

Tennessee Board of Nursing
665 Mainstream Drive
Iris, Poplar, and Dogwood Rooms
Nashville, Tennessee

MINUTES

February 8-9, 2023

Wednesday, February 8, 2023

Call to Order

Sheila Bouie, Chair, called the meeting to order at 8:44 a.m. in the Iris Room.

Roll Call and Quorum

Tanya McCray-Hicks called roll.

Present: Sheila Bouie, RN; Amber Wyatt, APRN; Martina Harris, RN; Charlotte Webb, APRN; James Darren McCoy, APRN; Nancy Anness, APRN

Absent:

Dru Malcolm, RN

Sheryl Wright, APRN

Samuel Alston, LPN

Angela Beard, RN

A quorum was present.

Welcome and Introduction of Guests

Dr. Bouie welcomed the Board members and guests in the audience. No guests were identified.

Introduction of Staff

Sherry Richardson, Executive Director, introduced Board staff:

Therese McLean, Nurse Consultant

Elizabeth Cooper, Nurse Consultant

Tanya McCray- Hicks, Administrative Director

Rhonda Potter, Nurse Consultant

Mario Tamayo, Administrative Director

Mark Waters, Deputy General Counsel

Mr. Waters introduced the Legal Staff

Ms. Moon – Attorney

Ms. Nida – Attorney

Ms. Trawick – Attorney

Mr. Winters – Attorney

Mr. Wysor - Attorney

Approval of Minutes

Ms. Wyatt moved to approve minutes for the November 16-17, 2022, Board Meeting Minutes. Dr. Webb seconded; motion carried.

Ms. Wyatt moved to approve minutes for the January 30, 2023, with amendments of attendees present, Disciplinary Meeting Minutes. Dr. Webb seconded; motion carried.

Assign Panels and Panel Chairs

Dr. Bouie assigned panels and panel chairs:

Panel 1 – Sheila Bouie, Chair; Charlotte Webb; Darren McCoy

Panel 2 – Amber Wyatt, Panel Chair; Nancy Anness; Martina Harris

Call the Docket

Mr. Mark Waters called the docket.

Panel 1	Panel 2
Sheila Bouie, Chair	Amber Wyatt, Panel Chair
Charlotte Webb	Nancy Anness
Darren McCoy	Martina Harris

Disciplinary Business Panel 1, Iris Room; Panel 2, Poplar Room.

Panel 2 adjourned to the Poplar Room.

Panel 1 – Sheila Bouie, Chair; Charlotte Webb; Darren McCoy

A quorum was present. Administrative Law Judge Claudia Padfield presided.

<u>Emily J. Newberry</u> 1441 Floyd Springs Road Armuchee, Georgia 30105 Represented by Sam Helmbrecht	GA RN 235101 Docket Number: 17.19- 222204A	Winters, State’s Attorney	Ms. Newberry was present and represented by attorney Sam Helmbrecht. Following presentation of proof and deliberation Mr. McCoy moved to accept findings of fact as amended in the state’s proposed order. Dr. Webb seconded; motion carried. Dr. Webb moved to accept the
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			<p>conclusions of law as amended in the state's proposed order. Mr. McCoy seconded; motion carried.</p> <p>Dr. Bouie moved to accept the disciplinary action of Reprimand with civil penalties. Dr. McCoy seconded; motion carried.</p> <p>Dr. Bouie read the policy statement of the board to protect the health, safety, and welfare of the citizens of Tennessee. The Board finds the appropriate action taken.</p>
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Panel 2 – Amber Wyatt, Panel Chair; Nancy Anness; Martina Harris

A quorum was present. Administrative Law Judge Shannon Barnhill presided.

