



Arkansas Department of Health

Arkansas State Board of Nursing
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Governor Sarah Huckabee Sanders
Renee Mallory, RN, BSN, Secretary of Health
Jennifer Dillaha, MD, Director
Sue A. Tedford, MNSc, APRN, Director

BOARDMEETING MINUTES

TIME AND PLACE: March 28, 2024
Board Conference Room

MEMBERS PRESENT: Allie Barker, MSN, RN; Tabitha Lancaster, RN; Jamie Sims; Phillip Petty, RN; Cassie Gonzales, MNSc, APRN, FNP-BC; Veronica Harmon, RN; Barbara Hillman, BSN, RN; Robin Lambert, LNHA, LPN; Lakisha Young, LPN

MEMBERS ABSENT: None

STAFF ATTENDING AT VARIOUS TIMES: Sue A. Tedford, Director, MNSc, APRN
David Dawson, JD, General Counsel
Jennifer Ivory, JD, Attorney Specialist
Lisa Wooten, Assistant Director, MPH, BSN, RN
Karen McCumpsey, Assistant Director, MNSc, RN, CNE
Shannon McKinney, Assistant Director, DNP, APRN, WHNP-BC
Janet Simpson, ASBN Program Coordinator, MSN, RNP, RNC-MNN
Kim Hooks, ASBN Assistant Director- ArNAP, MPH, BSN, RN
Udell Ward Jr., Regulatory Board Chief Investigator
Tammy Vaughn, Program Coordinator, MSN, RN, CNE
Leslie Suggs, Executive Assistant to the Director
Albert Williams, Information Systems Coordinator
Susan Moore, Computer Operator
Mindy Darner, Legal Support Specialist
Corrie Edge, Administrative Analyst
Lisa Mendenhall, Legal Support Specialist
Kelly Doppelhammer, Legal Support Specialist
LouAnn Walker, Public Information Coordinator
Carla Davis, Licensing Coordinator
Christine Lewis, Legal Support Specialist

Guests:
Barbara Allbrittan, RN, DNP student from UCM
Stewart Whaley, Attorney

President Allie Barker called the meeting to order at 8:34 a.m. Guests were welcomed and a flexible agenda was approved.

DISCIPLINARY HEARINGS

General Counsel, David Dawson, JD., and Jennifer Ivory, JD., Attorney Specialist, represented the Board. Motions reflect the decisions of the Board reached in deliberation following the hearing of each case.

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MARY ELIZABETH ESTELL, LICENSE NO. R080770 and L046072 (EXPIRED)

Respondent was present for the proceedings before the Board and was represented by counsel, Darren O'Quinn. Udell Ward, ASBN Chief Investigator, and Penny Summers, RN, Investigator, provided testimony on behalf of the Board. Respondent has been charged with Ark. Code Ann. § 17-87-309(a)(1) and (a)(6) and pleads not guilty to the charges. An investigation was initiated based on a complaint filed against the Respondent's nurse license. The complaint indicates the Respondent's employment was terminated on March 27, 2019, for refusing to submit to a for cause drug screen. The request was made after a Pyxis discrepancy occurred and the Respondent was the last nurse to have accessed the drug. The Respondent voluntarily terminated her employment with Baptist Health Medical Center -North Little Rock after refusing the drug screen. The facility drug screen report stated that Respondent refused a reasonable suspicion or for cause drug screen. The comment on the report stated, "Ativan discrep, per supervisor emp refused drug screen, stated she recently smoked marijuana. turned her badge in and quit." Respondent informed the Board investigator that a patient's condition had deteriorated. The patient had been placed on a defib monitor, a crash cart placed at the bedside, and the Physician paged. Respondent was being called by several other floors regarding patients who were also deteriorating on their med surg floors. Respondent had been trained on moderate sedation as well as policy. She felt that had she not given the patient something to relax/decrease pulmonary pressures the patient would code. Respondent admits that she pulled an Ativan 2mg vial from the Pyxis and administered 1mg every fifteen (15) minutes or as needed. Respondent was aware she did not have an MD's order or any support prior to administering the Ativan. On July 9, 2021, an Arkansas Department of Health, Pharmacy Services Investigator travelled to Respondent's employer, St. Vincent Infirmary in Little Rock, to obtain a drug screen from Respondent at the request of Board staff. Respondent refused to submit a urine specimen to the Investigator for testing and signed the Board request form, "Beth Estell 07/09/21, I refuse due to current treatment of other staff." On August 9, 2021, Board staff sent a letter to the Respondent via the nurse portal and certified mail at the last known mailing address on file with the Board requesting an addictive evaluation. On September 7, 2021, the certified mail was labeled "Return to Sender" "Unclaimed" "Unable to Forward" and returned to the Board. The nurse portal message was viewed by the Respondent on July 1, 2023, and October 29, 2023. The Respondent has failed to provide the requested evaluation or contact Board staff regarding the evaluation request. An Order and Notice was issued for a hearing regarding this matter on July 20, 2023. After receiving the Order and Notice of Hearing, Respondent hired an attorney, who requested and was granted a continuance to allow him adequate time to prepare.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **MARY ELIZABETH ESTELL, LICENSE NO. R080770 and L046072 (EXPIRED)**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(1) and (a)(6) and that Respondent's licenses and privilege to practice as a nurse be placed on probation for one (1) year with the following terms and conditions:

