



# Texas Board of Nursing Bulletin

*The mission of the Board of Nurse Examiners for the State of Texas is to protect and promote the welfare of the people of Texas by ensuring that each person holding a license as a registered professional nurse in the State of Texas is competent to practice safely. The Board fulfills its mission through the regulation of the practice of professional nursing and the accreditation of schools of nursing. This mission, derived from Chapters 301, 303 & 304 of the Texas Occupations Code, supersedes the interest of any individual, the nursing profession, or any special interest group.*



## Governor Perry Appoints 12 Members to Board of Nurse Examiners

Governor Rick Perry appointed 12 members to the Board of Nurse Examiners for the State of Texas. The Governor made the appointments pursuant to passage of House Bill 1483, enacted during the 78th Regular Texas Legislature, that combined the Board of Nurse Examiners with the Board of Vocational Nurse Examiners, creating a single 13-member board. Board members appointed by the Governor serve staggered terms expiring in 2005, 2007 & 2009. Appointees to the Board of Nurse Examiners and their terms of service are:

**Linda Rounds, PhD, RN**, President, representing Advanced Practice Nursing, from Galveston, Term: expires January 31, 2005;

**Thomas Barton, MSN, RN**, representing RN Practice, from Pampa, Term: expires January 31, 2009;

**Deborah Bell, CLU, ChFC**, representing Consumers, from Abilene, Term: expires January 31, 2005;

**Virginia Campbell, BSN, RN, CNOR**, representing RN Practice, from Mesquite, Term: expires January 31, 2007;

**Blanca Rosa Garcia, PhD, RN**, representing ADN Programs, from Corpus Christi, Term: expires January 31, 2005;

**Richard Gibbs, LVN**, representing LVN Practice, from Mesquite, Term: expires January 31, 2007;

**Rachel Gomez, LVN**, representing LVN Practice, from Harlingen, Term: expires January 31, 2009;

**Brenda Jackson, PhD, RN**, representing BSN Programs, from San Antonio, Term: expires January 31, 2009;

**Beverly Jean Nutall, LVN**, representing LVN Practice, from Bryan, Term: expires January 31, 2005;

**Anita Palmer**, representing Consumers, from Olney, Term: expires January 31, 2009;

**Phyllis Caves Rawley, CPC**, representing Consumers, from El Paso, Term: expires January 31, 2009;

**Frank Sandoval, Jr., J.D.**, representing Consumers, from San Antonio, Term: expires January 31, 2007;

Richard Gibbs, Rachel Gomez, Beverly Nutall, Anita Palmer and Frank Sandoval, Jr., previously served on the Board of Vocational Nurse Examiners prior to their appointment to the Board of Nurse Examiners.

Linda Rounds, Thomas Barton, Deborah Bell, Virginia Campbell, Blanca Rosa Garcia, Brenda Jackson and Phyllis Caves Rawley previously served on the Board of Nurse Examiners prior to their re-appointment.

Departing Board members for the Board of Nurse Examiners were Lawrence Canfield, MS Ed., CRNA, and Marcelo Laijas, Jr. Lawrence Canfield served on the Board from July 2001 until January 2004. Marcelo Laijas, Jr., served on the Board from February 1997 until March 2004. The Governor's Office has requested that Mr. Laijas fill a vacancy on another board.

The first meeting of the new Board will take place April 22-23 at the William Hobby Building in Austin. For more information see the BNE web site located at [www.bne.state.tx.us](http://www.bne.state.tx.us).

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Governor Perry will appoint the 13th Board member at a later date. This person will represent LVN Education for the Board.

## A Word from the Executive Director



Katherine Thomas, MN, RN

### *Boards Merge But What Changes?*

The Board of Nurse Examiners (BNE) and the Board of Vocational Nurse Examiners (BVNE) became a single board of nursing on February 1, 2004. But what does that really mean for nurses?

The single board will be known as the Board of Nurse Examiners. Although the responsibilities of the agency expand from the regulation of registered nurses and advanced practice nurses to include regulation of licensed vocational nurses, the work of the agency changes very little.

The BNE was established by the Legislature in 1909 and the BVNE was established in 1951. Both boards have done the same business throughout their history: approving nursing programs, licensing new graduates and nurses moving to Texas from other states, investigating complaints against nurses, and taking disciplinary action against licensees. These programs will continue.

House Bill 1483, the bill that created the single board of nursing, specified that the rules of the Board of Vocational Nurses become rules of the Board of Nurse Examiners and remain in effect until amended or repealed by the BNE. Rule changes will occur to streamline processes for the new agency.

Over the next year, the BNE will review the rules of the BVNE. Most of the LVN rules are similar if not the same as rules of the BNE. It is anticipated that rules pertaining to LVNs will be incorporated into the rules of the BNE. Significant changes created by House Bill 1483 include adding safe harbor protections, mandatory reporting and the reporting of minor incidents for LVNs. Pertinent BNE rules will be amended to include LVNs in these areas. A specific new requirement for licensed vocational nurses is added by Texas Occupations Code Annotated §§ 301.252 and 301.257 requiring that all nurses possess good professional character. The BNE rule regarding character will be amended to apply to LVNs.

The telephone contact numbers for the BNE are 512/305-7400 (phone) or 512/305-7401 (fax). For specific programs, see page 11. The agency has increased our customer service lines to accommodate additional inquiries. The BNE website has been expanded to include information, forms, rules, and position statements pertaining to vocational nurses. (See [www.bne.state.tx.us](http://www.bne.state.tx.us)).

Gone are the *RN Update* and the *Lone Star Nurse*, former newsletters of the boards. The *Texas Board of Nursing Bulletin* becomes the vehicle for sharing information with all nurses. It will be published four times a year. Each issue will be available on the website following publication and the BNE will mail a copy to each nurse unless budgetary constraints limit our ability to print and mail this publication.

