

Nevada State Board of **NURSING**

MINUTES OF REGULAR BOARD MEETING

January 13-15, 2010

The Regular Meeting of the Nevada State Board of Nursing was called to order by President Doreen Begley MS, RN, at 9:03 a.m. on January 13, 2010, at Tuscany Suites, 255 East Flamingo Road, Las Vegas, NV 89169.

MEMBERS PRESENT

Doreen Begley, MS, RN, President
Tish Smyer, DNSc, RN, Vice-President
Kelly Espinoza, MSN, RN, Secretary
Belen Gabato, MS, RN, Member
Rick Carrauthers, LPN, Member
Carrie McMurray, CNA, Member
Sandra Halley, Consumer Member

OTHERS PRESENT

Debra Scott, MSN, RN, FRE, Executive Director
Fred Olmstead, General Counsel
Dean Estes, Director of Finance and Technology
Marianne Kadlic, Executive Assistant
Roseann Colosimo, PhD, MSN, RN, Education Consultant (1/13, 1/15)
Patty Shutt, LPN, Site Operations Supervisor (1/13)
Kathleen Reynolds, BHS, RN, Compliance Coordinator (1/13, 1/14)
Amy Clark, BSN, RN, Application Coordinator (1/13, 1/14)
Kim Arguello, Sr. Deputy Attorney General, Board Counsel
Tammy Shaffer, Receptionist (1/13)
Jeannette Calderon, Receptionist (1/13)

CALL TO ORDER – 9:03 a.m.

PUBLIC COMMENT: Barbara Cavanaugh, RN, Bureau of Health Care Quality and Compliance (BHCQC) addressed the Board and explained the collaborative process between her agency and the NSBN by which the BHCQC puts a “bureau finding” on a CNA’s name in the registry. She uses the NSBN’s hearing process unless the CNA requests a full hearing or appeals the placing of the finding. The findings are placed for abuse, neglect, or misappropriation of property by a CNA who is working in the long term care setting. Dr. Diane McGinnis, RN, DNP, from the Nevada Nurses Association APN Special Practice Group, discussed an initiative to remove the collaborative agreement from statute which would allow APNs in Nevada to practice autonomously. She cited collaboration with the NSBN and statistics which support this movement. The Board thanked both speakers for their presentations.

APPROVAL OF CONSENT AGENDA

It was moved and seconded to approve the Consent Agenda, identified as items A.1. D.2.a.-t., D.3.a. & b., 7.a. & b., and D.8.a. MOTION CARRIED.

ACTION

A. BOARD GOVERNANCE AND ADMINISTRATION

1. Approval of minutes of Board meeting, November 18-20, 2009. Approved under the consent agenda.
2. Conference and seminar report: D. Scott attended and discussed the highlights of NCSBN Board of Directors meeting and the Continued Competence Committee meeting.
3. Progress report on FY09/10 goals and objectives to address the Board's long-term goals: D. Scott reported on recent progress related to achievement of Board goals and objectives since the last reporting period.
4. Review statistics and trends: D. Scott presented information and responded to Board certification, discipline and investigations, and compliance.
5. Review, discussion, and action regarding conference attendance assignments: D. Begley led the discussion regarding attendance at the 2009 conferences. The regular and newly appointed Board members were assigned to attend the appropriate conferences based on availability and subject matter of the conferences and to allow the Board president and the executive director to assign Board members and/or staff to attend other conferences as they become available within budgetary constraints. It was moved and seconded to accept the results of the discussion for conference attendance. MOTION CARRIED.

ACTION

6. Review and discussion of NCSBN increase in passing standard for NCLEX April 2010: D. Scott and R. Colosimo presented this agenda item, explaining the process by which the NCSBN Board of Directors assessed and increased the passing standard for the national nursing examination, NCLEX. The new standard will begin on April 1, 2010. The standard was increased to -.16 logits.
7. Review, discussion, and action regarding Nursys licensure data: D. Scott presented this agenda item to the Board. The NSBN submits all disciplinary data to this database, but the question before the Board was whether or not all Nevada nursing licensure data should also be submitted to the database. The overriding reason to consider doing this is to better protect the citizens of Nevada since the Board would receive more comprehensive and more timely data regarding discipline of nurses by other jurisdictions who are licensed in Nevada. Another reason to submit Nevada licensure data is to allow, in the case of a disaster, other states to readily access licensure data for Nevada nurses. Thirdly, there has been media attention that underscores the need for Nevada to join the other 40 states who submit their data to this database. Drawbacks include a possible loss of revenue for the NSBN, but this might be offset by other savings. NCSBN has begun to discuss revenue sharing of proceeds from Nursys. It was moved and seconded the Board direct staff to begin the process of submitting licensure data to Nursys. MOTION CARRIED.

