



Wyoming

STATE BOARD OF NURSING

130 Hobbs Ave, Suite B, Cheyenne, WY 82002

Serve and safeguard the people of Wyoming through the regulation of nursing education and practice

Special Meeting Minutes

August 2, 2018

In accordance with the State of Wyoming Public Records Act, supporting documentation to the meeting minutes is a public record and is available upon written request. Voting numbers on all decisions and motions are as follows: In Favor – Opposed – Abstaining – Absent. The Board reserves the right to vary from the times and order of matters presented depending upon the need and necessity of facilitating the flow of business.

Thursday, August 2, 2018

Called to order 8:02 a.m.

President Marjory Christiansen called to order the meeting of the Wyoming State Board of Nursing (WSBN). A roll call was conducted and quorum declared.

The following were present:

<p><u>Board Members</u> Marjory Christiansen RN, President (MC) Susan Howard RN, Vice President (SH) Helen Byrd RN, Secretary (HB) Cristy Dicklich-Cobb RN (CDC) Stephen Delger, Public (SD) Kathy Cromer LPN (KC) Wendy Wood Neeson APRN (WWN) (absent)</p>	<p><u>Staff</u> Cynthia LaBonde, Executive Director (CL) Jennifer Burns, Practice & Education Consultant (JB) Victoria Pike, C&D Manager, Nurse Investigator Joey Clure, Investigative Assistant (JC) Kara Aguirre, Legal Assistant (KA) Caitlin Casner, Office Support Specialist (CC)</p>	<p><u>Attorney General's Office</u> Jim Peters, Advising Attorney (JP) Jesse Naiman, Prosecuting Attorney (JN) Jessica Frint, Prosecuting Attorney (JF)</p> <hr/> <p><u>Public</u> Roberta Harris, CNA #19587, Hearing Participant Kim Bird, RN #15341, Hearing Participant Matt Martineau, Wyoming Board of Pharmacy Vanessa Sorrels, Wyoming Board of Pharmacy Kathy Kendrick, Wyoming Reporting Services Sean Chambers, Hearing Officer, Office of Administrative Hearings (SC)</p> <hr/> <p><u>Presenters</u> Candice Cochran, Wyoming Professional Assistance Program Jared Fenlason, Soberlink</p>
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AI#01 Presentation: Prosecuting attorney and hearing strategies

- JF advised strategy will revert to default procedure, explained process will not involve calling VP or Disciplinary Committee (DC) member.
- Advised deviations from matrix to be a separate agenda item in the future.

AI#02 Committee Activity-Board approval needed

- a. Education Committee
 - i. Approval new programs CNA II and MAC; WY Retirement Center

***Motion:** Motion made by SH and seconded by HB to approve new CNA II and MAC programs at the WY Retirement Center after change of following language: "Demonstrate setting liter flow rate on flow meter." In Unit III: Advanced skills to read: "Confirm liter flow rate on flow meter." Motion passed (6-0-0-1).*

AI#03 Presentation: Soberlink-How does the device work? Candace Cochran, Wyoming Professional Assistance Program (WPAP)

- Discussed how Soberlink device works.
- Discussed Soberlink test scheduling, reporting, and education provided to users.
- Discussed calibration of device and incidental exposure.

AI#04 Hearings

- Roberta Harris, CNA #19587, Docket No. 17-18-162-SD.
 - Hearing began at 10:00 a.m.
 - Hearing officer SC, prosecuting attorney JN.
 - Witness Roberta Harris.
 - Hearing ended at 10:22 a.m.

- Kim Bird, RN #15341, Docket No. 17-099-HB.
 - Hearing began at 10:25 a.m.
 - Hearing officer SC, prosecuting attorney JN.
 - Witnesses KA and Kim Bird.
 - Hearing ended at 11:17 a.m.

- Tabatha Beidl, CNA #25126, Docket No. 16-17-334-CM/HB.
 - Hearing began at 11:23 a.m.
 - Hearing officer SC, prosecuting attorney JN.
 - Witness KA.
 - Hearing ended at 11:32 a.m.

- Calvin Lower, RN #19271, Docket No. 16-093-HB.
 - Hearing began at 11:32 a.m.
 - Hearing officer SC, prosecuting attorney JN.
 - Witness HB.
 - Hearing ended at 11:37 a.m.

- Michelle Morgan, CNA #28054, Docket No. 17-18-158-HB.
 - Hearing began at 11:38 a.m.
 - Hearing officer SC, prosecuting attorney JN.
 - Witnesses JC and HB.
 - Hearing ended at 11:44 a.m.

- Myra Hemingway-Koch, RN #17960, Docket No. 16-17-209-02-SH.
 - Hearing began at 11:44 a.m.
 - Hearing officer SC, prosecuting attorney JN.
 - No witnesses.
 - Hearing ended at 11:50 a.m.

