



# 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 nurse in the State of Texas is competent to practice safely. The Board fulfills its mission through the regulation of the practice of nursing and the approval of nursing education programs. This mission, derived from the Nursing Practice Act, supersedes the interest of any individual, the nursing profession, or any special interest group.



## BNE Seeks Increased Criminal Background Checks

The Board of Nurse Examiners (BNE) submitted its funding request (Legislative Appropriations Request or LAR) for the 79<sup>th</sup> Legislative Session to the Legislative Budget Board for consideration in the upcoming Texas Legislative Session beginning January 11<sup>th</sup> and ending May 30, 2005. Funding for agency operations is tied to the following core strategies: Licensing, Approval of Schools, Adjudication of Violations and the Texas Peer Assistance Program for Nurses. The LAR is preceded by the BNE Strategic Plan for Fiscal Years 2005-09 submitted on June 18, 2004. The Strategic Plan included an assessment of issues by agency staff requiring additional funding, legislative rule making, or a combination of both. The Board determined that implementation of additional criminal background checks authorized by passage of HB 2208 in the 78<sup>th</sup> Regular Texas Legislative Session is vital to accomplishing the mission of the agency to protect the public from unsafe nursing practice. An electronic copy of the BNE Strategic Plan can be obtained by sending an e-mail to: [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us).

The legislature has required that all individuals seeking to obtain or retain a Texas nursing license possess “good professional character”; therefore, the criminal conduct of nurses and those applying to be licensed must be reviewed. House Bill 2208 (Allen), effective September 1, 2003, authorized implementation of criminal background checks for candidates for nurse licensure by endorsement (originally licensed in another state) or examination (nursing program graduates.) The BNE has conducted more than 10,000 background checks on candidates for licensure since passage of HB 2208. Since implementation, more than 950 candidates had criminal conduct requiring further examination by BNE Enforcement Department staff. In the next biennium, the BNE is seeking funding to include background checks on current licensees as well as candidates for vocational nurse licensure.

Additional items requested for the upcoming session include increased funding for the Texas Peer Assistance Program for Nurses, which has not seen a funding increase since 1997, and restoration of the five percent reduction requested of all state agencies for the FY 06-07 biennium. The *Texas Board of Nursing Bulletin* will inform readers in the event that funding is authorized to implement additional background checks.

## Self-Help Resources Added for BNE Web Site Users

Several new sections have been added to the BNE web site to assist those seeking information on *Nurse Education* and *Advanced Practice Nursing*. The new web site sections added by the Nursing Practice and Education Departments makes helpful information readily available to all nurses, candidates for nurse licensure, and those seeking advanced practice credentials. Links for both sections are located on the BNE home page located at [www.bne.state.tx.us](http://www.bne.state.tx.us). Additional web resources will be added in the Spring of 2005.

## Governor Appoints George Buchenau, Jr., to BNE



Governor Rick Perry announced the appointment of George Buchenau, Jr., BSN, RN, MBA, to the Texas Board of Nurse Examiners (BNE) on November 9, 2004. Mr. Buchenau is a registered nurse from Amarillo employed as executive director of a home health care agency. Mr. Buchenau represents Nursing Practice, replacing Thomas Barton, MSN, RN, who resigned from the BNE. Mr. Buchenau’s term on the Board expires January 31, 2009.

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## BNE Advisory Committee Updates

### ADVISORY COMMITTEE ON EDUCATION (ACE)

At the April 2004 meeting, the Board issued a charge to ACE to draft new rule language related to nursing education. ACE met in August 2004 and proposed keeping vocational nursing education in a separate rule from professional nursing education. The committee drafted Rule 214, *Vocational Nursing Education* using some language from current Rules 215 and 233 and adding new language. During this review of the rules, minor changes were made to the current Rule 215 (Professional Nursing Education) and a new rule was proposed. Both rules were placed in the *Texas Register* for a thirty-day comment period, which ended December 13. A new chapter 215 was adopted and chapter 214 was presented at the January 2005 Board Meeting and adopted by the Board.

### APN ADVISORY COMMITTEE (APNAC)

The Advanced Practice Nursing Advisory Committee (APNAC) met in Austin on October 27, 2004 to continue working on their current charges from the Board. They discussed the proposed amendments to Rules 221.2 and 221.7 (published in the August 13, 2004 edition of the *Texas Register*) that seek to limit the number of advanced practice titles the Board recognizes, and the public hearing related to the proposed rules held on October 20, 2004. The committee continued discussion of issues related to the advanced practice nurse's scope of practice and expansion of that scope of practice. The committee is scheduled to meet again in March 2005.

#### Board Meeting Dates: 2005

**January 20-21**  
**April 21-22**

**July 21-22**  
**October 20-21**

All meetings to be held in Austin

### State of Virginia Joins Nurse Licensure Compact New Jersey Governor Signs Bill

The State of Virginia implemented the Nurse Licensure Compact effective January 1, 2005, becoming the 19th state to join the Compact. The Governor for New Jersey signed the bill enacting the Nurse Licensure Compact, but the implementation date for New Jersey has not been determined yet. The states that have implemented the Nurse Licensure Compact include: *Arizona, Arkansas, Delaware, Idaho, Iowa, Maine, Maryland, Mississippi, Nebraska, New Mexico, North Carolina, North Dakota, South Dakota, Tennessee, Texas, Utah, Virginia and Wisconsin*. Further information on the Nurse Licensure Compact can be obtained by visiting the web site for the National Council of State Boards of Nursing (NCSBN) located at: <http://www.ncsbn.org/nlc/rnlpvcompact.asp>. The NCSBN is a not-for-profit organization whose membership comprises the boards of nursing in the 50 states, the District of Columbia, and five United States territories—American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.



The Board of Nurse Examiners  
for the State of Texas

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## Summary of Actions

A Regular meeting of the Board of Nurse Examiners was held October 21-22, 2004 in Austin. The following is a summary of Board actions taken during this meeting.



The following proposed rule changes were published in the November 12, 2004, issue of the *Texas Register*.

The Board of Nurse Examiners proposed the adoption of new chapter 214, §§214.1 - 214.13, concerning Vocational Nursing Education and new chapter 215, §§215.1 - 215.13 (Professional Nursing Education), of 22 Texas Administrative Code. Concurrent with these proposed adoptions was the proposed repeal of chapter 233 (Education) which addressed vocational nursing education and chapter 215 (Nurse Education) which is applicable to professional nursing education.

No comments were received in response to these proposed rule changes. Chapter 215 was adopted and Chapter 214 was presented for adoption at the January 2005 Board Meeting and adopted. See the Update on the Advisory Committee on Education on page 2 for further information. The adopted 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.

### **Education Actions:**

#### **Consideration of Approval Status**

\* Changed Approval Status from Conditional to Full, Pending Final 2004 NCLEX-PN® Pass Rates, Based on Survey Visit Report and Issued Recommendations and Requirements/Stipulations:

*Valley Grande Institute for Academic Studies, Vocational Nursing Program*

\* Changed Approval Status from Full to Warning Based on Survey Visit Report and Issued Commendations, Recommendations and Requirements:

*Weatherford College, Associate Degree Nursing Program*

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

\* Granted Initial Approval to Establish a New Vocational Nursing Program and Issued

Commendations, and Recommendations:

*College of the Mainland*

\* Accepted Report of Site Visit and Issued Recommendations and Requirements:

*Hill College at Glen Rose, Vocational Nursing Program*

\* Accepted Report of Site Visit and Issued Commendations, Recommendations and Requirements:

*Texas A&M International University, Family Nurse Practitioner Program*

\* Reviewed and accepted Progress Report:

*Computer Career Center, Vocational Nursing Program*

*NOTE: Printed copies of the January 2005 Bulletin incorrectly reported that the change in approval status for the Associate Degree Nursing Program at Weatherford College was, in part, based on the pass rate for the 2004 NCLEX-RN® Exam, when it was not. The BNE apologizes for any inconvenience or misunderstanding due to this mistake.*

## **NURSES HAVE THE OPPORTUNITY TO HELP DEVELOP THE NCLEX® EXAMINATION**

The National Council of State Boards of Nursing (NCSBN) is responsible for developing the NCLEX-RN® and NCLEX-PN® licensing examinations by utilizing contributions from nurse clinicians and educators. NCSBN encourages all nurses to become involved in the development of the exams by participating in the item (question) development program. Qualifications for participation are listed below.