<p><u>Abby Brown</u> 122 County Road 327 Niota, TN 37826</p>	<p>KY-LPN 2042852</p> <p>Docket Number: 17.19- 225495A</p>	<p>Heacock, State's Attorney</p>	<p>Ms. Brown was not present and not represented by an attorney.</p> <p>Mr. Heacock requested a continuance; Judge Barnhill granted.</p>
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Agreed/Consent Orders

Ashley Fine presenting for Lara Gill

<p>Monica N. Masingale</p>	<p>RN 115908 ARPN 11954</p>	<p>Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.</p>
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Justin Harleman

<p>Meghan Underwood</p>	<p>RN 148445 ARPN 12069</p>	<p>Dr. Harris moved to accept the consent order as written.</p>
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		Seconded by Ms. Anness; motion carried.
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John Heacock

Melynda Clark	VA - RN 0001225345	Ms. Anness moved to accept the consent order as written. Seconded by Dr. Harris; motion carried.
Kyahnte Freeman	LPN 96671	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Contina R. Jones	LPN 97380	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.
Michelle Lee McDonald	RN 251720	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Doris T. Tumblin	LPN 78529	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.
Crystal Upton	RN 145644	Ms. Anness moved to accept the agreed order as written. Seconded by Dr. Harris; motion carried.
Angela Freeman	LPN 96671	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.
Drew Turner	MS – LPN 336262	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.

Kristen Moon:

Linda Lee Byrd	MS – RN 880024	Dr. Harris moved to accept the consent order as written.
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		Seconded by Ms. Anness; motion carried.
Onyinyechi Amauche Ibe	RN 249806	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Tammy Inman	LPN 60983	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Felicia N. Moore	LPN 93822	Ms. Anness moved to accept the consent order as written. Seconded by Dr. Harris; motion carried.
Faith Orukwovu	LPN 86899	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Penny Louise Rogers	LPN 90977	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.
Jillian Brianne Stiles-Wells	RN 258682	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.

Elyse Nida

Robin D. Campbell	RN 130156	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Rhonda Kay Dover	RN 111443	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.
Della Marie Gibson	RN 161208	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness;

		motion carried.
Rachel Gayle Perkins	LPN 89339	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Lily Susan Wells	RN 218013	Dr. Harris moved to accept the agreed order as written. Seconded by Ms. Anness; motion carried.
Austin R. Williams	LPN 81905	Dr Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Marilyn Ivy Zerbey	RN 243980	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.

Katherine Trawick

Brenda Bowman	RN 116478	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Vera Brandon	RN 148922	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Valerie Clark	RN 161101	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Kelsey Morgan Cloyd	LPN 95057	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Michael R. Hopkins	RN 172243	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
John C. Mason	RN 103849	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.

Timothy McCombs	LPN 76409	Ms. Anness moved to accept the consent order as written. Seconded by Dr. Harris; motion carried.
Misty Dawn Odom	RN 164112	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Melissa A. Potter	LPN 77844	Ms. Anness moved to accept the consent order as written. Seconded by Dr. Harris; motion carried.
Jeffrey Scott Williams	LPN 63405	Ms. Anness moved to accept the consent order as written. Seconded by Dr. Harris; motion carried.

Elyse Nida presenting for Eric Winters

Adam B. Barkeloo	RN 204795 APRN 25348	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Stephanie J. Cline	RN 206703	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Laura C. Craven	LPN 81107	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Erin B. Dillard (Jones)	LPN 70854	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Johnathan Haynes	RN 211520 APRN 28898 KY RN 1119133 KY APRN 3015871	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Kalvin Hinton	RN 144388 APRN 20731 TX APRN AP129980	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
April M. Collins-Jarvis	RN 137277	Dr. Harris moved to accept

		the consent order as written. Seconded by Ms. Anness; motion carried.
Joseph A. Lee	LPN 93195	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Clayton G. Marrs	RN 171171 APRN 20189	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Ashlyn N. Morehouse	RN 214272 APRN 32772	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Frances D. Robinson	RN 136635 APRN 8337	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Melissa Ross	ARPN 15173 KY RN 1081940 KY ARPN 3013214	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.

Joshua Wysor

Alycia Nichole Cormier	RN 201164	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.
Shannon N. Sullivan	RN 149467	Dr. Harris moved to accept the consent order as written. Seconded by Ms. Anness; motion carried.

