

N 1200.6
R 299

24:3



RN UPDATE

Accreditation * Licensure * Practice * Compliance

Government Publications
Texas State Documents

September 1993

Volume 24, No. 3
NOV 24 1993

73rd Legislative Session Comes To An End, Nurse Practice Act Amended

Depository
Dallas Public Library

As reported in the June issue of this newsletter, the 73rd Session of the Legislature came to a close with the fates of House Bill (HB) 2180 and HB 756 virtually sealed. HB 2180, nursing's official sunset bill, passed both houses of the Legislature on May 26, 1993 and was signed by the Governor on June 6, 1993. HB 756, considered supplemental sunset legislation, passed both houses on May 28, 1993 and was signed by the Governor on June 19, 1993. Both of these bills amend the Nurse Practice Act (NPA) and are effective September 1, 1993.

Detailed accounts of significant changes to the NPA and corresponding licensee responsibilities and consequences appear in other articles throughout this issue. The following represents an overview of changes enacted by HB 2180 and HB 756 and their significance:

Examination Retakes

Under the new NPA, the Board is authorized to require applicants to meet additional education requirements after failing the licensure examination.

Temporary Licenses

In order to be issued a temporary license, an applicant must now provide the Board with evidence that he/she is in good standing in all states of licensure and has had no disciplinary action taken against his/her license in any state. The endorsement fee is paid upon application for a temporary license. A permanent license will be issued to the applicant once the Board verifies academic and professional credentials.

At the present time, the Board requires verification in writing from the original state in which the applicant took the licensure examination and was issued a license. The same requirements are to be met from every other state where an applicant holds licensure, as well.

License Renewals

The Board is now authorized to set rules for a length of time beyond which an expired license may not be renewed. The person may obtain a new license by submitting to reexamination and complying with the requirements and procedures for obtaining an original license.

Inactive Status

A licensee who is not practicing as a professional nurse and plans to be out of practice for an indefinite time, may apply for inactive status. Now, any nurse 65 or older who requests inactive status, may also request a retiree license.

Fees

The amended NPA now authorizes the Board to charge a fee to produce and disseminate the quarterly newsletter. The Board has also been authorized to receive gifts, grants, or other funds or assets.

Complaint Investigation and Disposition

The law now requires the Board to adopt rules that minimize duplicative reporting and the reporting of minor incidents. The Board is in the process of appointing members to a Nursing Practice Advisory Committee whose initial charge will be to make recommendations regarding reports of complaints.

Complaints against RNs filed by insurance companies will

Organization of the Board

In addition to several across-the-board provisions regarding board member qualifications, conflict of interest parameters, and agency employment practices, the NPA now permits the Governor to appoint the president of the Board. Previously, the board president had been elected from amongst the nine board members.

Definition of Nursing

The definition of nursing has been expanded to include the receiving and distributing of professional samples to patients in sites serving underserved populations. This applies, however, only to Board approved advanced nurse practitioners with limited prescriptive authority.

INSIDE THIS ISSUE

73rd Legislative Session Comes To An End, Nurse Practice Act Amended	1
Governor Appoints Two New Board Members, Board Elects New Officers	3
Effects Of New Legislation On Licensing	4
Effects Of New Legislation On Practice And Compliance	5
Effects Of New Legislation On Education And Examination	7
Effects Of New Legislation On Advanced Nurse Practitioners	5
CE Auditing Begins As Two-Year Phase-In Is Completed	3

Continued on page 2

Earn Up To 12.4 Hours Of Type I CE
BNE In '93 Workshop Registration Form Inside!

Continued from page 1

now be kept on file by the Board for five years. The Board will not investigate these complaints unless another complaint is received involving a separate incident within that same five year period.

Informal Proceedings

The law now requires the Board's legal staff or an Assistant Attorney General to be present at all informal hearings. The law also provides the complainant with an opportunity to request an informal hearing.

Peer Review

Peer Review Committees (PRC) are now required to report directly to the Board. Termination or suspension of an RN by an employer for more than seven days must also be reported to the Board. PRC reports filed must also indicate the type of corrective action taken as well as whether or not the committee recommends formal disciplinary action.

The composition of the PRC must be at least 3/4 RNs. At least one of the RN members must be familiar with the area of practice being reviewed. Only RN members of the committee may vote.

RNs engaged in the practice of nursing in an institution other than the direct employer, are subject to peer review by both entities. However, the entities may contract between themselves as to who will actually perform peer review.

President's Message

Serving as a member of the Board of Nurse Examiners for the last three years has been both educational and rewarding. I am honored to have been appointed to serve on our Board and this year to be elected as President.

It is well known to health care providers that we are at the threshold of broad and necessary health care reforms. Some people say we are living through a "long crisis" of reform and cyclic shortages. Others predict short term, rapid change. Our Board recently held an annual retreat. Our goal was to set forth initiatives to enable us to respond to changes while maintaining our global charge of regulating nursing practice and education. In addition, there were several legislatively mandated changes which must be woven into the change process as it develops.

Specifically, in our strategic planning session we identified four bold but necessary initiatives. These were:

1. *Work with health care organizations to develop a statewide plan for nursing.*
2. *Refine communications/relationships with legislators, constituents, health care organizations and the general public.*
3. *Enhance accountability for process and product of educational programs.*
4. *Streamline internal operations by implementing the principles of TQM.*

While I have presented the general concepts of our initiatives, there is much work to be done. In future newsletters, I will provide updated information on the action plans and the status of our work.

We are in exciting and developmental times for nursing in Texas. The Board is acutely aware of the need to be responsive and actively participative as we proceed through health care reforms. Let us all work together for the benefit of our patients and our profession.

I look forward to this year of opportunity and progress,

Sara J. Keele, MS, RN
President
Board of Nurse Examiners

Penalties and Sanctions

The amended NPA reestablishes the specific disciplinary actions the Board may use as well as expands the type of corrective action it can require. The Board may use warning, reprimand, limit or restrict the license, suspend, or revoke. The Board may require therapy, educational programs, direct supervision, public service, or the assessment of a monetary fine.

Included in the amended NPA is the Board's authority to assess administrative and civil penalties.

The Health Professions Council

SB 674, although not directly affecting the NPA, does have consequences for the future of the Board of Nurse Examiners. The bill creates a Health Professions Council whose primary charge will be to create and perform studies in regard to the feasibility of centralizing both the investigatory functions of health regulatory boards and the complaint process for health regulatory agencies. The bill also establishes the implementation of a toll-free number complaint system to provide assistance and referral services to complainants.

Louise Waddill, PhD, RN, has been appointed the Board's representative to the council and is scheduled to attend initial meetings beginning some time in September.

If you have any questions regarding the changes to the NPA enacted by HB 2180 or HB 756, please contact Eric M. Gutierrez, Information Specialist, at (512) 835-8674.

Board Members

Officers

Sara J. Keele, MS, RN
President
Nursing Practice
Houston

Mary V. Fenton, DrPH, RN
Vice President
BSN Programs
Galveston

Rose Caballero, BSN, RN
Treasurer
Nursing Practice
Corpus Christi

Members

Lynn Besselman, PhD
Consumer Member
Amarillo

Pat Y. Crowe
Consumer Member
Fort Worth

Roselyn Holloway, MSN, RN
Diploma Programs
Lubbock

Morris H. Parrish, PhD
Consumer Member
Irving

Doris Price-Nealy, MSN, RN
ADN Programs
Beaumont

Petty Ross, MS, RN
Nursing Practice
El Paso

Governor Appoints Two New Board Members, Board Elects New Officers

Governor Ann Richards has appointed two new board members to replace Joanna Seamans, MSN, RN, and Eileen Piwetz, EdD, RN. Both Ms. Seamans and Dr. Piwetz completed their six year terms in January, but remained serving on the Board until the Governor's new appointments in August. A replacement for consumer member Lynn Besselman, PhD, still has not been named.

Replacing the out-going board members are Roselyn Holloway, MSN, RN, Lubbock, and Doris Price-Nealy, MSN, RN, Beaumont. Ms. Holloway replaces Ms. Seamans as the representative for Diploma Programs, while Ms. Price-Nealy replaces Dr. Piwetz as the representative for Associate Degree Nursing Programs.

At their July board meeting, the Board elected new officers for 1993-94. Out-going president, Morris H. Parrish, PhD, was replaced by Sara J. Keele, MS, RN, who received the nomination and majority vote from fellow board members. Ms. Keele assumed her presidency immediately after being voted into office.

Also elected to office were Mary V. Fenton, DrPH, RN, and Rose Caballero, BSN, RN. Dr. Fenton was elected board vice-president, while Ms. Caballero will take over the office of treasurer. Dr. Fenton replaces Ms. Keele who served as last year's vice-president. Ms. Caballero replaces Petty Ross, MS, RN, last year's treasurer.

