



## **Wyoming State Board of Nursing**

**Mission Statement:** Serve and safeguard the people of Wyoming through the regulation of nursing education and practice.

**Vision Statement:** Acknowledging the dynamic nature of healthcare provides the climate, collaboration and regulatory framework for nurses to practice to the fullest extent of their scope.

**Core Values:** Excellence, Ethics, Education, Safety and Competence

### **Regular Board Meeting Minutes**

October 6-9, 2014

Days Inn, 115 E. Park St.

Thermopolis, WY 82443

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

**Officers:** President Carrie Deselms, Vice President Cindy Woods, Secretary Donna Nurss

**Board Members:** Marcie Burr, Lori Johnson, Lynn Kirman, Barbara Summers

**Staff:** Executive Director (ED) Cynthia LaBonde, Executive Assistant Tambra Shafer

**Attorney General's Office:** Assistant Attorney General Jessica Frint, Senior Assistant Attorney General Bob Walters

### **Tuesday, October 7, 2014**

#### **Committee of the Whole Work Session**

The Committee of the Whole met and discussed the following topics:

- FARB Agency Audit - Amy Richardson from Atkinson and Atkinson, LLC was introduced.
- Conference Reports: Member Summers presented a report for the NCSBN Annual Meeting she attended.
- Strategic Plan Review and Update.
- 2015 Quarterly Board Meeting Dates.
- Wyoming Health Care Licensing Boards' Uniform Policy for the Use of Controlled Substances in the Treatment of Pain Management.
- National Transportation Safety Board Recommendation.
- Public Complaint.

No decisions or motions were made during this work session.

#### **Opening**

- a) **Call to Order**



President Deselms called to order the meeting of the Wyoming State Board of Nursing at 1:00 p.m. on October 7, 2014 in the Indian Room at the Days Inn, Thermopolis, WY.

**b) Roll Call**

ED LaBonde conducted a roll call.

Board Members Present:

Carrie Deselms, MSN, APRN, FNP-BC, President  
Cindy Woods, BSN, RN-BC, Vice President  
Donna Nurss, MS, APRN, PMHNP-BC, Secretary  
Marcie Burr, RN, DO, CCHP, Board Member  
Lynn Kirman, RN, MHA, NEA-BC, Board Member  
Barbara Summers, Public Member

Members Absent:

Lori Johnson, LPN, Board Member

Staff Present:

Cynthia LaBonde, Executive Director  
Tambra Shafer, Executive Assistant  
Paula Smith, Practice and Education Consultant<sup>1</sup>  
Laura Rowe, Compliance and Discipline Manager/Nurse Investigator<sup>2</sup>  
Victoria Pike, Nurse Investigator<sup>3</sup>  
Cindy Stillahn, Fiscal Officer/Human Resources<sup>4</sup>  
Kara Sutton, Legal Assistant<sup>5</sup>

Visitors Present:

Sean Chambers, Office of Administrative Hearings<sup>6</sup>  
Kathy Kendrick, Wyoming Court Reporting Services<sup>7</sup>  
Bob Walters, Senior Assistant Attorney General<sup>8</sup>  
Nella Martinez, Paralegal, Attorney General's Office<sup>9</sup>  
Sherry Griffith, Paralegal, Attorney General's Office<sup>10</sup>  
Jessica Frint, Assistant Attorney General<sup>11</sup>  
Amanda Bass, Wyoming Retirement Center, Basin, WY<sup>12</sup>  
Larado Zerga, Wyoming Retirement Center, Basin, WY<sup>13</sup>  
Stacey Stanek, Central Wyoming College, Riverton, WY<sup>14</sup>  
Marnee Crawford, Northwest College, Powell, WY<sup>15</sup>  
Mary Desson, West Park Long Term Care facility, Cody, WY<sup>16</sup>  
Kelli Martin, West Park Long Term Care facility, Cody, WY<sup>17</sup>  
Kristen Scheuerman, Worland Healthcare and Rehab Center, Worland, WY<sup>18</sup>  
Carol McLeran, Worland Healthcare and Rehab Center, Worland, WY<sup>19</sup>  
Brandy Kottman, Wyoming Retirement Center, Basin, WY<sup>20</sup>  
Bobbie Jenks, Wyoming Retirement Center, Basin, WY<sup>21</sup>  
Brenna Huckfeldt, Hot Springs Co Public Health Nurse<sup>22</sup>  
Julie Twist, Fremont County Public Health Nurse<sup>23</sup>  
Kathy Laidlaw, Fremont County Public Health Nurse<sup>24</sup>  
Moxie McDougall, Hot Springs County Public Health Nurse<sup>25</sup>  
Karen Lund, Sage West Healthcare, Riverton WY<sup>26</sup>  
Carter Campbell, Sage West Healthcare, Lander, WY<sup>27</sup>