Brittani Kendrick

Jennifer S. Betts	RN 103251 APRN 7088	Ms. Wyatt moved to accept the consent order as written. Seconded by Mr. McCoy; motion carried.
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Conduct Summary Action Hearing(s):

Ms. Elyse Nida opened the hearing to address the matter of Tabitha Derrebery, RN 208842. Ms. Derrebery was Represented by Mark Stapleton; both were present via phone.

The meeting was being held to protect the public by timely considering an application for summary suspension.

Ms. Nida presented the case for summarily suspending the license of Ms. Derrebery, RN 208842.

Mr. Stapleton presented the case against summarily suspending the license of Ms. Derrebery, RN 208842.

Dr. Harris made a motion to accept findings of fact in the state's proposed order. Ms. Anness seconded; motion carried.

Dr. Harris made a motion to accept conclusions of law in the state's proposed order. Ms. Anness seconded; motion carried.

Dr. Harris moved that the preliminary findings of the severity of the misconduct imperatively requires the emergency action and moved to summarily suspend the RN licensed of Tabitha Derrebery, RN 208842. Ms. Anness seconded; motion carried.

Ms. Wyatt stated it is the duty of the Board to protect the public and the summary suspension is appropriate; all agreed.

Adopt Consent Agenda

- School Announcements
- OGC Report
- Fiscal Report
- Investigations Report
- TNPAP Report
- Board Meeting Debrief Survey November 16-17, 2022

Motion made by Mr. McCoy to adopt the consent agenda except for the Education Consent Agenda, Ms. Wyatt seconded; motion carried.

Approve Travel:

- NCSBN 2023 Discipline Case Management Conference—May 22-24, 2023, Greenville, SC: requesting 0 to attend; same dates as Board Meeting.

- Annual Medication Aide Item Writing Workshop—May 2023, Helena, MT: requesting 2 to attend; one staff and one Board member.
- Executive Officer Summit – June 2023, Newport Beach, California: Specific to Ms. Richardson

Motion made by Ms. Wyatt to approve Travel and Dr. Webb seconded; motion carried.

Consider Vote to Approve E.D. Application Review Committee Recommendations- Ms. Richardson PHNC2:

Mr. Waters presented 5 conditional license orders from ARC

- Deanna Dickerson, RN 115513 reinstatement applicant practiced without a license, recommended order to grant license upon payment of 5- \$500 civil penalties for a total of \$2,500. Ms. Wyatt moved to accept the conditional license order as written; Ms. Anness seconded; motion carried.
- Jennifer Johnson, LPN applicant for license by exam, recommended upon passing the NCLEX-PN examination, single state licensure and standard TnPAP order. Mr. McCoy moved to accept the conditional license order as written; Dr. Harris seconded; motion carried.
- Jeffrey Calonge, RN 45192 reinstatement applicant, voluntary surrendered license in 2/2021 based on VA discipline. Mr. McCoy moved to accept the conditional license order as written; Dr. Harris seconded; motion carried.
- Denise Gumbs, LPN 79491 reinstatement applicant. Ms. Wyatt moved to accept the conditional license order as written; Mr. McCoy seconded; motion carried.
- Heather Hamilton, RN 163187, APRN 18951 reinstatement applicant. Mr. McCoy moved to accept the conditional license order as written. Ms. Wyatt seconded; motion carried.

Consider and Vote on Petitions for Order of Compliance and Modification:

Mr. Waters presented 2 orders of compliance to be considered.

- Timothy Moore, RN 123219 and APRN 7885 motion made by Dr. Harris to accept the Order of Compliance as written. Motion seconded by Mr. McCoy motion carried.
- Pamela D. Shockey, RN 148720 and APRN 22051 motion made by Dr. Harris to accept the Agreed Order of Modification as written. Motion seconded by Mr. McCoy; motion carried.