- Pursuant to AC.A. §17-87-104(b)(1) Respondent shall pay a civil penalty of \$750.00, plus any outstanding balance associated with previous disciplinary action. Such fine shall be payable within fifteen (15) days of receipt of this Order. If unable to pay the civil penalty within fifteen (15) days, a payment schedule shall be submitted within fifteen (15) days to the Board via email at ASBN.monitoring@arkansas.gov.
- Respondent shall provide evidence within six (6) months of successful completion of the Board approved course: *The Nurse and Professional Behaviors*. Respondent shall submit the certificate of completion via the Board approved monitoring program.
- Respondent shall obtain or continue counseling with a psychiatrist, psychologist or other recognized mental health practitioner and shall submit the *Treatment Provider Report* quarterly via the Board approved monitoring program until discharged by the practitioner. Treatment shall begin within thirty (30) days of receipt of this order.

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- Respondent shall request to the Board verification of termination of the probationary period and license reinstatement by submitting the *Reinstatement Request* form, via the ASBN Nurse Portal once compliance with the Board's Probation Order is met. Respondent is required to continue all monitoring requirements including but not limited to checking in daily for random drug screening, testing if selected, attending meetings, and submitting reports until released from the probation period by Board staff.
- Respondent shall abstain at all times from the use of all controlled or abuse potential substances including alcohol, products that contain alcohol, all fermented products (i.e. kefir, kombucha tea, etc.), hemp, poppy seeds, cannabidiol (CBD), or any product or by-product containing the same. Short-term treatment (less than three [3] weeks) with a controlled medication may be allowed for an acute illness or acute condition with a short-term waiver and appropriate documentation (medical record documentation, etc.). Respondent shall provide a completed short-term waiver within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved monitoring program.
- Respondent shall log all medications, including over-the-counter medications via the Board approved monitoring program. Acceptable documentation must include the following information: prescriber, medication name, dose, date prescribed, and amount dispensed. Acceptable format of documentation includes photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy.
- Respondent agrees to have personal prescriptions monitored through the Prescription Drug Monitoring Program by board staff while under Board order.
- Respondent shall submit to random drug screens observed or DNA authenticated remote urine drug screen. The drug screens shall meet the criteria established by the Board and be conducted through a Board approved monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following the Board Order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification for observed drug screens, or with the time and manner designated by the remote urine drug screening laboratory. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites or failure to present and provide specimen when notified.
- Respondent shall notify the Board of any travel two (2) weeks prior to traveling by submitting a monitoring interruption via the Board approved monitoring program. Respondent shall continue to check in during travel period and test when selected. Travel outside the continental U.S. requires thirty (30) days' notice. If approved, a waiver shall be issued during the travel period outside the continental U.S.
- Respondent shall not collect any drug screen specimen from a participant who has been ordered to drug screen by the Board of Nursing.
- Respondent shall submit the *Enforcement Personal Report* to the Board via the Board approved monitoring program quarterly.
- Respondent shall ensure that all reports of Respondent and the employer are submitted quarterly via the Board approved monitoring program.
- Respondent shall notify and present to each employer a copy this Order if working as a nurse on probation. Respondent shall have employer sign the *Employer Acknowledgement* form. Respondent shall submit the document to the Board via the Board approved monitoring program. Respondent shall have their employer complete the *Performance Evaluation Report* and Respondent shall submit the report to the Board via the Board approved monitoring program quarterly.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher licensure level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention. Respondent shall not serve as a preceptor during probation. Respondent shall not secure employment or be employed through a staffing agency. Respondent shall not be employed in the following settings: Emergency Room, Pre- and Post-Op, Labor and Delivery, Home Hospice, Home Health, or any Intensive Care Unit.
- The Nurse Licensure Compact status of Respondent's Arkansas license shall be single

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state, allowing practice only in the State of Arkansas. Respondent may submit the *Multistate Conversion Application* after successful completion of probation to determine if license meets the Uniform Licensure Requirements (ULR) for multi-state compact status.