Brenda Fisher, Thermopolis Rehab & Care Center<sup>28</sup>  
Leoria Mayne, Thermopolis Rehab & Care Center<sup>29</sup>  
Keith Ungrund, West Park Hospital, Cody WY<sup>30</sup>  
Loretta Stapleton, West Park Hospital, Cody WY<sup>31</sup>  
Arleen Campeau, Powell Valley Healthcare, Powell, WY<sup>32</sup>  
Eric Cantrell, Reinstatement Applicant<sup>33</sup>  
Tara Lopez, Reinstatement Applicant<sup>34</sup>  
Amy Richardson, Atkinson & Atkinson, LLC<sup>35</sup>  
Dale Atkinson, Atkinson & Atkinson, LLC<sup>36</sup>

**c) Declaration of Quorum**

Quorum declared by AAG Frint.

**d) Reordering of the Agenda**

The agenda was approved as distributed with changes made as needed.

**AI #01 - Executive Session – Legal Advice**

*Motion: Vice President Woods moved to enter executive session at 1:04 p.m. to receive legal advice. This motion was seconded by Member Burr and passed without dissent. (6-0-0-1) (LJ–Absent) Executive Assistant Shafer took minutes during executive session.*

The Board returned to public session at 1:27 p.m.

- <sup>1</sup> October 7/8, 2014
- <sup>2</sup> October 7/8, 2014
- <sup>3</sup> October 7, 2014
- <sup>4</sup> October 8, 2014
- <sup>5</sup> October 7, 2014
- <sup>6</sup> October 7, 2014
- <sup>7</sup> October 7, 2014
- <sup>8</sup> October 7/8, 2014
- <sup>9</sup> October 7, 2014
- <sup>10</sup> October 7, 2014
- <sup>11</sup> October 7-9, 2014
- <sup>12</sup> October 8, 2014
- <sup>13</sup> October 8, 2014
- <sup>14</sup> October 8, 2014
- <sup>15</sup> October 8, 2014
- <sup>16</sup> October 8, 2014
- <sup>17</sup> October 8, 2014
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- <sup>29</sup>October 8, 2014
- <sup>30</sup>October 8, 2014
- <sup>31</sup>October 8, 2014
- <sup>32</sup>October 8, 2014
- <sup>33</sup>October 8, 2014
- <sup>34</sup>October 8, 2014
- <sup>35</sup>October 7/8, 2014
- <sup>36</sup>October 9, 2014

### **AI #02 - Contested Case Hearings**

President Deselms turned the floor over to Mr. Chambers, OAH, to conduct the contested case hearings before the Board.

#### **A. Docket #13-011, David Caton, CNA #17906**

Hearing officially began at 1:35 p.m. with introductions around the room. Respondent was not present. SAAG Walters presented the background of the case:

- Exhibits A-CC were provided with activity transpired to date. The Board heard the testimony and reviewed the evidence presented during the administrative hearing.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented, no discussion ensued.

As the Disciplinary Committee, Member Burr did not participate in the discussion or deliberation.

#### **B. Docket #12-13-282, Christina Johnson, CNA #18147**

Respondent was not present. SAAG Walters presented the background of the case:

- Exhibits A-N were provided with activity transpired to date.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented. The Board sought clarification on which matter was under consideration.

As the Disciplinary Committee, Member Johnson did not participate in the discussion or deliberation.

#### **C. Docket #13-020, Wallace Pitt, CNA #18292**

Respondent was not present. SAAG Walters presented the background of the case:

- Exhibits A-DD were provided with activity transpired to date. The Board heard the testimony and reviewed the evidence presented during the administrative hearing.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented, no discussion ensued.

As the Disciplinary Committee, Member Johnson did not participate in the discussion or deliberation.



**D. Docket #13-14-193, Cody Phillips, RN #26216**

Respondent was not present. SAAG Walters presented the background of the case:

- Exhibits A-M were provided with activity transpired to date. The Board heard the testimony and reviewed the evidence presented during the administrative hearing.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented, no discussion ensued.

As the Disciplinary Committee, Member Kirman did not participate in the discussion or deliberation.

**E. Docket #13-14-227, Lori Reed, RN #18088**

Respondent was not present. SAAG Walters presented the background of the case:

- Exhibits A-J were provided with activity transpired to date. The Board heard the testimony and reviewed the evidence presented during the administrative hearing.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented, no discussion ensued.

As the Disciplinary Committee, Member Kirman did not participate in the discussion or deliberation.