On behalf of the Board of Nurse Examiners, Ms. Keele presented Dr. Parrish with a plaque commemorating his service as board president and acknowledging the good deeds he had accomplished during his presidency. Dr. Parrish was also granted the status of "honorary registered nurse," and received a certificate on behalf of the entire Board. Dr. Parrish is one of three consumer members serving on the Board.

During the last legislative session, the section of the Nurse Practice Act regarding the organization of the Board, was amended to include the Governor's authority to appoint the Board's president. This amendment, effective September 1, 1993, is not expected to affect this year's presidential election.

CE Auditing Begins As Two-Year Phase-In Is Completed

September 1, 1993 marks another important milestone for mandatory continuing education for registered nurses in Texas, as the two-year phasing in of the CE requirements is now complete. Beginning September 1, 1993 all registered nurses with an active Texas license are required to earn 20 contact hours (two Continuing Education Units) of continuing education every two years. Failure to do so is a violation of the Nurse Practice Act and the Board's rules, and is grounds for disciplinary action. The rules became effective September 1, 1991 and since that time, all RNs have been notified of the requirements with their license renewal.

Two new questions now appear on the renewal form, one asking if this is your first RN license renewal in Texas and the second if you completed the required 20 hours of continuing education. Continuing education is not required for the first renewal following licensure by examination, licensure by endorsement from another state, or reactivation of a Texas license. If you completed the CE hours, simply indicate "Yes" to the appropriate question on the renewal form, sign and return it with the renewal fee. Please do not send CE certificates or other documentation at this time.

To verify compliance with the CE requirements, the Board will conduct a random audit of licensees each month. Audited licensees will be notified in writing and will be asked to provide documentation for the required CE hours. Licensees who are non-compliant will be referred to the Board's Department of Practice and Compliance for possible disciplinary action.

Also, as part of the auditing process, effective September 1, if you are late or delinquent renewing your license, or reactivating a Texas license, you must show proof of completion of 20 hours of acceptable continuing education within the past two years before the license will be reactivated. The CE documentation will be required regardless of the length of time you have been delinquent or inactive.

Effects of New Legislation On Licensing

Legislation enacted by the 73rd Legislature earlier this year, as well as previous legislation scheduled for implementation on September 1, 1993, will have significant effects on all Texas registered nurses and their employers. Some of the changes affecting licensure are effective immediately, while others will be phased in over the next few months.

For example, rules concerning license renewal have changed to reflect continuing education requirements, and to deny licensure to nurses who are delinquent on students loans under the control of the Texas Guaranteed Student Loan Corporation. Nurses seeking licensure in Texas by endorsement from other states or jurisdictions will have to meet more stringent requirements before being issued a permanent license. Temporary permits will be replaced by temporary licenses, and nurses will no longer be able to walk in to the board office to receive immediate approval to begin work in Texas.

Highlights of the changes are discussed below:

License Renewal Changes Effective September 1, 1993

The two most important changes in the license renewal requirements concern continuing education and nurses in default on student loans. These new rules have been extensively publicized over the past two years and are now in effect.

- 1.) **Continuing Education (CE)** - Effective September 1, 1993, most registered nurses seeking to renew their licenses must meet the requirement of having completed at least 20 hours of continuing education since their last renewal. Nurses who are renewing their current Texas licenses for the first time, whether by examination, endorsement, or reactivation, are exempt from this requirement. (Please see the accompanying article on CE requirements for additional information.)

It is important that nurses renew their licenses on time. The new rules require any nurse who is delinquent one day or more in renewing his/her license) to show proof that he or she has completed the mandatory 20 hours of continuing education during the appropriate time period. Nurses who renew on time must confirm that they completed the mandatory continuing education, but will not be required to show proof unless they are among the group selected to be audited at the end of each month.

If you have questions about the continuing education requirements, please call the Board at (512) 835-8685 during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Additional sources of information are the CE materials included with the license renewal notices, as well as numerous articles and "questions and answers" columns featured in past issues of the newsletter.

- 2.) **Texas Guaranteed Student Loan** - In accordance with laws passed by the Texas State Legislature and put into effect by the Board, any nurse who is in default on a student

loan from the Texas Guaranteed Student Loan Corporation (TGSLC) will not be allowed to renew his/her license until the nurse pays off the loan or enters into a repayment agreement with TGSLC. Furthermore, a letter from TGSLC confirming the loan repayment or repayment agreement must be received by the Board before the nurse's license will be renewed. The Board began enforcing this law and appropriate rules with those nurses whose licenses expire in September, 1993, or thereafter. (For additional information, please read the Licensing Department Update regarding TGSLC loans in this newsletter.)

- 3.) **Renewal Fee** - The renewal fee for a current license is \$35.00, effective with licenses expiring in September, 1993.

Statutory Changes To Be Enacted

The Legislature enacted some changes to the Nurse Practice Act that will be phased in over the next few months as appropriate rules and regulations are adopted by the Board. The changes will affect the process by which nurses obtain licensure in Texas, and therefore may affect the date on which any particular nurse will be licensed and available for work. For now, we simply want everyone to be aware that these significant changes are on the way.

The following are summaries of some proposals that have been made to the Board for implementation of the new laws. The proposals have not yet been approved, and are subject to change. The Board will keep nurses and employers informed of the rules as they are developed and implemented.

- 1.) **Elimination of Temporary Permits** - When the new rules are implemented, the 90-day temporary permits currently issued by the Board to nurses seeking permanent licensure by endorsement will be eliminated. Instead, the Board will issue a temporary license to qualified individuals.
- 2.) **Temporary License** - Qualified nurses seeking to obtain a license by endorsement in Texas will receive a temporary license, good for 12 weeks from the date of issue. The temporary license will replace the 90-day temporary permits now issued by the Board. Applicants will apply for the temporary license and the permanent license at the same time, and will pay a one-time endorsement fee at the beginning of the process. Nurses who have received disciplinary action against their licenses in any other state or jurisdiction are not expected to be eligible for a temporary license.

PLEASE NOTE: *When the new rules are implemented, nurses will not be able to walk into the Board's office and be immediately approved for a temporary license, as they can now do for a temporary permit. It is estimated that the Board will need at least three days to approve an application for a temporary license. This change will definitely affect the date at which a nurse will be available to work. Nurses, employers, and recruiters should take careful note of this coming change.*

- 3.) **Permanent License By Endorsement** - Any individual seeking permanent licensure in Texas by endorsement will be required to list all states and jurisdictions in which he/she has practiced. The Texas Board must receive verifications of licensure, education, original examination results, and histories of any disciplinary actions before a permanent license can be approved.
- 4.) **Designation of "Registered Nurse, Retired"** - The Legislature has authorized the Board to create a new category of "Registered Nurse, Retired" to recognize nurses for their years of service to the profession. Rules governing the use of this new title are being developed. It is expected that any registered nurse, who is 65 years of age or older, and whose

license is on inactive status (not practicing) would be eligible to use the title. A certificate will be made available at a nominal price to qualified individuals. At the appropriate time, the Board will notify all eligible nurses on inactive status to give them the opportunity to apply for the use of the title. The Board will also notify currently active nurses as they become eligible.

The Board and its licensing division seek to work closely with nurses, employers, nurse recruiters and others to create and maintain effective and efficient processes within the licensing system. Please check future issues of this newsletter for updates on licensing requirements.

Effects Of New Legislation On Practice And Compliance

There are a number of changes in the Nurse Practice Act which may affect practicing RNs and policies in the employment setting. Many of the changes impact the processes the Board uses in investigating and disciplining those found not to be in compliance. A brief synopsis of the statutory changes is provided here with information on the implementation of the changes.

The Board has been provided a wider range of sanctions to be used when a nurse is found to be in violation. The list of sanctions ranges from a written warning to revocation with additional sanctions such as monetary fines, administrative penalties and limitations on specific practice activities. Penalties may also include stipulations for remedial courses, counseling and performance of public service.

The Board will now have the authority to issue a limited license with imposed conditions when a revoked or surrendered license is reinstated. An unrestricted license will not be issued until the conditions are met. The Board's staff is in the process of drafting the new rules necessary to implement these changes.

One of the most significant additions to the law is the authorization of the Board to adopt rules governing mandatory reporting. The Board will define when "minor incidents" do not need to be reported. The Board intends to convene a Nursing Practice Advisory Committee which, as part of its charge, will make recommendations regarding this issue to the Board.

The Peer Review requirements have also undergone some revisions. The Board is required to enter into a memorandum of understanding with any state agency that licenses, registers, or certifies health care facilities or agencies, or that surveys such facilities or agencies with respect to professional nursing care. The Board's staff will be drafting the memorandum which will allow surveying agencies such as the Texas Department of Health, Texas Department of Mental Health and Mental Retardation, the Texas Department of Human Services, and others to determine that a Peer Review plan is in place in the facilities they survey.