- Respondent shall execute any release necessary to give the Board access to records including, but not limited to, medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license/ privilege to practice.
- Respondent shall obey all federal, state and local laws and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's Order.
- Respondent is required to submit any change of information, even a temporary one, in name, address, or employer via the ASSN Nurse Portal and the Board approved monitoring program within ten (10) days of the change.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this Order may result in additional disciplinary action on the Respondent's licensure and/or privilege including, but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Cassie Gonzales and seconded by Jamie Sims.

PASSED

Jennifer Ivory, the Board's attorney, presented consent agreements that had been entered into since the last meeting. Following discussion of each individual agreement, the following motion was passed:

MOTION: I MOVE that the Arkansas State Board of Nursing ratify the following Consent Agreements:

Rhodes, Jason Lynn, L044216

(Booneville, AR)

Violation - *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(2), (a)(4), (a)(6)
Arkansas State Board of Nursing Rules, Chapter Seven, Section IV (A)(2), (A)(4), and (A)(6)(c), (e), and (h)

Probation - 2 years

Courses - *Substance Abuse Bundle, The Nurse and Professional Behaviors, Documentation for Nurses, and Critical Thinking: An OverView*

Civil Penalty - \$1,500.00

Brought by Jamie Sims and seconded by Phillip Petty.

PASSED

Sue Tedford, Director, brought the following items for discussion:

MOTION: I MOVE that the ADH- Arkansas State Board of Nursing delete the proposed addition to the *ASBN Rules*, Chapter 4, Section VI,(B)(8) in regard to delegation by the APRN to unlicensed individuals.

Brought by Cassie Gonzales and seconded by Veronica Harmon.

PASSED

MOTION: I MOVE that the ADH- Arkansas State Board of Nursing approve funding for two (2) Board members to attend the NCSBN Disciplinary Case Management Conference in Annapolis, MD, May 29 - June 1, 2024, if funds are available (Phillip Petty and Lakisha Young.)

Brought by Allie Barker and seconded by Tabitha Lancaster.

PASSED

MOTION: I MOVE that the Arkansas State Board of Nursing approve the changes to EG-1, EG-2, and EG-5 and retire EG-3

Brought by Allie Barker and seconded by Cassie Gonzales.

PASSED

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MOTION: I MOVE that the Arkansas State Board of Nursing delegate the authority to deny an application for certification or licensure to the ASBN Director. This denial is considered a formal Board action and may be appealed to the Board by the applicant.

Brought by Allie Barker and seconded by Cassie Gonzales.

PASSED

Shannon McKinney, Assistant Director, presented the Prescriber Metrics List for Quarters 3 and 4 of 2023 (July-December).

Tammy Vaughn, Program Coordinator, updated the Board on the March 25, 2024, meeting with representatives from the Healthcare Association and PN programs, to discuss bridging the MA-C programs with PN programs. Additional discussion included a standardized PN curriculum for all Arkansas PN programs. A second meeting will be scheduled in the next couple of months.

The meeting recessed for lunch at 11:55 p.m. Following lunch, the Board resumed hearings. President

Allie Barker called the meeting to order at 1:03 p.m. A flexible agenda was approved.

LISA MARIE EDWARDS WORSHAM, LICENSE NO. R081905

Respondent was present for the proceedings before the Board and was represented by counsel, Degen Clow. Lisa Wooten, MPH, BSN, RN, and Paul Koesy, Pharm D, provided testimony on behalf of the Board. Respondent has been charged with Ark. Code Ann. § 17-87-309(a)(6) and pleads not guilty to the charges. Respondent was terminated on January 28, 2019, from Arkansas Hospice, North Little Rock, Arkansas after a complaint was received from a family member of a home-based patient. Respondent removed an unopened bottle of morphine from the home at the time of the patient's death which should have been disposed of by the family of the patient. Respondent was drug screened and the screen came back negative. Respondent was terminated due to not following the destruction policy, contradictory statements about if she had the medications, and discrepancy in the disposal form. Five (5) bottles were noted in the bag Respondent brought back to Arkansas Hospice and only three (3) medications were listed on the Drug Disposal Form. Respondent in a statement dated January 19, 2019, indicated that medications (morphine, lorazepam, and atropine) were wasted at the kitchen table with the patient's daughter and that she did not take the medications from the home. In Respondent's statement dated January 21, 2019, Respondent indicated that the medications were wasted in kitty litter, which she later placed in her bag to dispose of at her home. Respondent later placed the disposal bag of kitty litter with medication inside Emily White's office. On the attended death visit note dated January 18, 2019, Respondent documented that "Hospice instructed family to dispose of medications." Respondent and