**F. Docket #14-050, Jessica Simpson, CNA #23571**

Respondent was not present. SAAG Walters presented the background of the case:

- Exhibits A-K were provided with activity transpired to date. The Board heard the testimony and reviewed the evidence presented during the administrative hearing.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented, no discussion ensued.

As the Disciplinary Committee, Member Summers did not participate in the discussion or deliberation.

**G. Docket #13-14-131, Catherine Walters, CNA Applicant**

Respondent was not present. SAAG Walters presented the background of the case:

- Activity transpired to date.
- Explanation of Stipulated Motion to Dismiss and Request for Hearing to be Vacated.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented. The Board requested clarification on assigned Application Review Committee Members.

As the Disciplinary Committee, Member Burr/Summers did not participate in the discussion or deliberation.



**H. Docket #13-14-202, Bridget Bell, CNA Applicant**

Respondent was not present. SAAG Walters presented the background of the case:

- Activity transpired to date.
- Explanation of Stipulated Motion for Dismissal.
- SAAG Walters yielded the floor to Mr. Chambers for discussion on the facts presented, no discussion ensued.

As the Disciplinary Committee, Member Burr did not participate in the discussion or deliberation.

**AI #03 - Executive Session – Right to Practice - Bridget Bell, CNA Applicant**

*Motion: Secretary Nurss moved to enter executive session at 3:30 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: MB)] Executive Assistant Shafer took minutes during executive session.*

The Board returned to public session at 3:47 p.m.

**AI #03 - Executive Session – Right to Practice - David Caton, CNA #17906**

*Motion: Member Kirman moved to enter executive session at 3:48 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Burr and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: MB)] Executive Assistant Shafer took minutes during executive session.*

The Board returned to public session at 4:00 p.m.

**AI #03 - Executive Session – Right to Practice - Catherine Walters, CNA Applicant**

*Motion: Secretary Nurss moved to enter executive session at 4:01 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: MB/BS)] Executive Assistant Shafer took minutes during executive session.*

The Board returned to public session at 4:10 p.m.



**AI #03 - Executive Session – Right to Practice - Jessica Simpson, CNA #23571**

*Motion:* Secretary Nurss moved to enter executive session at 4:12 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: BS)] Executive Assistant Shafer took minutes during executive session.

The Board returned to public session at 4:23 p.m.

**AI #03 - Executive Session – Right to Practice - Cody Phillips, RN #26216**

*Motion:* Secretary Nurss moved to enter executive session at 4:24 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: LK)] Executive Assistant Shafer took minutes during executive session.

The Board returned to public session at 4:31 p.m.

**AI #03 - Executive Session – Right to Practice - Lori Reed, RN #18088**

*Motion:* Secretary Nurss moved to enter executive session at 4:32 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: LK)] Executive Assistant Shafer took minutes during executive session.

The Board returned to public session at 4:40 p.m.

**AI #03 - Executive Session – Right to Practice - Wallace Pitt, CNA #18292**

*Motion:* Secretary Nurss moved to enter executive session at 4:41 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: LJ)] Executive Assistant Shafer took minutes during executive session.

The Board returned to public session at 6:02 p.m.





### **AI #03 - Executive Session – Right to Practice - Christina Johnson, CNA #18147**

*Motion: Secretary Nurss moved to enter executive session at 6:03 p.m. to deliberate right to practice of a professional person. This motion was seconded by Member Summers and passed without dissent. (6-0-0-1) (LJ–Absent) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee did not participate in the deliberations or discussions held in the Executive Session. DC: LJ)] Executive Assistant Shafer took minutes during executive session.*

The Board returned to public session at 6:05 p.m. and recessed.

## **Wednesday, October 8, 2014**

President Deselms called the meeting to order at 8:38 a.m.

### **AI#04 - Consent Agenda**

#### **Reordering the Agenda**

President Deselms requested Gregory Fransen, RN #29368 and Pamela Dooley, RN #19544 cases be removed from the Consent Agenda to allow for discussion.

Vice President Woods requested the Sidney Payne, GNA Temp Permit #2558 case be removed from the Consent Agenda to allow for discussion.

President Deselms requested Lenna Eng, CNA #15904 be removed from the Hearings and added to the Consent Agenda as a signed Settlement Agreement was provided to the Board for review and consideration.