Serving on an NCLEX® item writing or review panel is an excellent opportunity to network with nurses from across the country, contribute to continuing excellence in nursing practice, and build new skills that are useful for professional growth.

Item development sessions are held throughout the year and include the item writing and item review panels. Item writing panelists are responsible for creating new test items that may later appear on one of the exams. Item review panelists examine both newly created and older items to help decide if the items are current and relevant to entry-level nursing practice.

All item development panels are held in Chicago, Illinois, and generally last 3-4 consecutive days. Panelists stay downtown in a deluxe hotel surrounded by the shopping and theater districts. Most travel and food expenses are covered and new panelists receive more than 30 CEUs for their participation.

For more information about the NCLEX-RN® item development program or to receive an application for the item development panels please call the NCSBN item development hotline at 312-525-3775 or visit our web site at [www.ncsbn.org](http://www.ncsbn.org).

## BVNE Board Members Bring Varied Backgrounds to BNE

A single thirteen-member board of nursing for the State of Texas was created with passage of HB 1483 during the 78<sup>th</sup> Regular Texas Legislative Session. Governor Rick Perry’s Office appointed board members who had served on the Board of Nurse Examiners as well as board members who had served on the Board of Vocational Nurse Examiners, which ceased to exist on February 1, 2004. Four Board members who chose to continue representing the profession of nursing, LVN and RN, will be highlighted, one who serves as a consumer member and three who are practicing LVNs representing their profession.



Richard Gibbs, LVN



Rachel Gomez, LVN



Beverley Nutall, LVN



Anita Palmer, BSE, ME, MA

### Representing LVN Practice

### Representing Consumers

#### What motivated you to pursue this position with the Board of Nurse Examiners?

Richard: I previously held a position on the BVNE. I wanted to be involved with the transition and combining of the two boards.

Rachel: I felt I could make a difference in the care of the people of Texas, and by being on the board I would have more input.

Beverley: I wanted to represent the LVN population. I feel strongly about the development of a practice act for the LVNs. We have long needed the protection of a practice act. I feel honored to serve both my profession and state.

Anita: With the foundation in nursing practice I acquired while serving on the BVNE for five years, and continued intense study of nursing issues and practices, I feel confident in my ability to serve as an effective member on one of the most important boards in the state — Nursing.

#### What do you think you bring to the Board?

Leadership, motivation and new ideas.

My years of experience as a Nurse in the different areas of nursing.

#### What do you think you bring to the Board?

I feel like I bring a passion for the profession. I believe that God calls nurses to service and as a strong Christian woman, I strive to be a role model for those in the profession.

As a consumer member of the BNE, my goal is to provide the Texas public with the best educated, most competent, dedicated nurses possible. Nursing is a demanding, emotion wrenching, stressful occupation that requires continual education and re-evaluation as to its goals and practices. As a member of the BNE, it is a heavy burden to provide the guidance of leading the nursing field to an ever-improving future.

#### Is there a single event that inspired you to pursue working with the Board or in nursing?

In 1970, I became a volunteer at Mother Frances Hospital in Tyler, Texas and fell in love with patient care and have been doing it ever since.

The Nursing shortage and how we can make more of our young ones interested in this most rewarding career. I feel we need to start talking to them while in High School.

#### Is there a single event that inspired you to pursue working in nursing?

I believe that nursing is a calling. God calls those to the army of nurses who he believes can care for the sick and weak. Nursing is not a profession for the light of heart or the weary. We are the lights in the dark and the hope when people believe all is lost.

#### What do you see as the most important issues involving the regulation of nursing in Texas?

That the citizens of Texas are taken care of in a safe and professional manner.

The accreditation of schools of nursing because we need the best of schools to make sure the public is protected.

*Richard currently works as a staff nurse at Mesquite Community Hospital. He graduated from the Tyler Junior College VN Program in 1982. He serves as an advocate for TPAPN and serves on numerous committees at his hospital.*

*Rachel currently works as an occupational nurse in Harlingen. She also serves as a board member for the American Cancer Society and is a member of the American Association of Occupational Health Nurses.*

*Beverley works as an Assistant Office Staff Nursing Supervisor in Bryan and as a volunteer nurse at Scotty's House Advocacy Center. She graduated from the Bryan School of Vocational Nursing.*

*Anita retired after teaching pre-K through graduate school for more than 30 years. She currently works as bookkeeper at the 4 P Bar Ranch in Olney. She is an accomplished painter whose work can be seen at [www.anitapalmer.com](http://www.anitapalmer.com)*

## New Interpretive Guideline for LVN Scope of Practice Established in §217.11

The passage of HB 1483 [78 Tex. Legis. Session, 2003] consolidated all licensed nurses under one regulatory board, thus pulling vocational nurses under the authority of the Nursing Practice Act (NPA) on February 1, 2004. Since then, the Board has combined and revised the two sets of rules that formerly existed for both agencies into one set of rules that applies uniform rule language across all levels of nursing licensure, thereby providing consistent regulatory guidance to all nurses in Texas.

The main rule applicable to nursing practice is Rule 217.11, Standards of Nursing Practice. This revised and combined Standards Rule became effective 9/28/2004. Rule 217.11 provides the framework for the minimum acceptable standards of nursing practice, and serves for determining a nurse's scope of practice. While the majority of the standards apply to all levels of nurse licensure, specific standards address each respective licensure level.

The purpose of this interpretive guideline is to promote understanding by vocational nurses and others of the accurate application of the Standards of Nursing Practice across all practice settings. The guideline also provides additional information through definitions, clarification of scope of practice parameters, and a table differentiating the scope of practice for LVNs and RNs. The interpretive guideline included with this article may be viewed in its entirety on the BNE web page at [www.bne.state.tx.us](http://www.bne.state.tx.us) under the "Practice" section. Questions pertaining to the interpretive guideline, or any other practice-related issues, may be communicated via e-mail to [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us) or via telephone to the Practice line at (512) 305-6802.

### Interpretive Guideline for Differentiating Vocational Nurse Scope of Practice Under Rule 217.11 Standards of Nursing Practice - October 2004

#### Purpose:

Rule 217.11 establishes a foundation of minimum standards of nursing practice applicable across all levels of nursing licensure (inclusive of licensed vocational nurses, registered nurses, and registered nurses with advanced practice authorization in a given role and specialty). This guideline includes comparison between LVN and RN practice, and does not specifically address RNs and advanced practice RNs.

