



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

Board Meeting Minutes

In accordance with the State of Wyoming Public Records Act, supporting documentation to the meeting minutes is a public record and is available upon a 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, November 10, 2016

Commenced at 9:02 a.m.

President, Donna Nurss 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:

<u>Board Members</u>	<u>Staff</u>	<u>Attorney General's Office</u>	<u>Court Reporter</u>
Donna Nurss, APRN, President (DN)	Cynthia LaBonde, Executive Director (CL)	Jim Peters, Advising Attorney (AA)	Kathy Kendrick
Marjory Christiansen RN, Vice President (MC)	Kara Aguirre, Legal Assistant (KA)	Jessica Frint, Prosecuting Attorney (PA)	<u>Guests</u>
Charlotte Mather RN, Secretary (CM)	Joey Clure, Investigative Assistant (JC)	Van Snow, Assistant Attorney General (AAG)	Brock Stanley
Susan Howard RN (SH)	Tasha Selfridge, Office Support Specialist II (TS)	Liz Gagen, Senior Assistant Attorney General (SAAG)	Ashley Stanley
Kathy Cromer LPN (KC)	Victoria Pike, Compliance & Discipline/Licensing Manager (VP)	<u>Office of Administrative Hearings</u>	Jennifer Rasp-Vaughn
Stephen Delger, Public (SD)		Kelly Roseberry (OAH)	Crystal Rohn
*Helen Byrd, RN absent			

At 9:02 a.m. President Nurss turned the hearing over to Vice President Christiansen who started the meeting and then turned it over to Ms. Roseberry, OAH. Ms. Roseberry initiated the reordering of the agenda and then presided over the hearings.

AI#01 Reordering of the Agenda

Motion: *Motion made and seconded to accept the Reordering of the Agenda as presented. Motion passed without dissent. (6-0-0-1)*

a. Jacqueline Knox, CNA #24653, Docket No. 15-16-121-DN

AAG Snow summarized the motions and filings previously submitted in the case. AAG Snow informed the Board the respondent failed to appear at the pre-hearing conference, failed to respond to any reasonable attempts to contact her, and did not work with the Disciplinary Committee's requests and appear at today's hearings. AAG Snow presented the case and motioned for default judgment of a Letter of Reprimand and HIPAA Education due to Ms. Knox's failure to appear at today's hearing.

Motion: *Motion made and seconded to approve the Petitioner's Motion for Default Judgment on Jacqueline Knox, CNA #24653, (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, DC:DN)*

Motion: *Motion made and seconded to approve the recommended Letter of Reprimand with HIPAA Education for Jacqueline Knox, CNA #24653. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:DN)*

b. Brittney Perkins, CNA # 25810, Docket No. 15-082-KC

AAG Snow summarized the motions and filings previously submitted in the case. AAG Snow informed the Board the respondent failed to appear at the pre-hearing conference and failed to submit to a Substance Abuse Evaluation as requested. AAG presented closing remarks for supporting the Disciplinary Committee's recommendation of suspension.

AI#02 Executive Session – Right to Practice and Legal Advice

Motion: Motion made and seconded to enter into Executive Session for Right to Practice of a Professional Person and Legal Advice. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

Board returned to public session at 9:48 a.m.

Motion: Motion made and seconded to approve the Petitioner's Motion for Default Judgment on Brittney Perkins, CNA#25810. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

Motion: Motion made and seconded to approve the recommendation of suspension of Brittney Perkins, CNA #25810, Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

c. Thomas Moore, RN #36320, Docket No. 15-16-114-MC/CM

SAAG Gagen summarized the motions and filings previously submitted in the case. SAAG Gagen informed the Board the respondent failed to appear at the pre-hearing conference, was arrested in Colorado for Sexual Assault and is not present at today's hearing. SAAG presented the background of the case, showed burden of proof and presented closing remarks supporting the recommendation of Revocation of License and Default Judgment for failure to appear.

