

WEST VIRGINIA BOARD OF EXAMINERS FOR  
REGISTERED PROFESSIONAL NURSES  
OCTOBER 23 AND 24, 2008

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A Board meeting was held at the office of the West Virginia Board of Examiners for Registered Professional Nurses at 101 Dee Drive, Suite 102, Charleston, WV 25311, on October 23 and 24, 2008. A Disciplinary Review Committee Meeting was held on October 15 and 24, 2008 and an Education Committee Meeting was held on October 10 and 23, 2008.

**BOARD MEMBERS PRESENT:**

PAMELA ALDERMAN, MSN, RN, PRESIDENT  
(Absent on Day One)

CYNTHIA PERSILY, PhD, RN, SECRETARY  
(Absent Day Two)

DIANA W. BOYLE, MSN, RN, CS, FNP

ROBIN WALTON, Ed.D, RN

LINDA WILLIAMS, CRNA, J.D.  
(Absent on Day One)

JUDY NYSTROM, PUBLIC MEMBER

**BOARD STAFF PRESENT:**

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR  
CYNDY R. HAYNES, MSN, RN, DIRECTOR OF EDUCATION & PRACTICE  
MARGARET "MARTY" ALSTON, SECRETARY II/ACCOUNTING ASSISTANT II

The Board minutes reflect agenda item numbers.

**DAY ONE  
OCTOBER 23, 2008**

The Education Committee met from 8:00 a.m. until 8:50 a.m. Board Members present were Diana Boyle, Robin Walton and Pamela Alderman. Staff members present were Laura Rhodes and Cyndy Haynes.

## **CALL TO ORDER**

The meeting was called to order by Cynthia Persily, Board Secretary acting in the place of the Board President, at 9:30 a.m.

## **INTRODUCTION OF GUESTS**

The Board recognized the visitors present for the meeting.

## **QUORUM**

Absent were Pamela Alderman, Board President and Linda Williams. With the required number of members being present a quorum was established.

### **1. ACCEPTANCE OF AGENDA**

1. The motion was made by Diana Boyle to accept the agenda as modified. The second was offered by Robin Walton. Motion carried.

### **2. REVIEW OF MINUTES**

#### **2.A. JULY 17, 2008 SPECIAL BOARD MEETING**

- 2.A. This agenda item was moved until Day Two of the meeting.

#### **2.B. AUGUST 11, 2008 EMERGENCY BOARD MEETING**

- 2.B. The minutes were reviewed for the August 11, 2008 Emergency Board Meeting. A motion was made by Diana Boyle to approve the minutes as submitted. The second was offered by Robin Walton. Motion carried.

### **3. OPEN FORUM**

3. There was no one present for the Open Forum.

**4. EDUCATION COMMITTEE  
RECOMMENDATIONS  
REGARDING REVIEW OF WEST  
VIRGINIA SCHOOLS OF  
NURSING AND OTHER  
EDUCATION TOPICS**

**4.A. REVIEW OF NCLEX-RN  
QUARTERLY REPORTS**

- 4.A.** The Education Committee reviewed the 2008 second and third quarter information from the National Council of State Boards of Nursing (NCSBN) regarding pass rates for the state and individual nursing education programs. The Education Committee reminded the Board that decisions regarding pass rates will occur at the March 2009 Board meeting when the information for the 2008 calendar year is available and confirmed.

The third quarter report shows West Virginia's pass rate as of September 30<sup>th</sup> to be 85.16% which is an increase from last year. The national average for the third quarter is 87.33%. Out of 55 jurisdictions, West Virginia is 40<sup>th</sup>, which is up from last year. The 16 jurisdictions below West Virginia include: American Samoa, Delaware, DC, Guam, Hawaii, Indiana, Iowa, Kansas, Minnesota, Nevada, New Mexico, New York, Northern Mariana Island, Utah and the Virginia Islands. This report indicates that 3 programs and 5 cohorts/satellites of programs do not meet the 80% Board standard. This discussion was for informational purposes only. There was no action pertaining to this information.

**4.B. ANNUAL REVIEW OF  
SCHOOLS AND REQUESTS**

- 4.B.1.** The Education Committee recommended the approval of the annual reports submitted and continued accreditation for the following West Virginia Nursing Education Programs:

1. Alderson-Broaddus College
2. Mountain State University LPN to BSN cohorts at Lewisburg, Roane/Jackson, Charleston, Summersville, Beckley, Martinsburg and acknowledge that Welch and Teays Valley are inactive.
3. West Liberty State College
4. West Virginia Wesleyan College
5. Davis & Elkins College
6. West Virginia Northern Community College
7. West Virginia State Community & Technical College Associate Program.

The recommendation received unanimous Board approval.

**4.B.2.** The Education Committee recommended the approval of the annual reports submitted and continued provisional accreditation until the first graduating class pass rate is known for the following West Virginia Nursing Education Programs:

1. Mountain State University LPN to BSN cohorts at Keyser, Clarksburg, Morgantown, Elkins and Buckhannon
2. Mountain State University traditional and BABS to BSN programs at the Martinsburg Campus
3. West Virginia State Community & Technical College LPN to RN program option.