the patient's daughter signed this note. Per Arkansas Hospice policy number HB-19 for Management and Disposal of Controlled Drugs: Controlled drugs no longer needed by the patient remain the property of the ultimate user and should be disposed of in compliance with State and Federal regulations/disposal instructions. The Drug Enforcement Agency (DEA) defines an ultimate user as a person who has lawfully obtained, and who possesses a controlled substance for his own use or for the use of a member of his household or for an animal owned by him or by a member of his household. The hospice nurse will educate the ultimate user regarding the danger of keeping unused medications in the home. The hospice nurse will not destroy any medications but may be a witness for the ultimate user who destroys the medication. Respondent was evaluated by Dr. George DeRoock on March 17, 2020, at the request of Board staff. The following diagnostic impressions and recommendations were indicated: Diagnostic impressions: Generalized anxiety traits - Rule Out Disorder, Avoidant, Codependent traits, Hypertension, History of Bowel Obstruction, Breakthrough Migraine Headaches. Recommendations in part: Ongoing supportive counseling, Work with prescribing physician with regard to medications related to management of stress/anxiety/depressive symptomology. She may need to downward titrate medications, Relationship counseling Substance abuse education. The possibility of alcohol use as an instrumental drug may be indicated, Supervisory assessment of her professionalism and interpersonal skill development. Support and peer mentoring for 12 months. On May 21, 2020, Respondent was offered a one-year consent agreement. On June 11, 2020, Board staff received

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notification that Respondent was represented by legal counsel. After negotiations, a revised consent agreement was offered on February 24, 2023. That offered consent agreement was revised again on August 4, 2023. Respondent has not agreed to the offered consent agreement.

MOTION : I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **LISA MARIE EDWARDS WORSHAM, LICENSE NO. R081905**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and that Respondent's license and privilege to practice as a nurse be placed on probation for one (1) year with the following terms and conditions:

- Pursuant to A.C.A. §17-87-10(b)(1), Respondent shall pay a civil penalty of \$1,800.00 plus any outstanding balance associated with previous disciplinary action. Such fine shall be payable within fifteen (15) days of receipt of this Order. If unable to pay the civil penalty within fifteen (15) days, a payment schedule shall be submitted within fifteen (15) days to the Board via email at ASBN.monitoring@arkansas.gov.
- Respondent shall provide evidence within six (6) months of successful completion of the Board approved courses: *Medication Administration, Ethics and Medical Errors*. Respondent shall submit the certificates of completion via the Board approved monitoring program.
- Respondent shall obtain or continue counseling with a psychiatrist, psychologist or other recognized mental health practitioner and shall submit the *Treatment Provider Report* quarterly via the Board approved monitoring company until discharged by the practitioner. Treatment shall begin within thirty (30) days of receipt of this Order.
- Respondent shall request to the Board verification of termination of the probationary period and license reinstatement by submitting the *Reinstatement Request Form*, via the ASSN Nurse Portal once compliance with the Board's Probation Order is met. Respondent is required to continue all monitoring requirements including but not limited to checking in daily for random drug screening, testing if selected, attending meetings, and submitting reports until released from the probation period by Board staff.
- Respondent shall submit the *Enforcement Personal Report* to the Board via the Board approved monitoring program quarterly.
- Respondent shall execute any release necessary to give the Board access to records including, but not limited to, medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license/ privilege to practice.
- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's Order.
- Respondent is required to submit any change of information, even a temporary one, in name, address, or employer via the ASBN Nurse Portal and the Board approved monitoring program within ten (10) days of the change.
- The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the State of Arkansas. Respondent may submit the *Multistate Conversion Application* after successful completion of probation to determine if license meets the Uniform Licensure Requirements (ULR) for multi-state compact status.
- Respondent shall notify and present to each employer a copy this Order if working as a nurse on probation. Respondent shall have employer sign the *Employer Acknowledgement* form. Respondent shall submit the document to the Board via the Board approved monitoring program. Respondent shall have their employer complete the *Performance Evaluation Report* and Respondent shall submit the report to the Board via the Board approved monitoring program quarterly.
- Respondent shall ensure that all reports of Respondent and the employer are submitted quarterly via the Board approved monitoring program.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher licensure level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention. Respondent shall not secure employment or be employed through a staffing agency. Respondent shall not be employed in the following settings: Emergency Room, Pre- and Post-Op, Labor and Delivery, Home Hospice, Home Health, or any Intensive Care Unit.