Motion: Motion made and seconded to approve the Petitioner's Motion for Default Judgment on Thomas Moore, RN #36320. Motion passed without dissent. (4-0-2-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:MC/CM)

Motion: Motion made and seconded to approve the recommendation of Revocation of License of Thomas Moore, RN #36320. Motion passed without dissent. (4-0-2-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:MC/CM)

d. Bonnie Asay, CNA #23020, Docket No. 15-074-KC

SAAG Gagen's opening statements summarized the motions, filings and evidence in the case and motioned for default with a suspension due to respondent's failure to appear at today's hearing. SAAG Gagen informed the Board that a permanent suspension was recommended by the Disciplinary Committee until respondent is compliant with the requested Substance Abuse Evaluation.

Motion: Motion made and seconded to approve the Petitioner's Motion for Default Judgment on Bonnie Asay, CNA #23020, Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

Motion: Motion made and seconded to approve the recommendation of suspension of Bonnie Asay, CNA #23020. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

e. Megan Hultman, CNA #20349, Docket No. 15-16-109-SH

SAAG Gagen's opening statements summarized the motions, filings and evidence in the case and motioned for default with a Suspension due to Ms. Hultman's failure to appear at today's hearing. SAAG Gagen informed the Board the respondent was not complying with attempts to contact her or with the request for a Substance Abuse Evaluation and the recommendation of Suspension was appropriate.

Motion: Motion made and seconded to approve the Petitioner's Motion for Default Judgment on Megan Hultman, CNA #20349. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:SH)

Motion: Motion made and seconded to approve the recommendation of suspension of Megan Hultman, CNA #20349. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:SH)

f. Sandra Cooper, CNA #2024, Docket No. 15-16-109-SH

SAAG Gagen's opening statements summarized the motions, filings and evidence in the case and motioned for default of a suspension due to Ms. Cooper's failure to appear at today's hearing. SAAG Gagen informed the Board the respondent was not complying with attempts to contact her or with the request for a Substance Abuse Evaluation and the recommendation of Suspension was appropriate in this case.

Motion: Motion made and seconded to approve the Petitioner's Motion for Default Judgment on Sandra Cooper, CNA #2024. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:SH)

Motion: Motion made and seconded to approve the recommendation of suspension of Sandra Cooper, CNA #2024. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:SH)

AI#05 2016 Agency Annual Report

CL presented the Wyoming State Board of Nursing Annual Report for FY 2016 to the Board.

Motion: Motion made and seconded to approve the Wyoming State Board of Nursing FY 2016 Annual Report as presented. Motion passed without dissent. (6-0-0-1)

AI#06 Pre-Licensure Education Programs for Approval

MC presented the Pre-Licensure Education Program Application for Front Range Community College, Ft. Collins, Co.

Motion: Motion made and seconded to approve the Application of Front Range Community College Pre-Licensure Education Program. Motion passed without dissent. (6-0-0-1)

AI#10 Discussion of Revisions to Chapter 2

CL presented Chapter 2 revisions to address gaps and concerns identified by the Application Review Committee.

AI#08 Reordering of the Consent Agenda

The following were removed:

- 16-120T2, CNA Applicant
- 16-107-KC
April Crow, RN#33371, Docket No. 15-16-132-CM

The following were added:

- Linda Slater, RN #26179, Docket No. 15-16-153-SH

- a. Approval of Meeting Minutes
 - 1. October 3, 2016 Special Meeting Minutes
 - 2. October 10-12, 2016 Board Meeting Minutes
 - 3. October 20, 2016 Special Meeting Minutes
 - 4. November 2, 2016 Special Meeting Minutes
- b. Executive Session Meeting Minutes
 - 1. October 3, 2016/12:48 p.m. (Right to Practice – Lane) (TS)
 - 2. October 3, 2016/1: 35 p.m. (Right to Practice – Wolfe) (TS)
 - 3. October 11, 2016/3:21 p.m. (Right to Practice – Case) (TS)
 - 4. October 11, 2016/3:50 p.m. (Right to Practice – Koenig) (TS)
 - 5. October 11, 2016/4:02 p.m. (Right to Practice – Wright) (TS)
- c. Disciplinary Matters
 - i. Dismissals
 - 1. Docket No. 15-16-138-HB, RN
 - ii. Notice of Warning
 - 1. Docket No. 15-16-163-MTX, CNA
 - 2. Docket No. 15-16-161-MTX, RN
 - 3. Docket No. 16-117-MTX, CNA
 - 4. Docket No. 16-126-MTX, RN
 - iii. Settlement Agreements/Stipulations
 - 5. Julie Bauer, LPN #6805, Docket No. 15-16-104-KC (LOR)
 - 6. Michelle Dvorak, RN#33371, Docket No. 14-15-170-DN (LOR)
 - 7. Samuel Seale, RN #36525, Docket No. 15-16-131-CM (LOR)
 - 8. Theresa Thompson, RN #16368, Docket No. 15-16-132-CM (LOR)
 - 9. Linda Slater, RN#26179, Docket No. 15-16-153-CM (SS)
- d. Application Matters
 - i. Licenses/Certificates Issued
 - ii. Tier II
 - 1. Docket No.16-086T2, CNA Applicant
 - 2. Docket No.16-089T2, CNA Applicant
 - 3. Docket No. 16-122T2, CNA Applicant
 - 4. Docket No. 16-123T2, CNA Applicant
 - 5. Docket No. 16-133T2, CNA Applicant
 - 6. Docket No. 16-134T2, CNA Applicant
 - 7. Docket No. 16-136T2, CNA Applicant
 - 8. Docket No. 16-139T2, RN Applicant
 - 9. Docket No. 16-144T2, CNA Applicant
 - 10. Docket No. 16-145T2, RN Applicant
 - 11. Docket No. 16-146T2, RN Applicant
 - 12. Docket No. 16-151T2, CNA Applicant
 - iii. Tier III
 - 1. Docket No. 16-127-CM, RN Applicant
 - 2. Docket No. 16-138-CM, CNA Applicant
 - iiii. Denials - None

Motion: Motion made and seconded to approve the Consent Agenda as reordered. Motion passed without dissent.(6-0-0-1)

a. April Crow, RN#33371, Docket No. 15-16-132-CM

Motion: Motion made and seconded to approve the Settlement Agreement of April Crow, RN#33371. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:CM)

b. Docket No. 16-107-KC, LPN Applicant

Motion: Motion made and seconded to enter into Executive Session for Right to Practice of a Professional Person and Legal Advice. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

The Board returned to public session at 1:18p.m.

Motion: Motion made and seconded to deny the Application Review Committee's recommendation of a Notice of Warning for Docket No. 16-107-KC, LPN Applicant. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

AI#03 Summary Suspension

a. Brock Stanley, RN #30867, Docket No. 16-105-MC

On behalf of the Disciplinary Committee, Victoria Pike, Compliance & Discipline Manager/Nurse Investigator, presented evidence in the case. Brock Stanley, RN#30867 appeared on his behalf with wife, Ashley Stanley and spoke with the Board about the charges, pleadings and stipulations of his case.

AI#04 Executive Session – Right To Practice and Legal Advice

Motion: Motion made and seconded to enter into Executive Session for Right to Practice of a Professional Person and Legal Advice. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:MC)

The Board returned to public session at 2:19p.m.

Motion: Motion made and seconded to approve the Summary Suspension of Brock Stanley, RN# 30867. Motion passed without dissent.(4-1-1-1)(In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:MC)

AI#07 Board Orders for Approval

- a. Katia Frazee, CNA Applicant, Docket No. 15-16-184-KC

Motion: Motion made and seconded to approve Board order for Katia Frazee, CNA Applicant, Docket No. 15-16-184-KC. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:KC)

- b. Richard Sepulveda, RN #29137, Docket No. 11-046-DN

Motion: Motion made and seconded to approve Board order for Richard Sepulveda, RN#29137, Docket No. 11-046-DN. Motion passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:DN)

- c. Brock Stanley, RN #30867, Docket No. 16-105-MC

Motion: Motion made and seconded to approve Board order as presented for Summary Suspension for Brock Stanley, RN#30867, Docket No. 16-105-MC. Motion passed without dissent. (4-1-1-1) (In accordance with Board Rules and Regulations, members of the DC abstained from voting, (DC:MC)

AI#10 Executive Session – Right to Practice and Legal Advice – not used

Board Adjourned 2:39 p.m.

Minutes submitted by: Tasha Selfridge, Office Support Specialist II

Minutes reviewed by: Cynthia LaBonde, Executive Director

Kara Aguirre, Legal Assistant

Charlotte Mather, Board Secretary

Board Approved Meeting Minutes on: 11/22/2016