AI#07 Consent Agenda

The following item was pulled from the Consent Agenda by Board member request:

Settlement Agreements/Stipulations

- Tori Dumas, CNA #17535, Docket No. 17-18-178-WWN (LOR)

Motion: *Motion made by SD and seconded by KC to approve the following Consent Agenda as amended. Motion passed (6-0-0-1).*

- a. Approval of Meeting Minutes
 - i. July 16-17, 2018
- b. Disciplinary Matters
 - i. Dismissals - None
 - ii. Notice of Warnings
 - 1. Docket No. 17-18-212-MTX, CNA
 - 2. Docket No. 17-18-182-HB, LPN
 - 3. Docket No. 17-18-181-HB, CNA
 - 4. Docket No. 17-18-197-MTX, CNA
 - iii. Settlement Agreements/Stipulations-None
 - iv. Board Orders

1. Kimberly Larson, APRN #18217.0308, Docket No. 16-17-390-WWN (Inactive)
- c. Application Matters
 - i. Licenses/Certificates Issued
 - ii. Tier III - None

AI#05 Summary Suspension

- a. Amy Beam, CNA #29004, Docket No. 18-011-MTX
 - KA attempted to contact Ms. Beam via phone, no answer.
 - Facts of the case were presented by KA on behalf of the DC.

Motion: Motion made by SD and seconded by HB to accept the DC's recommendation to Summarily Suspend Amy Beam, CNA #29004, Docket No. 18-011-MTX. Motion passed (6-0-0-1).

AI#09 Other Disciplinary Matters

Motion: Motion made by SD and seconded by HB to accept the DC's recommendation to approve the reinstatement of Heather Castro, RN #21422, Docket No. 13-14-143-SH. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC: SH).

AI#08 Executive Session – Right to Practice

Motion: Motion made by SH and seconded by SD to enter into Executive Session at 1:12 p.m. for Legal Advice and Right to Practice for Tori Dumas, CNA #17538, Docket No. 17-18-178-WWN. Motion passed (6-0-0-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting and do not attend Executive Session. (DC: WWN, absent).

Board returned to Public Session at 1:33 p.m.

Motion: Motion made by SH and seconded by KC to remand back to DC for further review and recommendation for Tori Dumas, CNA #17538, Docket No. 17-18-178-WWN. Motion passed (6-0-0-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: WWN, absent).

Motion: Motion made by SH and seconded by HB to enter into Executive Session at 1:37 p.m. for Legal Advice and Right to Practice for Roberta Harris, CNA #19587, Docket No. 17-18-162-SD. Motion passed (6-0-0-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting and do not attend Executive Session.) (DC: SD).

Board returned to Public Session at 2:01 p.m.

Motion: Motion made by CDC and seconded by HB to accept the DC's recommendation of a Letter of Reprimand to Roberta Harris, CNA #19587, Docket No. 17-18-162-SD. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC:SD).

Motion: Motion made by SH and seconded by CDC to suspend Kim Bird, RN #15341, Docket No. 17-099-HB for twelve (12) months. Motion failed (1-4-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: HB).

Motion: Motion made by SD and seconded by KC to enter into Executive Session at 2:10 p.m. for Legal Advice and Right to Practice for Kim Bird, RN #15341, Docket No. 17-099-HB. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting and do not attend Executive Session.) (DC: HB).

Board returned to Public Session at 2:17 p.m.

Motion: Motion made by SD and seconded by KC to continue summary suspension and table the matter of Kim Bird, RN #15341, Docket No. 17-099-HB until Board can review documents submitted by Kim Bird August 2, 2018 and Board staff schedules special meeting. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: HB).

Motion: Motion made by SH and seconded by KC to enter into Executive Session at 2:21 p.m. for Legal Advice and Right to Practice for Tabatha Beidl, CNA #25126, Docket No. 16-17-334-CM/HB. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting and do not attend Executive Session.) (DC: HB).

Board returned to Public Session at 2:29 p.m.

Motion: Motion made by SH and seconded by KC to accept the DC's recommendation of a two (2) year conditional license for Tabatha Beidl, CNA #25126, Docket No. 16-17-334-CM/HB. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: HB).

Motion: Motion made by SD and seconded by SH to accept the DC's recommendation of suspension of conditional license pending three (3) consecutive months of compliance with WPAP for Calvin Lower, RN #19271, Docket No. 16-093-HB. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: HB).

Motion: Motion made by SD and seconded by SH to enter into Executive Session at 2:31 p.m. for Legal Advice and Right to Practice for Michelle Morgan, CNA #28054, Docket No. 17-18-158-HB. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting and do not attend Executive Session.) (DC: HB).

Board returned to Public Session at 2:40 p.m.

Motion: Motion made by SH and seconded by KC to issue a Stayed Letter of Reprimand with education for scope and practice for Michelle Morgan, CNA #28054, Docket No.17-18-158-HB. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: HB).

Motion: Motion made by SD and seconded by CDC to accept the DC's recommendation of Letter of Reprimand for Myra Hemingway-Koch, CNA #29004, Docket No.16-17-209-02-SH. Motion passed (5-0-1-1). (In accordance with Board rules, members of the Disciplinary Committee abstain from voting.) (DC: SH).

Board Adjourned 2:58 p.m.

Minutes submitted by: Caitlin Casner, Office Support Specialist
Minutes reviewed by: Kara Aguirre, Legal Assistant
Jennifer Burns, Practice & Education Consultant
Helen Byrd, Board Secretary

Board Approved Meeting Minutes on: 9/11/2018