
Angela Dougherty, Attorney General's Office (October 22, 2001)

**Visitors Present:**

None.

**DECLARATION OF QUORUM:** President Fritz declared a quorum present, October 22, 2001.  
President Turner declared a quorum present, October 23, 2001.

**REORDERING OF THE AGENDA:** By consensus, the agenda was accepted with flexibility, including the written additions and deletions submitted by Ms. Cheryl Koski, Executive Director.

**RESIGNATION AND REMOVAL FROM BOARD:**

**Executive Session 9:10 - 11:15 a.m.:** Due to an appointment conflict caused by two individuals from the same agency being assigned to the Board, Ms. Roich resigned her position on the Board, effective 11:15 a.m. October 22, 2001.

**Executive Session 3:15 - 3:30 p.m.:** Information received from the Governor's office at approximately 2:15 p.m., October 22, 2001, relieved President Fritz of her position on the Board. Vice President Turner assumed the president's position following the executive session. Roll call of the remaining Board members was taken by acting President Turner. A quorum was declared.

The Board would like letters of thanks sent to Ms. Fritz and Ms. Roich, mentioning the extraordinary circumstances of their termination/resignation from the Board.

## **ELECTION OF OFFICERS**

**Motion:** *A motion was made and seconded, October 23, 2001, to declare this meeting an annual meeting for the purpose of electing officers. The vote on the above decision was 5-0-0-0.*

**Motion:** *A motion was made and seconded, October 23, 2001, to elect Judy Turner, President, Ruthann Holzer, Vice President, and Beth Evans, Secretary. The vote on the above decision was 5-0-0-0.*

These changes, including Board vacancies, are to be published in the WNA Newsletter and updated on the Board website.

Discussion ensued regarding restructuring Board committees. Of particular concern was Ms. Ellis' position on the Disciplinary Committee as she is presently the only LPN appointed to the Board and her term expires 2/28/02. Due to the fact Ms. Ellis has already reviewed the cases, it was decided that all committee appointments will remain as they are until new members are appointed.

## **APPROVAL OF THE MEETING MINUTES**

### **Minutes of the May 14-16, 2001 Board Meeting:**

**Motion:** *A motion was made and seconded, October 22, 2001, to table approval of the July Board Meeting minutes until the next meeting. The vote on the above decision was 6-0-0-0.*

## **OLD BUSINESS**

### **The following items remain open from past meetings:**

- Request for AG opinion regarding Board jurisdiction concerning nursing education programs. (Dec 2000)
- CNA MOU finalization with DOH (Mar 2001)
- Request for AG clarification on WPAP immunity. (Feb 2001)
- Equipment replacement schedule (Feb 2001)

## **ADMINISTRATIVE ISSUES**

### **Information Dissemination:**

**Motion:** *A motion was made and seconded, October 23, 2001, for the Board to initiate a regular column in the WNA Newsletter to be written by Board members and/or staff. The vote on the above decision was 5-0-0-0.*

### **Educational Programs:**

**Site Visits:** Ms. Koski asked to hire an outside consultant for all future site visits to help avoid conflict of interest and obtain an independent, outside opinion. By consensus, the Board approved this request.

**Northwest College:** The Board reviewed the history of NWC's accreditation and placement on provisional approval through 2002 with the Board.

Annual Report, Board Recommendations: NWC is encouraged to have a qualified consultant working with them. The Board was unclear why NWC answered no to question 3b on the Annual Report Form under the "Students" section. This question states "Are the policies provided to nursing education program applicants." The Board found this information in NWC's catalog. The refinement of curriculum could include more faculty input and address ways to include students. Another concern is that not all faculty have completed 10 contact hours of principles of teaching/learning nor do all faculty have a Master's degree or plans for completion of a Master's degree in 5 years. The RN NCLEX pass rate is still a concern. The Board will revisit the program by April 2002.

**Central Wyoming College:** The Board is concerned about leadership due to the lack of Master's prepared faculty, with less than 50% of the faculty being Master's prepared. CWC is to be commended for the 100% NCLEX pass rate in 2001.

**Casper College:** The Board commends CC for plans to address the declining NCLEX scores. A concern about course leadership is expressed as less than 40% of faculty are Master's prepared; however, they are to be commended on the well thought out, realistic plans for completion of their Master's degree.

CC is requesting approval to complete a one-time two year ADN program in Rawlins. There will be CC faculty onsite and the program will handle up to 16 students.