- a. Approval of Minutes**
  1. August 29, 2014 Special Meeting Minutes
- b. Executive Session Meeting Minutes**
  1. July 2, 2014/2:02 p.m. - Right to Practice (TS)
  2. July 8, 2014/2:14 p.m. - Right to Practice (TS)
  3. July 8, 2014/3:15 p.m. - Right to Practice (TS)
  4. July 8, 2014/3:40 a.m. - Right to Practice (TS)
  5. July 8, 2014/4:10 p.m. - Legal Advice (TS)
  6. July 9, 2014/2:30 p.m. - Legal Advice (TS)
- c. Settlement Agreements/Stipulations**
  1. Samantha Crawford, GNA TP #2658 (Letter of Reprimand)
  2. Mariah Butterfield, CNA #22661 (Letter of Reprimand)
  3. Lenna Eng, CNA #15904 (Suspension)
  4. Danielle McBride, CNA #20739 (Voluntary Surrender)





5. Cheri Willard, RN #17708 (Letter of Reprimand)
6. Heather Castro, RN 21422 (Conditional License)
7. Jennifer Evans, RN #17161 (Voluntary Surrender)
8. Joseph Iverson, RN #27673 (Voluntary Surrender)
9. Barry Erickson, APRN 21535.0991 (Letter of Reprimand)

**Motion:** *Member Kirman moved to accept the consent agenda as amended. This motion was seconded by Member Burr and passed without dissent. (6-0-0-1)(LJ-Absent)*

President Deselms opened the floor for discussion on Gregory Fransen, RN #29368. The discussion included:

- Clarification was sought on the number of infractions.
- Level of action appropriate to the infractions.

**Motion:** *Member Summers moved to approve the Letter of Reprimand for Gregory Fransen, RN #29368. This motion was seconded by Member Burr and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LK.) (LJ-Absent)]*

President Deselms opened the floor for discussion on Pamela Dooley, RN #19544. The discussion included:

- Clarification was sought on whether the Order was a Letter of Reprimand or a Conditional License.

**Motion:** *Member Kirman moved to accept the Order for Conditional Licensure for Pamela Dooley, RN #19544. This motion was seconded by Secretary Nurss and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: BS.) (LJ-Absent)]*

President Deselms opened the floor for discussion on Sidney Payne, GNA TP #2558. The discussion included:

- Clarification was sought on whether the applicant worked and when the GNA Temporary Permit was issued.
- Settlement Agreement does not match the Findings of Fact.
- Another name was identified as the Respondent in the Investigative Report.

**Motion:** *Vice President Woods moved to approve the Letter of Reprimand, as amended, against the nursing certificate of Sidney Payne, GNA #2558. This motion was seconded by Member Burr and passed. [(6-0-0-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MTX.)(LJ-Absent)]*



### **Actions on Hearings**

President Deselms opened the floor for discussion on Bridget Bell, CNA Applicant, no discussion ensued.

***Motion:*** Secretary Nurss moved to grant the Stipulated Motion for Dismissal for Bridget Bell, CNA Applicant. This motion was seconded by Member Summers and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB; LJ-Absent.)]

***Motion:*** Vice President Woods moved to approve the Application Review Committee's recommendation for Denial on Bridget Bell, CNA Applicant. This motion was seconded by Secretary Nurss and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB)(LJ – Absent)]

President Deselms opened the floor for discussion on David Caton, CNA #17906, no discussion ensued.

***Motion:*** Member Summers moved to grant Petitioner's Motion for Default Judgment on David Caton, CNA #17906. This motion was seconded by Member Kirman and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB; Absent: LJ.)]

***Motion:*** Vice President Woods moved to revoke the nursing assistant certification of David Caton, CNA #17906. This motion was seconded by Member Kirman and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB, Absent: LJ.)]

President Deselms opened the floor for discussion on Catherine Walters, CNA Applicant, no discussion ensued.

***Motion:*** Secretary Nurss moved to grant the Stipulated Motion to Dismiss and Request for Hearing to be Vacated for Catherine Walters, CNA Applicant. This motion was seconded by Member Kirman and passed. [(4-0-2-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB/BS; LJ-Absent.)]

***Motion:*** Vice President Woods moved to grant the Preliminary Denial motion on Catherine Walters, CNA Applicant. This motion was seconded by Member Kirman and passed. [(4-0-2-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB/BS)(LJ – Absent)]



President Deselms opened the floor for discussion on Jessica Simpson, CNA #23571, no discussion ensued.

***Motion:*** Secretary Nurss moved to grant Petitioner's Motion for Default Judgment on Jessica Simpson, CNA #23571. This motion was seconded by Member Burr and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: BS; Absent: LJ.)]

***Motion:*** Vice President Woods moved to summarily suspend the nursing assistant certification of Jessica Simpson, CNA #23571. This motion was seconded by Member Burr and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: BS; Absent: LJ.)]

President Deselms opened the floor for discussion on Cody Phillips, RN #26216, no discussion ensued.