#### Background:

In February 2004, the integrated Board implemented an ongoing review of all BNE and BVNE rules to ensure congruency with the Nursing Practice Act (NPA). The Nursing Practice Advisory Committee [NPAC] assisted in the review of rules relating to nursing practice. The NPAC is one of the Board's three standing advisory committees and consists of interested stakeholders from nursing practice, nursing specialty and healthcare facility organizations, and relevant state agencies. At the first combined single-board of nursing meeting in April 2004, the Board charged the NPAC to review rules pertaining to standards of practice and unprofessional conduct for LVNs, RNs, and advanced practice nurses (APNs). Two resources were utilized by NPAC in developing the new standards: (1) the *Model Rules* from the National Council of State Boards of Nursing (NCSBN) [adopted by NCSBN, August 2004], and (2) the *Differentiated Entry Level Competencies of Graduates of Texas Nursing Programs (DELIC)*, September 2002. The model rules provided a national perspective on scope of practice parameters for the differing levels of licensure. The Model Rules may be viewed on the National Council's web page at [www.ncsbn.org](http://www.ncsbn.org). The DELIC may be viewed in its entirety from the BNE's web page, [www.bne.state.tx.us](http://www.bne.state.tx.us), under "Education." NPAC recommendations were presented to the Board at the July 2004 meeting. The Board approved NPAC's recommendations and proposed new rules 217.11 (*Standards of Nursing Practice*) and 217.12 (*Unprofessional Conduct*). These two new rules became effective September 28, 2004. Rule 217.11 provides the framework for the minimum acceptable standards of nursing practice, and serves for determining a nurse's scope of practice\*. While the majority of the rule's standards apply to all levels of nurse licensure, there are specific standards addressing each respective level of licensure (LVN, RN) and advanced practice nursing. (\*Note: Chapter 221, §§221.12 and 221.13 set forth additional guidance for scope of practice for APNs).

#### Definitions of Key Terms Used in 217.11(2) Standards Specific to Vocational Nurses

Some of the following terms may require further clarification in order to accurately apply and/or comply with the rule:

##### 1) *Supervision*:

This term is defined in §217.11(2) as the "process of directing, guiding, and influencing the outcome of an individual's performance of an activity." Since §217.11(2) requires the LVN to function "under the supervision," this precludes the LVN from functioning in a completely independent (without supervision) manner. However, direct (on-site or on-unit) supervision is not required by the rule. The LVN must have a resource person accessible at least telephonically or by some other similar means. Proximity to the LVN's practice setting and the level of licensure of a supervisor (RN, MD, etc.) must be determined by the LVN and his/her supervisor on a case-by-case basis and in accordance with any other laws that are applicable in the practice setting.

##### 2) *Healthcare Setting*:

In the *Differentiated Entry Level Competencies (DELIC)*, the term "structured healthcare setting" is used to help describe appropriate practice settings for entry-level LVNs; however, the NPAC committee agreed that the adjective "structured" could be misinterpreted and cause inappropriate restrictions on overall practice settings for LVNs in Texas. "Healthcare settings" is a term used to broadly define practice settings where LVNs routinely practice. Nevertheless, the DELIC definitions of "structured" and "unstructured" are instructive in defining the appropriate healthcare settings for LVN practice. A "structured" setting is defined by DELIC as "a geographical and/or situational environment where the policies, procedures, and protocols for provision of healthcare are established and in which there is recourse to assistance and support from the full scope of nursing expertise." The DELIC also states that the LVN is educationally prepared to deliver nursing care in "health care settings for individual clients who are experiencing common, well-defined health problems with predictable outcomes." By way of example, a healthcare practice setting for a LVN may also include a setting where continuous nursing services are provided (such as a nursing home, hospital, rehabilitation center, skilled nursing facility, clinic, or private practice physician office), or where the LVN has access to the licensed healthcare provider serving as the LVN's supervisor (such as home care, hospice, assisted living facility, group homes,

## New Interpretive Guideline - continued

etc.). [Definitions taken in part from BNE rules §224.1 and §225.4(9).] In contrast to the above, a setting that is likely inappropriate for a LVN is an “unstructured setting” defined in DELC as “a geographical and/or situational environment which may not have established policies, procedures, and protocols and which has the potential of variations requiring independent nursing decisions.”

### 3) *Focused Assessment vs. Comprehensive (or RN Nursing) Assessment:*

The first step in the nursing process--assessment--is the basis for nursing decisions and interventions. The terms “directed” scope of practice and “focused” assessment for LVNs were extracted from Model Rule language subsequently adopted by the National Council of State Boards of Nursing (NCSBN) in August 2004. The NCSBN felt that while both LVNs and RNs “assess,” the depth, breadth, and comprehensiveness of the assessments conducted by the two levels of licensed nurses differ. Part of the basis for the definitions and descriptors used in the model rules evolved from a national job analyses of both LVNs and RNs. [217.11(2)(A)(i)] Licensed vocational nurses (LVNs) “conduct focused nursing assessments of the health status of individuals.” *A focused assessment* is an appraisal of an individual client’s status and situation at hand, contributing to comprehensive assessment by the registered nurse, supporting ongoing data collection, and deciding who needs to be informed of the information and when to inform. [217.11(3)(A)(i)] Registered nurses conduct “comprehensive nursing assessments of the health status of clients.” *A comprehensive nursing assessment* is an extensive data collection (initial and ongoing) for individuals, families, groups and communities addressing anticipated changes in client conditions as well as emergent changes in a client’s health status; recognizing alterations to previous client conditions; synthesizing the biological, psychological, spiritual and social aspects of the client’s condition; evaluating the impact of nursing care; and using this broad and complete analysis to make independent decisions and nursing diagnoses; plan nursing interventions, evaluate need for different interventions, and the need to communicate and consult with other health team members.

### Additional Clarifications

Though not prescriptive to specific tasks, § 217.11 adopted by the Board establishes the outer parameters that the individual nurse at a given level of licensure may practice and still be “in compliance” with the rules, regardless of experience or practice setting. Because nursing at any level can involve “life and death” decisions, it is not prudent for a nurse to perform functions that require a higher level of licensure/authorization. This is often a difficult concept for non-nurses to grasp as they typically do not understand that there are limits as to how far a nurse may expand his/her scope within the same level of licensure. Additionally, non-nurses often fail to realize that a nurse always has a higher duty to his/her patient. Regardless of facility policies or physician orders, the nurse has a duty to maintain a safe environment for the client and others. Because of this duty, the Board holds each nurse accountable to accept only those assignments that are within the nurse’s education, experience, and knowledge, as well as the nurse’s physical and emotional abilities. While LVNs have always been able to expand their practice with continuing education, this concept of expansion has always had its limits. The NPA and §217.11 now serve in conjunction with the entry-level competencies (DELC) to provide guidance for consistency in LVN scope of practice, regardless of practice setting, or years of experience in vocational nursing or other healthcare-related field. Relative to the above concepts, the following statements provide additional clarifications for application of the NPA and §217.11 to vocational nursing practice:

- 1) LVNs cannot expand their practice to the level of a registered nurse through continuing education unless that education consists of a formal program of study and subsequent licensure by examination as a registered nurse. Practice within the independent scope of practice of a RN requires RN licensure.
- 2) If other laws require that a registered nurse perform a given task (such as “initial assessment”), said tasks cannot be assigned to the LVN under the RN’s (or any other licensed person’s) supervision.
- 3) Neither LVNs or RNs may perform tasks as “delegated medical acts” if the task requires the nurse to utilize independent medical judgment. Section 301.002 of the NPA precludes nurses from engaging in “medical diagnosis or prescription of therapeutic or corrective measures.” Also see Position Statement 15.11 ( Delegated Medical Acts).
- 4) Prior to 2/1/04, LVNs were permitted to perform “first assistant” duties for a physician or surgeon under the delegation of the physician. The NPA became applicable to LVNs with the combining of the boards, and thus NPA sections 301.1525-301.1527 have precluded the performance of first assistant duties under medical delegation by LVNs since 2/1/04.

The table below and on page 14 offers a brief synopsis of how the scope of practice for nurses educated and licensed as vocational nurses differs from nurses educated and licensed as registered nurses. These are minimum competencies, but also set limits on what the LVN or RN can do at his/her given level of licensure, regardless of experience.