***Motion:** A motion was made and seconded, October 24, 2001, to approve Casper College's outreach program in Rawlins for spring semester 2002 through fall 2003. The Board commends Casper College for their efforts regarding the RN nursing shortage and providing nursing education in an area of the state which has limited access to nursing education. The vote on the above decision was 4-0-1-0.*

**University of Wyoming:** The Board commented on UW's Annual Report: admission and attrition rates do not match; the Board noted their problems obtaining qualified staff; a letter is to be forwarded to UW thanking them for their update since they recently received.

**Western Wyoming Community College:** The Board reviewed WWCC's Annual Report: NCLEX pass rates remain good; faculty plans for obtaining Master's degrees are good; they are to be commended on their program's progress.

**Sheridan College:** Sheridan's full site-visit has been postponed until 2003. The Annual Report received was supplemented with a site visit by Ms. Koski and Ms. Schaper on October 1-2, 2001. The Board granted Sheridan continued full approval until 2003.

**Laramie County Community College:** Full site-visit performed by Ms. Koski and Ms. Schaper, October 8-11, 2001. Items of concern include:

- Organizational chart does not show line of authority in nursing organizational structure;
- The administrator of the nursing program has a teaching overload which interferes with her administrative duties;
- Not all faculty are Master's prepared nor do they have a plan for completion within 5 years of hire;
- Have not implemented clinical preceptor instructions;
- No clear delineation between levels in curriculum ;
- The responsibilities of student preceptors and faculty members need to be more

specifically delineated.

**Motion:** *A motion was made and seconded, October 24, 2001, to recommend full approval of LCCC for a period of 4 years with quarterly progress reports and a focused visit in 2 years (fall, 2003). The vote on the above decision was 4-0-1-0.*

**Pickens Tech, Aurora Colorado:** Ms. Shirley Harris sent a letter of complaint to Governor Geringer regarding the requirement of having two Master's prepared instructors for the nine clinical students presently attending Pickens Tech for clinicals to be performed at UMC. She requested the Governor's assistance to amend the rules. The Governor's Office will be sending a response to Ms. Harris that she can request emergency rules on this matter.

Ms. Dougherty indicated the letter will be forwarded to the Board as a petition for a rule making change. The Board will need to consider it under the Administrative Procedures Act and provide a reason why it won't be adopted or notice that it will be submitted as a rules change.

### **National Council of State Boards of Nursing:**

**Report of National Council Annual Meeting:** President Fritz, Vice-President Turner, Ms. Koski, and Ms. Schaper attended. Ms. Koski briefed the Board on the content of the meeting. The meeting's primary emphasis was on the nursing shortage, with some excellent statistics provided.

**Report of NCLEX Invitational - Judy Turner:** Ms. Turner briefed the Board on the NCLEX Invitational. The NCLEX exam is being moved from the Chauncey Group to NCS Pierson and they are working on a smooth transition. Dr. Deb Wooley, Senior NCLEX Content Associate, presented an excellent briefing on curriculum mapping and how to link the NCLEX test plan to an educational program. Ms. Turner highly recommends the booklet, "Taking the NCLEX PN."

**Appointment to NCSBN Committees:** Ms. Koski was reappointed as the chairperson of the Resolutions Committee; Ms. Schaper was appointed to the Practice Regulation and Education Committee; Dr. Calkins was reappointed to the Item Review Subcommittee and was asked to represent National Council at NCLEX-RN Item Review Session.

**Request for Research Assistance:** Volunteers are being requested. Nominations need to be submitted by November 15, 2001.

**CRNA Supervision:** HCFA-3070-P/Anesthesia Supervision Rule requires physician supervision of nurse anesthetists. It allows the Governor to initiate an opt-out from the federal physician supervision requirement for Wyoming nurse anesthetists, following consultation with the Board of Nursing and the Board of Medicine.

**Foreign Nursing Immigration - NCSBN Position Statement:** NCSBN is supportive of the lawful entry of nurses from foreign countries to work in the U.S. and its territories if they so choose, provided they can meet the current federal qualifications for entry and achieve state or territorial licensure to practice.

**Nurse Competency Study:** Volunteers are being solicited to participate in this study. Interested individuals should visit National Councils web site at [www.ncsbn.org](http://www.ncsbn.org).

**Commitment to Excellence Project:** A study being conducted by the National Council on excellence in regulations that will survey nurses in Wyoming.

**Testing - NCLEX-PN Test Plan:** Minor changes were made to the Test Plan structure and

client needs. Schools should be looking at incorporating this into their content plan.

**Nursys:** Ms. Koski reviewed the summary of enhancements that have occurred with Nursys.

**Department of Health:** Ms. Dougherty excused herself from any actions or discussions regarding the Department of Health.