Review Annual Reports and Motion to Accept Recommendations for Annual Approval of Practical and Professional Nursing Programs and Medication Aide Programs:

Powerpoint presentation by Dr. Cooper with statistics regarding Medication Aide Training Programs, Practical Nursing Programs, and Professional Nursing Programs.

Motion to approve the list of medication aide programs, practical programs and professional programs listed during presentation, not to include presentations today.

- Motion made by Mr. McCoy to grant approval for practical programs as presented in the summary document. seconded; motion carried.
- Motion made by Ms. Wyatt to grant approval to professional programs as presented in the summary document. Mr. McCoy seconded; motion carried.
- Motion made by Dr. Harris for continual approval of the Medication Aide programs as presented in the summary document. Mr. McCoy seconded; motion passed.

Report of Elections Committee:

Defer to May 2023 Board Meeting

Review and Discuss Disciplinary Policies

- Mr. Waters discussed Lapsed License policy; Ms. Richardson will send survey to Boards of Nursing and bring back information to the Board.
- Ms. Richardson discussed Non-Compliance with Continued Competence Requirements policy; discussed keeping policy as written. Dr. Harris made a motion to keep policy as written; Ms. Wyatt seconded; motion passed.
- Mr. Waters discussed Patient Safety: Culture of Learning, Justice, and Accountability policy; Ms. Richardson will reach out to other Boards of Nursing and bring back information to the Board.

Dr. Bouie recessed meeting at 6:56pm to reconvene February 9, 2023, at 8:30am.

Thursday February 9, 2023

Call to Order

Sheila Bouie, Chair called the meeting to order at 8:38 a.m. in the Iris Room.

Roll Call and Quorum

Tanya McCray-Hicks called roll.

Present: Sheila Bouie, RN; Amber Wyatt, APRN; Martina Harris, RN; Charlotte Webb, APRN; James Darren McCoy, APRN; Nancy Anness, APRN

Absent:

Dru Malcolm, RN
Sheryl Wright, APRN
Samuel Alston, LPN
Angela Beard, RN

A quorum was present.

Welcome and Introduction of Guests

Dr. Bouie welcomed the Board members and guests in the audience. No guests were identified.

Introduction of Staff

Sherry Richardson, Executive Director, introduced Board staff:
Elizabeth Cooper, Nurse Consultant
Rhonda Potter, Nurse Consultant
Therese McLean, Nurse Consultant
Tanya McCray- Hicks, Administrative Director
Mark Waters, Deputy General Counsel

Open Forum: No one present to address Board.

Rulemaking Hearing:

- Motion made by Mr. McCoy to adopt the Regulatory Flexibility Analysis and Statement of Economic Impact to Small Businesses; Dr. Webb seconded; motion carried.
- Notice for Rulemaking ID #3593-3596 to Amend Nursing Rule Chapters 1000-01, 1000-02, 1000-03, and 1000-04.
 - Mr. Waters called the rulemaking to order and served as the moderator.
 - Board members introduced self.
 - Mr. Waters discussed reason and process for Rulemaking Hearing.
 - Ms. Richardson identified additional notifications made for public notification.
 - Ms. Tausha Alexander with Tennessee Association of Nurse Anesthetists (TANA) spoke regarding the Advanced Practice Registered Nurses specifically related to Nurse Anesthetist.
 - Following discussion, Mr. McCoy made a motion to adopt the packet as amended with the following rule changes:
 - Rule 1000-01-.01 (2) change the last sentence to read “The four (4) recognized categories/roles for Advanced Practice Registered Nurses are Clinical Nurse Specialist, Nurse Anesthetist/Certified Registered Nurse Anesthetist, Nurse Midwife, and Nurse Practitioner.”

- Rule 1000-01-.01 (9) remove the word “supervision” from the Collaborating Physician definition and add at the end and pursuant to T.C.A 63-7-123.
- Ms. Wyatt seconded; Roll call vote: Dr. Bouie – yes; Dr. Webb – yes; Mr. Coy – yes; Ms. Annes – yes; Dr. Harris – yes; Ms. Wyatt – yes; motion carried.