ACTION

B. LICENSURE PROGRAMS

1. Review, discussion, and action regarding 18 provisional months for National University nursing associate degree program: R. Colosimo stated overall the survey AND the quality of clinical placements was very good National University nursing program and was the result of a lot of work by Dr. Laura Carver, the program's director. R. Colosimo noted that National University was not in compliance with NAC 632.675 as the majority of faculty are not fulltime employees. D. Begley noted concern with the low number of fulltime faculty now that program was growing with four cohorts. Dr. Carver agreed that this would be appropriate and she has faculty willing to be employed fulltime. It was moved and seconded that National University come into compliance with NAC 632.675 and to direct R. Colosimo to report on compliance at the May, 2010 NSBN meeting. MOTION CARRIED.

ACTION

C. CERTIFICATION PROGRAMS

- ACTION 1. Review, discussion, and action regarding application for the CNA Advisory Committee: It was moved and seconded to reappoint Elizabeth Mongeau, RN06062 to the CNA Advisory Committee. MOTION CARRIED.

D. DISCIPLINE PROGRAMS

- ACTION 1. Applications (initial and renewal in question):
- a. Amigable, Mafe, RN48474: Applicant was present. It was moved and seconded the Board accept the renewal application for licensure and the Agreement for Probation for violation of NRS 632.320 (7) unprofessional conduct, (12) action in another state, and NAC 632.890 (26) violation of state/federal nursing law/regulation. MOTION CARRIED.
 - ACTION b. Asaro, Josephine, RN applicant: Applicant was present with counsel. It was moved and seconded the Board accept the application for licensure and issue a temporary license pending an evaluation by the Disability Advisory Committee and following all recommendations or return to the Board. MOTION CARRIED.
 - ACTION c. Carrea, Michelle, RN applicant: Applicant was not present. It was moved and seconded the Board accept the applications for temporary refresher license and for permanent licensure upon successful completion of all licensure requirements. MOTION CARRIED.
 - ACTION d. Chavez, Hugo, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification and issue an Order of Probation for two years for violation of NRS 632.320 (2) criminal convictions, and (5) controlled substances and/or alcohol, and order the disciplinary action become part of the applicant's permanent record and published and reported to all appropriate agencies. MOTION CARRIED.
 - ACTION e. Cole, Juliette, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure and the Agreement for Monitoring for violation of NRS 632.320 (2) criminal convictions and (5) controlled substances and/or alcohol. MOTION CARRIED.
 - ACTION f. Crawford, Glenda, CNA applicant: Applicant was present. It was moved and seconded the Board deny the application for certification for violation of NRS 632.320 (1) fraudulent application and (2) criminal convictions and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
 - ACTION g. Dancy, Brandy, CNA017228: Applicant was present. It was moved and seconded the Board accept the renewal application for certification. MOTION CARRIED.
 - ACTION h. Elzie, Robin, CNA applicant: Applicant was not present. It was moved and seconded the Board deny the application for certification for violation of NRS 632.320 (1) fraudulent application, (2) criminal convictions, and (5) controlled substances and/or alcohol, and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
 - ACTION i. Faustino, Jayve, CNA022453, TRN324037: Applicant was not present. It was moved and seconded the Board accept the application for licensure and the Agreement for Fine of \$500 for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (37) practicing without a certificate. MOTION CARRIED.
 - ACTION j. Fultz, Chanell, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
 - ACTION k. Galla, Anthony, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure and the Agreement for Monitoring for violation of NRS 632.320 (5) controlled substances and/or alcohol. MOTION CARRIED.