**ASI:**

**Written and Skills Exam Changes:** Effective November 1, 2001, ASI will begin using a new test. Passing rate will change from 80% to 75%.

**ASI Contract Proposal:** Ms. Shepherd prepared a list of step-by-step procedures for processing CNA exam candidate information, including steps that would be removed if the Board used ASI's full service testing. There are 28 steps performed to process a candidate for certification by examination, ten of which would be eliminated if ASI were utilized which equates to a time savings of 4-5½ days per month.

Concern over the increased costs for ASI was discussed. Switching to full service would almost triple the costs to CNAs; but would reduce the amount of money now being subsidized by RNs and LPNs. Additional funding could possibly come from other programs such as facilities, BOCES, JTPA, and grants.

***Motion:** A motion was made and seconded, October 23, 2001, to accept the ASI proposal for the Nurse Aide Competency Evaluation and direct staff to initiate a formal contract with ASI. The vote on the above decision was 5-0-0-0.*

**Criminal Backgrounds:**

**MOU - Department of Health:** Dr. McKee responded to Ms. Koski via E-Mail that he would be unable to meet with the Board but would like to set up a meeting with Mr. Dan Stackis facilitating. The Board instructed Ms. Koski to attend a meeting with Dr. McKee and Mr. Stackis and relay to them that she is acting as a liaison for the Board and will need to confer with the Board before any action(s) can be taken. The Board would specifically like to know:

1. When Dr. McKee and Ms. Oleske were here in May, they indicated they would go back to HCFA to explain the CNA program is not a Wyoming statutory requirement. However, Ms. Oleske stated in July they decided not to approach HCFA. The Board would like to know whether or not they are going to address this issue with HCFA?
2. If DOH obtains increased funds, at what rate will they contract with the Board? If they are not getting increased funding, at what rate will they contract with the Board?
3. The Board has discovered in researching HCFA rules that a subcontracted agency is supposed to bill DOH. Does the Board need to bill DOH for services rendered? There has never been a request for the Board to bill DOH.
4. The Board agrees that the subsection in the MOU dealing with background checks is irrelevant and can be removed from the MOU. Does DOH have any objections to its removal?

Ms. Koski reviewed the chronology of past correspondence between the Board and DOH with the Board. The Board feels this chronology demonstrates they have tried to facilitate the revision of the MOU and have not held up the process of resolving this issue.

Ms. Schaper inquired if the Board would like her to proceed with site visits to the nurse aide

education programs. Several visits, which are now past due, were suspended when the MOU with DOH was not signed.

**Motion:** *A motion was made and seconded, October 23, 2001, to discontinue nurse aide education program site visits until we are again operating under an MOU with appropriate funding. The vote on the above decision was 5-0-0.*

**Attorney General:**

**Proposed AG Opinion Request:** Ms. Koski would like to obtain an opinion from the Attorney General's office asking if the Board of Nursing is mandated by statute to regulate nurse aides/certified nurse aides and nurse aide training and competency evaluation programs. Is the Board mandated and, if so, by what statute? After discussion the Board decided, by consensus, not to send the request for an opinion.

**AG Opinion - Educational Programs and 120 Days for CNAs:** A reply (attached), dated July 26, 2001, has been received with the following:

**RE: Educational Programs:** "The Board of Nursing has the ability to determine the educational requirements for nursing education programs, but it may not have the jurisdiction to control the educational requirements of programs for advanced degrees in nursing." Regarding advanced practitioners of nursing, "...the Board's control in this area is limited to approving what national certification examination for qualification is permitted."

**RE: 120 days for CNAs:** The Board requested clarification on whether a CNA who is hired and does not obtain their certification within 120 days from first date of hire could be terminated and then be allowed to rehire and begin their 120 day period to obtain their certification again. AG response was "The short answer is no." Further, 42 U.S.C.A. § 1395i-3(b)(5)(A) was summarized: "This provision clearly sets out that a nurse aid can work for no longer than four months in a skilled nursing facility unless he or she is declared competent by the State following the completion of a training and competency evaluation program." This four-month provision is reiterated in the Code of Federal Regulations 42 CFR § 483.75(e)(2).

A follow-up AG opinion (attached), dated October 15, 2001, was received, adding that the Office of Health Quality is also responsible for enforcement of the law.

After review of these documents, the Board is ever mindful of its responsibilities to protect public safety versus the responsibilities of other agencies who deal with CNAs.