Nurses may note certain changes that result from state budget reductions such as reducing paper, printing, and postage costs through the online renewal process. Other changes are motivated by attempts to increase efficiency (customer service line). But, overall, the single board provides an opportunity to promote more consistency in the regulation of nurses. It offers one-stop-shopping for nurses, employers, and consumers who need to obtain information about nurses. I welcome your thoughts and suggestions. You may email suggestions through the Board's website at [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us).

### VOLUNTEER FOR A PEER

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



The Board of Nurse Examiners  
for the State of Texas

#### BOARD MEMBERS

##### Officers

Linda Rounds, PhD, RN  
President, representing  
Advanced Practice Nursing,  
Galveston

Vice-President, position open

##### Members

Thomas Barton, MSN, RN  
representing RN Practice,  
Pampa

Deborah Bell, CLU, ChFC  
representing Consumers,  
Abilene

Virginia Campbell, BSN, RN, CNOR  
representing RN Practice,  
Mesquite

Blanca Rosa Garcia, PhD, RN  
representing ADN Programs,  
Corpus Christi

Richard Gibbs, LVN  
representing LVN Practice,  
Mesquite

Rachel Gomez, LVN  
representing LVN Practice,  
Harlingen

Brenda Jackson, PhD, RN  
representing BSN Programs,  
San Antonio

Beverly Jean Nutall, LVN  
representing LVN Practice,  
Bryan

Anita Palmer  
representing Consumers,  
Olney

Phyllis Caves Rawley, CPC  
representing Consumers,  
El Paso

Frank Sandoval, Jr., J.D.  
representing Consumers,  
San Antonio

##### Executive Director

Katherine Thomas, MN, RN

The *Texas Board of Nursing Bulletin* is the official publication of the Board of Nurse Examiners for the State of Texas

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## Summary of Proposed and Adopted Rules/Board Actions



The following proposed rule changes were published in the March 26, 2004, issue of the *Texas Register* with a 30-day comment period:

The Board of Nurse Examiners proposed the adoption of amendments to §§211.1 - 211.6, concerning General Provisions. These proposed amendments implement HB 1483 and the make-up and function of the new Board of Nurse Examiners.

The Board of Nurse Examiners proposed the adoption of amendments to §§213.1, 213.10, 213.13, 213.23, and 213.26 - 213.32 concerning Practice and Procedure. These proposed amendments implement HB 1483 and the make-up and function of the new Board of Nurse Examiners. The inclusion of licensed vocational nurses in these amendments creates a consistent disciplinary process for all nurses.

The Board of Nurse Examiners proposed the repeal of 22 Texas Administrative Code, chapter 231, concerning Administration, Subchapter A concerning Definitions, §§231.1; §§231.11 - 231.20, 231.22 - 231.27, 231.29 - 231.50 in Subchapter B concerning General Practice and Procedure; §§231.61, 231.63, 231.64, 231.67, and 231.69 of Subchapter C concerning Board Rules. These proposed repeals prevent conflicting provisions addressing Board functions and make-up.

The Board of Nurse Examiners proposed the repeal of 22 Texas Administrative Code, Subchapter A, §235.19 concerning Licensure of Persons With Criminal Convictions. This proposed repeal is for the purpose of preventing conflicting rules regarding the effect of criminal convictions on the licensing process.

The Board of Nurse Examiners proposed the repeal of 22 Texas Administrative Code, Subchapter B (Board Review of Application), §§235.21 - 235.25.

This proposed repeal is for the purpose of preventing conflicting rules regarding the determination of a nurse's eligibility for licensure which is required to be through a declaration of eligibility under the new statutes.

The Board of Nurse Examiners proposed the repeal of 22 Texas Administrative Code, Subchapter B (Enforcement), §§239.12 - 239.15, 239.17 - 239.19. This proposed repeal is for the purpose of preventing conflicting rules regarding the determination of a nurse's eligibility for licensure when they have an issue involving criminal convictions, mental fitness, or chemical dependency.

The Board of Nurse Examiners proposes the repeal of 22 Texas Administrative Code, Subchapter C (Hearings Process), §§239.21 - 239.36 and Subchapter D (Informal Dispositions), §§239.41 - 239.51. This proposed repeal is for the purpose of preventing conflict with the rules in 22 TAC Chapter 213.

The proposed rule changes listed above may be viewed at [www.sos.state.tx.us](http://www.sos.state.tx.us), in the offices of the Board of Nurse Examiners or in the Texas Register Office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin, Texas.

*A regular meeting of the Board of Nurse Examiners was held January 22-23, 2004 in Austin. The following is a summary of proposed and adopted rules and Board actions taken during this meeting.*

### Education Actions:

#### **Determination of Approval Status**

\*Continued Full Approval with Commendations

*Baptist Health System - Diploma  
Covenant School of Nursing -  
Diploma  
Alvin Community College - ADN  
Angelina College - ADN  
Angelo State University - ADN  
Austin Community College -  
ADN  
College of the Mainland - ADN*

*Collin County Community  
College - ADN  
El Centro College - ADN  
Galveston College - ADN  
Grayson County College - ADN  
Houston Baptist University -  
ADN  
Houston Community College  
System - ADN  
Howard College - ADN  
Lamar State College at  
Port Arthur - ADN  
Midland College - ADN  
North Harris Montgomery  
Community College  
District - ADN  
Panola College - ADN  
Texarkana College - ADN  
Tyler Junior College - ADN  
Abilene Intercollegiate School of  
Nursing - BSN  
Baylor University - BSN  
Houston Baptist University -  
BSN  
Lamar University at Beaumont -  
BSN  
Stephen F. Austin State  
University - BSN  
Texas A&M University at  
Corpus Christi - BSN  
Texas Tech University Health  
Sciences Center - BSN  
Texas Woman's University - BSN  
University of Mary Hardin  
Baylor - BSN  
University of Texas at Austin -  
BSN  
University of Texas Pan  
American - BSN  
University of Texas Health  
Science Center at Houston -  
BSN  
West Texas A&M University -  
BSN  
University of Texas at Austin -  
Alternate Entry  
MSN Program*