- ACTION
- l. Hampton, Ethel, CNA014815: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation, and order the denial become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- m. Heese, Ann, RN25072: Applicant was represented by counsel. It was moved and seconded the Board accept the renewal application for licensure and the Agreement for Probation for violation of NRS 632.320 (2) criminal convictions and (5) controlled substances and/or alcohol. MOTION CARRIED.
- ACTION
- n. Iddings, Kathi, CNA014817: Applicant was present. It was moved and seconded the Board accept the renewal application for certification. MOTION CARRIED.
- ACTION
- o. Jackson, Pauline, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
- ACTION
- p. Johnson, Simone, LPN applicant: Applicant was present. It was moved and seconded the Board deny the application for licensure for violation of NRS 632.320 (12) action in another state. The applicant may not reapply until the voluntary surrender of her Texas license has been lifted and all of the requirements of the Texas Board of Nursing have been met. It is further ordered the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- q. LaTorre, Roland, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- ACTION
- r. Chatman, Tasha, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification and that she complete all court ordered requirements and submit documentation to the Board within six months or the application is automatically denied without further proceedings. The denial would become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- s. Moore, Bridgett, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification and issue an Order of Probation for two years for violation of NRS 632.320 (2) criminal convictions, and (5) controlled substances and/or alcohol. It was further ordered that the disciplinary action become part of the applicant's permanent record and published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- t. Nunley, Michael, CNA017025: Applicant was not present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation, and order the denial become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- u. Perkins, April, CNA017048: Applicant was present. It was moved and seconded the Board accept the renewal application for certification. MOTION CARRIED.
- ACTION
- v. Sanchez, Gisela, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
- ACTION
- w. Tamayo, Casey, CNA020353: Applicant was present. It was moved and seconded the Board accept the renewal application for certification. Prior to issuance of the certificate, the applicant must meet with the Disability Advisory Committee and follow all recommendations within thirty days or the application is automatically denied without further proceedings. The denial would become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

- ACTION x. Washington, Christina, CNA009828: Applicant was present. It was moved and seconded the Board accept the renewal application for certification. MOTION CARRIED.
- ACTION y. Wilson, Louneeshae, CNA applicant: Applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
- ACTION z. Zato, Nancy, LPN applicant: Applicant was not present. It was moved and seconded the Board accept the applications for temporary refresher license and permanent licensure upon successful completion of all licensure requirements to include the practical nurse NCLEX exam. MOTION CARRIED.
- ACTION aa. Nieves, Melissa, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- ACTION bb. Czarnecki, Zenon, RN applicant: Applicant was not present. It was moved and seconded the Board accept the application for licensure and the Agreement for Monitoring for violation of NRS 632.320 (2) criminal convictions and (5) controlled substances and/or alcohol. MOTION CARRIED.

2. Settlement agreements:

- a. Blakeney, Sheri, RN52642: Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (11) positive drug screen as condition of employment. Accepted under the consent agenda.
- b. Brennan, Dawn, LPN12728: Agreement for Probation for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (27) customary standards of practice, (28) causing harm to a patient, and (40) professional boundaries. Accepted under the consent agenda.
- c. Cialkowski, Louise, RN32036: Agreement for Monitoring for violation of NRS 632.320 (5) controlled substances and/or alcohol, (7) unprofessional conduct, and NAC 632.890 (9) impaired practice. Accepted under the consent agenda.
- d. Cole, Christina, CNA008741: Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (2) practicing beyond scope. Accepted under the consent agenda.
- e. Harris, Sharon, LPN06511: Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (16) failing to properly document controlled substances. Accepted under the consent agenda.
- f. Smith, Carolyn, RN59222: Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (2) practicing beyond scope. Accepted under the consent agenda.
- g. Weiss, Beth, RN58427: Agreement for Monitoring and Agreement for Probation for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (16) failing to properly document controlled substances, and (27) customary standards of practice. Accepted under the consent agenda.
- h. Douglas, Brenda, CNA020043: Agreement for Fine of \$50 and class for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Accepted under the consent agenda.
- i. Gouldsmith, Heather, RN38511: Agreement for Monitoring for violation of NRS 632.320 (5) controlled substances and/or alcohol (7) unprofessional conduct, and NAC 632.890 (18) diversion of equipment or drugs and (27) customary standards. Accepted under the consent agenda.
- j. Bennett, Traci, RN31277: Voluntary Surrender of License/Certificate in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1) fraudulent application, (5) controlled substances and/or alcohol, (7) unprofessional conduct, and (14) failing to comply with