The new statutory language requires the Peer Review committee to have a composition of three-fourths of the members being RNs, have only RNs as voting members and have at least one RN who has a working familiarity with the area of practice in which the nurse being reviewed practices. The act now addresses RNs who work for temporary agencies, as faculty members, or in similar roles. The employer (i.e., temporary agency/school of nursing) and the facility where the RN was working both have authority to conduct peer review but the two may contract for which entity will conduct the review.

Watch for additional information on implementation of these changes in future issues of the *RN Update*.

Effects Of New Legislation On Advanced Nurse Practitioners

During the Regular Session of the 73rd Legislature there was considerable discussion concerning the roles, education and barriers to practice of Advanced Nurse Practitioners (ANPs). Although bills to expand prescriptive authority (House Bill 1161) and extend clinical privileges to ANPs (House Bill 2533) both died in committee, there were significant legislative changes which will impact advanced nursing practice.

The definition of professional nursing was amended to include the requesting, receiving, signing for and distribution of professional drug samples by ANPs at sites serving underserved populations. This applies only to ANPs approved by the Board for

limited prescriptive authority. The inability to give out drug samples has been identified as a significant barrier to practice by ANPs, particularly in medically underserved areas. ANPs currently approved for prescriptive authority and working at an approved site, may begin to receive and distribute professional drug samples after September 1, 1993 when this legislation takes effect.

House Bill 2055 amended the Insurance Code to include ANPs as providers reimbursed under health insurance plans for small businesses (those employing between 3-50 employees). Under these plans, ANPs would be eligible for reimbursement for

services within their scope of practice. This is the first legislation in Texas which mandates ANPs as eligible providers for reimbursement by private insurance carriers. The law goes into effect September 1, 1993, but insurance companies will have until January 1, 1994 to amend their contracts or develop new policies.

If these companies write policies for any small businesses, they must offer this option for reimbursing ANPs. For more information, you may contact Diane Moellenberg at the Texas Department of Insurance, P.O. Box 149104, Austin, Texas, 78714, 512/463-6169

Education Report From May And July 1993 Board Meetings

The following actions were taken by the Board at its May 25, 1993 meeting:

- ✓ *Granted initial accreditation to Temple Junior College Associate Degree Nursing Program to be implemented in the Fall Semester, 1993*

Continued full accreditation of the following nursing programs that received survey visits during the Spring Semester, 1993:

- ✓ *Kilgore College Associate Degree Nursing Program*
- ✓ *North Harris/Montgomery Community College District Associate Degree Nursing Program*
- ✓ *Victoria College Associate Degree Nursing Program*

Continued initial accreditation of the following nursing program that received a survey visit during the Spring Semester, 1993:

- ✓ *Vernon Regional Junior College Associate Degree Nursing Program*

Continued full accreditation of the following nursing programs based upon Annual Reports submitted to the Board in October, 1992:

- ✓ *Abilene Intercollegiate Associate Degree Nursing Program*
- ✓ *Abilene Intercollegiate Baccalaureate Degree Nursing Program*
- ✓ *El Centro College Associate Degree Nursing Program*
- ✓ *Del Mar College Associate Degree Nursing Program*
- ✓ *Lamar University at Orange Associate Degree Nursing Program*
- ✓ *Southwestern Adventist Associate Degree Nursing Program*
- ✓ *Southwestern Adventist Baccalaureate Degree Nursing Program*
- ✓ *University of Texas at Brownsville in Partnership with Texas Southmost College Associate Degree Nursing Program*
- ✓ *University of Texas at El Paso Baccalaureate Degree Nursing Program*

Changed the following program from full accreditation with warning to conditional accreditation status:

- ✓ *Houston Community College Associate Degree Nursing Program for failing to be in compliance with the Board's Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.*

Approved curriculum proposals for:

- ✓ *Austin Community College Associate Degree Nursing Program - an innovative mobility option for Paramedics to become Registered Nurses - to be implemented in the Fall of 1993*
- ✓ *Tarleton State University Associate Degree Nursing Program - to be implemented in the Fall of 1993*
- ✓ *A faculty waiver was granted to Patricia Jutte of El Centro College Associate Degree Nursing Program*

The following actions were taken by the Board at its July 20, 1993 meeting:

- ✓ *Continued full accreditation for The University of Texas at Pan American Associate Degree Nursing Program based upon the Annual Report submitted October, 1992.*
- ✓ *Approved Thelma Percoco, MS, RN, as Acting Director of Lee College Associate Degree Nursing Program during the 1993-94 Academic Year.*

Approved curriculum proposals for:

- ✓ *Odessa College Associate Degree Nursing - The proposal was acknowledged as a model for Tech Prep programs and faculty were commended for their innovation - to be implemented in the Fall of 1993.*
- ✓ *University of Mary Hardin-Baylor Baccalaureate Degree Nursing Program - to be implemented in the Spring of 1994.*
- ✓ *Approved the reactivation of Corpus Christi State University Baccalaureate Degree Nursing Program's Extended Campus at Laredo State University (Texas A&M International)*

Effects Of New Legislation On Education And Examination

During the recent legislative session the Sunset Commission proposed a number of across-the-board language changes to the Nurse Practice Act. One of those changes related to the number of times a graduate from a nursing program could take the national licensure examination. The Legislature authorized the Board to develop requirements for candidates who fail the licensure examination.

In the fall of 1992 the Board's Education staff surveyed Deans and Directors regarding the number of times that a graduate could take the licensure examination. The survey revealed that a majority of respondents favored: limiting the number of testing attempts; establishing a time frame, after which a graduate would no longer be eligible to take the examination; and reeducation for candidates who fail to meet the established parameters.

The Education Rules Task Force discussed the results of the survey and recommended that a graduate be permitted three (3)

attempts within four (4) years of graduation to pass the NCLEX-RN. They further recommended that candidates who do not meet these parameters should complete a nursing curriculum in its entirety before being eligible to take the examination. The Board accepted the task force's recommendations and adopted rules accordingly. These new rules coincide with the Legislature's mandate to limit the number of times that any candidate may attempt the licensure examination. The limitations established through rule and legislative mandate will help the Board assure that applicants truly meet the minimum standards of competence prior to licensure and have not passed the examination through sheer repetition.

Letters giving notice of the implementation of the new rules, have been sent to candidates who wrote but did not pass the licensure exam within the past two years. Questions regarding eligibility status may be directed to the Education Department at (512) 835-8650.

National Council Celebrates 15th Anniversary

This August marked the 15th anniversary of the National Council of State Boards of Nursing, Inc (NCSBN). Initiated by a small group of pioneering boards of nursing, the National Council separated from the American Nurses Association in 1978. Since that time the NCSBN has developed far ranging initiatives. The licensure examination for RNs and LPNs is administered in 62 jurisdictions, including territories and protectorates of the United States.

During this year's annual meeting the Delegate Assembly voted to approve a position statement regarding licensure for advanced nurse practitioners; authorized the Board of Directors to continue to collaborate with nursing organizations and specialty organizations; and accepted the new language in the Model Nurse Practice Act, which now includes suggested licensure requirements for advanced nurse practitioners.

Further, the Delegate Assembly authorized the NCSBN to enter into a contract with the state of Maine to develop an add-on examination for graduates of generic baccalaureate degree nursing programs. There was much debate regarding this issue.

Reports relating to the Beta Test, job analysis and role delineation study were provided during open forums and the Delegate Assembly. The financial reports and options for enhancing the Council's fiscal health were discussed.

Mary Anne Hanley, MA, RN, Joy Fleming, MSN, RN, and Joanna Seamans, MSN, RN, presented a paper on the experience of the Nursing Education Advisory Committee entitled, "Charting a Proactive Course: Acquiring Information and Perspectives for Board Decisions".

Regional meetings will be held this fall to inform member boards about the analysis of the Beta Test.

July 1993 NCLEX-RN

The NCLEX-RN was taken by 5,001 candidates this summer under a variety of conditions. 4,781 candidates took the regular two day paper and pencil examination in Texas (Austin-1,884, Galveston-995 and Fort Worth-1,902). As a part of the Beta Test for NCLEX Using CAT, 220 Texas candidates took one of the following: Computer Adaptive Test, Computer Linear Test or one-day paper and pencil test between June 23, 1993 and July 27, 1993. Regardless of the testing situation all examinations were made up of items from the NCLEX-RN test pool.

NCLEX-RN results are scheduled to be received at the board office after September 15, 1993. This is later than usual. Permits,

for candidates who took the NCLEX-RN this summer, are valid until the results of the exam are released by the Board. Permits were marked with a special stamp to indicate this extension beyond September 8, 1993.

A total of 7,318 candidates took the NCLEX-RN in 1993; this represents a 9% increase over the 6,691 who tested in 1992 (6,196 candidates tested in 1991). School reports of student enrollment and retention rates will be analyzed in October to assist in determining whether this increase signifies a developing trend.