***Motion:*** Member Summers moved to grant Petitioner's Motion for Default Judgment on Cody Phillips, RN #26216. This motion was seconded by Member Burr and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LK; Absent: LJ.)]

***Motion:*** Member Burr moved to suspend the nursing license of Cody Phillips, RN #26216 until in compliance with stipulation placed on his Colorado license. This motion was seconded by Secretary Nurss and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LK; Absent: LJ.)]

President Deselms opened the floor for discussion on Lori Reed, RN #18088, no discussion ensued.

***Motion:*** Vice President Woods moved to grant Petitioner's Motion for Default Judgment on Lori Reed, RN #18088. This motion was seconded by Member Burr and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LK; Absent: LJ.)]

***Motion:*** Member Burr moved to suspend the nursing license of Lori Reed, RN #18088 until in compliance with stipulation placed on her Nevada license. This motion was seconded by Member Summers and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LK; Absent: LJ.)]

President Deselms opened the floor for discussion on Christina Johnson, CNA #18147, no discussion ensued.



**Motion:** Secretary Nurss moved to grant Petitioner's Motion for Default Judgment on Christina Johnson, CNA #18147. This motion was seconded by Member Kirman and passed. [(6-0-0-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LJ; Absent: LJ.)]

**Motion:** Vice President Woods moved to suspend the nursing assistant certification of Christina Johnson, CNA #18147 until in compliance with previous Board Order. This motion was seconded by Member Summers and passed. [(6-0-0-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LJ; Absent: LJ.)]

President Deselms opened the floor for discussion on Wallace Pitt, CNA #18292, after a lot of consideration and review, the following motions were made.

**Motion:** Vice President Woods moved to grant Petitioner's Motion for Default Judgment on Wallace Pitt, CNA #18292. This motion was seconded by Member Kirman and passed. [(6-0-0-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LJ; Absent: LJ.)]

**Motion:** Member Summers moved to dismiss the petition and complaint against for Wallace Pitt, CNA #18292. This motion was seconded by Member Burr and passed. [(6-0-0-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: LJ; Absent: LJ.)]

#### **AI #05 – Board Committee of the Whole (COW) Feedback/Recommendations**

- **Strategic Plan Recommendations:**

- The Board praised the work and compilation done to date on the Strategic Plan.

**Motion:** Member Burr moved to approve the Strategic Plan update and review as presented by ED LaBonde. This motion was seconded by Secretary Nurss and passed. (6-0-0-1)(Absent: LJ.)

- **Conference Report Summary:**

- The Board thanked Member Summers for providing the feedback on the NCSBN Annual Meeting.

**Motion:** Secretary Nurss moved to accept the Conference Report as presented by Member Summers. This motion was seconded by Member Burr and passed. (6-0-0-1)(Absent: LJ.)

- **Wyoming Health Care Licensing Boards' Uniform Policy for the Use of Controlled Substances in the Treatment of Pain Management:**

- The Board tabled this topic to receive more information.

**Action:** The Board requested an update during the January Board meeting.



- **2015 Quarterly Board Meeting dates:**

- The Board discussed pros and cons of both options presented. The Board preferred option two (2) which set the quarterly meeting the second week of the month with the teleconferences to follow four (4) weeks later. July's meeting was designated as the "retreat" meeting where Board member training would be scheduled.

***Motion:** Member Summers moved to approve the 2015 Quarterly Board Meeting date option two as amended. This motion was seconded by Member Burr and passed. (6-0-0-1)(Absent: LJ.)*

- **National Transportation Safety Board Recommendation:**

- The Board realizes there is a response due date and concurs a consolidated response with Boards of Medicine and Pharmacy is an appropriate plan to answer this recommendation.

***Action:** The Board directed ED LaBonde to contact the other agencies and request input for a joint response to this recommendation.*

## **AI #06 – Standing Committee Reports**

### **a. Practice and Education (P&E)**

Chair Woods presented the Board with an update on P&E activity which included:

#### **1. Advisory Opinions**

- One (1) policy and Seven (7) Advisory Opinions are ready for Board consideration and approval which include:
  - Advisory Opinion Annual Review Policy
  - Analgesic by Catheter
  - Anesthetic Agents by RN Specific Purposes
  - Blood Transport
  - Mechanically Ventilated Patients
  - Moderate Sedation
  - Quadriplegic Client Bowel Program by CNA
  - Telephonic and Electronic Nursing

Member Burr complimented the P&E committee and consultant on all the work devoted to updating these Advisory Opinions.