Vocational Nurse	Registered Nurse
<p><b>(1) Clarification of Practice Parameters</b> Directed practice <i>under the supervision</i> of a registered nurse, advanced practice registered nurse, physician assistant, physician, dentist, or podiatrist. (Independent practice not permitted.)</p>	<p><b>(1) Clarification of Practice Parameters</b> Practice set broadly by the NPA, Section 301.002, and precludes RNs from engaging in “acts of medical diagnosis or prescription of therapeutic or corrective measures”; RNs are permitted to engage in independent practice within the scope of their licensure.</p>
<p><b>(2) Provider of Care:</b></p> <ol style="list-style-type: none"> <li>(a) Assist in the determination of predictable healthcare needs of clients within structured healthcare settings who are experiencing common, well-defined health problems with predictable outcomes.</li> <li>(b) Utilize a systematic approach to provide individualized, goal-directed nursing care by:                             <ol style="list-style-type: none"> <li>(i) collecting data and performing focused nursing assessments;</li> <li>(ii) participating in the planning of nursing care needs for clients, and in modifying the nursing care plan for assigned clients;</li> <li>(iii) implementing appropriate aspects of care within the LVN’s scope of practice, including compliance with other laws that are applicable to the LVN’s practice setting;</li> <li>(iv) implementing the teaching plan for clients with common health problems and well defined learning needs;</li> <li>(v) providing direct basic care to assigned multiple clients in structured settings;</li> </ol> </li> </ol>	<p><b>(2) Provider of Care:</b></p> <ol style="list-style-type: none"> <li>(a) Determine the predictable or unpredictable health status and health needs of clients (individual and family) through interpretation of health data and preventive health practice in collaboration with clients and interdisciplinary health care team members.</li> <li>(b) Utilize a systematic approach to provide individualized, goal-directed nursing care by:                             <ol style="list-style-type: none"> <li>(i) performing comprehensive nursing assessments regarding the health status of the client(s);</li> <li>(ii) formulating a nursing care plan based on determination of nursing diagnoses;</li> <li>(iii) implementing nursing care within the RN’s scope of practice, including compliance with other laws that are applicable to the RN’s practice setting;</li> <li>(iv) developing and implementing teaching plans for clients concerning promotion, maintenance and restoration of health;</li> </ol> </li> </ol>

## Memorandum of Understanding Established Between BNE and Texas Board of Pharmacy

The education nursing consultants for the Board of Nurse Examiners (BNE) have received many inquiries regarding the issue of student access to automated medical supply systems. In reviewing the Texas State Board of Pharmacy (TSBP) rules, it was found that Texas Pharmacy Rules limit access to automated medication supply systems in Class C pharmacies for stocking and retrieval of medications to licensed healthcare professionals or pharmacy technicians.

The Nursing Practice Act (NPA) requires that nurses, including nursing faculty, know and conform to the Texas NPA, BNE rules and regulations, as well as all federal, state, or local laws, rules and regulations affecting the nurse's current area of nursing practice. The NPA is not applicable to students when performing nursing duties incident to the program of study. To resolve the conflict, the BNE staff worked with the TSBP staff on creation of a Memorandum of Understanding (MOU) to allow nursing student access to automated medical supply systems. The MOU was presented to and approved by both the BNE and the TSBP.

The MOU specifies that automated medication supply systems (such as Pyxis, Sure Med, etc.) shall be available to nursing students acting under the supervision of a faculty/instructor and/or preceptor. The nursing program and the faculty should work with the healthcare facility and the pharmacists to develop a process that will facilitate providing access to nursing students. The MOU is applicable only to programs of study for the preparation of vocational nurses and registered nurses approved by the Board of Nurse Examiners and Class C pharmacies administering automated medication supply systems for retrieval of medications. The full text of the MOU appears below.

### MEMORANDUM OF UNDERSTANDING Cooperative Agreement between Board of Nurse Examiners and Texas State Board of Pharmacy

WHEREAS, the Board of Nurse Examiners of Texas is the state agency with jurisdiction over the regulation of nursing practice of licensed vocational nurses and registered nurses and the approval of schools of nursing;

WHEREAS, the Board of Pharmacy of Texas is the state agency with jurisdiction over the regulation of pharmacists, pharmacy services and licensure of pharmacies;

WHEREAS, Section 301.002 (2) of the Texas Occupations Code defines "professional nursing" as involving the administration of a medication or treatment as ordered by a physician, podiatrist, or dentist;

WHEREAS, Section 301.002 (4) of the Texas Occupations Code defines "nursing" as including professional and vocational nursing;

WHEREAS, Section 560.051 (d) of the Texas Occupations Code allows that a Class C pharmacy license or institutional pharmacy license may be issued to a pharmacy located in an inpatient facility licensed under Chapter 241 or 577, Health and Safety Code; a hospital maintained or operated by the state; a hospice inpatient facility licensed under Chapter 142, Health and Safety Code; or an ambulatory surgical center licensed under Chapter 243, Health and Safety Code;

WHEREAS, Texas Pharmacy Rules, 22 Texas Administrative Code, Section 291.74 (j) (C) (i) (III), related to Operational Standards, limits the access to the automated medication supply system in a Class C pharmacy for stocking and retrieval of medications to licensed healthcare professionals or pharmacy technicians acting under the supervision of a licensed pharmacist;

WHEREAS, Board of Nurse Examiners' Rules and Regulations, 22 Texas Administrative Code, Chapters 211 and 231, require that the programs of study for the preparation of vocational nurses and registered nurses be designed to prepare graduates to practice according to the Standards of Nursing Practice, and designed and implemented to prepare students to demonstrate the essential entry level competencies, including the administration of medications and treatments as authorized by law and determined by the Board of Nurse Examiners;

WHEREAS, Board of Nurse Examiners' Rules and Regulations, 22 Texas Administrative Code, Chapters 211 and 231, also require that clinical nursing faculty and instructors in programs of study for the preparation of vocational nurses and registered nurses be licensed registered nurses or vocational nurses;

WHEREAS, students in programs of study for the preparation of vocational nurses and registered nurses as part of the program of study must be engaged, observed and supervised in direct patient care in the clinical health care setting which includes administration of medications and treatments as ordered by a physician, podiatrist, or dentist;

WHEREAS, Section 301.004 (6) of the Texas Occupations Code exempts students in programs of study for the preparation of vocational nurses and registered nurses from the requirement of holding a licensure when administering medications as an incident of the program of study;

WHEREAS, the Board of Nurse Examiners and the Texas State Board of Pharmacy believe that access to automated medication supply systems for retrieval of medications shall be available to students, in programs of study for the preparation of vocational nurses and registered nurses, acting under the supervision of a licensed healthcare professional clinical nursing faculty/instructor and/or preceptor of that nursing education program;

NOW THEREFORE, the Board of Nurse Examiners and the Texas State Board of Pharmacy agree that direct access to automated medication supply systems for retrieval of medications, administered by Class C pharmacies, shall be available to students in programs of study for the preparation of vocational nurses and registered nurses, acting under the supervision of a licensed healthcare professional clinical nursing faculty/instructor and/or preceptor of that nursing education program; and

This Memorandum of Understanding is applicable only to programs of study for the preparation of vocational nurses and registered nurses approved by the Board of Nurse Examiners and Class C pharmacies administering automated medication supply systems for retrieval of medications.