The next NCLEX-RN is scheduled for February 2 & 3, 1994.

NCLEX-RN Using Cat Update

As described in the July 1993 NCLEX-RN article the Beta Test for NCLEX Using CAT was conducted between June 23 and July 27, 1993. The Board of Nurse Examiners was one of 44 jurisdictions to participate in the Beta Test.

In addition to processing the over 5,000 applications for the NCLEX-RN candidates for the July exam, Education Department staff processed requests from more than 700 candidates who volunteered for the Beta Test. Using a new electronic communications system link with the Educational Testing Service (ETS), the 414 candidates who were selected by ETS to participate were evaluated for eligibility. Thirty-five (35) candidates, deemed ineligible by the Board for NCLEX, brought the final number of Texas participants to 379.

The newly installed electronic communication system verified to the Board's office appointment dates, testing site location, and the completion of testing by each candidate. Only 22 out of the 4,723 candidates across the nation who tested using computer testing technology, experienced technical problems.

The Beta Test experience is being evaluated by National Council of State Boards of Nursing, Educational Testing Services, Sylvan/KEE and the member boards who participated in the Test. A final "go/no go" decision will be made in December, 1993 regarding the implementation of NCLEX Using CAT in April 1994.

Further information regarding the development and implementation of NCLEX Using CAT will be presented at the Board's fall workshops (see brochure).

Proposed And Adopted Rules

The Board, in accordance with the Nurse Practice Act and its commitment to keeping its licensees informed of proposed and adopted changes of rules, presents the following report of both the May and July meetings:

May 25, 1993 Board Meeting

- *Adopted the repeal of §217.3*, Handicapped Candidate; adopted a new §217.3, Candidate With A Disability and adopted an amendment to §217.1, Definitions. These changes address rules regarding the testing of persons who are disabled and bring them into alignment with the Americans With Disabilities Act (ADA) guidelines. The rules were adopted with no changes in the proposed text.*

July 20, 1993 Board Meeting

- *Proposed the repeal and submission of new Education Rules, §§215.1-215.20. These rules were published in the August 3, 1993 issue of the Texas Register and will be considered by the Board at their November meeting. Comments may be sent to the Board's office to be received on or before October 15, 1993.*

- *Proposed amendments to Licensure and Practice, §§217.1, 217.6 and 217.8 regarding Definitions, Temporary*

Permits and Inactive Status. These amendments were published in the August 3, 1993 issue of the Texas Register and will be considered for adoption at the September 21-22, 1993 meeting of the Board.

- *Proposed the repeal and submission of new §§217.4 and 217.5, Licensure and Practice rules regarding Licensure by Endorsement and Requirements for Licensure of Nurses not Eligible for Endorsement under §217.4. The Board will consider adoption of the repeal and new rules at their September 21-21, 1993 meeting. Publication of the rules can be found in the August 3, 1993 issue of the Texas Register.*

- *The Board adopted an emergency rule change in regard to §223.1, Fees and simultaneously submitted a proposed rule change which was published in the August 3, 1993 issue of the Texas Register. The change affects the renewal fee, increasing it from \$30 to \$35 each biennium. The emergency fee change became effective September 1, 1993. The proposed change will be considered by the Board for adoption at their September 20-21, 1993 meeting.*

If you would like more information regarding the Board's rule changing process, please contact Erlene Fisher at (512) 835-8675.

* This symbol (§) designates a Board rule

The Board of Nurse Examiners For the State of Texas

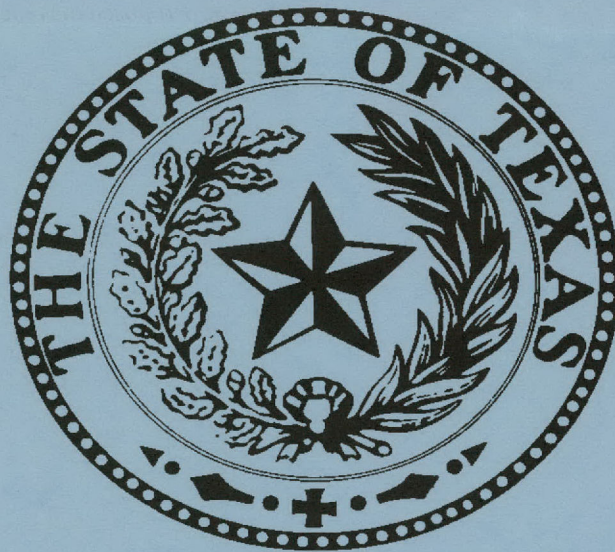
PRESENTS

THE BNE IN '93

**Two workshops presented on consecutive days in six
Texas cities to bring you up to date information on the
latest nursing practice, licensure and education issues**

Nursing Practice Update: What Every Nurse Needs To Know

Looking Toward Tomorrow: Changes In Education and Examination



*Austin
El Paso
Dallas
Fort Worth
Houston
San Antonio*

Day One: Nursing Practice Update: What Every Nurse Needs To Know

Purpose

The purpose of the program is to update registered nurses (RNs) on the roles and functions of the Board of Nurse Examiners (BNE), changes in the Nurse Practice Act (NPA), and legislation affecting practice. The workshop will afford the RN the opportunity for discussion with members of the BNE staff.

Objectives

1. Define the role and function of the Board
2. Identify changes made to the Nurse Practice Act through sunset and other legislation
3. Describe other recent legislation impacting professional nursing
4. Discuss the practice related implications of select board rules
5. Describe the investigatory and disciplinary process
6. Identify requirements for license renewal
7. Analyze the NPA and Rules and Regulations in select practice situations

Schedule

TIME	TOPIC
8:00 a.m. - 8:30 a.m.	Registration
8:30 a.m. - 8:45 a.m.	Welcome
8:45 a.m. - 10:00 a.m.	Your NPA: Sunset and Other Changes
10:00 a.m. - 10:20 a.m.	BREAK
10:20 a.m. - 10:50 a.m.	Practice: Additional Legislative Changes
10:50 a.m. - 11:30 a.m.	Standards and Unprofessional Conduct Rules
11:30 a.m. - 1:00 p.m.	LUNCH (On your own)
1:00 p.m. - 2:00 p.m.	Delegation Rules
2:00 p.m. - 2:30 p.m.	Reporting, Disciplinary Action, and Monitoring
2:30 p.m. - 2:50 p.m.	BREAK
2:50 p.m. - 3:15 p.m.	License Renewal: Things You Need To Know
3:15 p.m. - 3:45 p.m.	Nursing Practice Issues
3:45 p.m. - 4:15 p.m.	Questions and Answers
4:15 p.m. - 4:30 p.m.	Evaluation

Day Two: Looking Toward Tomorrow: Changes In Education and Examination

Purpose

The purpose of the program is to provide nursing faculty who teach in Diploma, ADN, BSN, or entry-level MSN programs the most current information regarding Computer Adaptive Testing (CAT), proposed BNE Education Rules, Declaratory Orders, standards in relation to faculty, Graduate Nurse supervision, and Temporary Permits.

Objectives

1. Discuss the implementation of CAT and its implications for students, faculty, and the BNE
2. Compare and contrast the proposed and current education rules
3. Identify the "who," "what," "where," "when" and "how" of the Declaratory Order process
4. Describe key rules and regulations of the NPA as they relate to students, faculty and graduate nurses

Schedule

TIME	TOPIC
8:00 a.m. - 8:30 a.m.	Registration
8:30 a.m. - 8:45 a.m.	Welcome
8:45 a.m. - 10:00 a.m.	Education/Examination Overview
10:00 a.m. - 10:15 a.m.	Computer Adaptive Testing
10:15 a.m. - 10:45 a.m.	BREAK
10:45 a.m. - 11:30 a.m.	Putting CAT Into Action
11:30 a.m. - 1:00 p.m.	Proposed Education/Examination Rules
1:00 p.m. - 1:45 p.m.	LUNCH (On your own)
1:45 p.m. - 2:30 p.m.	Declaratory Orders
2:30 p.m. - 3:00 p.m.	Standards In Relation to Faculty
	GN Supervision
	Temporary Permits
	Question and Answer Period
	Evaluation

Dates and Locations

Continuing Education

These offerings are approved by the Texas Nurses Association which is accredited as an approver of continuing education for nursing by the American Nurses Credentialing Center Commission on Accreditation. This approval meets Type I criteria for mandatory continuing education requirements toward relicensure as established by the BNE.