\*Continued Full Approval with Commendations and Requirements

*Amarillo College - ADN  
Del Mar College - ADN  
Kilgore College - ADN  
Northeast Texas Community  
College - ADN  
Paris Junior College - ADN*

**continued on pg. 6**

## Guest Feature

**Texas Medical Foundation's Immunization Initiative**

By Doris Moran, RN, Quality Improvement Specialist, Texas Medical Foundation

Effective October 2, 2002, the Centers for Medicare & Medicaid Services (CMS) removed its requirement from its Conditions of Participation that a physician must write an individual order for each influenza and pneumococcal polysaccharide vaccination given to hospitalized patients. This new CMS rule paves the way for improved adult vaccination coverage rates and subsequently decreased morbidity and mortality rates from influenza and pneumonia. Screening and vaccination of inpatients is recommended as at-risk patients may not get these highly effective vaccines if the opportunity is missed.

Existing regulations put forth by both the Board of Nurse Examiners (BNE) and the Board of Medical Examiners (BME) permit the administration of these immunizations by nurses provided criteria enumerated in the regulations are followed. First, Section 301.002 of the Nursing Practice Act (NPA) authorizes RNs and LVNs to "administer medications and treatments as ordered by a physician, podiatrist, or dentist." This may include what are commonly referred to as physician "standing orders."

Physician "standing" orders are defined in the BME's Rule 193.2 as either "standing medical orders," which are orders for the care of patient populations after being seen by the physician, or "standing delegation orders," which are orders for the care of patient populations who have not been seen by a physician. In addition, the BNE has a Position Statement 15.5, titled: "Registered Nurses With Responsibility for Initiating Physician Standing Orders" that provides nurses guidance with regard to the role they may play in implementing orders in this manner (position statements may be viewed in their entirety on the BNE's web page at [www.bne.state.tx.us](http://www.bne.state.tx.us)). Provided that the standing order does not involve the exercise of medical judgment on the part of the nurse, RNs and LVNs may implement standing orders including orders for immunizations. Remember that the nurse always has the responsibility to clarify orders he/she believes to be "inaccurate, non-efficacious, or contraindicated" prior to implementation [BNE Rule 217.11(19)].

Another change brought about by the new CMS rule relates to obtaining informed consent for a vaccination. It now makes administration of an immunization synonymous with administration of an antibiotic. When antibiotics are ordered, the patient is not asked to sign a separate consent for this treatment; however, allergic reactions are more prevalent in relation to antibiotics than to influenza and pneumococcal vaccines. Further information on consent for immunizations may be accessed at: <http://archinte.ama-assn.org/cgi/content/abstract/164/1/13>.

Where allowed by state law, appropriate non-physician personnel may also provide these vaccinations under a physician-approved standing order without the need for physician examination and a client-specific order. The change in Federal Regulation may be read in its entirety at <http://www.cms.gov/providerupdate/regs/cms3160fc.pdf>.

The Texas Medical Foundation (TMF) hosted a WebEx teleconference on March 17, 2004 that included the BNE's perspective on nurses implementing standing orders. The presentation was recorded and is now available on line at [www.tmf.org/hospitalqi](http://www.tmf.org/hospitalqi).

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TMF is the Quality Improvement Organization (QIO) for the State of Texas and is under the direction of the Centers for Medicare and Medicaid Services (CMS). CMS is a federal agency within the U.S. Department of Health and Human Services. CMS has contracted with TMF to work with hospitals on specific quality initiatives, including improving rates of immunization for influenza and pneumonia. Other specific quality initiatives are Acute Myocardial Infarction, Heart Failure, Community Acquired Pneumonia and Surgical Infection Prevention.

For more information about hospital-based vaccinations or how nurses are involved in any of the quality initiatives, please contact Doris Moran, RN, at [dmoran@txqio.sdps.org](mailto:dmoran@txqio.sdps.org) or call (512) 329-6610, ext 688.

In accordance with § 301.158, Texas Occupations Code, the Board disseminates information "that is of significant interest to nurses and employers of nurses in Texas." As part of its Strategic Plan for the agency, the Board has identified the need for regular input on nursing practice, licensure, and education. The guest column in *Texas Board of Nursing Bulletin* is one way of meeting that need. Comments regarding this column should be addressed to the Editor at the Board's address. The opinions expressed in the guest column are those of the author.



## Practice Question and Answer

By Carol Marshall, MSN, RN, and Jolene Zych, MS, RNC, WHNP



**Question:** I am a registered nurse and am frequently asked to administer “conscious sedation” to patients undergoing routine outpatient procedures. Lately, I have had a number of physicians asking me to administer propofol for this purpose. None of these patients are intubated. Can I do this under the Nursing Practice Act?

**Answer:** Position Statement 15.8 relates to RNs administering moderate (i.e. conscious) sedation. This statement emphasizes that “moderate sedation” is defined as a medication-induced, medically controlled state of depressed consciousness. The literature and guidelines available from the anesthesia experts are very clear that while under moderate sedation, the patient must retain the ability to independently and continuously maintain a patent airway and cardiovascular function and be able to respond appropriately to physical stimulation or verbal commands **at all times**. Loss of consciousness for patients undergoing moderate sedation should not be the goal, and pharmacologic agents used for moderate sedation should render this result unlikely. If the patient requires painful or repeated stimulation for arousal and/or airway maintenance, this is considered deep sedation, i.e., protective reflexes are lost, and is likely beyond the scope of practice for the registered nurse who is not authorized by the Board as a nurse anesthetist.