- Board order, and NAC 632.890 (16) failing to properly document controlled substances (27) customary standards of practice, and (36) failing to comply. Accepted under the consent agenda.
- k. Friend, Jeremy, RN57430: Agreement for Monitoring for violation of NRS 632.320 (5) controlled substances and/or alcohol, (7) unprofessional conduct, and NAC 632.890 (18) diversion of equipment or drugs. Accepted under the consent agenda.
 - l. Sefton, Julie, RN39783: Agreement for Monitoring for violation of NRS 632.320 (5) controlled substances and/or alcohol, (7) unprofessional conduct, and NAC 632.890 (27) customary standards of practice. Accepted under the consent agenda.
 - m. Tanedo, Edgardo, RN51438: Agreement for Monitoring for violation of NRS 632.320 (5) controlled substances and/or alcohol (7) unprofessional conduct, and NAC 632.890 (18) diversion of equipment or drugs. Accepted under the consent agenda.
 - n. Purzner, Jayne, RN17148: Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (27) customary standards of nursing practice. Accepted under the consent agenda.
 - o. Cleer, Elaine, RN33142: Contract for Temporary Voluntary Surrender of License for violation of NRS 632.320 (5) controlled substances and/or alcohol, (7) unprofessional conduct, and NAC 632.890 (18) diversion of equipment or drugs. Accepted under the consent agenda.
 - p. Godfrey, Maryann, CNA02184: Agreement for Fine of \$100 for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (37) practice without active certificate. Accepted under the consent agenda.
 - q. McNeill, Dena, RN61613: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (9) impaired practice. Accepted under the consent agenda.
 - r. Molina, Dolores, RN29612: Agreement for Probation for violation of NRS 632.320 (7) unprofessional conduct, NAC 632.890 (22) patient abandonment, and (27) customary standards of practice. Accepted under the consent agenda.
 - s. Summer, Karie, LPN0516: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (7) unprofessional conduct, and (14) failing to comply with Board order, and NAC 632.890 (27) customary standards of practice, and (36) failing to comply. Accepted under the consent agenda.
 - t. Worthen, Michael, CNA020633: Voluntary Surrender of Certificate in Lieu of Other Disciplinary Action for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (10) positive drug screen on duty. Accepted under the consent agenda.
 - u. Rebeck, Cynthia, RN44107: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (5) controlled substances and/or alcohol, (7) unprofessional conduct, and NAC 632.890 (9) impaired practice. Accepted under the consent agenda.
- 3. Successful completion of probation/monitoring
 - a. Lanzaro, Elizabeth, RN08496: Termination of Probation accepted under the consent agenda.
 - b. Fletcher, Melissa, RN57018: Termination of Probation accepted under the consent agenda.
 - 4. Reinstatement of licensure/certification-no business

5. Formal administrative hearings

- ACTION a. Bates, Mary, RN52307: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (14) failing to comply with Board order. It was moved and seconded that the Board revoke the respondent's license. Respondent may not apply for reinstatement for five years. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION b. Beckham, William, RN23923: Respondent was present. It was moved and seconded the Board accept the stipulation of facts as stated on the record and find the respondent guilty of violating NRS 632.320 (1) fraudulent application. It was moved and seconded the Board close the complaint. MOTION CARRIED.
- ACTION c. Bekele, Asnakech, CNA023346: Respondent was present. It was moved and seconded the Board accept the Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (27) customary standards of practice. MOTION CARRIED.
- ACTION d. Berrey, Anarissa, RN57652: Respondent was represented by counsel. It was moved and seconded the board grant a continuance of this matter to the next Board meeting in Las Vegas currently scheduled for May, 2010. MOTION CARRIED.
- ACTION e. Blankenship, Charles, RN35715: Respondent was present. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (2) criminal conviction, (7) unprofessional conduct, and NAC 632.890 (26) state/federal nursing laws/regulations. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for two years. It was moved and seconded the Board order the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION f. Brown, Caleb, CNA016669: Respondent was not present. It was moved and seconded the Board accept the voluntary surrender of certificate for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (27) customary standards of practice. MOTION CARRIED.
- ACTION g. Clark, Phillip, RN35894: Respondent was present. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (12) action in another state. It was moved and seconded the applicant be evaluated by the Disability Advisory Committee and follow all recommendations within thirty days or return to the Board. MOTION CARRIED.
- ACTION h. Edwards, Michael, LPN12849: Respondent was represented by counsel. It was moved and seconded to grant a continuance of this matter to the next Board meeting in Las Vegas currently scheduled for May, 2010. MOTION CARRIED.
- ACTION i. Eriksen, Dennis, RN21837: Respondent was present. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (7) unprofessional conduct, (12) action in another state, and NAC 632.890 (29) sexual contact with a patient or client. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for three years. It was moved and seconded the Board order the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION j. Fagala, Staci, RN40280: Respondent was present. It was moved and seconded the Board accept the Stipulations of Facts and Liability and find the respondent guilty of violating NRS 632.320 (5) controlled substances and/or alcohol, (7) unprofessional conduct, and (14) violation of a Board order, and NAC 632.890 (18) diversion of equipment or drugs