*6.7 Contact Hours have been approved by the Texas Nurses Association for DAY ONE

*5.7 Contact Hours have been approved from the Texas Nurses Association for DAY TWO

Houston Marriott Astrodome (Houston)

Day One: October 13 or 14

Day Two: October 15

San Antonio Convention Center (San Antonio)

Day One: October 21

Day Two: October 22

El Paso Convention Center (El Paso)

Day One: October 28

Day Two: October 29

Doubletree Hotel (Austin)

Day One: November 4

Day Two: November 5

Radisson Hotel (Fort Worth)

Day One: November 9

Day Two: November 10

Holiday Inn Brook Hollow/Love Field (Dallas)

Day One: November 19

Day Two: November 20

Special Needs

If you need special accommodations regarding any disability, please notify us by letter and attach with your registration form. Every reasonable effort will be made to accommodate you.

Faculty

Donna Carlin, MSN, RN (Day Two)

Nursing Consultant

Dona Oliver, MSN, RN (Day Two)

Nursing Consultant

Cady Crismon, MSN, RN, CNS (Day One)

Director of Practice and Compliance

Kathy Thomas, MSN, RN, PNP (Day One and

Nursing Consultant

Day Two)

Mary Anne Hanley, MA, RN (Day Two)

Director of Education

Louise Waddill, PhD, RN (Day One)

Executive Director

Kathleen S. Lamm, MPA (Day One)

Supervising Investigator

Registration

The *fee* for the workshop is **\$40.00** per person, **\$60.00** if the same person attends both workshops. The fee includes workshop materials, coffee and tea. Lunch is on your own. Complete the registration form, detach it, and return it with your payment (check or money order) to the address below. Only one name per form, please. If you are unable to attend, a substitute may attend for you.

Deadline for registration is two weeks prior to the workshop. No refunds will be given if the registration is cancelled within two weeks of the workshop. Early registration is advised due to limited seating. Registrants confirmed for the workshop will receive a card verifying registration. Registrants must present this card for admission to the workshop. Those whom we are unable to seat will also be notified and the fee returned.

A block of guest rooms has been reserved at each location for participants needing overnight accommodations. Please make your reservations **early** and mention that you are attending the **Board of Nurse Examiners workshop** to obtain special discounted rates. Participants must make their own reservations.

Marriott Astrodome 2100 South Braeswood at Greenbriar 1-800-228-9290 (HOUSTON)	Marriott River Walk 711 E. River Walk 1-800-228-9290 (SAN ANTONIO)	Camino Real Paso del Norte Hotel 101 S. El Paso (915) 534-3099 (EL PASO)
Doubletree Hotel 6505 I.H. 35 North (512) 454-3737 (AUSTIN)	Radisson Plaza Hotel 815 Main Street (817) 870-2100 (FORT WORTH)	Holiday Inn Brook Hollow/Love Field 7050 Stemmons Fwy. (214) 630-8500 (DALLAS)

REGISTRATION FORM - "THE BNE IN '93"

Mail to: The Board of Nurse Examiners
Attention: WORKSHOPS
Box 140466
Austin, TX 78714

I will attend "The BNE in '93" workshop(s) indicated below:

Nursing Practice Update: What Every Nurse Needs To Know (DAY ONE)

- | | |
|--|---|
| <input type="checkbox"/> Houston, Oct. 13
<input type="checkbox"/> Houston, Oct. 14
<input type="checkbox"/> San Antonio, Oct. 21
<input type="checkbox"/> El Paso, Oct. 28
<input type="checkbox"/> Austin, Nov. 4
<input type="checkbox"/> Fort Worth, Nov. 9
<input type="checkbox"/> Dallas, Nov. 19 | Please indicate 1st and 2nd choice |
|--|---|

Looking Toward Tomorrow: Changes In Education And Examination (DAY TWO)

-
- Houston, Oct. 15
-
-
- San Antonio, Oct. 22
-
-
- El Paso, Oct. 29
-
-
- Austin, Nov. 5
-
-
- Fort Worth, Nov. 10
-
-
- Dallas, Nov. 20

Name _____

Address _____

City _____ Zip Code _____ Day Time Phone () _____

Amount Enclosed \$ _____

OFFICE USE ONLY

Audit # _____

Amount _____

Initials _____

CE Questions And Answers

In an effort to assist registered nurses to understand and comply with the mandatory continuing education requirements, this column is devoted to some of the commonly asked CE questions.

Q: My license will be renewed this October and I have already completed the 20 CE hours. I am planning to attend a seminar in September. Can the hours I earn from this program be applied toward my 1995 renewal?

A: *No, the additional hours may not carry forward to the next renewal period. The hours must be earned between the first day of the renewal month and the last day of the subsequent renewal. In your case, for the 1995 renewal, the hours must be earned between October 1, 1993 and October 31, 1995.*

Q: I am enrolled in medical school while working as a registered nurse. May any of these courses be used to fulfill my nursing CE requirements?

A: *Those courses which are clinical and may contribute to your nursing practice, such as Introduction to Psychiatry, Medical Ethics, Introduction to Internal Medicine, are acceptable for Type I continuing nursing education. Support courses such as Histology and Biochemistry would not be accepted.*

Q: The population of the area in which I work is largely Hispanic. I am planning to enroll in a Spanish class at a local college this fall. Will these credits be recognized for continuing education credit as a registered nurse?

A: *Language courses are not considered to be "nursing" continuing education. While learning the Spanish language may help you to communicate better with your Spanish-speaking patients, it does not help to improve or enhance nursing skills or practice. If the course has a health care focus, such as "Spanish for Health Care Personnel," it may be accepted for Type II credit.*

Q: I have received several brochures recently indicating that the program is approved for continuing education as set forth in the guidelines of the IACET. Will the Board accept these programs?

A: *The International Association of Continuing Education and Training (IACET) is not one of the credentialing organizations recognized by the Board. The programs address management techniques, communications, and other "generic" topics which, in our opinion, do not meet the definition of "nursing" continuing education. However, some of these programs are approved by nursing associations in other states. If the program has been approved by a state nursing association accredited by the ANA and this approval is indicated on the certificate you receive from the provider, it will be accepted for credit.*

Q: How do I find out about CE programs that are being offered in my city?

A: *You should contact local colleges, universities, nursing schools or large hospitals to find out about their schedule of offerings and to be placed on their mailing list. Your professional nursing association is another resource.*

Q: What happens if I don't complete the CE hours?

A: *If you have not completed the CE hours when you renew your license, you must answer "No" to the appropriate question on the renewal form. Your license will be renewed, but you will be contacted by the Board and requested to complete an audit form and provide verification of your CE hours. Remember, the hours must be completed by the last day of the renewal month. If you fail to provide the documentation or to respond to the Board's request, you will be referred to the Department of Practice and Compliance for investigation and possible disciplinary action.*

Legal Eagle

Penny Burt, JD, RN, Legal Counsel for the Board of Nurse Examiners, answers your questions regarding the Nurse Practice Act (NPA), board rules and regulations, and other legal issues related to nursing.

Dear Legal Eagle,

I am a registered nurse and considering retiring next year when I turn 65. Is my only option, since I won't be actively practicing nursing anymore, to go on the inactive status list?

**Signed,
Soon To Retire,**

Dear Soon To Retire,

Recent legislative amendments to the NPA now allow a licensed nurse who has chosen to be placed on the inactive status list, and is 65 years of age or older, to use the title "Registered Nurse, Retired." Currently, the Board is considering rules to implement this change and will keep licensees informed of such changes via the newsletter.

Dear Legal Eagle,

Over the past several months I have been receiving mail from various nursing organizations. They usually solicit some kind of purchase. I have never heard nor have I registered with any of these organizations. Does the Board have anything to do with these organizations acquiring the names and addresses of registered nurses?

Signed,
Much Too Much Mail,

Dear Much Too Much Mail,

The simple answer is yes. The Board of Nurse Examiners must comply with the Texas Open Records Act, V.T.C.S., Article 6252-17A, adopted in 1973, which states in pertinent part that:

"All information collected, assembled, or maintained by or for governmental bodies, except those situations where the governmental body does not have either a right of access to or ownership of the information...in connection with the transaction of official business is public information and available to the public during normal business hours of that agency..."

Essentially, this provision means that "all information" in the possession of a "governmental body" is available to the public, unless the information falls within a certain exception. The term "governmental body" is defined under Section 2(a) to mean "...any board, commission, department, committee, institution, agency, or office...which is created by the state government." Obviously, this means that most information collected by the Board of Nurse Examiners is public information and available to any and all that wish to acquire it.

An exception is found in Section 3(a) of the Texas Open Records Act for information deemed "confidential by law, either Constitutional, statutory, or by judicial decision." The Board's investigative files are confidential and therefore non-disclosable under the exception found in Section 3(a).

The licensure file at the Board, however, does not fall within Section 3(a). Therefore, the names, addresses, and license information of registered nurses in Texas are public information and must be provided to those who make a proper request.

Unfortunately, this fact means that some of you may be subjected to unrequested solicitation.

Dear Legal Eagle,

I have heard some horror stories about nurses who did not receive license renewal notices/forms from the Board and, as a consequence, were disciplined for practicing on an expired license. This seems harsh and unfair, especially in the case of a person who moves and misses the renewal notice because the Post Office did not forward the mail. What does the Board really do in such a situation?