Although propofol (also known as Diprivan) is classified as a sedative/hypnotic, it is intended for use as an anesthetic agent or for the purpose of maintaining sedation of an intubated, mechanically ventilated patient based on the product information brochure. The clinical effects for patients receiving anesthetic agents may vary widely within a negligible dose range. As a result, patients may unintentionally and quite easily be converted to deep sedation or anesthesia. If this conversion occurs in a patient that is not appropriately monitored and/or does not have appropriate airway support, this can become a life-threatening emergency for the patient. This is not consistent with the concept of moderate sedation as defined in the BNE position statement or the professional literature. Although the RN (and the physician performing the procedure) may have demonstrated competence in advanced cardiac life support (ACLS) procedures, it is unlikely that the RN and/or physician in this situation are experts in airway management and emergency intubation, even though they may practice these techniques during ACLS training programs. The texts commonly used in current ACLS courses repeatedly caution ACLS providers not to assume that passing the course assures competency in certain advanced skills, specifically tracheal intubation. One such cautionary statement says: “*Repeated safe and effective placement of the tracheal tube, over the wide range of patient and environmental conditions encountered in resuscitation, requires considerable skill and experience. Unless initial training is sufficient and ongoing practice and experience are adequate, fatal complications may result.*”<sup>1</sup>

You may also wish to note that the product information brochure for propofol includes a warning that only persons trained to administer general anesthesia should administer propofol for purposes of general anesthesia or for monitored anesthesia care sedation. The Board defined “monitored anesthesia care” in Rule 221.1(9) as “. . . situations where a patient undergoing a diagnostic or therapeutic procedure receive[s] doses of medication that create a risk of loss of normal protective reflexes or loss of consciousness and the patient remains able to protect the airway for the majority of the procedure. . . .” The patient receiving propofol is at increased risk for loss of consciousness and/or normal protective reflexes, regardless of whether a qualified anesthesia provider is providing “monitored anesthesia care” sedation or a RN is administering moderate sedation. Again, this is not consistent with the concept of moderate sedation outlined in the professional literature and the BNE’s position statement.

The nurse’s duty to assure patient safety [Rule 217.11(5)] supercedes any physician order or facility policy.<sup>2</sup> When determining whether you should accept this assignment, staff strongly recommends that you review both Position Statement 15.8 and the Standards of Professional Nursing Practice found in BNE Rule 217.11. Both are available on the BNE web site at [www.bne.state.tx.us](http://www.bne.state.tx.us). When considering suggestions or statements regarding administration of propofol or similar drugs to non-intubated patients, the RN should exercise caution if these statements are offered by individuals or groups who are not experts in the field of airway management/anesthesia. You may wish to review the American Association of Nurse Anesthetists’ position on this issue as well.

<sup>1</sup> American Heart Association in collaboration with International Liaison Committee on Resuscitation, Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care: International Consensus on Science, Part 3: Adult Basic Life Support. *Circulation*. 2000; 102(suppl I):page I-100.

<sup>2</sup> Lunsford vs. BNE, 648 S.W. 391, Tex. App–Austin 1983.

The following information is provided in cooperation with the Texas Department of Protective and Regulatory Services.

### **TDPRS Reporting Procedure for Abuse, Neglect and Exploitation:** *Secure Online Web Site Available for Reporting of Non-Emergency Situations*

All reports of child abuse/neglect and abuse/neglect/exploitation of persons 65 years or older and adults with disabilities are routed through the Texas Department of Protective and Regulatory Services (PRS) Statewide Intake Hotline (SWI). In addition to the 1-800 number, the agency has developed a **SECURE** web site designed specifically for professionals to report suspected abuse/neglect/exploitation via the internet.

This web site is intended only for use by professionals who are:

- \* required by the Texas Family Code (TFC) 261.101 to report child abuse/neglect no later than the 48th hour after the hour they first suspect that a child has been or may be abused or neglected. Professionals who are required to report child abuse/neglect include teachers, nurses, doctors, attorneys, day-care employees, clergy, medical practitioners, social workers, mental health professionals, employees of clinics or health care facilities that provide reproductive services, juvenile probation officers, and juvenile detention or correctional officers;  
AND
- \* required by the Human Services Code, Chapter 48 (48.051) to report immediately abuse, neglect, or exploitation to persons 65 years or older or adults with disabilities.

Professionals are encouraged to use this web site to report non-emergency situations to PRS. The web site should not be used to report life threatening or emergency situations. In those cases, you should contact your local law enforcement agency or 911. To access the website, professionals are required to have a "user name" and "password." The user name and password are the same for all professionals accessing the website.

The link to the reporting web site is: <https://reportabuse.ws>  
(You MUST include the "s" in "https://" above to access the site.) Users will then be prompted for a user name and a password.

The login name is: **professional**  
The password is: **report1**

Once a report is filed through the Internet reporting system, an e-mail acknowledging receipt of the information and a PRS identification number will be sent to you. If you experience difficulties or have a question regarding the site please call 512-834-3784 or 1-800-252-5400 for assistance.