Approved by the Board of Nurse Examiners on July 22, 2004

Approved by the Texas State Board of Pharmacy on August 3, 2004

## IMPOSTER 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.*

### **David Wayne Rhodes, Jr.**

David Wayne Rhodes, Jr., secured employment as a Registered Nurse, with a long term care facility in the Dallas, Texas area in 1994. Mr. Rhodes worked as Director of Nursing and Director of Clinical Services without a license to practice professional nursing in the State of Texas. A consumer initiated a verification of Mr. Rhodes' licensure, found that he was not licensed, and reported the information to the Board. The Board investigation revealed that Mr. Rhodes is not licensed to practice professional nursing in Texas. Mr. Rhodes' employment was terminated on December 2, 2004. The case was reported to the Dallas County Attorney's Office.



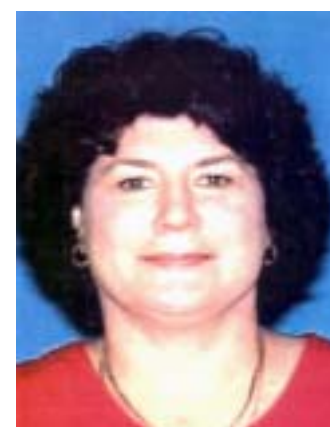
### **Deanna Allen**

Deanna Allen voluntarily surrendered her license to practice professional nursing in the State of Texas on July 26, 2004. Ms. Allen was employed as a registered nurse with a nursing home in Longview, Texas, and continued in her position until October 29, 2004, when it was discovered during a survey that Ms. Allen was no longer licensed to practice professional nursing in Texas. Ms. Allen was terminated from employment on October 29, 2004 and was reported to the Board's office. The Board will refer the case to the Gregg County District Attorney's office.



### **Denise Anne Lawrence Craig**

Denise Anne Lawrence Craig voluntarily surrendered her license to practice professional nursing to the Board of Nurse Examiners for the State of Texas on March 16, 2004. Ms. Craig continued her employment as a Staff Development Coordinator with a home health agency in Longview, Texas, and made three (3) skilled nursing visits to three (3) clients on July 30, 2004. Ms. Craig was terminated from employment on August 30, 2004. The Board has referred the case to the Gregg County District Attorney's Office.



## **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.



## NOTICE OF DISCIPLINARY ACTION

*The following 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>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Aleman, Sr., David R.	LVN# 174290	TOC 302.402(a)(4)&(10) TOC 301.452(b)(10) and 22 TAC §239.11(8)&(9)	License Revoked	November 9, 2004
Batson, Vicki Burgess	LVN# 71689	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)(4) (6)(8)&(28)	Reprimand with Stipulations	December 14, 2004
Beaver, Michele Anne	LVN# 95027	TOC 302.402(a)(1)&(12)	License Revoked	December 14, 2004
Boswell, Donna Mae	LVN# 185563	TOC 302.402(a)(1)&(9)	License Revoked	November 9, 2004
Bowden, Cynthia Jane	RN# 648480 LVN# 155839	TOC 301.452(b)(8)	License Revoked	December 14, 2004
Bowen, Anita	LVN# 155839	TOC 301.452(b)(8)	License Revoked	November 9, 2004
Breckenridge, Cathy Denise	LVN# 132259	TOC 302.402(a)(10) 22 TAC §239.11(2),(4)&(8)	License Revoked	October 21, 2004
Brown, Aline Elizabeth	RN# 542027	TOC 301.452(b)(10) 22 TAC §217.12(3)&(19)	Remedial Education	December 1, 2004
Brown, Martel Unsel	LVN#172040	TOC 302.402(a)(1)(3)&(10) 22 TAC §239.11(8)&(29)	Warning with Stipulations	November 9, 2004
Brunet, Troy Michael	RN#691550	TOC 301.452(b)(8)	Reprimand with Stipulations	November 9, 2004
Buentello, Christine M.	LVN# 72728	TOC 302.402(a)(9)&(10) 22 TAC §239.11(5)(6)(7) (10)(27)(B)&(28)	License Revoked	November 9, 2004
Burgdorf, Nancy Jean	LVN# 121610	TOC 302.402(a)(10)&(12) 22 TAC §239.11(1)(2)(4) (10)(27)(B)&(G)	License Revoked	November 9, 2004
Burnett, Barbara Marie	LVN#71691	TOC 302.402(a)(10) 22 TAC §239.11(8)&(9)	Warning with Stipulations	October 21, 2004
Byars, Carol L.	RN# 222816	TOC 301.452(b)(13) 22 TAC §217.11(3)&(19)	Remedial Education	December 10, 2004
Campbell, Karen Kay	LVN# 158036	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)(4) (27)(G)&(28)	License Revoked	December 14, 2004
Canoy, Vivian	LVN# 180910	TOC 302.402(a)(8)	License Revoked	November 9, 2004
Carter, Kenyatta Monique	LVN#174627	TOC 302.402(a)(3)&(10) 22 TAC §239.11(29)	Reprimand with Stipulations	October 21, 2004
Carter, Robert Clyde	RN# 623332	TOC 301.452(b)(8)	License Revoked	December 14, 2004
Casey, Nola June	RN# 228268	TOC 301.452(b)(10)&(13) 22 TAC §217.11(21) 22 TAC §217.12(2)&(4)	License Revoked	November 9, 2004
Castillo, Arlene Marie	RN#565091	TOC 301.452(b)(10) 22 TAC §217.12(2)(4)&(11)	Warning with Stipulations	October 21, 2004
Chapman, Susan Christine	RN#650897	TOC 301.452(b)(9)&(12)	Warning with Stipulations	October 21, 2004
Clamon, Myrtle Leona	LVN#28956	TOC 301.452(b)(10) 22 TAC §239.11(1)	Warning with Stipulations	November 9, 2004
Coleman, Donna Lavon	LVN# 141120	TOC 302.402(a)(7)	License Revoked	November 9, 2004
Collier, Francine Rae	LVN# 179081	TOC 302.402(a)(10) 22 TAC §239.11(2)	Remedial Education	September 29, 2004
Cristan, Aaron Ronnie	RN# 682222 LVN# 170746	TOC 301.452(b)(10)&(13) 22 TAC §217.11(3)&(21) and 22 TAC §217.12(3)&(20)	Warning with Stipulations	December 14, 2004
Curlin, Chanda Tynette	LVN#170336	TOC 302.402(a)(1)	Suspend/Probate	October 21, 2004
Debarbieris, Desi Vanita	RN# 596812	TOC 301.452(b)(10) 22 TAC §217.12(4)	Remedial Education	December 9, 2004
Diaz, Karen M.	RN#525916	TOC 301.452(b)(1)&(13) 22 TAC §217.11(3)&(4)	Enforced Suspension	October 21, 2004
Dixon, Lisa Toni	LVN# 139979	TOC 302.402(a)(1)	License Revoked	November 9, 2004