School Hearings— Dr. Cooper, PHNC2

Trevecca Nazarene University, Nashville, TN

Seeking approval of initial application to offer a prelicensure Bachelor of Science in Nursing program. Presenting Information: Dr. Ruth Corey, Director of Nursing; Dr. Tom Middendorf, Provost; and Dr. Steve Silliman, Dean of STEM. Following the presentation and discussion, Dr. Webb made a motion to grant approval of the initial application for a Pre-Licensure BSN program based on Administrative Rule 1000-01-.05 (3), (4) (a) initial approval of nursing schools. The program meets all Board standards in T.C.A. statutes and TN Board of Nursing Rules and Regulations. Seconded by Dr. Harris; motion carried.

Arizona College of Nursing, Phoenix, AZ

Seeking approval for letter of intent and initial approval to offer a prelicensure Bachelor of Science (BSN) in Nursing. Presenting information: Dr. Deborah Long, Dean of Nursing; Dr. Katie Fleener, Sr. Director of Nursing Regulatory Affairs; Mr. Nick Mansour, Chairman of the Board; Dr. Mable Smith, SVP of Academic Affairs and Provost; Dr. Jason Dunne, VP of Operations; Jamey Bailey, Clinical Development Specialist. Following the presentation and discussion, Dr. Webb made a motion to grant approval for letter of intent and initial approval for a Pre-Licensure BSN program based on Administrative Rule 1000-01-.05 (2), initial development of the nursing program and Administrative Rule 1000-01-.05 (3) (4) (a) initial approval of nursing schools. The program meets all Board standards in T.C.A. statutes and TN Board of Nursing Rules and Regulations. Seconded by Mr. McCoy; motion carried.

Clarendale Bellevue Place, Nashville, TN

Seeking approval for Medication Aide Program. Presenting information: Willien Erasmo, Regional Director of Clinical Services; and Tina Reed, Director of Clinical Services. Following the presentation and discussion, Ms. Wyatt made a motion to grant approval for the Medication Aide Program based on Administrative Rule 1000-05-.07 Training Programs. The program meets all Board standards in T.C.A statutes and TN Board of Nursing Rules and Regulations. Seconded by Mr. McCoy; motion carried.

Cumberland University, Lebanon, TN

Seeking approval of letter of intent and initial application to offer an LPN-BSN program. Presenting Information: Dr. Mary Bess Griffith, Dean of the School of Nursing & Health Professions; and Dr. Beth Chatham, Program Director for the LPN-BSN Program. Following the presentation and discussion, Ms. Wyatt made a motion to grant approval of the letter of intent and initial application for an LPN-BSN program based on Administrative Rule 1000-01-.05 (3), (4) initial approval of nursing schools. The program meets all Board standards in T.C.A. statutes and TN Board of Nursing Rules and Regulations. Seconded by Ms. Anness; motion carried.

Tennessee College of Applied Technology: Crump, Crump, TN

Seeking approval of initial application to offer a Practical Nursing Program. Presenting Information: Ms. Meredith Cooper, Program Director, Jackson Regional Practical Nursing Program. Following the presentation and discussion, Mr. McCoy made a motion to grant approval of the initial application for a Practical Nursing Program contingent upon a survey visit by the Board Staff based on Administrative Rule 1000-02-.05 (3), (a) initial approval of nursing schools. The program meets all Board standards in T.C.A. statutes and TN Board of Nursing Rules and Regulations. Seconded by Ms. Wyatt; motion carried.

Jackson Regional Practical Nursing Program, Jackson, TN

Seeking approval of initial application to offer a Certified Medical Assistant to Practical Nursing Bridge Program. Presenting Information: Dr. Tachaka Hollins, Assistant Vice Chancellor for Academic Affairs TBR; and Ms. Meredith Cooper, Program Director, Jackson Regional Practical Nursing Program. Following the presentation and discussion, Ms. Wyatt made a motion to grant approval of the initial application for a Certified Medical Assistant to Practical Nursing Bridge Program based on Administrative Rule 1000-02-.05 (3), (a) initial approval of nursing schools. The program meets all Board standards in T.C.A. statutes and TN Board of Nursing Rules and Regulations. Seconded by Dr. Webb; motion carried.