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- Respondent shall not collect any drug screen specimen from a participant who has been ordered to drug screen by the Board of Nursing.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this Order may result in additional disciplinary action on the Respondent's licensure and/or privilege, including but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Cassie Gonzales and seconded by Barbara Hillman.

PASSED

AMANDA JO HOLMES SHEROUSE JOHNSON, LICENSE NO. L041705

Respondent was not present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, and Paul Koesy, Pharm D, provided testimony on behalf of the Board. Respondent was hired by Evergreen Living Center on February 10, 2021. On September 13, 2021, a pharmacy delivery manifest indicates fifty-eight (58) oxycodone 5 mg tablets were delivered to the facility for Resident C.W. According to the Controlled Substance Log (CSL), dated September 13, 2021, fifty-seven (57) tablets of oxycodone 5 mg were logged in and signed into the CSL, by Respondent, for Resident C.W. On September 14, 2021, it was discovered there was a missing oxycodone 5 mg tablet. On September 14, 2021, Respondent was contacted to come back to the facility for a drug screen and to give a witness statement. Respondent was suspended pending an investigation. Documentation indicates Respondent agreed to come in the following morning but did not. Facility staff attempted to contact Respondent without success. Respondent failed to report for her next shift and never provided the requested drug screen or statement. On September 17, 2021, Respondent's employment was terminated. Ten (10) medical charts were reviewed for residents under Respondent's care. 5 mg of oxycodone is unaccounted for, and 5 mg of hydrocodone is unaccounted for. On December 15, 2022, Board staff requested that Respondent obtain a psychological/addiction evaluation by January 15, 2023. Respondent was evaluated by Charla Watkins, DNP, on February 2, 2023, and the following psychological status and recommendations were indicated. Psychological Status: Opiate Use D/0 (Disorder), Mild, MOD (Major Depressive D/0), Recurrent, Moderate, In Remission, Tobacco Use D/0, Mild in Remission, PTSD (Post Traumatic Stress Disorder), Recommendations in part: Random drug screens for the next twenty-four (24) months or as deemed appropriate by the Arkansas State Board of Nursing, Attend NA three (3) times per week for ninety (90) days, Start counseling/psychotherapy twice per month for three (3) months, Complete a four (4) page essay on professionalism. On March 3, 2023, Board staff offered Respondent a consent agreement for (2) two years' probation for violation of A.C.A. § 17-87-309(a)(6) and the Arkansas State Board of Nursing *Rules*, Chapter Seven, Section IV (A)(6)(c). The consent agreement was sent via USPS certified mail and the nurse portal. Respondent viewed the message in the portal on March 22, 2023, at 1:10 pm and again on October 12, 2023, at 5:28 pm. The certified letter was delivered on March 4, 2023. Respondent failed to

sign and return the consent agreement by March 24, 2023. Respondent was notified via USPS certified mail and the nurse portal that her case was referred to hearing. The certified mail was signed for on April 12, 2023, and Respondent viewed the letter in the nurse portal on April 12, 2023, at 8:38 am and again on October 17, 2023, at 11:49 am.

MOTION: I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **AMANDA JO HOLMES SHEROUSE JOHNSON, LICENSE NO. L041705**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(4) and (a)(6) and that Respondent's license and privilege to practice as a nurse be suspended six (6) months with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent shall pay a civil penalty of \$3,000.00, plus any outstanding balance associated with previous disciplinary action. Such fine shall be payable within fifteen (15) days of receipt of this Order. If unable to pay the civil penalty within fifteen (15) days, a payment schedule shall be submitted within fifteen (15) days to the Board via email at ASBN.monitoring@arkansas.gov.
- Respondent shall provide evidence within six (6) months of successful completion of the Board approved course: *Substance Abuse Bundle*. Respondent shall submit the

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certificate of completion via the Board approved monitoring program.