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<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Downs, Tammy Yvonne	RN# 562384	TOC 301.452(b)(10)&(13) 22 TAC §217.11(12)&(21) 22 TAC §217.12(2)&(4)	License Revoked	November 9, 2004
Dry, Marilyn	LVN# 76817	TOC 302.402(a)(10) 22 TAC §239.11(27)(A)	Warning with Stipulations	December 14, 2004
Edwards, Jacqueline	RN# 551496 LVN# 115440	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)	License Revoked	November 9, 2004
Eichhorn, Suzan E.	RN# 508064	TOC 301.452(b)(9)(10)&(12) 22 TAC §217.12(1)(12)(19) (22)&(23)	Enforced Suspension	December 14, 2004
Elmore, Pamela Rene Emerson, Lance Elgin	LVN# 127273 RN#687523	TOC 301.452(b)(8) TOC 301.452(b)(10) 22 TAC §217.12(16)	License Revoked Suspend/Probate	December 14, 2004 November 9, 2004
Enriquez, Susan Denise Frederick, Mae O.	LVN# 166821 LVN# 82908	TOC 301.452(b)(1) TOC 302.402(a)(10) 22 TAC 239.11(2)&(27)(C)	License Revoked Remedial Education	November 9, 2004 November 1, 2004
French, Frances Louise	RN# 519814 LVN# 10612	TOC 301.452(b)(13) 22 TAC §217.11(2)(3)&(4)	Remedial Education	December 9, 2004
Garcia, Mona L.	RN# 612735	TOC 301.452(b)(10) 22 TAC §217.12(2)(3)&(4)	Remedial Education	November 8, 2004
Geary, Christopher Michael Godsey, Robert Denver Haley, Gary Lee	RN# 646522 RN# 565109 RN# 577575	TOC 301.452(b)(8) TOC 301.452(b)(8) TOC 301.452(b)(1)&(10) 22 TAC §217.12(1)(18)(19) (22)&(23)	Reprimand with Stipulations License Revoked License Revoked	December 14, 2004 December 14, 2004 November 9, 2004
Hall, Donald Ray	RN# 567811	TOC 301.452(b)(10) 22 TAC §217.12(2)(3)&(16)	Warning with Stipulations	October 21, 2004
Hedrick, Shawn Elizabeth	LVN# 136564	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)&(4)	Warning with Stipulations	December 14, 2004
Hicks, Melony E.	RN# 256312	TOC 301.452(b)(10) 22 TAC §217.12(1)(2)&(4) 22 TAC §221.13 22 TAC §222.4(a)	Warning with Stipulations	October 21, 2004
Hill, Nicole Lynnette	RN# 695936	TOC 301.452(b)(10) 22 TAC §217.12(3)	Remedial Education	November 12, 2004
Homeyer, Sarah Ann	LVN# 37860	TOC 302.402(a)(10) 22 TAC §239.11(27)(F)	Remedial Education	September 30, 2004
Jones-Smith, Melissa Ann	RN# 607617	TOC 301.452(b)(1),(9)&(10) 22 TAC §217.12(1)	Enforced Suspension	December 14, 2004
Jumper, Melva Joyce	LVN# 70502	TOC 302.402(a)(9)&(10) 22 TAC §239.11(2)(3)(4)(6) (8)(10)&(28)	License Revoked	November 9, 2004
Kanady, Donna Leigh	RN# 551467	TOC 4525(b)(3)&(9) 22 TAC §217.13(1)	Reprimand with Stipulations	November 9, 2004
Kelley, Diann Winn	LVN# 133927	TOC 301.452(b)(10) 22 TAC §239.11(27)	License Revoked	December 14, 2004
Kizer, Kristin Collins	RN# 702513 LVN# 154467	TOC 301.452(b)(1)	Warning with Stipulations	November 9, 2004
Lewis, Maria Guadalupe	RN# 458270	TOC 301.452(b)(10) 22 TAC §217.11(22)	Remedial Education & Fine	November 23, 2004
Mabazza, John Marc Talosig	RN# 621491	TOC 301.452(b)(13) 22 TAC 217.11(3)&(13)	Reprimand with Stipulations	October 21, 2004
Madris, Robert	RN# 583409	TOC 301.452(b)(1)&(10) 22 TAC §217.12(22)	Suspend/Probate	November 9, 2004
Main, Linda Susan	LVN# 162747	TOC 302.402(a)(10) 22 TAC §239.11(2)&(4)	Remedial Education	November 9, 2004
Mares, Donna L.	RN# 238500	TOC 301.452(b)(10) 22 TAC §217.12(2)(3)&(4)	Warning with Stipulations	November 9, 2004

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<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Martin, Norma Ruth	LVN# 37307	TOC 302.402(a)(10) 22 TAC §239.11(3)&(27)(A)	Remedial Education	November 4, 2004
Martin, Sandra D. Blake	RN# 435310	TOC 301.452(b)(10)&(13) 22 TAC §217.11(22) 22 TAC §217.12(1)(2)&(4) 22 TAC §221.12(1) and 22 TAC §221.13	Reprimand with Stipulations	October 21, 2004
Martin, Laura Glenn	LVN# 116228	TOC 302.402(a)(10) 22 TAC §239.11(2)&(3)	Warning with Stipulations	December 14, 2004
McCook, Gerda Rosmarie	RN# 551595	TOC 301.452(b)(13) 22 TAC §217.11(3)&(19)	Remedial Education	December 10, 2004
McDonald, Linda Sue McKinney, Martha A.	LVN# 85735 RN# 510020	TOC 302.402(a)(1) TOC 301.452(b)(10)&(13) 22 TAC §217.12(2)(4)(6)&(20) 22 TAC §217.11(21)	License Revoked License Revoked	November 9, 2004 November 9, 2004
McLeod, Melinda Faye Meador, Sherry Dean	RN# 653335 LVN# 40349	TOC 301.452(b)(1) TOC 302.402(a)(10) 22 TAC §239.11(1)(5)&(7)	Reprimand with Stipulations Warning with Stipulations	October 21, 2004 December 14, 2004
Metoyer, John Darryle Moncrief, Douglas Barrett	RN# 552560 RN#589544	TOC 301.452(b)(8) TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)&(21)	Enforced Suspension Enforced Suspension	October 21, 2004 November 9, 2004
Monroe, Cynthia Alice	RN# 704910	TOC 301.452(b)(10) 22 TAC §217.12(1)	Remedial Education & Fine	October 6, 2004
Morgan, Nanci Rae Mungai, Carrie Lee	LVN# 125894 RN# 625669	TOC 301.452(b)(1) TOC 301.452(b)(10) 22 TAC §217.12(21) and 22 TAC §222.6	License Revoked Warning with Stipulations	November 9, 2004 December 14, 2004
Nantz, Mary C. Olivarez, Reynaldo Aleman	RN# 525340 LVN# 141772	TOC 301.452(b)(8) TOC 302.402(a)(10) 22 TAC §239.11(3)(4)&(27)(A)	License Revoked Warning with Stipulations	November 9, 2004 December 14, 2004
Osondu, Rachel Elaine	RN# 681904	TOC 301.452(b)(10) 22 TAC §217.12(2)(3)&(4)	Reprimand with Stipulations	December 14, 2004
Overmeyer, Patti Renfro	LVN# 139969	TOC 302.402(a)(10) 22 TAC §239.11(22)&(27)(F)	License Revoked	November 9, 2004
Palacio, Myra Jennifer Andres	RN# 690688	TOC 301.452(b)(10) 22 TAC §217.12(3)	Remedial Education	November 12, 2004
Palmer, Robin G. Parker, Schmika Shynette	RN# 629645 LVN# 182538	TOC 301.452(b)(8) TOC 302.402(a)(9)&(10) 22 TAC §239.11(10)&(28)	Remedial Education Warning with Stipulations	November 15, 2004 November 9, 2004
Potts, Teri Anne	RN# 656798 LVN# 161068	TOC 301.452(b)(1)	Reprimand with Stipulations	December 14, 2004
Preston, Pearl E.	LVN# 81153	TOC 302.402(a)(10) 22 TAC §239.11(2)(3)(4)& (27)(A)	Remedial Education	October 1, 2004
Rabadan, Anna Delia	LVN# 192355	TOC 301.452(b)(10) 22 TAC §239.11(2)(4)& (27)(K)	Warning with Stipulations	December 14, 2004
Radaford, Deborah Lee	RN# 248359	TOC 301.452(b)(1)&(10) 22 TAC §217.12(21)	Reprimand with Stipulations	December 14, 2004
Robles, Sandra Kay	LVN# 132416	TOC 302.402(a)(10) 22 TAC §239.11(4)	Warning with Stipulations	December 14, 2004
Rogers, Darlene Agatha Rubino, Tonda Lee	LVN# 131535 RN# 528317	TOC 301.452(b)(8) TOC 301.452(b)(10) 22 TAC §217.12(1)(19)&(22)	Suspend/Probate License Revoked	December 14, 2004 November 9, 2004
Sandoval, Mary Elizabeth	LVN# 138975	TOC 302.402(a)(10) 22 TAC §239.11(2)(4)& (27)(A)(J)	Warning with Stipulations	December 14, 2004
Sikes, Lisa A.	LVN# 95617	TOC 302.402(a)(9)&(10) 22 TAC §239.11(10)	License Revoked	November 9, 2004