**Memo for OHQ:** Ms. Kay Wagner, from the Office of Health Quality (OHQ), forwarded a copy of the AG opinion pertaining to the work practices of CNAs to all health care facility administrators.

**Fingerprint Cards - Name Checks:** The Department of Justice Information Services (CJIS) informed the Wyoming Division of Criminal Investigation's State Identification Bureau that they were implementing new procedures for name check requests. Effective October 5, 2001, the Division of Criminal Investigation, upon receipt of the second reject notification, will automatically resubmit the rejected fingerprint card with a request for name search.

**Wyoming Professional Assistance Program (WPAP):** A letter was forwarded to all facilities in support of WPAP.

WPAP, through the Medical Board, held a meeting of all the agencies involved with WPAP. WPAP hired a consultant, Dr. Kent Kneff, to come in and review the program. Dr. Kneff made several

recommendations such as: Carol Shotwell resigning from the WPAP Board of Directors because of a conflict in interest; WPAP needs an accountant on the Board of Directors; and people on the Board of Directors need to have a “business sense.” WPAP’s primary purpose is to be a monitoring program, not a treatment program. The major consensus from all participants was WPAP needs to do something about administration and the Board of Directors need to be communicating with their constituents to keep them informed. It was very clearly stated in the meeting that the Board of Nursing cannot cover the entire cost of the nurses in the program, physicians are the foundation of this entire program and will need to maintain their participation.

### **Nursing Shortage:**

**Department of Education (DOE):** Ms. Koski is working on a MOU with the DOE which would allow the sharing of information to track where nurses are working. DOE is working on a nursing study, although DOH funding for the study was turned down. The Research Department of DOE in Casper will absorb costs for now to get the study underway.

**Wyoming Commission of Nursing and Nursing Education (WCNNE):** Ms. Koski and Dr. Calkins met with Toni Decklever, President of WNA, to discuss the nursing shortage. They came up with a survey for facilities and employers WCNNE will be meeting with Workforce Development to see if they can obtain funding to complete this survey.

**Volunteer Licenses:** The Board discussed what could be done to facilitate licensure for retired or lapsed nurses who would like to volunteer. Representative Lorna Johnson is looking at rewriting the volunteer bill for retired nurses who would like to volunteer their time.

**Proposed Legislation:** Ms. Koski reviewed proposed draft legislation with the Board. Proposed legislation includes: requirement for all individuals having direct contact with patients to have a background check; completion of background check before an individual can be licensed; Wyoming investment in nursing loans and grants; mobile practical nursing program; limits on nursing care bed construction; office of technical assistance; and medication Aides at the Training School.

The Board reviewed and commented on proposed draft legislation received from John Rivera, LSO, per request from Senator Mike Massie, regarding Board of Nursing background checks. This draft would prohibit certifications or licenses from being issued until criminal history record background reports have been received by the Board.

**Budget:** Ms. Hawkins reviewed all budget items with the Board.

**True Secure Security:** A review of computer security revealed some physical security issues that need to be resolved by the purchase of equipment; e.g., a locking cabinet with a fan needs to be purchased for the server, a lock for the door leading into the server room, and firewalls for all office computers.

**BON Procurement Card and Agency Coordinator:** The state has contracted with VISA for a procurement card. This procurement card will allow purchases with companies we don’t normally purchase from or who are not listed on the state WOLFS system.

**Motion:** *A motion was made and seconded, October 23, 2001, to appoint Fran Hawkins and the BON Executive Director as the BON agency coordinator for the State of Wyoming’s procurement card. The vote on the above decision was 5-0-0.*

**Citizen Advocacy:** The Citizen Advocacy Center (CAC) will be holding their annual meeting in Philadelphia on Wednesday, November 14 through Friday, November 16, 2001. Dr. Evans has elected not to attend.

**Board Vacancy Announcements:** The Board is directing staff to concentrate on appointment of LPNs to the Board because of the problems that will arise over maintaining a quorum.

**Personnel/Board Issues:** None.

## SCOPE OF PRACTICE ISSUES

**Medication Administration by CNA's in Assisted Living:** Ms. Schaper briefed the Board on a letter received from Robin Rolling, Powell Valley Health Care, asking for clarification related to a CNA performing assistance with medications regarding a cognitively impaired resident. Ms. Koski and Ms. Schaper responded by letter with clarification that the nurse is responsible to assess whether a client is cognitively impaired and the degree of cognitive impairment would affect the nurse's ability to delegate medication assistance.