- Respondent shall obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner and shall submit the *Treatment Provider Report* quarterly via the Board approved monitoring program until discharged by the practitioner. Treatment shall begin within thirty (30) days of receipt of this Order.
- Respondent shall request to the Board, verification of termination of the suspension period and license reinstatement to probation by submitting the *Reinstatement Request* form, via the ASBN Nurse Portal once compliance with the Board's Suspension Order is met.
- Respondent shall abstain at all times from the use of all controlled or abuse potential substances including alcohol, products that contain alcohol, all fermented products (i.e. kefir, kombucha tea, etc.), hemp, poppy seeds, cannabidiol (CBD), or any product or by-product containing the same. Short-term treatment (less than three [3] weeks) with a controlled medication may be allowed for an acute illness or acute condition with a short-term waiver and appropriate documentation (medical record documentation, etc.). Respondent shall provide a completed short-term waiver within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved monitoring program. Acceptable documentation must include the following information: prescriber, medication name, dose, date prescribed, and amount dispensed. Acceptable format of documentation includes photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy.
- Respondent agrees to have personal prescriptions monitored through the Prescription Drug Monitoring Program by board staff while under Board order.
- Respondent shall submit to random drug screens observed or DNA authenticated remote urine drug screen. The drug screens shall meet the criteria established by the Board and be conducted through a Board approved monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following the Board Order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification for observed drug screens, or with the time and manner designated by the remote urine drug screening laboratory. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription or failure to present and provide specimen when notified. Respondent shall notify the Board of any travel two (2) weeks prior to traveling by submitting a monitoring interruption via the Board approved monitoring program. Respondent shall continue to check in during travel period and test when selected. Travel outside the continental U.S. requires thirty (30) days' notice. If approved, a waiver shall be issued during the travel period outside the continental U.S.
- Respondent shall not collect any drug screen specimen from a participant who has been ordered to drug screen by the Board.
- Respondent shall submit the *Enforcement Personal Report* to the Board via the Board approved monitoring program quarterly.
- Respondent shall ensure that all reports of Respondent and the employer are submitted quarterly via the Board approved monitoring program.
- Respondent shall execute any release necessary to give the Board access to records including, but not limited to, medical, psychological, employment, and or criminal records.

Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license/ privilege to practice.

- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's Order.
- Respondent is required to submit any change of information, even a temporary one, in name, address, or employer via the ASBN Nurse Portal and the Board approved monitoring program

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- within ten (10) days of the change.
- If Respondent fails to comply with the terms of suspension during the monitoring period, Respondent may not restart the monitoring period until six (6) months after the date Respondent was determined to be noncompliant.
- The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the State of Arkansas. Respondent may submit the *Multistate Conversion Application* after successful completion of probation to determine if license meets the Uniform Licensure Requirements (ULR) for multi-state compact status.
- Respondent shall notify and present to each employer a copy this Order if working as a nurse on probation. Respondent shall have employer sign the *Employer Acknowledgement* form. Respondent shall submit the document to the Board via the Board approved monitoring program. Respondent shall have their employer complete the *Performance Evaluation Report* and Respondent shall submit the report to the Board via the Board approved monitoring program quarterly.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher licensure level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention. Respondent shall not secure employment or be employed through a staffing agency. Respondent shall not be employed in the following settings: Emergency Room, Pre- and Post-Op, Labor and Delivery, Home Hospice, Home Health, or any Intensive Care Unit.
- Respondent shall request verification of termination of the probationary period by submitting the Reinstatement Request form, via the ASBN Nurse Portal once compliance with the Board's Probation Order is met. Respondent is required to continue all monitoring requirements including, but not limited to, checking in daily for random drug screening, testing if selected, attending meetings, and submitting reports until released from the probation period by Board staff.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this Order may result in additional disciplinary action on the Respondent's licensure and/or privilege including, but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Tabitha Lancaster and seconded by Phillip Petty.

PASSED

Lisa Wooten, Assistant Director, discussed issues noted by Board staff related to the addictive evaluations conducted by Charla Watkins, APRN. The following motion was presented:

MOTION: I MOVE that the Arkansas State Board of Nursing remove Charla Watkins, APRN as a Board approved evaluator.

Brought by Allie Barker and seconded by Robin Lambert.

PASSED

Sue Tedford, Director, updated the Board on the status of the current stakeholder survey. The final results will be presented at the June Board Retreat.

There being no further business, the meeting adjourned at 4:14 pm.



Allie Barker, President



Mindy Darner, Recording Secretary

5/16/2024
Date Approved