**DISCIPLINARY ACTION**

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<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DISCIPLINE</u>	<u>DATE OF ACTION</u>
Smallwood, Charlotte W.	LVN# 83871	TOC 302.402(a)(10) 22 TAC §239.11(3)&(27)(A)	Remedial Education	October 13, 2004
Smith, Deborah T.	RN# 541551	TOC 301.452(b)(10)&(12) 22 TAC §217.12(12)	License Revoked	November 9, 2004
Stages, Lynn Marie	LVN# 161371	TOC 302.402(a)(9)&(10) 22 TAC §239.11(10)(27)(B) &(28)	Enforced Suspension	November 9, 2004
Stroud, Lynnetta Kaye	RN# 668805	TOC 301.452(b)(8),(9)&(10) 22 TAC §217.12(1)&(19)	License Revoked	November 9, 2004
Sutcliffe, Stephanie Michelle	RN# 573587	TOC 301.452(b)(8)	License Revoked	December 14, 2004
Tonubbee, Kimberly Ann	RN# 637472	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)	License Revoked	November 9, 2004
Tunon, Daisy Carranza	RN# 429978	TOC 301.452(b)(1)	License Revoked	November 9, 2004
Vasser, Stacey Kay	LVN#177023	TOC 302.402(a)(10) 22 TAC §239.11(3)(4) &(27)(A)	Warning with Stipulations	October 21, 2004
Wakefield, Jamie Richelle	RN#674310	TOC 301.452(b)(1)	Reprimand with Stipulations	October 22, 2004
Walsh, Stacy Marie	RN# 605185	TOC 301.452(b)(9),(10)&(12) 22 TAC §217.12(1)(4)&(12)	Enforced Suspension	December 14, 2004
Webster, Marisa Ann	LVN#179400	TOC 302.402(a)(10) 22 TAC §239.11(2)(4)(8) &(27)(K)	Warning with Stipulations	October 21, 2004
Wellington, Raphelito George	LVN# 155801	TOC 302.402(a)(3)&(10) 22 TAC §239.11(27)(F) &(29)(A)(i)	License Revoked	December 14, 2004
Whiteside, Jo Ann	LVN# 123142	TOC 302.402(a)(10) 22 TAC §239.11(2)&(27)(C)	Remedial Education	November 1, 2004
Williams, Jenny	RN# 254225	TOC 301.452(b)(13) 22 TAC §217.11(14)	Remedial Education	September 29, 2004
Witt, Sharon A.	RN# 535127 LVN# 112058	TOC 301.452(b)(10)&(13) 22 TAC §217.11(2)&(3) 22 TAC §217.12(4)&(20)	Reprimand with Stipulations	November 9, 2004
Wray, Sharon Dell	LVN# 53018	TOC 302.402(a)(10) 22 TAC §239.11(10)	License Revoked	October 21, 2004

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

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF SURRENDER</u>
Aikey, Sheila M.	RN# 524582 LVN# 108016	TOC 301.452(b)(10) 22 TAC §217.12(19)	October 25, 2004
Arguello, Susie	LVN# 108029	TOC 301.452(b)(1)(8)&(10) 22 TAC §239.11(25)	December 13, 2004
Bean, Mary Ellen	RN# 250358	TOC 301.452(b)(10)(12) & (13) 22 TAC §217.12(3)&(12) 22 TAC §217.11(3)&(21)	October 4, 2004
Behrendt, Michele Laird	RN# 605315	TOC 301.452(b)(9)&(10) 22 TAC §217.12(3)(19)&(20)	November 30, 2004
Boucher, VirginiaLee	RN# 539749	TOC 301.452(b)(8)	September 24, 2004
Boudreaux, Dorothy Jane	LVN# 115060	TOC 301.452(b)(10) 22 TAC §239.11(27)(A)&(K)	November 15, 2004
Browning, Cathy	RN# 239844	TOC 301.452(b)(8)	November 1, 2004
Buck, James D.	RN# 619551	TOC 301.452(b)(2)&(10) 22 TAC §217.12(1)(16)(19)&(22)	December 1, 2004
Chase, Janet Renee	LVN# 115239	TOC 302.402(a)(9)&(10) 22 TAC §239.11(28)	November 17, 2004

**VOLUNTARY SURRENDERS**

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<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF SURRENDER</u>
Cordova, Eulalio	LVN# 154319	TOC 302.402 (a)(2)&(10) 22 TAC §239.11(8)&(29)	December 7, 2004
Dungan, Vinnie Verona	RN# 246149	TOC 301.452(b)(10) 22 TAC §217.12(1)&(21)	October 11, 2004
Ecker, Betty L. Rogers	RN# 212748	TOC 301.452(b)(13) 22 TAC §217.11(2)&(18)	September 28, 2004
Eskue, Phyllis Gail	LVN# 83680	TOC 302.402(a)(10) 22 TAC §239.11(1)&(19)	October 18, 2004
Frank, Brenda J.	RN# 534004	TOC 301.452(b)(1)&(10) 22 TAC §217.12(21)	October 1, 2004
Fry, Stephanie Tylene	RN# 631080	TOC 301.452 (b)(1)(9)&(10) 22 TAC §217.12(1)(3)(4)(19)(20)&(22)	September 22, 2004
Gerek, Linda Hellen	LVN# 137898	TOC 302.402(a)(7)	December 10, 2004
Graham, Bonnie Ann	RN# 591766	TOC 301.452(b)(1)	November 30, 2004
Greening, Brian Wayne	RN# 678964	TOC 301.452(b)(3)	October 14, 2004
Haney, Shirley Diane	LVN# 123928	TOC 302.402(a)(10) 22 TAC §239.11(22)&(27)(F)	October 15, 2004
Hays, Katrina Lynn	RN# 668247	TOC 301.452(b)(9)&(10) 22 TAC §217.12(1)(3)(4)&(19)	October 6, 2004
Huffman, Melinda Leigh	LVN# 164642	TOC 302.402(a)(2)&(10) 22 TAC §239.11(5)(6)&(8)	December 10, 2004
Jones, Monica Michelle	RN# 662881	TOC 301.452(b)(4), TOC 302.402(a)(10)	October 25, 2004
Kelly, Patrick Sean	LVN# 166298 RN# 639617	22 TAC §239.11(28) TOC 301.452(b)(3),(9)&(10) 22 TAC §217.12(1)	October 13, 2004
Lauderdale, Donna Rhee	LVN# 130267	TOC 302.402(a)(3)	November 9, 2004
Lawson, Melissa Ann	RN# 589710	TOC 301.452(b)(9)(10)(12)&(13)	September 27, 2004
Lee, Schawneequa Renee	LVN# 181568	TOC 302.402(a)(10) 22 TAC §239.11(27)(L)	November 9, 2004
Mendoza, Gabriel Guerra	LVN# 187695	TOC 302.402(a)(2)&(10) 22 TAC §239.11(8)&(29)(A)(iii)&(iv) TOC 301.452(b)(13) 22 TAC §217.11(2)&(16)	December 8, 2004
Mitchell, Naomia Ruth	LVN# 67795	TOC 302.402(a)(3)&(10) 22 TAC §239.11(29)(A)(1)	December 10, 2004
Monroe, Marcia Sue	RN# 224978 LVN# 42590	TOC 301.452(b)(12)	September 30, 2004
Morris, Bonnie Lou	RN# 456635	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)	November 17, 2004
Renteria, Jeanette Suzann	RN# 573367	TOC 301.452(b)(1)(10)&(12) 22 TAC §217.12(1)(3)(4)(12)&(16)	November 1, 2004
Schoubroek, Melissa Sue	RN# 681460	TOC 301.452(b)(2)(3)(4)&(10) 22 TAC §217.12(1)&(22)	October 21, 2004
Sitz, Jenifer Louise	LVN# 135122	TOC 302.402(a)(10) 22 TAC §239.11(2)&(4)	September 28, 2004
Stewart, Sherill Ann	RN# 226616	TOC 301.452(b)(10)&(12) 22 TAC §217.12(12)	November 22, 2004
Torrey, Kay Anne	LVN# 83569	TOC 302.402(a)(9)&(10) 22 TAC §239.11(1)(2)(3)(4)(6)(10)(27)(B)&(28)	September 21, 2004
Vardilos, Patricia A. C.	RN# 220376	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)&(19)	October 15, 2004
Waldschmidt, Carla Diane	LVN# 154671	TOC 301.452(b)(10) 22 TAC §239.11(5)	December 1, 2004
Wilson, Darla Kay	LVN# 140792	TOC 302.402(a)(3) 22 TAC §239.11(29)	December 13, 2004
Wood, Danielle Marie	RN# 572169	TOC 301.452(b)(1)(9)&(10) 22 TAC §217.12(1)	October 28, 2004