### Summary of Actions - continued from page 3

*San Jacinto College Central - ADN*  
*Southwestern Adventist University - ADN*  
*Trinity Valley Community College - ADN*  
*Wharton County Junior College - ADN*  
*East Texas Baptist University - BSN*  
*University of Texas Health Science Center at San Antonio - BSN*  
*University of The Incarnate Word - BSN*

\*Continued Full Approval with Requirements  
*Vernon College - ADN*  
*University of Texas at Brownsville & Texas Southmost College - RN to BSN*  
*Abilene Intercollegiate School of Nursing, Family Nurse Practitioner - APN*  
*Prairie View A&M University, Family Nurse Practitioner - APN*

\*Continued Full Approval with No Recommendations and No Requirements  
*Angelo State University - RN to BSN*  
*Southwestern Adventist University - RN to BSN*  
*Angelo State University, Medical/Surgical Clinical Nurse Specialist - APN*  
*Houston Baptist University, Family Nurse Practitioner - APN*

*University of Texas - Pan American, Adult Health Clinical Nurse Specialist - APN*  
*University of Texas Southwestern Medical Center at Dallas, Women's Health Care Nurse Practitioner Program - APN*

\*Changed Approval Status from Initial to Full with Requirements

*Weatherford College - ADN*  
*Texas A&M University at Texarkana - RN to BSN*  
*Texas Christian University Harris School of Nursing, Adult (Medical/Surgical) Clinical Nurse Specialist - APN*

\*Changed Approval Status from Warning to Full

*Cisco Junior College - ADN*  
*University of Texas at Tyler - BSN*

\*Changed Approval Status from Full to Warning with Progress Report due and Survey Visit to be Conducted  
*Laredo Community College -ADN*

#### **Discussion of Other Education Matters**

\*Approved Notification of Intent to Withdraw from BNE Approval  
*University of Texas Pan American Adult Health Clinical Nurse Specialist Program - APN*

# IMPOSTOR WARNING

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

## Burner Jean Scott, a.k.a. Burner Jean Lucky

Burner Jean Scott secured employment as a registered nurse with an Independent School District in McClennan County, Texas, and worked from October 12, 1992 through August 25, 2003. On or about August 9, 2003, a representative for the school district consortium group found a discrepancy in Ms. Scott's RN license number. After reviewing Ms. Scott's information, they noticed her license number had seven (7) numbers instead of six (6). The representative contacted the supervisor of Personnel Services and asked her to double check Ms. Scott's license number. They believed a clerical error had been made because there was one too many numbers. The supervisor went back to review Ms. Scott's file and discovered that this was not a clerical error, in fact, the actual copy of Ms. Scott's RN license card listed seven (7) numbers. On August 11, 2003, the supervisor contacted the Board of Nurse Examiners to verify licensure. Ms. Scott had provided a copy of her RN license with her picture on it that was signed by an individual other than the Executive Director for the Board of Nurse Examiners. On August 25, 2003, the Director of Human Resources, presented the information to Ms. Scott. Ms. Scott never admitted that she made a fraudulent license, however, she was asked to resign effective immediately. The Board has referred the case to the McClennan County District Attorney's office.



## Maryanne Pille Salamanca

Maryanne Pille Salamanca secured employment as a Graduate Nurse (GN) with a hospice agency in Addison, Texas. Ms. Salamanca did not hold a permit to practice as a GN from the Board of Nurse Examiners for the State of Texas. Ms. Salamanca practiced as a GN from June 3, 2003 through approximately August 2003. Ms. Salamanca was making visits with a preceptor and then in July 2003, Ms. Salamanca was observed making patient visits alone. This information was brought to the administrator's attention, but staff was assured that no patients were being seen by Ms. Salamanca without a preceptor. In August 2003, the administrator informed staff that Ms. Salamanca had passed the State Board Exam. Maryanne Pille Salamanca began to practice professional nursing in the State of Texas without a valid license from August 2003 through approximately September 30, 2003. The Board has referred the case to the Dallas County District Attorney's office.



## NOTICE OF DISCIPLINARY ACTION

*The following registered nurses had disciplinary action taken against their licenses. If you would like to receive additional information regarding the disciplinary action that has been imposed, please send your request to the Board of Nurse Examiners, Enforcement Division, 333 Guadalupe, Suite 3-460, Austin, Texas, 78701-3944.*

| <u>NAME</u>                 | <u>LICENSE #</u> | <u>DISCIPLINE</u>           | <u>DATE OF ACTION</u> |
|-----------------------------|------------------|-----------------------------|-----------------------|
| Becerra, Diana              | 577032           | License Revoked             | January 22, 2004      |
| Bennett, Lynnora            | 638519           | Warning with Stipulations   | January 22, 2004      |
| Berger, Denise Mary         | 651444           | Warning with Stipulations   | March 9, 2004         |
| Blalock, Melvin Douglas     | 667092           | Enforced Suspension         | February 10, 2004     |
| Brown, Rebecca Zoe          | 671913           | License Revoked             | February 10, 2004     |
| Brown, Wesley               | 629921           | Warning with Stipulations   | January 22, 2004      |
| Burcham, Elizabeth M.       | 524897           | Reprimand with Stipulations | January 22, 2004      |
| Burke, Barbara Sue          | 514825           | License Revoked             | January 22, 2004      |
| Callaway, Maureen Elizabeth | 593905           | License Revoked             | December 9, 2003      |
| Cardenas, Corina            | 675047           | Remedial Education and Fine | December 30, 2003     |
| Carnduff, Frank Bartlett    | 593942           | License Revoked             | February 10, 2004     |