and (36) failure to comply. It was moved and seconded that upon successful completion of the Contract for Temporary Voluntary Surrender, Respondent be placed on an Order of Probation for five years. It was moved and seconded the Board order the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

k. Gapultos, Mamerto, RN51839: Respondent was represented by counsel. It was moved and seconded the Board accept the Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (27) customary standards of practice. MOTION CARRIED.

ACTION

l. Gayton, Angela, LPN13050: Respondent was not present. It was moved and seconded the board accept the Agreement for Reprimand, Fine of \$200, and classes for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. MOTION CARRIED.

ACTION

m. Hall, Lori, RN50507: It was moved and seconded the Board find the respondent guilty of NRS 632.320 (14) violation of a Board order. It was moved and seconded the Board order the respondent's license revoked. Respondent may not apply for reinstatement for three years. It was moved and seconded the Board order the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

n. Hansen, Nicole, RN44127: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (13) deceive, defraud or endanger a patient. It was moved and seconded that the Board revoke the respondent's license. Respondent may not apply for reinstatement for ten years. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

o. Jose, April, RN60489: Respondent was not present. It was moved and seconded the Board accept the Agreement for Reprimand for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (2) practicing beyond scope, (24) failing to collaborate with health care team, and (28) causing harm to a patient. MOTION CARRIED.

ACTION

p. Lucas, Barbara, RN63493: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (1) fraudulent application. It was moved and seconded that the Board revoke the respondent's license. Respondent may not apply for reinstatement for ten years. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

q. Martinez, Sherlynn, LPN12899: Respondent was not present. It was moved and seconded the Board accept the Agreement for Fine of \$400 for violation of NRS 632.320 (7) unprofessional conduct and NAC 632.890 (37) practicing without an active license. MOTION CARRIED.

ACTION

r. McAllister, Ellen, RN56999: Respondent was represented by counsel. It was moved and seconded the Board close the complaint. MOTION CARRIED.

ACTION

s. Kwak, Chanyeong, RN52623: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (37) practicing without an active license. It was moved and seconded the Board issue and Order for Fine of \$400, and the Nevada Nurse Practice Act to be completed within six months. It was moved and seconded the Board order the disciplinary action

- ACTION become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED. T. Smyer recused herself.
- t. Osterman, Tanya, LPN13760: Respondent was represented by counsel. It was moved and seconded the Board accept the Agreement for Probation for violation of NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (27) customary standards of practice. MOTION CARRIED.
- ACTION
- u. Peralta, Alicia, CNA015353: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (37) practicing without an active certificate. It was moved and seconded the Board issue an Order of Reprimand, Fine of \$250, and the Nevada Nurse Practice Act to be completed within six months. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- v. Washington, Feliscia, RN51970: Respondent was represented by counsel. It was moved and seconded the Board grant a continuance of this matter to the next available meeting in Las Vegas currently scheduled for May, 2010. MOTION CARRIED.
- ACTION
- w. Polard, Kimberly, CNA015146: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (14) failing to comply with Board order. It was moved and seconded that the Board revoke the respondent's license. Respondent may not apply for reinstatement for three years. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- x. Resnick, Tanya, CNA004373: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next available meeting in Las Vegas currently scheduled for May, 2010. MOTION CARRIED.
- ACTION
- y. Saint Vincent, Sara, RN46910: Respondent was not present. It was moved and seconded the Board accept the Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (5) controlled substances and/or alcohol, and (14) violation of a Board order. MOTION CARRIED.
- ACTION
- z. Mikec, Jenny, RN57086: Respondent was present. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (2) criminal convictions. It was moved and seconded the Board reprimand the respondent and order that she take and successfully complete the Nevada Nurse Practice Act course and a Board approved legal ethics in nursing course within six months or the license is automatically suspended without further proceedings. It was moved and seconded the Board order the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- aa. Villanueva, Byron, CNA022516: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of violating NRS 632.320 (7) unprofessional conduct, and NAC 632.890 (33) abuse of a patient. It was moved and seconded that the Board revoke the respondent's certificate. Respondent may not apply for reinstatement for ten years. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- bb. Cunningham, Brenda, RN32573: Respondent was present. It was moved and seconded the Board find the allegations of the complaint to be true, and find the respondent guilty of