continued on next page

**MULTI-STATE PRIVILEGE REVOCATION**

The following individual had her Multi-state Compact Privilege to practice nursing in the State of Texas Revoked.

<u>NAME</u>	<u>LICENSE #</u>	<u>CITATION(S) VIOLATED</u>	<u>DATE OF ACTION</u>
Sullivan, Kimberly Ann Reid	RN# 78317 Louisiana - RN	TOC 301.452(b)(8)&(10) 22 TAC §217.12(1)(3)(4)&(19) State of Louisiana suspended RN license	November 9, 2004

**Insufficient Funds**

As of February 1, 2005, the following nurses appear on the records of the Board of Nurse Examiners as debts 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>
French, Deborah Kay	RN434889
Hiett, Martha	TL 88174
Hite, Donald	RN536116
Humphrey, Anthanett M.	LVN53929
Johnson, Vickie	TL 87956

<u>NAME</u>	<u>LICENSE #</u>
Mack, Sharon Ewers	LVN92609
Moseley, Julia	RN251209
Trevino, Maria	LVN172297
Vosburg, Susan Allison	TL 94545

**New Interpretive Guideline - continued from page 6**

<b>Vocational Nurse</b>	<b>Registered Nurse</b>
<ul style="list-style-type: none"> <li>(vi) assist in the evaluation of the client's responses and outcomes to therapeutic interventions; and</li> <li>(vii) utilize a problem-solving approach as the basis for decision making in practice.</li> </ul>	<ul style="list-style-type: none"> <li>(v) providing for the care of multiple clients (individual and family) either through direct care or assignment and/or delegation of care to other members of the health care team;</li> <li>(vi) evaluate client's (individual and family) responses and outcomes to therapeutic interventions; and</li> <li>(vii) utilize critical thinking approach to analyze clinical data and current literature as a basis for decision making in nursing practice.</li> </ul>
<p><b>(3) Coordinator of Care:</b> Assign specific tasks, activities and functions and maintain appropriate supervision of licensed and unlicensed personnel in structured health settings for clients with predictable health care needs in accordance with designated job descriptions and/or job duties.</p>	<p><b>(3) Coordinator of Care:</b> Make assignments to licensed staff (LVNs, RNs) and delegate to unlicensed staff in compliance with current BNE rules in both structured and unstructured health settings for clients with predictable as well as unpredictable health needs.</p>
<p><b>(4) Member of a Profession:</b></p> <ul style="list-style-type: none"> <li>(a) Assume accountability and responsibility for the quality of nursing care provided to clients;</li> <li>(b) Act as a client advocate to maintain a safe environment for clients; and</li> <li>(c) Demonstrate behaviors that promote development of positive outcomes in relation to the practice of vocational nursing.</li> </ul>	<p><b>(4) Member of a Profession:</b></p> <ul style="list-style-type: none"> <li>(a) Assume accountability and responsibility for the quality of nursing care provided to clients;</li> <li>(b) Act as a client advocate to maintain a safe environment for clients;</li> <li>(c) Serve as a healthcare advocate in monitoring and promoting quality of health care and services for client; and</li> <li>(d) Participate in activities and act as a leader in promoting best practices within professional nursing.</li> </ul>

**E-Mail Notification Service Available for Newsletter Readers, Businesses, and Organizations**

The Board of Nurse Examiners (BNE) would like to send you an e-mail notifying you when the latest BNE newsletter is available for reading and providing a link directly to the newsletter's location on the internet. This service will be available at no cost and will be sent out on a quarterly basis as soon as the newsletter is available for reading. The e-mail address that you provide will be used in the strictest confidence and will only be used for the purpose of informing you when the newsletter can be downloaded and providing a direct link to the newsletter's location. If you would like to add your personal e-mail address or the e-mail address for your business or organization to the BNE's e-mail mailing list, simply send an e-mail indicating that you wish to receive the newsletter notification service to: [webmaster@bne.state.tx.us](mailto:webmaster@bne.state.tx.us).

**Workshop Update**

***Nursing in Texas: A Regulatory Foundation for Safe Practice***

Four workshops addressing nursing jurisprudence and ethics issues are currently scheduled.

<b>Radisson Resort South Padre Island 500 Padre Blvd. South Padre Island</b>	<b>Houston Marriott Medical Center 6850 Fannin Street Houston</b>	<b>Houston Marriott Medical Center 6850 Fannin Street Houston</b>	<b>Fredonia Hotel 200 N. Fredonia Nacogdoches</b>
<b>(956) 761-6511</b>	<b>(713) 796-0080</b>	<b>(713) 796-0080</b>	<b>(936) 564-1234</b>
<b>February 23, 2005</b>	<b>March 16, 2005</b>	<b>March 17, 2005</b>	<b>April 28, 2005</b>

These workshops have been approved for seven Type I contact hours. They also meet BNE completion requirements for jurisprudence and ethics if required per Board Order. Each offering is a one-day event. Early registration deadlines for registration forms are as follows: South Padre - February 18, Houston - March 11, Nacogdoches - April 22. The registration fee for these workshops is \$90 pre-registered and \$105 at the door. Workshop brochures with registration forms may be accessed via the BNE website under "BNE Events."

***Registration Information***

Pre-registration is accepted prior to the workshop and is always encouraged since space is limited. Payment *must* accompany the registration form, so 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 the e-mail address is [workshops@bne.state.tx.us](mailto:workshops@bne.state.tx.us).

**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)  
 -- Refer e-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

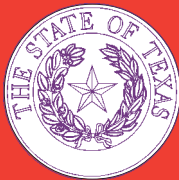
**PROFESSIONAL AND VOCATIONAL NURSING**

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

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

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

LVN/RN/APN Program Approval.....(512) 305-6816  
 -- Distance Education Initiatives



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. RN or LVN License Number, 2. Social Security Number, 3. Old and New Address, and
4. Your Name.

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