Jackson Regional Practical Nursing Program, Jackson, TN

Review of approval status- Practical Nursing Program. Presenting Information: Ms. Meredith Cooper, Program Director, Jackson Regional Practical Nursing Program. Following the presentation and discussion, Mr. McCoy made a motion to grant full approval to Jackson Regional Practical Nursing Program based on Administrative Rule 1000-02-.05 (3), (b) renewal of full approval is based on reports, conferences, and surveys and shall be granted on a biennial basis. Seconded by Dr. Webb; motion carried.

Tennessee College of Applied Technology-Dickson, Dickson, TN

Review of approval status- Practical Nursing Program. Presenting Information: Ms. Stephanie Murphy, Director of Nursing and Healthcare Careers. Following the presentation and discussion, Ms. Wyatt made a motion to grant full approval to Tennessee College of Applied Technology-Dickson based on Administrative Rule 1000-02-.05 (3), (b) renewal of full approval is based on

reports, conferences, and surveys and shall be granted on a biennial basis. Seconded by Dr. Harris; motion carried.

Tennessee State University, Nashville, TN

Review of approval status- Baccalaureate Nursing Program. Presenting Information: Dr. Glenda Glover, President; Dr. Robbie Melton, Acting Interim Vice President for Academic Affairs; Dr. Ronald Barredo, Dean of the College of Health Sciences; Dr. Courtney Nyange, Executive Director of the School of Nursing; and Dr. Shaquita Bonds, Interim Director of the BSN Program. Following the presentation and discussion, Dr. Harris made a motion to grant full approval to Tennessee State University based on Administrative Rule 1000-01-.05 (4), (b) full approval may be granted to any school of nursing, having an initial or conditional approval and thereafter for a period of two years, if, in the opinion of the Board, it meets the minimum requirements of the Board and has demonstrated that it is providing an adequate educational program. Seconded by Ms. Wyatt; motion carried.

Allied Health Careers Institute, Murfreesboro, TN

Review of approval status- Practical Nursing Program. Presenting Information: Ms. Dianne Anderson; and Ms. Shirley Netschytailo, Director. Following the presentation and discussion, Ms. Wyatt made a motion to place Allied Health Careers Institute Practical Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-02-.05 (3), (c) and (4) with NCLEX pass rates less than 85%. Seconded by Dr. Webb; motion carried.

Carson Newman University, Jefferson City, TN

Review of approval status- Baccalaureate Nursing Program. Presenting Information: Dr. Lana Spence, Interim Dean. Following the presentation and discussion, Mr. McCoy made a motion to place Carson Newman University Baccalaureate Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-01-.05 (4), (c) and (5) with NCLEX pass rates less than 85% for two consecutive years. Seconded by Dr. Harris; motion carried.

Excelsior University – TN, Albany, NY

Review of approval status- Associate Nursing Program. Presenting Information: Dr. Elizabeth Cooper on behalf of Dr. Annemarie McAllister, Associate Dean. Following the presentation and discussion, Mr. McCoy made a motion to place Excelsior University-TN Associate Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-01-.05 (4), (c) and (5) with NCLEX pass rates less than 85% for two consecutive years. Seconded by Dr. Webb; motion carried.

Lincoln Memorial University, Harrogate, TN

Review of approval status- Associate Nursing Program. Presenting Information: Dr. Tammy dean, Dean; and Dr. Amy Pettit, ASN Chair. Following the presentation and discussion, Dr. Harris made a motion to place Lincoln Memorial University Associate Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-01-.05 (4), (c) and (5) with NCLEX pass rates less than 85% for two consecutive years. Seconded by Ms. Wyatt; motion carried.