**DISCIPLINARY ACTION**

- continued from previous page

| <u>NAME</u>                 | <u>LICENSE #</u> | <u>DISCIPLINE</u>           | <u>DATE OF ACTION</u> |
|-----------------------------|------------------|-----------------------------|-----------------------|
| Carter, Charlotte           | 595000           | Enforced Suspension         | January 22, 2004      |
| Cawi, Irene C.              | 576611           | Enforced Suspension         | February 10, 2004     |
| Clark, Amy Nicole           | 677866           | Remedial Education          | February 26, 2004     |
| Colby, Frances Ann          | 515728           | License Revoked             | February 10, 2004     |
| Cooper, Cynthia             | 653139           | Enforced Suspension         | March 9, 2004         |
| Cortes, Cynthia Balete      | 646600           | Remedial Education          | January 6, 2004       |
| Daughtrey, Donna L.         | 257442           | Enforced Suspension         | February 10, 2004     |
| Decamp, Bonnie Louise       | 452685           | Enforced Suspension         | March 9, 2004         |
| Deckert, Diane Mary         | 562307           | Remedial Education          | January 6, 2004       |
| Destry, Diana Nicole        | 682820           | License Revoked             | December 9, 2003      |
| Dubois, Lisa Gayle          | 681743           | Warning with Stipulations   | March 9, 2004         |
| Duguma, Desta F.            | 683806           | Remedial Education          | February 26, 2004     |
| Evans, Patricia Ann         | 529214           | Remedial Education          | February 2, 2004      |
| Feldman, Christopher Shawn  | 680216           | Warning with Stipulations   | March 9, 2004         |
| Fischer, Diane E.           | 239004           | Remedial Education          | December 8, 2003      |
| Foarde, Katherine Margaret  | 566658           | Remedial Education and Fine | January 15, 2004      |
| French, Deborah Kay         | 434889           | Reprimand with Stipulations | January 22, 2004      |
| Fuller, Kerry Leann         | 650396           | Reprimand with Stipulations | January 22, 2004      |
| Fuselier, Denise Yvette     | 681223           | License Revoked             | December 9, 2003      |
| George, Achamma K.          | 446382           | License Revoked             | January 23, 2004      |
| Gerzon, Melani Anne         | 645385           | Warning with Stipulations   | February 10, 2004     |
| Gibson, Kimberly W.         | 541818           | Warning with Stipulations   | March 9, 2004         |
| Gilman, Scott Christopher   | 656772           | License Revoked             | February 10, 2004     |
| Grigsby, John               | 691390           | Enforced Suspension         | March 9, 2004         |
| Gunnels, Debra K.           | 616822           | Remedial Education          | February 3, 2004      |
| Hall, Julie Anne            | 242218           | Enforced Suspension         | March 9, 2004         |
| Hallam, Sherry A.           | 619056           | Enforced Suspension         | December 9, 2003      |
| Harrison-Delano, Susan Lynn | 572134           | Warning with Stipulations   | March 9, 2004         |
| Hebert, Willie Grace        | 518038           | Warning with Stipulations   | March 9, 2004         |
| Hirrell, April Amy          | 684384           | Warning with Stipulations   | March 9, 2004         |
| Hoang, Nancy Bichnga        | 558828           | Remedial Education and Fine | January 5, 2004       |
| Hobbs, Belinda J.           | 504967           | Warning with Stipulations   | January 22, 2004      |
| Hoffman, Kathleen F.        | 521982           | Remedial Education          | December 30, 2003     |
| Hollar, Barbara Ann         | 533598           | Warning with Stipulations   | January 22, 2004      |
| Hoop-Mattai, Kathleen Ann   | 649970           | Remedial Education and Fine | January 29, 2004      |
| Hopkins, John Thomas        | 562971           | License Revoked             | February 10, 2004     |
| Jacinto, Elizabeth L.       | 534094           | Remedial Education          | January 30, 2004      |
| Jaglowitz, Stephen Paul     | 563054           | Warning with Stipulations   | March 9, 2004         |
| Kamman, Marcia Dianne       | 683498           | Remedial Education and Fine | January 29, 2004      |
| Kane, Linda G.              | 612178           | Enforced Suspension         | February 10, 2004     |
| Kersch, Terrie Sue          | 548004           | Suspend/Probate             | January 22, 2004      |
| Kim, Helen Yong-Hwa         | 575277           | Warning with Stipulations   | March 9, 2004         |
| King, Julia Ann             | 255075           | License Revoked             | February 10, 2004     |
| King, Linda Cheryl          | 249120           | Reprimand with Stipulations | February 10, 2004     |
| Kornegay, Velma A.          | 616355           | Remedial Education          | January 29, 2004      |
| Kreider, Frances Louise     | 556984           | License Revoked             | February 10, 2004     |
| Lagunas, Norma Isela        | 589305           | Reprimand with Stipulations | January 22, 2004      |
| Lauterbach, Dana Leann      | 563251           | License Revoked             | February 10, 2004     |
| Layman, Monty W.            | 611682           | Enforced Suspension         | February 10, 2004     |
| Lemons, Kelley Carson       | 661201           | Warning with Stipulations   | March 9, 2004         |
| Little, Tammie Lynn         | 671405           | Remedial Education          | February 2, 2004      |
| Martinez, Synthia K.        | 618366           | Reprimand with Stipulations | March 9, 2004         |
| McClaine, Patsy             | 568156           | Suspend/Probate             | February 10, 2004     |
| McGrain, Tina Marie         | 577956           | Warning with Stipulations   | February 10, 2004     |
| McNally, Clint M.           | 614796           | Remedial Education          | March 2, 2004         |
| Middleton, Helen Kathryn    | 583623           | License Revoked             | February 10, 2004     |
| Miller, Edward Lester       | 686846           | Warning with Stipulations   | March 9, 2004         |
| Minshev, Jeffrey Lee        | 603069           | Warning with Stipulations   | January 22, 2004      |
| Monse, Therese B.           | 239683           | Warning with Stipulations   | March 9, 2004         |
| Mosley, Laura Jean          | 589027           | Enforced Suspension         | January 22, 2004      |
| Neathery, Colleen Kay       | 250824           | Enforced Suspension         | March 9, 2004         |
| Neyens, Marty P.            | 627960           | Reprimand with Stipulations | March 9, 2004         |
| Nolte, Julie Pierce         | 653359           | License Revoked             | March 9, 2004         |
| O'Donnell, Carolyn          | 642654           | Remedial Education          | February 2, 2004      |