***Motion:** Member Burr moved to approve all seven (7) Advisory Opinions and one (1) policy as presented. This motion was seconded by Member Kirman and passed. (6-0-0-1) (Absent: LJ.)*

- #### **2. Chapter Six (6) revision:** The committee is actively reviewing the chapter and will begin creating a new draft.



***Motion:** Member Burr moved to accept the P& E committee report as presented. This motion was seconded by Member Summers and passed. (6-0-0-1) (Absent: LJ.)*

**b. Application Review Committee (ARC)**

Chair Burr provided the Board with an update on ARC activity which included:

1. Renewal process with a “yes” answer
  - The committee reviewed the process of placing renewals on hold when there is a “yes” answer to the discipline questions.
  - This process confuses the applicant and employers.
  - Recommendation is to change the process to allow issuance of the license or certificate after a personal statement is received and proceed with the investigation if warranted.

No action or motion was taken as this matter was provided for Board awareness to an internal, operational process.

**c. Legislative Committee (LC)**

Chair Summers provided the Board with an update on LC activity which included:

1. Committee Charge- Final draft presented to the Board for review.

***Motion:** Member Burr moved to accept the Legislative Committee Charge as presented. This motion was seconded by Vice President Woods and passed. (6-0-0-1) (Absent: LJ.)*

2. Chapters 2/5 Revisions (Grace Period Removal)

- Proposed changes were open for public comment for 49 days.
- No comments were received.

***Motion:** Member Burr moved to accept and approve the Chapter 2/5 revisions removing the renewal Grace Period and Late Fee and proceed with the rule-making process. This motion was seconded by Member Kirman and passed. (6-0-0-1) (Absent: LJ.)*

3. NPA/Rules Revision Process Policy update:

- Policy outlines the rule-making process steps.
- Identifies key actions by committee, Board and staff.
- Policy draft sent to the Board members for review and comment.

***Motion:** Member Burr moved to accept NPA/Rules Revision Process Policy. This motion was seconded by Member Kirman and passed. (6-0-0-1) (Absent: LJ.)*

4. Proposed Amendments to the NPA/Rules and Regulations:





Chair Summers updated the Board with the proposed Rules changes which include:

- Chapter 5 – Fees
- Chapter 6 – Education
- Chapter 8 – Changing the summary suspension timelines
- Chapter 1 – updating definitions

***Motion:** Vice President Woods moved to accept the Legislative Committee report as presented. This motion was seconded by Member Burr and passed. (6-0-0-1) (Absent: LJ.)*

### **AI #07 – ED Administrative Report**

- a. Board/Staff Update – ED LaBonde provided the upcoming Board Vacancies which included:
  - President Deselms will complete her second term on the Board on 2/28/15.
  - LPN Member Johnson has resigned her position due to accepting a new job and is moving out of state.
  - Secretary Nurss will complete her first term on 2/28/2015 and wishes to be considered for a second term.
  - Staff member Pike will be attending the CLEAR Conference in Portland Oregon. This will provide three (3) certified investigators on the Staff.
- b. Collaboration Tour Update– Renamed from “Reaching Out” Tour.
  - ED LaBonde is scheduled to tour the Northwest portion of the state following the Board Meeting, which includes Thermopolis, Worland, Basin, Lovell, Powell and Cody.
- c. FARB Audit Update – Preliminary Report will be presented at January 2015 Quarterly Meeting with the final report presented during April 2015 Quarterly Meeting.
- d. Conference Reports: ED LaBonde attended the following conferences:
  1. NCSBN Annual Meeting – Main areas of interest were:
    - Members Johnson and Summers were Board Delegates.
    - ED LaBonde was selected to chair the Election Committee.
  2. Wyoming Nursing Summit - Main areas of interest were:
    - Data Workforce Force Summary presented by Dr. Mary Burman, Fay Whitney School of Nursing, University of Wyoming.
    - Minutes from RENEW meetings shared with Board members for awareness.
- e. Nurse Licensure Compact (NLC) Revisions Update:
  - Revisions have been made incorporating input from all states.
  - Three (3) committees are working at national level to produce a compact all states can support.
  - ED LaBonde has shared all information received with the Board and stakeholders to ensure transparency.
  - Publish NLC updates in quarterly Wyoming Nurse Reporter to share information.





**Motion:** Member Burr moved to accept the ED Administrative Report as presented. This motion was seconded by Member Summers and passed. (6-0-0-1) (Absent: LJ.)