Marian University, Nashville, TN

Review of approval status- Baccalaureate Nursing Program. Presenting Information: Dr. Dorothy Gomez, Dean; Dr. Denise Ferrell, Associate Dean for Strategic Partnership; and Ms. Murphee Cross, Vice President of Nursing Services. Following the presentation and discussion, Ms. Wyatt made a motion to place Marian University Baccalaureate Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-01-.05 (4), (c) and (5) with NCLEX pass rates less than 85% for two consecutive years. Seconded by Dr. Webb; motion carried.

Northeast State Community College, Blountville, TN

Review of approval status- Associate Nursing Program. Presenting Information: Ms. Johanna Neubrandner, Director of Nursing; Ms. Laura Jones, LPN to RN Coordinator; Dr. Kathleen Kinser, Assistant Professor of Nursing; Dr. Liza Waldroupe, Assistant Professor of Nursing; and Mr. David Bryant, Dean of Health Professions. Following the presentation and discussion, Dr. Harris made a motion to place Northeast State Community College Associate Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-01-.05 (4), (c) and (5) with NCLEX pass rates less than 85% for two consecutive years. Seconded by Ms. Wyatt; motion carried.

Southern Adventist University, Collegedale, TN

Review of approval status- Associate Nursing Program. Presenting Information: Dr. Holly Gadd, Dean. Following the presentation and discussion, Mr. McCoy made a motion to place Southern Adventist University Associate Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-01-.05 (4), (c) and (5) with NCLEX pass rates less than 85% for two consecutive years. Seconded by Ms. Anness; motion carried.

Southwest Tennessee Community College, Memphis, TN

Review of approval status- Associate Nursing Program. Ms. Wyatt made a motion to defer review of program status to the May 2023 meeting. Seconded by Mr. McCoy; motion carried.

Tennessee College of Applied Technology: Harriman, Harriman, TN

Review of approval status- Practical Nursing Program. Presenting Information: Ms. Jessica Massengill, Health Sciences Coordinator; and Mr. Chris Ayers, Vice-President. Following the presentation and discussion, Dr. Webb made a motion to place Tennessee College of Applied Technology: Harriman Practical Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-02-.05 (3), (c) and (4) with NCLEX pass rates less than 85%. Seconded by Ms. Wyatt; motion carried.

Tennessee College of Applied Technology: Knoxville, Knoxville, TN

Review of approval status- Practical Nursing Program. Presenting Information: Dr. Elizabeth Cooper, Board Staff, on behalf of Ms. Linda Hafley, Director Medical Programs. Following the presentation and discussion, Ms. Wyatt made a motion to place Tennessee College of Applied Technology: Knoxville Practical Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-02-.05 (3), (c) and (4) with NCLEX pass rates less than 85%. Seconded by Mr. McCoy; motion carried.

The Health Care Institute, Memphis, TN

Review of approval status- Practical Nursing Program. Presenting Information: Ms. Tiffanee Merritt, Program Director; and Ms. Katrina Robinson, Administrator. Following the presentation and discussion, Dr. Harris made a motion to place The Health Care Institute Practical Nursing Program on Conditional Approval with notice that standards must be met in 2023 to prevent suspension of enrollment based on Administrative Rule 1000-02-.05 (3), (c) and (4) with NCLEX pass rates less than 85%. Seconded by Ms. Anness; motion carried.

Four Rivers Regional Practical Nursing Program, Ripley, TN

Review of approval status- Practical Nursing Program. Presenting Information: Ms. Erika Smith, Director; and Dr. Youlanda Jones, President. Following the presentation and discussion, Ms. Anness made a motion to place Four Rivers Regional Practical Nursing Program on Conditional Approval with Suspended Enrollment based on Administrative Rule 1000-02-.05 (3), (c) and (4) with NCLEX pass rates less than 85% for four consecutive years. Seconded by Ms. Wyatt; motion carried.