ACTION violating NRS 632.320 (14) violation of Board order. It was moved and seconded the Board issue an Order of Probation for three years, and that the respondent be evaluated by the Disability Advisory Committee and follow all recommendations. It was moved and seconded the Board order the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

6. Board-directed investigations-no business

7. Ratification of staff denials – NRS 632.320 (1) fraudulent application

a. Sobley, Stephen, RN applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of the application for licensure for violation of NRS 632.320 (1) fraudulent application, (2) criminal convictions, and (12) action in another state, and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Accepted under the consent agenda.

b. Anderson, Arintha, CNA applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of application for certification for violation of NRS 632.320 (1) fraudulent application and (2) criminal convictions and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Accepted under the consent agenda

8. Ratification of staff denials – NRS632.320 (2) convictions

ACTION a. Richardson, Toneka, CNA applicant: Applicant was present to appeal staff denial. It was moved and seconded the Board overturn the staff denial and accept the application for certification. MOTION CARRIED.

ACTION b. Sammy, Amanda, CNA applicant: Applicant was present. It was moved and seconded the Board ratify the staff denial of the application for certification for violation of NRS 632.320 (2) criminal convictions and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

c. Wilder, Danyale, LPN applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of the application for licensure for violation of NRS 632.320 (2) criminal convictions and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Accepted under the consent agenda.

9. Special Action

ACTION a. Cotton-Lewis, Dithra, LPN12524: Respondent was present. It was moved and seconded the Board deny the request for reconsideration. MOTION CARRIED.

ACTION b. Dyches, Beverly, RN12777, APN00086: It was moved and seconded to grant a continuance of this matter to the next available Board meeting in Las Vegas currently scheduled for May, 2010. MOTION CARRIED.

ACTION c. Review, discussion and action regarding proposed language change in the Alternative Program Monitoring Agreement: It was moved and seconded the Board approve the proposed language change as written. MOTION CARRIED.

ACTION d. Allen, Rianna, RN48923: Respondent was not present. It was moved and seconded the Board accept the Supreme Court settlement of an Agreement for Monitoring. MOTION CARRIED.

ACTION

- e. Arado, Susan, RN23491: Respondent was not present. It was moved and seconded the Board grant the request for reconsideration, rescind the previous disciplinary action, and close the complaint. MOTION CARRIED.

E. EDUCATION

ACTION

1. Review and discussion regarding G-4 2009 first time NCLEX pass rates: R. Colosimo noted that all fully approved nursing schools, with the exception of Touro University, has a first time NCLEX passrate of above 80%--many schools achieving 90% or better for the full year of 2009. She thanked the Board for persevering in maintaining the 80% passrate requirement for ongoing full Board approval and reminded them that the first time passrate for the nation is 88%. National University's nursing program had on graduate take the exam in 2009, so it has a 100% passrate for last calendar year. University of Southern Nevada's passrate is above the 80% rate and will be eligible to apply for full approval at the March, 2010 Board meeting. Apollo College-Las Vegas has a 47 % passrate for the fourth quarter and 55% for the full year of 2009. Board members expressed continuing concern and directed the Apollo College-Las Vegas be noticed to attend the March Board meeting for an update. Touro University's passrate has fallen below 80% which is of concern. It was moved and seconded the Board direct Apollo College-Las Vegas and Touro University appear at the March Board meeting to discuss their below 80% first time NCLEX passrate. MOTION CARRIED. T. Smyer recused herself.
2. Review and discussion of "Educating Nurses: A Call for Radical Transformation": R. Colosimo gave a brief overview of the book. T. Smyer provided a synopsis to the Board members prior to the Board meeting for discussion. K. Espinosa stated she notices that many nurses struggle with certain practice issues and could benefit from more education. D. Begley stated she felt the book had some positive suggestions and some very controversial ones. R. Colosimo reminded the Board members that one major hospital group in Nevada gave testimony at the Education Advisory Committee related to their increased need for bachelors level nursing nurses. F. Olmsted stated that the purpose of this discussion is to prepare the Board or its successors to make decisions regarding regulation changes when they are called for to keep the citizens of Nevada safe with best nursing care.

F. NURSING PRACTICE-no business

ADJOURNMENT

The meeting was adjourned at 10:01 a.m. on January 15, 2010.