Signed,
Concerned

Dear Concerned,

The Board does discipline nurses who practice on expired licenses even when the Post Office fails to deliver the renewal notice. The grant of a license authorizes you to practice professional nursing only as long as you comply with the NPA and board rules.

NPA Article 4526 tells us that your license is good for two years at which time you must renew it or stop practicing. Article 4526 also requires the Board to mail notice to you at least 30 days before your license expires. Rule 217.10 (b) requires you to keep the Board informed of your current address. The fact that the Post Office provides its customers with forwarding service does not relieve you of your responsibility to notify the Board within 10 days of your moving to a new address. Your written notice of change of address, must include the following:

Your name
Your license number
Your old address
Your new address

Should you fail to make a timely renewal of your license, you are subject to discipline. In addition, you must comply with Rule 217.7 to bring a lapsed license up to date.

Keeping your name and address current at the Board is important for reasons other than license renewal. For instance, if the Board receives a complaint about your practice, notice will be sent to the address listed on your record. If you do not receive the notice, you won't be able to respond. The investigation of the complaint will continue without your input.

If the investigation reveals you failed to comply with the Standards, or violated the NPA or rules, formal charges will be filed and mailed to the address listed on your record. If you do not receive the formal charges and therefore do not respond, the disciplinary action will continue without your input and can result in discipline against your license. All the law requires in the way of notice is that it be sent to the address you provide to the Board.

So, protect your license: keep your name and address current.

Advanced Practice Questions And Answers

The Board receives many calls and letters regarding advanced nursing practice issues. Advanced Nurse Practitioners (ANPs) are Nurse Practitioners, Nurse Midwives, Nurse Anesthetists and Clinical Nurse Specialists. In this issue Kathy Thomas, MN, RN, CPNP will respond to questions regarding advanced practice.

Q: I recently moved to Texas and discovered I am not eligible for recognition as a Nurse Practitioner because the program I completed in the early 1970's was not accredited and I am not currently nationally certified. Do I have any options?

A: Yes, in December, 1992, the Board adopted an amendment to Rule 221 which created a petitioning process for individuals in your situation. Documentation of experience, competence and participation in continuing education is required. For information on how to submit a petition, contact Diane Powers, BNE, Box 140466, Austin, Texas, 78714.

Q: I am a Clinical Nurse Specialist (CNS) and am interested in taking a position in a clinic that requires a Nurse Practitioner. Can I function as a Nurse Practitioner?

A: No, you must function in the role for which you were educationally prepared. At this time, the educational preparation of these practitioners differs considerably. Generally, although CNSs may have some advanced education in primary care, they are not prepared to assume the full scope of ambulatory primary care practice, including managing medical aspects of care.

Q: I know of a CNS in Psych/Mental Health Nursing who is providing psychotherapy in her practice. Is this practice appropriate?

A: Yes, a CNS in Psych/Mental Health Nursing may provide psychotherapy consistent with his/her educational preparation.

Q: I am a registered nurse. There is a Nurse Practitioner who sees patients in my facility and sometimes writes medication orders on the patient's chart. Can I implement those orders?

A: Yes, an RN may implement a medical order relayed by a Nurse Practitioner and originating from the physician through a protocol or other physician order. As with any order, the RN implementing the order must question an order which he/she believes is not appropriate.

Q: Are there specific requirements for physician supervision of Nurse Practitioners?

A: The BNE has no specific requirements for physician supervision. The amount and type of supervision is determined by the physician and the NP and must be commensurate with the NP's education, experience, knowledge and ability.

If you have an advanced practice question that you would like to have answered through the Board's newsletter, send your question to :

*Kathy Thomas, MN, RN, CPNP
Nursing Consultant
Department of Practice and Compliance
Board of Nurse Examiners
Box 140466
Austin, Texas 78714*

Department Updates

The Board of Nurse Examiners' operations can be divided into four distinct departments: Administration, Education and Examination, Practice and Compliance, and Licensing and Support Services.

Each department contributes to the day-in, day-out functioning of the agency. The following material presented in this section represents the departments' efforts to make available information that might affect your license, practice, or education.

Administration

- ♦ The new version of the amended Nurse Practice Act (NPA) will be available by October 1, 1993. The new version contains the language of both HB 2180 and HB 756, whose amendments directly affect the treatment of the NPA. Included in the new NPA is a "user friendly" preamble, aimed at the new licensee and written to clarify both initial

reading and interpretation of the statute. As in the past, any registered nurse may request a copy simply by mailing to the Board's office a self-addressed, stamped envelope with at least one dollar return postage.

Education and Examination

- ♦ The dates for the February NCLEX-RN Examination are February 2 and 3, 1994. For more information on the February NCLEX-RN Examination, please contact the Education and Examination Department at (512) 835-8650.
- ♦ The reports of the Nursing Education Advisory Committee will be published in September, 1993. The cost of the reports and how to purchase them will be published in upcoming issues of the newsletter.

- ♦ The "Essential Competencies For Graduates of Texas Nursing Programs" are being revised based upon the spring survey results. A pilot of the competencies will be initiated this fall. Participating programs will receive guidelines and revised competencies in September.
- ♦ Item writers are needed to develop and validate items for the NCLEX-RN. Please call the National Council of State Boards of Nursing at (312) 787-6555 if you are interested in participating in test item development.

Practice and Compliance

- ♦ Impostors continue to be a threat to public safety. We encourage those interviewing and hiring RNs to be alert to any discrepancies on applications, supporting documents and reference checks. Being well informed about the Nurse Practice Act and the Board's rules is extremely important. The Board's upcoming workshops will help you keep abreast of the changes. Register soon!

Licensing and Support Services

- ♦ Effective with September, 1993 RN license renewals, those individuals who are in default on Texas Guaranteed Student Loans will not receive renewal notices. Instead, they will receive letters from the Licensing Department requesting a certificate from the Texas Guaranteed Student Loan Corporation (TGSLC) certifying that they have entered into a repayment agreement or have repaid their loan in full. No other document will be accepted. If we do not hear from these individuals, their license will go delinquent and they will no longer be able to practice. In order to reactivate this delinquent license, a registered nurse will have to pay a late fee, provide the TGSLC certificate and show twenty hours of continuing education.

The Board of Nurse Examiners will make every attempt to notify those registered nurses affected. If you have defaulted on a loan with TGSLC, you should contact them at 1-800-222-6297 or in Austin (512) 837-9865, Ext. 3535. If you have been notified by the Board regarding a default on a TGSLC loan and need more information on your licensure status, you may call Mark Majek at (512) 835-8670.