Tusculum University- Greenville, TN

Review of approval status- Baccalaureate Degree Program. Presenting information: Dr. Thomas Talley, Chief Nursing Administrator. Following the presentation discussion. Mr. McCoy made motion to continue Tusculum University BSN program on Conditional Approval with Suspended Enrollment based on Administrative Rule 1000-01-.05 (4)(c) and (5) with NCLEX pass rates less than 85% for four consecutive years. Motion was seconded by Dr. Harris; motion carried.

Rulemaking Hearing:

- Motion made by Mr. McCoy to adopt the Regulatory Flexibility Analysis and Statement of Economic Impact to Small Businesses; Ms. Wyatt seconded; motion carried.
- Notice for Rulemaking ID #3577 to Amend Medication Aide Rule Chapter 1000-05.
 - Mr. Waters called the rulemaking to order and will serve as the moderator.
 - Board members introduced self.
 - Mr. Waters discussed reason and process for Rulemaking Hearing.
 - Ms. Richardson identified additional notifications made for public notification.
 - Mr. Christopher Puri, with THCA spoke regarding the support of the proposed changes and recommended additional changes.
- Ms. Wyatt made a motion to amended with the following:
 - 1000-05-.07 (5) change to read “The program shall ensure a first-time test taker examination pass rate minimum of seventy percent (70%). The Board will evaluate the program's examination pass rate on an annual basis”. Mr. McCoy seconded; Roll call vote: Dr. Bouie –yes; Dr. Webb – yes; Mr. Coy – yes; Ms. Annes –yes; Dr. Harris – yes; Ms. Wyatt –yes; motion carried.
- Ms. Wyatt made a motion to adopt the package as amended; Dr. Webb seconded; Roll call vote: Dr. Bouie –yes; Dr. Webb – yes; Mr. Coy – yes; Ms. Annes –yes; Dr. Harris – yes; Ms. Wyatt –yes; motion carried.

Consider and Vote on Petition for Change of Rule/Policy to the LPN Scope of Practice: LPN Role in an Outpatient End Stage Renal Disease Dialysis Setting:

Ms. Rachael Browning, Director Clinical Services, Davita, Inc.; Ms. Holli Avans, Clinical Quality Manager; and Gary L. Johnson, Regional Vice President, Fresenius Medical Care presented information. Defer until May 2023 Board meeting.

Adopt Consent Agenda

- Education Consent Agenda

Motion made by Mr. McCoy to adopt the consent agenda; Dr. Bouie seconded; 5 for and 1 against; motion carried.

Review and Discuss Disciplinary Policies

- Mr. Waters discussed Patient Safety: Culture of Learning, Justice, and Accountability policy; Ms. Richardson handed out information from NSCBN on the current disciplinary decision pathway. Mr. McCoy made a motion to replace the disciplinary decision

pathway with the updated disciplinary decision pathway; Ms. Anness seconded; motion carried.

- Mr. Waters discussed Disciplinary Guidelines policy to include Drug Related Offenses, Inappropriate Prescribing of Controlled Substances, General Criminal Offenses, Discipline of a License, Monitoring Agreements, and Privilege to Practice. Discussion of the following:
 - No changes under Drug Related Offenses.
 - Change the verbiage from “presenting in person to the Application Review Committee” to “appear before the Application Review Committee” under Inappropriate Prescribing of Controlled Substances.
 - Change “applicant/licensee” to “applicant for initial, endorsement, or reinstatement applicant” under General Criminal Offenses.
 - Delete “The board will not consider a request for licensure for a minimum of one year post discipline” under Discipline of a License.
 - Change “discipline” to “agreement” under Monitoring Agreements.
 - No changes under Privilege to Practice.
 - Mr. Waters will draft a copy with track changes for the Board to vote on in May 2023.
- Sexual Misconduct policy defer to May 2023.

Conduct Summary Action Hearing(s):

Mr. Waters stated none this afternoon.

Debrief/Open Discussion/Other Business- Dr. Bouie: Ms. Richardson will send out a debrief survey to the Board members.

Adjourn: Motion to adjourn made by Mr. McCoy and seconded by Ms. Anness, motion carried. Meeting adjourned at 5:48 p.m.