**DISCIPLINARY ACTION**

- continued from previous page

| <u>NAME</u>                | <u>LICENSE #</u> | <u>DISCIPLINE</u>           | <u>DATE OF ACTION</u> |
|----------------------------|------------------|-----------------------------|-----------------------|
| Owens, Angela Gay          | 681182           | Warning with Stipulations   | March 9, 2004         |
| Pepper, Lela Mari          | 534178           | License Revoked             | December 9, 2003      |
| Portillo, Denise J.        | 231106           | Warning with Stipulations   | February 10, 2004     |
| Powell, Sonya Marie        | 681781           | License Revoked             | December 9, 2003      |
| Poyner, Amanda Gay         | 666296           | Warning with Stipulations   | January 22, 2004      |
| Price, Charles L.          | 610155           | License Revoked             | December 9, 2003      |
| Quave, Sheryl Lynn         | 564392           | License Revoked             | February 10, 2004     |
| Ramirez, Jaime E.          | 534466           | Suspend/Probate             | January 22, 2004      |
| Richardson, Lucille Ann    | 684939           | Warning with Stipulations   | February 10, 2004     |
| Robbins, Anita Lea         | 691996           | Warning with Stipulations   | March 9, 2004         |
| Robson, Deborah Lynn       | 575382           | Warning with Stipulations   | February 10, 2004     |
| Saenz, Wendie Fleur        | 587686           | Remedial Education and Fine | January 12, 2004      |
| Salemi, Nahid              | 634990           | Warning with Stipulations   | March 9, 2004         |
| Scott, Karen               | 669043           | License Revoked             | December 9, 2003      |
| Sifuentes, Brenda Gene     | 568539           | Warning with Stipulations   | March 9, 2004         |
| Slief, Mary Beth           | 555718           | License Revoked             | December 9, 2003      |
| Sliter, Donald             | 614078           | Reprimand with Stipulations | March 9, 2004         |
| Sloan, Patricia L.         | 525683           | Enforced Suspension         | January 22, 2004      |
| Smith, Barbara Joyce       | 580454           | Remedial Education          | February 2, 2004      |
| Smith, Ralph Josef         | 566277           | Remedial Education and Fine | January 14, 2004      |
| Son, Laron Gail            | 609552           | Warning with Stipulations   | March 9, 2004         |
| Stoltz, James Nathan       | 591126           | License Revoked             | March 9, 2004         |
| Tamling, Vickie            | 554218           | Enforced Suspension         | March 9, 2004         |
| Taylor, Alice J. Miles     | 606749           | License Revoked             | February 10, 2004     |
| Tunon, Daisy Carranza      | 429978           | Suspend/Probate             | January 22, 2004      |
| Vana, Sandy Susan          | 627191           | Enforced Suspension         | January 22, 2004      |
| Vinson Jr., George         | 618660           | Remedial Education          | January 15, 2004      |
| Wakefield, Jamie Richelle  | 674310           | Warning with Stipulations   | January 22, 2004      |
| Wallace, Gretchen F.       | 254891           | Enforced Suspension         | March 9, 2004         |
| Willis, Gregory            | 457869           | Warning with Stipulations   | February 10, 2004     |
| Wilson, Shery Elizabeth    | 683307           | Remedial Education          | February 13, 2004     |
| Wineglass, Keysha C.       | 647521           | Enforced Suspension         | December 9, 2003      |
| Winterton, Barbara Sakella | 515575           | Remedial Education          | March 5, 2004         |

**VOLUNTARY SURRENDERS**

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

| <u>NAME</u>                 | <u>LICENSE #</u> | <u>DATE OF SURRENDER</u> |
|-----------------------------|------------------|--------------------------|
| Barker, Anne Marie          | 610331           | January 29, 2004         |
| Burnett, Karen H.           | 554664           | February 27, 2004        |
| Collins, Hermia E.          | 505451           | February 18, 2004        |
| Conlee, Steven Paul         | 652783           | December 15, 2003        |
| Fennell, Dennis Duane       | 582344           | December 8, 2003         |
| Goen, Angie Marie           | 584077           | January 14, 2004         |
| Guillemaud, Andre Joseph    | 612001           | December 20, 2003        |
| Lacasse, Wayne Francis      | 583219           | February 2, 2004         |
| Lively, Lori Helen          | 606663           | January 15, 2004         |
| Medina, Ramon               | 658205           | January 20, 2004         |
| Merrill, Cindy A.           | 509376           | December 29, 2003        |
| Mills, Lindy Laine          | 664543           | March 4, 2004            |
| O'Brien, Cindie Charlene    | 579017           | December 30, 2003        |
| Pierre III, Adam J.         | 614801           | February 19, 2004        |
| Reed, Jarrod Heath          | 683740           | January 14, 2004         |
| Roberts, Mark               | 682897           | December 31, 2003        |
| Tuttle, Earl Dean           | 532120           | March 8, 2004            |
| Vaughan, Marybeth Alexander | 691258           | February 5, 2004         |
| Willingham, Jennifer Lee    | 679738           | January 20, 2004         |
| Wilson, Lori                | 623303           | January 5, 2004          |
| Young, Rayelynn Jeanette    | 672592           | January 6, 2004          |
| Zimbelman, Deborah Vaughn   | 677767           | January 8, 2004          |

*In the following article, the Texas Department of Health is seeking clients who may qualify for medical case management services in the following categories: (1) children, ages birth through age 20, who have health conditions or health risks and (2) pregnant women with high-risk medical conditions. This information is provided as a public service to nurses who may know of patients who would benefit from the case management services offered by the Texas Department of Health.*

## *Case Management for Children and Pregnant Women*

On September 1, 2003, the Texas Health Steps Medical Case Management and Targeted Case Management for High Risk Pregnant Women and Infants merged to become Case Management for Children and Pregnant Women (CPW). CPW is a case management program that provides health related case management services to eligible children and pregnant women.