Disciplinary Actions For May And July, 1993

NAME	LICENSE#	VIOLATION	DATE	NAME	LICENSE#	VIOLATION	DATE
Revoke							
Betty W. Baker*	501555	4525(a)(9)	5/25/93	Laura L. Caldwell	532856	4525b	7/20/93
Renee Elizabeth Bordwell	519113	4525(a)(7)	7/20/93	Young H. Choi	442516	4525b	5/25/93
Darla Pike Boyd	224709	4525(a)(8)&(11)	7/20/93	Theresa Kozik Harris	408383	4525b	7/20/93
Ben Edward Burnett	460422	4525(a)(7)	5/25/93	Susan Elizabeth Kulina	455093	4525b	5/25/93
Vivian A. Christensen	532934	4525(a)(7)	5/25/93	George Edwin Marley	555042	4525b	5/25/93
Cynthia Schork Cook	501123	4525(a)(7)	5/25/93	Ann Cooper McTier	510507	4525b	5/25/93
Lois Elaine Dearing	244851	4525(a)(7)	5/25/93	Teresa Norris	555291	4525b	7/20/93
Patricia Ann Dorsey	210480	4525(a)(7)	5/25/93	Cecil Patmon	527582	4525b	5/25/93
Jeanine Kay Haggard	436198	4525(a)(9)	7/20/93	Patricia Lynn Portz	579089	4525b	5/25/93
Robert George Henderson	543648	4525(a)(9)	7/20/93	Pamela Margaret Price	230283	4525b	5/25/93
Barbara H. Feiler Hildebrand	433117	4525(a)(7)	7/20/93	Amshavathi Reddy	427638	4525b	7/20/93
Eric B. Hummel	522006	4525(a)(7)	7/20/93	Suspend			
Elizabeth Ann Humphrey	433055	4525(a)(7)	5/25/93	Michele Borden	546463	4525(a)(7)	7/20/93
Debra Gaye Joyce	567980	4525(a)(9)	7/20/93	Christina L. Bottger	250787	4525(a)(7)	7/20/93
Barbara A. Allen Kelly	218262	4525(a)(1)	5/25/93	Judy K. Davis	249525	4525(a)(1)	7/20/93
Elaine M. Moore Lytle	426273	4525(a)(7)	7/20/93	Dorothy L.J. Sadler*	215204	4525(a)(1)	7/20/93
Julie Lee McGee	562001	4525(a)(8)&(9)	7/20/93	Suspend/Probate			
Dallas Roger Miller	448847	4525(a)(7)	7/20/93	Sandra Andrews Kirk	521416	4525(a)(9)	7/20/93
Margaret Ann Morris	255919	4525(a)(7)	5/25/93	Reprimand With Stipulations			
Carmen Galindo Perez	252112	4525(a)(9)&(12)	7/20/93	Gary Nowlin Brewer**	581610	4525(a)(9)	5/25/93
John Kenneth Rapasky*	575934	4525(a)(8)	5/25/93	Michael Lee Carter**	554004	4525(a)(9)	5/25/93
Kenneth McDonald Renfro, Jr.	559274	4525(a)(8)(9)(12)	7/20/93	Jacqueline Marie Connor*	547115	4525(a)(8)	7/20/93
Lois Louise Schultz	461230	4525(a)(7)	7/20/93	Barbara Farley Dean*	451021	4525(a)(9)	7/20/93
Dwaine Edward Stir*	536280	4525(a)(1)&(9)	5/25/93	Patrick F. Diamond	243182	4525(a)(9)	7/20/93
James L. Tester	518354	4525(a)(3)	5/25/93	Robert Denver Godsey*	565109	4525(a)(8)	5/25/93
Donna Kaye Warren*	255274	4525(a)(9)	5/25/93	Hattie Sue Goncse*	556211	4525(a)(7)	5/25/93
Leanna Dale Watson	580790	4525(a)(8)	7/20/93	Pamela Mary Haden**	557316	4525(a)(9)	7/20/90
Patricia Rae Watson	443057	4525(a)(7)	5/25/93	Linda L. Harper*	540121	4525(a)(3)	5/25/93
Gloria L. Lord Webb	427129	4525(a)(7)	7/20/93	Annette Renae Harris**	551369	4525(a)(9)	5/25/93
Jason Emil Wright	559600	4525(a)(8)&(9)	7/20/93	Jane Elise Harris**	255167	4525(a)(9)	5/25/93
Revoke Based On Voluntary Surrender				Dianne Lee Stroud (Huggins)	534838	4525(a)(7)	7/20/93
Dolores Rendon Aguilera	214089	4525b	5/25/93	Glenda Darlene Hutto**	539739	4525(a)(9)	5/25/93
Elizabeth C.E. Ali	414844	4525b	5/25/93	Arzella Sue Jerulle**	461511	4525(a)(9)	7/20/93
Susan Rae Hunt Ball	538356	4525b	7/20/93				

Diane Elizabeth Jervis**	554797	4525(a)(9)	5/25/93
Pamela Danette Jeschke**	572357	4525(a)(9)	7/20/93
Anne Belle Johnson**	502684	4525(a)(7)	5/25/93
Betty L.W. Piccolomini**	417062	4525(a)(9)&(12)	5/25/93
Alice E. Mitchell*	240765	4525(a)(9)	5/25/93
Marye Lea Nickens**	578081	4525(a)(9)	7/20/93
Theresa Marie Pothier*	585562	4525(a)(9)	7/20/93
Florinda Rodriguez**	541386	4525(a)(9)	7/20/93
Teresa Ann Rosetti*	584298	4525(a)(9)	7/20/93
Patricia Helen Sandifer**	519681	4525(a)(8)	7/20/93
Michael L. Shaw*	510261	4525(a)(9)	7/20/93
Eleanor L. Soltau*	250283	4525(a)(1)	7/20/93
Cheri Elaine Stewart**	548578	4525(a)(9)&(11)	5/25/93
Susan Egan Taylor**	562432	4525(a)(9)	5/25/93
Hazel M.M. Thomas**	209293	4525(a)(9)&(12)	5/25/93
Wendy Renae Ward**	557582	4525(a)(9)	7/20/93

Reprimand

Nancy Joanne Batzloff**	427202	4525(a)(1)	7/20/93
Janet Avon Brown**	237703	4525(a)(9)	5/25/93
Becky A. Burrows**	238312	4525(a)(9)	7/20/93
Hulene Dunn	548104	4525(a)(7)	5/25/93
Dovie J. Johnson Gonzales	232855	4525(a)(7)	7/20/93
Cheryl Kaye Linstead**	549989	4525(a)(9)	7/20/93
Nancy Lee York**	442075	4525(a)(9)	5/25/93

Warning

Han Y. Milare**	544179	4525(a)(9)	7/20/93
Elizabeth Hardrick**	560791	4525(a)(9)	7/20/93
Charlott Jean Harris**	240655	4525(a)(9)	5/25/93
Margaret Jordan**	599344	4525(a)(1)	5/25/93
Patricia Anita Turello**	440736	4525(a)(9)	5/25/93
Teresa E. White**	257705	4525(a)(9)	7/20/93

Eligible to write the NCLEX/Stipulations on Permit

Mark Howard Duncan**	Applicant/Permit #006142		5/25/93
----------------------	--------------------------	--	---------

Reinstated

James Morris Gordon*	443136		7/20/93
----------------------	--------	--	---------

Reinstated with Stipulations

Teresa Lynn Cole*	254882		7/20/93
Gwendolyn Gay McMurray*	444055		5/25/93

The professional nursing licenses of the following persons were disciplined for practicing with a delinquent license.

Gustavo C. Alejos**	521461	Warning	7/20/93
Lily Ana C. Barrera**	256558	Warning	7/20/93
Esther Germaine Collado**	445005	Warning	5/25/93
Vicki Diane Davis**	240914	Warning	7/20/93
Brenda G. Dumas Parmer**	219056	Warning	5/25/93
Santa Martinez Serrata**	223545	Reprimand	7/20/93
Hope Beddall Slavoski**	550692	Warning	7/20/93
Mary V. Spencer**	502319	Reprimand	5/23/93
Cheryl J. Vallie**	242554	Reprimand	5/25/93

*** AGREED ORDERS **CONSENT ORDERS**

As of July 30, 1993, the following individuals have failed to return their license to the Board. Their licenses have been REVOKED.

Janice L. Armstrong	245319
Barbara A. Allen Kelly	218262
Daisy Mae Mills	232532
Margaret Ann Morris	255919
Kuncheria C. Pothacherry	439825
Helen S. Monroe Sauget	221570
Janice Lee Teague	231877
Kenneth George Thomas	584757
David Benjamin Zogg	565071

IMPOSTOR

JERRY KOVALY

Jerry Kovaly had his license revoked in March, 1992. Since his license was revoked, he has been employed as a Medical Review Specialist with an insurance company in Houston, Texas, which required current licensure to practice professional nursing in the State of Texas. The insurance company contacted the Board to verify licensure when identifying Kovaly's name on the list of revoked licenses. Kovaly was subsequently terminated. On November 30, 1992, he began employment as an RN Consultant with another insurance company in Houston, Texas which also required current licensure to practice professional nursing in the State of Texas. On June 24, 1993, the insurance company contacted the Board to verify licensure when identifying Kovaly's name on the list of revoked licenses in the newsletter. Kovaly was terminated on June 24, 1993. The Board of Nurse Examiners is pursuing legal action through the local authorities.

WARNING/ALERT

The following individual was issued a Texas RN license based on her unauthorized use of the licensure information belonging to another individual from another state:

LISA DENISE PRINCE aka LISA DENISE PRINCE KALOKI

Lisa Denise Prince obtained a license to practice professional nursing in the State of Texas by using the licensure information belonging to another individual from the State of Arkansas. Ms. Prince secured employment as a professional nurse in a nursing facility in Dallas, Texas from August, 1991 to September, 1992. The Board has filed formal charges against Ms. Prince which are pending and is pursuing legal action through the District Attorney's Office, Travis County.

The following individual was issued a Texas RN license based on fraudulent credentials:

MIRTA REBECCA PEREZ RN License # 585830

Mirta Rebecca Perez submitted an application for Registration by Endorsement to the Board of Nurse Examiners which contained false information concerning her education and licensure status. Subsequent to a complaint, an investigation revealed that Ms. Perez had also been issued, based on the same fraudulent information, a temporary permit to practice professional nursing in the State of Connecticut, and an RN license in the State of Massachusetts. The Connecticut Board of Examiners for Nursing has revoked Ms. Perez' permit. The Massachusetts Board is currently taking steps to revoke her license.

Ms. Perez submitted a falsified document purportedly issued by the State of Oregon in support of her application. Ms. Perez claimed to have obtained a Baccalaureate Degree in 1982 from the Oral Roberts University School of Nursing, that she had taken and passed the NCLEX-RN exam in Oregon in 1982, and that she held a license as an RN, license number 002760, issued by the State of Oregon. In various applications for employment, Ms. Perez falsely claims to have either the degree from Oral Roberts University, or a Bachelors Degree in Nursing and a Masters Degree in Nursing/Mental Retardation from Oregon State University. Ms. Perez had been employed in the El Paso area for the last ten months.