**IV Administration of Radioactive Contrast:** Ms. Schaper requested this be tabled until the next meeting.

**DISCIPLINARY ISSUES:** Individuals whose case is up for a Board hearing are now given an option of voluntarily surrendering their license with the possibility of reapplying at a later date. This option has cut down on the number of cases coming before the Board. Presenting the options that are available to the individual gives them a clearer understanding that they do not necessarily need to go to hearing on their licensure.

Complaints are still down. Reasons are unknown but may possibly be because of the nursing shortage.

Dr. Calkins recommended making adjustments to the Wyoming Board of Nursing Disciplinary Model. Details were discussed in Executive Session. The Board concurred with Dr. Calkins' recommendations.

## Applications and Complaints for Full Board Review:

### NA Applicant, Case No. 01-037.

**Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-037.

The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.

### RN Applicant, Case No. 01-038.

**Motion:** A motion was made and seconded, October 22, 2001, to issue license with letter of awareness to Case No. 01-038.

The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.

### RN Applicant, Risha Banks, Case No. 01-046.

**Motion:** A motion was made and seconded, October 22, 2001, to issue license with a letter of reprimand to Case No. 01-046. If individual does not accept letter of reprimand, deny licensure.

The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical



Nurse voting for quorum action.

**NA Applicant, Case No. 01-050.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-059.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**GN Applicant, Case No. 01-051.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue license with letter of awareness to Case No. 01-051.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-052.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-052.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Shereilyn Donges, Case No. 01-053.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of reprimand to Case No. 01-053. If individual does not accept letter of reprimand, deny certificate.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-054.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-054.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-055.**

***Motion:** A motion was made and seconded, October 22, 2001, to deny certificate to Case No. 01-055.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-057.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-057.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and*

Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.

**NA Applicant, Case No. 01-058.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-058.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-064.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-064.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-066.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-066.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-070.**

***Motion:** A motion was made and seconded, October 22, 2001, to issue certificate with a letter of awareness to Case No. 01-070.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**NA Applicant, Case No. 01-072.**

***Motion:** A motion was made and seconded, October 22, 2001, to deny certificate to Case No. 01-072.*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**Board Affirmations:**

**Dismissals:** None to consider.

**Tag and File:** None to consider.

**Certify/License:**

***Motion:** A motion was made and seconded, October 22, 2001, to affirm the Disciplinary Committee's recommendation to license/certify the following:*

*Case No. 01-059, NA*

*Case No. 01-073 NA*

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**Advisory Letters:** None to consider.

**Letters of Awareness:** None to consider.

**Proceed with Discipline:** None to consider.

**Recertifications:** None to consider.

**Hearings:** None to consider.

**Board Reconsiderations:** None to consider.

**Off Conditional License:** None to consider.

**Actions Finalized (Signatures Needed):**

**Letters of Reprimand:**

***Motion:** A motion was made and seconded, October 22, 2001, to affirm the Disciplinary Committee's recommendation to accept letter of reprimand from:*

Case No. 00-132, James Miller, CNA

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**Stipulated Agreements/Conditional Licensure:**

***Motion:** A motion was made and seconded, October 22, 2001, to affirm the Disciplinary Committee's recommendation to accept stipulated agreements/conditional license from:*

Case No.00-118, Sharon Dukes, RN

Case No.01-025, Susan Miller, LPN

Case No.01-027, Marilyn Wehner, RN

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical Nurse voting for quorum action.*

**Voluntary Surrender:**

***Motion:** A motion was made and seconded, October 22, 2001, to affirm the Disciplinary Committee's recommendation to accept voluntary surrender from:*

Case No. 00-124, Maria Sotomayer, CNA

Case No. 01-008, Lori Carr, CNA

Case No. 01-048, Theresa Russell, CNA

Case No. 01-056, Annette Kinchle, LPN

Case No. 01-063, Janine Hildebrandt, RN

Case No. 01-065, Dolly Lubic, CNA

Case No. 01-069, Orlando Cherry, LPN

Case No. 01-096, Shari Misner, LPN

*The vote on the above decision was 4-0-1-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. Rule by Necessity prevailed in terms of one Disciplinary Committee member/Licensed Practical*

Nurse voting for quorum action.

**Private Agreements:** None to consider.

**Withdrawal of Application:** None to consider.

**ADJOURNMENT:** Having no further business to come before the Board, the meeting was adjourned by President Turner at 2:30 p.m. on October 24, 2001.

Submitted by:

//signed//  
Rachel Riles, Recorder

//signed//  
Judy Turner, MS, RN, President

//signed//  
Ruthann Holzer, RN, Vice President

//signed//  
Beth Evans, Ph.D., Secretary