### **Eligibility for CPW**

A person must be Medicaid eligible and a:

Child (birth through age 20) with a health condition or health risk. Health condition or health risk is defined as a medical condition, illness, injury or disability that results in limitation of function, activities or social roles in comparison with same age peers in the general areas of physical, cognitive, emotional or social growth and development. There must also be a need for services to prevent illness(es) or medical condition(s), to maintain function or to slow further deterioration of the condition and desire for health related case management services.

### **OR**

Pregnant woman with a high-risk condition during pregnancy. There must also be a need for services to prevent illness(es) or medical condition(s), to maintain function or to slow further deterioration of the condition and desire for health related case management services.

CPW case managers must provide services directly with the client or with the parent/legal guardian if the client is under the age of 18.

CPW case managers submit requests to the Texas Department of Health for determination of eligibility for case management services. Licensed social workers and registered nurses provide CPW services.

To make a referral, call the THSteps Outreach and Informing line 1-877-THSTEPS (747-8377) or call a CPW case management provider in your area. A list of CPW providers can be found on the TDH Case Management Website, [www.tdh.state.tx.us/caseman/caseman.htm](http://www.tdh.state.tx.us/caseman/caseman.htm)

## **Insufficient Funds**

As of March 27, 2004, the following nurses appear on the records of the Board of Nurse Examiners as debits for failure to respond to notices of returned checks. Should any of these nurses be employed or seeking employment with your agency/institution, please contact the Board's office. If any of these nurses are practicing in Texas as a nurse, they may be in violation of the Nursing Practice Act and may be subject to disciplinary action by the Board.

| <u>NAME</u>     | <u>LICENSE #</u> |
|-----------------|------------------|
| Hiatt, Martha   | RN TL 88174      |
| Hite, Donald    | RN 536116        |
| Johnson, Vickie | RN TL 87956      |
| Lacey, Tamara   | RN 517306        |

| <u>NAME</u>     | <u>LICENSE #</u> |
|-----------------|------------------|
| Moseley, Julia  | RN 251209        |
| Walls, Lillian  | RN 565105        |
| Wilson, Cynthia | RN 689573        |

**BNE Events**

**Board Meeting Schedule**

**Meeting Dates: 2004**

April 22-23

July 22-23

October 21-22

All meetings to be held in Austin

**Workshop Update**

***Overview of Current Regulations: A Foundation for Safe RN Practice***

Four workshops addressing nursing jurisprudence issues are currently scheduled\*:

Dates to be announced on BNE Events Page on web site as facilities are secured in the respective cities.

**Ft. Worth - June 2004**  
**Dallas - June 2004**  
**San Antonio - July 2004**  
**Austin - August 2004**

Brochures will be available within 60 days of confirmed workshop dates.

Workshop brochures with registration forms may be accessed via the BNE website at [www.bne.state.tx.us](http://www.bne.state.tx.us) under "BNE Events" after the dates and locations have been finalized. These workshops have been approved for seven Type I contact hours. The registration fee is currently \$90 for pre-registration and \$105 at the door; however, this fee is subject to change.

***Registration Information***

Pre-registration prior to the workshop is always encouraged since seating space is limited. Payment *must* accompany registration forms. Registration cannot be taken over the phone, e-mail, or fax. If you are unable to download the brochure from our website, you may request one by contacting us. Our phone number for workshop information is (512) 305-6844 and e-mail address is [workshops@bne.state.tx.us](mailto:workshops@bne.state.tx.us).

\* Schedule is subject to change and specific dates will be released as facilities are secured.

**BNE HELPFUL NUMBERS**

MAIN NUMBER.....(512) 305-7400  
 FAX.....(512) 305-7401  
 -- 24 Hour Access  
 -- License Verification  
 -- General Information

**OPERATIONS**

CUSTOMER SERVICE.....(512) 305-6809  
 -- License Renewals  
 -- Endorsement/Examination  
 -- Continuing Education for LVNs & RNs

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

NEWSLETTER INFO.....(512) 305-6842

WEB Address.....[www.bne.state.tx.us](http://www.bne.state.tx.us)  
 -- Refere-mail inquiries to:  
[webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us)

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

**PROFESSIONAL AND VOCATIONAL NURSING**

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

NURSING PRACTICE.....(512) 305-6802  
 -- Nursing practice issues  
 -- Legislation

Workshop Information.....(512) 305-6844

LVN/RN/APN Education Program Information.....(512) 305-6816



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

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#### Office Hours and Location

The Office of the Board of Nurse Examiners is located in The William P. Hobby Building, located at the corner of 4th and Guadalupe in downtown Austin. The mailing address is: 333 Guadalupe, Suite 3-460, Austin, Texas 78701-3944. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for designated holidays.

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#### Change of Address

Notification of change of address as required by Rule 217.7 can be by three different routes: 1. Mail to: Board of Nurse Examiners, 333 Guadalupe, Suite 3-460, Austin, Texas 78701-3944 ; 2. E-Mail to: [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us) ; or 3. Fax to: Board of Nurse Examiners (512) 305-7401.

#### **Notifications must include:**

1. License Number, 2. Social Security Number, 3. Old and New Address, and
4. Your Name.

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