### **AI #08 – Conference Report**

AAG Frint presented her conference report from the Federation of Associations of Regulatory Boards (FARB) training which included:

- Separation of Advising and Prosecuting Attorney roles.
- Importance of asking questions based on facts presented before entering deliberations.
- Advising Attorney provides counsel and training to Board members.
- Incorporating technology-if a quorum of the Board is attending a conference, there should be a notice published stating no Board business will be conducted until next scheduled meeting.
- Public Records Requests – some items on applications are not releasable.
- Facebook and text information is retrievable under the Public Records Request.
- Importance of developing a policy for Social media to include:
  - Who has access and monitors the media?
  - Who can view the page?
  - How to handle negative comments.

### **AI #09 - Public Forum**

Nursing professionals from around the local area attended in person and asked questions which included:

- CNA hours - what work positions would count towards renewal competency.
- NLC explanation and update.
- Telehealth/telenursing.
- Discipline and fining authority and process.
- Reinstatement fees and fee structure.
- Diversion program, NMP, WPAP.
- Federal background checks process.
- Advisory Opinions intent and purpose.

### **AI #10 – Special Licensing Requests**

- a. **Tara Lopez, LPN #7702** – SAAG Walters presented the background and facts of this reinstatement request. Licensee was present to answer questions from Board members.

**Motion:** Secretary Nurss moved to approve the special licensing request for reinstatement on Tara Lopez, LPN #7702. This motion was seconded by Member Kirman and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB.; Absent: LJ)]



- b. **Eric A. Cantrell, RN #18706** – SAAG Walters presented the background and facts of this reinstatement request. Licensee was present to answer questions from Board members.

***Motion:** Member Summers moved to approve the special licensing request for reinstatement on Eric A. Cantrell, RN #18706. This motion was seconded by Secretary Nurss and passed. [(4-1-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: BS.; Nay: LK; Absent: LJ)]*

- c. **Valerie Beck, RN #25496** – SAAG Walters presented the background and facts of this reinstatement request.

***Motion:** Member Kirman moved to approve the special licensing request for reinstatement on Valerie Beck, RN #25496. This motion was seconded by Vice President Woods and passed. [(5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting. DC: MB.) (Absent: LJ)]*

### **AI #11 – Fiscal Report**

Ms. Stillahn presented the fiscal report which included:

- Revenue and expenditures through August 29, 2014.
- Final calculations for budget fiscal year 2013/14.
- Initial calculations for new budget fiscal year 2015/2016.
- Fiscal audit per House Bill 62 which will occur in 2015.

***Motion:** Member Burr moved to approve the Fiscal Report as presented. This motion was seconded by Secretary Nurss and passed. (6-0-0-1) (Absent: LJ)*

### **AI #12 – Licensing Report**

Ms. Shafer presented the Licensing Report which included:

- Productivity and statistics report for June 17 through September 19, 2014.
- Application Review Committee Statistics for the same timeframe and included a comparison for the correlating 2013 period.
- Renewal Report - preparation, creating email groups, creating phone tree calling center and numbers to date.
- License/Certificates Issued Report – Report reflects all licenses and certificates issued for the same time frame.

***Motion:** Member Burr moved to approve the Licensing Report as presented. This motion was seconded by Member Summers and passed. (6-0-0-1) (Absent: LJ)*

***Motion:** Member Burr moved to approve the License/Certificates Issued Report as presented. This motion was seconded by Member Summers and passed. (6-0-0-1) (Absent: LJ)*

### **AI #13 – Practice and Education (P&E) Consultant Report**



Ms. Smith presented the P&E Consultant report which included:

- 277 email questions were received for the P&E Consultant's review for the period June 19 through September 18, 2014.
- Social Media followers continue to rise.
- Veteran's Administration (VA) is going to start using WoRx.
- WNR proposal which included:
  - Quarterly themes.
  - Presentation format of discipline information.
  - Change from co-editors to guests authors.
  - Article on questions received with response with prior approval of the P&E Committee approval.

***Motion:** Member Kirman moved to approve the P&E report including the WNR proposal as presented. This motion was seconded by Secretary Nurs and passed. (6-0-0-1) (Absent: LJ)*

#### **AI #14 – Compliance and Discipline (C&D) Report**

Ms. Rowe presented the C&D and Nurse Monitoring Program (NMP) reports which included:

1. 66 cases were resolved either by Matrix or Discipline Committee (DC) decision, for the period of June 18 through September 22, 2014.
2. Utilizing Email for Service of Process- modified form to allow licensee/certificate holder to opt to receive paperwork via email.
3. Report on aged cases and the resolution progress: As of September 22, 2014, six (6) cases are over 180 days old and are in various stages of review.
4. NMP Report: As of September 22, 2014, there were 59 licensees/certificate holders being monitored pursuant to a Board order.
  - a. Wyoming Professional Assistance Program (WPAP) Update – Four options were presented to the Board which include:
    - Continue NMP SUD monitoring as is, no agreement for any monitoring by WPAP.
    - Continue NMP SUD monitoring as is, agreement with WPAP to monitor only self-referrals for fee.
    - Limit NMP to active nurses, agreement with WPAP to monitor non-active nurses with discipline and self-referrals for a fee.
    - Discontinue NMP SUD and mental health monitoring, agreement with WPAP to monitor SUD and mental health nurses for a fee. Continue other NMP monitoring.
  - b. Preliminary Denial Process:
    - Current policy is if no hearing was requested within the 30th day window, the person was denied on the 31<sup>st</sup> day.
    - House Bill 62 requires all licensing boards to formally approve or ratify the preliminary denial of licensure or certification making the denial final.



- Denials will be presented at quarterly Board meeting to allow for formal approval of the denial.
- c. Board Order Process:
- AAG will draft proposed Board Orders for Contested Case and Reinstatement matters.
  - Removes SAAG preparing proposed Orders.
  - Proposed Orders will be presented to Board at next meeting.
  - Revised policy for documents provided to Board members was presented reflecting the change.

***Motion:** Member Burr moved to approve the Compliance and Discipline report along with Utilizing Emails for Service, Preliminary Denial Process and Board Orders Process as presented. This motion was seconded by Member Summers and passed. (6-0-0-1) (Absent: LJ)*

***Motion:** Secretary Nurss moved to approve the NMP Report as presented. This motion was seconded by Member Burr and passed. (6-0-0-1) (Absent: LJ)*

***Motion:** Secretary Nurss moved to endorse option one of the WPAP update as presented. This motion was seconded by Member Burr and passed. (6-0-0-1) (Absent: LJ)*

**AI #15 – Board Order for Approval**

**Jennifer Styles, RN #23966**

AAG Frint reviewed the proposed order for summary suspension with the Board.

***Motion:** Member Burr moved to approve the Order for Summary Suspension on Jennifer Styles, RN #23966 as amended. This motion was seconded by Member Kirman and passed without dissent. (6-0-0-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstain from voting. (DC:LJ)*

**Tara Lopez, LPN #7702**

AAG Frint reviewed the proposed order for reinstatement with the Board.

***Motion:** Secretary Nurss moved to approve the Order for Reinstatement on Tara Lopez, LPN #7702 as presented. This motion was seconded by Vice President Woods and passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstain from voting. (DC:MB) (Absent: LJ)*

**Valerie Beck, RN #25496**

AAG Frint reviewed the proposed order with the Board.



**Motion:** Vice President Woods moved to approve the Order for Reinstatement on Valerie Beck, RN #25496. This motion was seconded by Member Kirman and passed without dissent. (5-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstain from voting. (DC:MB) (Absent: LJ)

**Eric A. Cantrell, RN #18706**

AAG Frint reviewed the proposed order with the Board.

**Motion:** Member Summers moved to approve the Order for Reinstatement on Eric A. Cantrell, RN #18706. This motion was seconded by Secretary Nurss and passed with dissent. (4-1-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstain from voting. (DC:MB) (Nay: LK, Absent: LJ)

**AI #16 – Announcements**

- a. Future Board Meetings
  1. Teleconference: Nov 5, 2014, 1:30 p.m.
  2. Quarterly Board Meeting: Jan 12-15, 2015, Location: Cheyenne, WY
- b. Conference/Education Opportunities 2014/2015
  1. Citizen Advisory Council (CAC) Annual Mtg, Oct 23/24, Baltimore MD (BS)
  2. FARB Annual Meeting, Jan 2015, Tucson, AZ (MB/BS)
  3. Institute of Regulatory Excellence (IRE), Jan 12-15, 2015, Charleston, SC

The Board recessed at 5:27 p.m.

**Thursday, October 9, 2014**

President Deselms called the meeting to order at 8:00 a.m.

**Executive Session – Personnel**

**Motion:** President Deselms moved to enter executive session at 8:00 a.m. for personnel matters. This motion was seconded by Vice President Woods and passed without dissent. (6-0-0-1) (LJ–Absent) Secretary Nurss took minutes during executive session.

The Board returned to public session at 8:45 a.m.

**Board Member Professional Development**

ED LaBonde introduced Dale Atkinson, Atkinson & Atkinson LLC to the Board, who conducted the professional development.

**Adjournment**

The Board adjourned at 3:30 p.m.



Minutes submitted by: Tambra Shafer, Executive Assistant  
Minutes reviewed by: Carrie Deselms, President  
Donna Nurss, Secretary  
Cynthia LaBonde, Executive Director, reviewed 10/17/14  
Minutes approved: November 5, 2014