The Board filed formal charges against Ms. Perez which were heard in an administrative hearing on July 7, 1993.

CORRECTION

In the September, 1992 issue of the *RN Update*, the name of Linda Mae Henning License Number 542417 was listed as having failed to return her license for appropriate notation, after review of our records, we find that her license was returned to our office. We apologize for any inconvenience this may have caused.

Insufficient Funds Items

As of July 1, 1993, the following nurses appear on the records of the Board of Nurse Examiners as debits for failure to respond to notices of returned checks. Should any of these nurses be in your employ or seek employment with your agency/institution, please contact the Board's office.

If any of these nurses are practicing in Texas as a registered nurse, they are in violation of the Nurse Practice Act and would be subject to disciplinary action by the Board.

NAME	LICENSE # OR PERMIT #	
Asble, Alex Walter	564983	License
Bablitz, Nancy Elizabeth	553715	License
Barr, Lori Anne	537652	License
Buol, Kolleen Kay	516233	License
Chen, Carol Susie	518503	License
Clark, Victoria	50398	Permit
Conti, Angela Rose	552231	License
Dennis, Patricia Ann	503975	License
Falkner, Barbara	587013	License
Farra, Diane Rae	560781	License
Felkins, Bettye Lisa	557452	License
Filler, Marcia Ann	553220	License
Fryer, Renee Marie	578735	License
Gazey, Patricia	069539	Permit
Glisson, James M	239549	License
Handlin, Kathy L	512842	License
Hart, Janet	070678	Permit

NAME	LICENSE # OR PERMIT #	
Howard, Elizabeth	565901	License
Howell, Sharon	459387	License
Jackson, Lazette Marie	525746	License
Jenkins, Victor I	517158	License
Jones, Cherie Lyne	241063	License
Jones, Gwendolyn	063362	Permit
Kachman, Julie Faith	575665	License
Kahn, Beatrice Margarete	558897	License
Kishbaugh, Shari Elizabeth	575583	License
Kuntz, Eileen Marie	514331	License
Masters, Mary Jane	550218	License
Mitchell, Sandra	565160	License
Nims, Teresa Masadie	565233	License
Olivier, Marie Claudia	514361	License
Owusu, Augustina E	457100	License
Pangilinan, Julie	445792	License
Payne, Traci	569734	License
Pierce-Berkil, Kristie	071891	Permit
Rosko, Lisa Marie	538707	License
Sanderson, Brenda Mary	538111	License
Sloane, Gail Theresa	550406	License
Strouhal, Susan Kay	557026	License
Taylor, Maxine	555844	License
Tucker, Sherri	058040	Permit
Vasquez, Emerald J D	207588	License
Zutell, Jean	057374	Permit

Names In The News

Louise Waddill, PhD, RN, Executive Director, celebrated her 20th anniversary as a board employee with a reception on July 1, 1993. Guests included Representative Nancy McDonald (D-El Paso), former BNE board members Elaine Cominsky and her husband, Bruce, (Pasadena) and Mary Virginia Jacobs (Victoria). Also in attendance was former BNE executive director, Margaret Rowland (Austin).

Representative McDonald presented Dr. Waddill with a plaque commemorating her 20 years of service and added that she (Waddill) had not only been a dedicated state employee, but a driving force in shaping the role of professional nursing.

Mary Anne Hanley, MA, RN, Director of Education, collaborated in the presentation of a paper entitled "Charting a Proactive Course: Acquiring Information and Perspectives for Board Decisions," at the National Council of State Boards of Nursing's Annual Meeting held August 7-8, 1993, in Orlando, Florida. Co-authoring the paper were Joanna Seamans, MSN, RN, board member, and Joy Fleming, MSN, RN, Director of Education, Board of Vocational Nurse Examiners.

Cady Crismon, MSN, RN, CNS, Director of Practice and Compliance, has been selected by the National Council of State Boards of Nursing's (NCSBN) Board of Directors to serve on the Computerized Clinical Simulation Testing Project Committee, beginning August 1993 through August 1995. Crismon, a Clinical Nurse Specialist and former director of nursing, was appointed to the committee by the NCSBN due to her extensive clinical experience.

Ruth F. Stewart, MSN, RN, FAPHA, FAAN, has been designated by Governor Ann Richards to serve as the Texas Board of Health's presiding officer. Stewart is the first registered nurse, non-physician, to chair the board and currently is employed as an associate professor at The University of Texas Health Science Center at San Antonio School of Nursing.

Who To Call For Assistance

Last year the Board's office received over 220,000 telephone calls. In an ongoing effort to assist callers by answering questions about the Board's policies, the telephone system now includes more direct numbers, recorded information messages and voice mail. Voice mail and information features are available during and after regular office hours and on weekends and holidays.

The following is a list of helpful numbers:

GENERAL INFORMATION/LICENSING & SUPPORT SERVICES	(512) 835-4880
<i>(License verification, endorsement/reciprocity information, prescriptive authority information, ANP approval status, general information)</i>	
EDUCATION/EXAMINATION	(512) 835-8650
<i>(RN programs, extended campuses, NCLEX-RN applications, graduate nurse permits, Nurse Practice Act (NPA) questions and practice issues, board rules and regulations inquiries, and declaratory orders)</i>	
PRACTICE AND COMPLIANCE	(512) 835-8686
<i>(NPA and Rules and Regulation violations, complaint and disciplinary action inquiries, monitoring of disciplined RNs, interpretation of NPA and Board's rules regarding disciplinary proceedings, advanced nurse practitioners)</i>	
ACCOUNTING	(512) 873-6555
<i>(Returned checks, refunds, debits)</i>	
CONTINUING EDUCATION	(512) 835-8685
<i>(Information on the state's requirements for mandatory continuing education for registered nurses)</i>	
SALES OF LISTS	(512) 873-6554
<i>(Computerized lists of RNs on floppy diskettes, magnetic tape, hard copy and/or mailing labels)</i>	

Board Meeting Dates/Open Forum

Regular meetings of the Board of Nurse Examiners for the State of Texas are scheduled on the following dates:

September 21-22, El Paso

November 17-18, Austin

The board meetings are open to the public. Any group or individual wishing to attend any portion of the board meeting should contact Erlene Fisher at (512) 835-8675 at least four weeks prior to the board meeting to verify availability of space, the date and location.

All contested cases (formal disciplinary hearings) are heard by an Administrative Law Judge in the State Office of Administrative Hearings. These hearings are open to the public. If interested, call the State Office of Administrative Hearings at (512) 475-4993.

Individuals or representatives have an opportunity to communicate directly with the Board during the Open Forum which is held during each meeting. Interested persons are requested to notify Erlene Fisher prior to the scheduled board meeting so that the request to address the Board is assured and to confirm the date, time and location of the Open Forum.

Office Hours And Location

The office of the Board of Nurse Examiners is located at 9101 Burnet Road, Suite 104, at the Intersection of Highway 183 and Burnet Road in Austin, Texas. The mailing address is Box 140466, Austin, Texas 78714.

Office hours are 8:00 am to 5:00 pm Monday through Friday, except for designated holidays.

The Board of Nurse Examiners is an equal opportunity/affirmative action employer and does not discriminate on the basis of race, color, religion, sex, national origin, age, or disability in employment or in the provision of services, programs or activities.

**Board of Nurse Examiners
For the State of Texas**
Box 140466
Austin, TX 78714
(512) 835-4880

Bulk Rate
U.S. Postage
PAID
Austin, TX
Permit No. 1610

Newsletter Committee

<i>Eric M. Gutierrez, Editor</i>	<i>Noemi Leal</i>
<i>Cady Crismon, MSN, RN, CNS</i>	<i>Cynthia McRae</i>
<i>Erlene Fisher</i>	<i>Glenn Parker</i>
<i>Mary Anne Hanley, MA, RN</i>	<i>Kathy Thomas, MSN, RN, CPNP</i>
	<i>Kathy Vrazel</i>

Contributors

<i>Penny Burt, JD, RN</i>
<i>Donna Carlin, MSN, RN</i>
<i>Mark Majek, MA, PHR</i>
<i>Dona Oliver, MSN, RN</i>

RN UPDATE...

is published quarterly by the Board of Nurse Examiners for the State of Texas. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting Mark Majek at the Board's office, (512) 835-8670 (Voice), (512) 835-8684 (FAX), or 1-800-Relay-TX (TDD), or by visiting 9101 Burnet Road, Suite 104, Austin 78758.

WE WANT TO KNOW...

If you've changed your name or your address. If we don't know where you are, we can't send you a newsletter.

****SAVE YOUR NEWSLETTERS FOR FUTURE REFERENCE****