The recommendation received unanimous Board approval.

**4.B.3.** The Education Committee recommended to accept the annual report and continue accreditation of Southern West Virginia Community and Technical College, to accept the report for the site visit to the Moorefield campus, and to accept the corrected report and provisionally approve the Boone County campus for the LPN to RN program until the first graduating class pass rate is known. The recommendations received unanimous approval.

**Robin Walton left the room during discussion and decisions related to Marshall University but had to rejoin the meeting in order to maintain quorum.**

**4.B.4.** The Board reviewed the annual report submitted by St. Mary's/Marshall Cooperative Program. The recommendation received unanimous Board approval.

**4.B.5.** The Education Committee recommended to accept the annual report and continue accreditation of the baccalaureate nursing program at Marshall University. The recommendation received unanimous Board approval. The Board reviewed request for two (2) new nursing faculty. A discussion ensued regarding their qualifications. No motions for approval were made by the Board.

**4.B.6.** The Education Committee recommended to accept the annual reports submitted and continue accreditation of West Virginia University nursing program and to approve the enrollment increase for the program and the letter to re-emphasize the need for Board approval prior to changes in the program. The recommendation received unanimous Board approval.

**4.B.7.** The Education Committee recommended to accept the annual report, update and continue provisional accreditation of West Virginia University Institute of Technology. The recommendation received unanimous Board approval.

**4.B.8.** The Education Committee recommended to accept the annual report, update on the

simulation pilot, continue accreditation of West Virginia University at Parkersburg and to approve Julie Heller, RN, MSN as the Director of Nursing of the program. Ms. Heller was present for the review. The recommendation received unanimous Board approval.

**4.B.9.** The Education Committee recommended to continue provisional accreditation for the following Mountain State University programs/satellites:

1. Beckley traditional program
2. Beckley BABS to BSN program
3. LPN to BSN cohorts at Mercer and Cabell; and a follow-up report on how MSU is addressing deficiencies as outlined in the NLNAC accreditation decision to be submitted to the Board on or before the end of business on February 10, 2009 for the March 2009 Board meeting.

The recommendation received unanimous Board approval.

**4.B.10.** The Education Committee recommended to approve the following for Mountain State University:

1. The BABS to BSN curriculum change;
2. Traditional/Nontraditional update with the request for continued updates for each Board meeting;
3. Ratify the decision to remove provisional accreditation of the LPN to BSN cohort at Parkersburg; and
4. Accept the LPN to BSN cohort at Clarksburg report with concern and require a revisit to the site prior to the December graduation date of the first class to determine if concerns have been met.

**4.B.11.** The Education Committee recommended to accept the annual report and continue provisional accreditation of Shepherd University and approve the request for an enrollment increase at Shepherd University. The recommendation received unanimous Board approval.

**4.B.12.** The Education Committee deferred action regarding West Liberty State College to the full Board for review. A Discussion ensued. Diana Boyle made a motion to accept the annual report and continue accreditation of the baccalaureate nursing program at West Liberty State College from November 1, 2008 through October 31, 2009; and to approve Elizabeth Sproull, RN, BSN, MEd as nursing faculty for the baccalaureate nursing program at West Liberty State College for fall 2008 semester, contingent upon acceptance into a master in nursing program with continual progression every semester until completion. In order for Ms. Sproull to continue teaching in the nursing program, documentation of acceptance and enrollment into a master's in nursing program must be submitted to the Board by January 2009. The

Board requests a copy of Ms. Sproull's transcripts be submitted at the end of every semester to the Board. The second was offered by Robin Walton. Motion carried.

- 4.B.13.** The Education Committee recommended to accept the annual report of Wheeling Jesuit University with concern regarding student attrition, and to continue accreditation of with a request for an update on faculty vacancies to be submitted to the Board on or before the end of business on February 10, 2009 for review during the March 2009 Board meeting, and to approve the curriculum change for the program. The recommendation received unanimous Board approval.
- 4.B.14.** The Education Committee recommended to accept the annual report and to continue accreditation of Bluefield State College; and require submission of a plan for student attrition on or before the end of business on February 10, 2009 for the March 2009 Board meeting. The recommendation received unanimous Board approval.
- 4.B.15.** The Education Committee recommended to accept the annual report, program updates and continue provisional accreditation of Blue Ridge Community & Technical College, and request continued updates regarding faculty hires to be submitted to the Board. The recommendation received unanimous Board approval.
- 4.B.16.** The Education Committee recommended to approve Cynthia Price, RN, MS as Director of the Nursing program at Davis & Elkins College. The recommendation received unanimous Board approval.
- 4.B.17.** The Education Committee recommended to accept the annual reports, the accreditation visit of the baccalaureate program, the site visit of the associate program, the interim report of the associate program and continue current accreditation of both programs at the University of Charleston (provisional for the baccalaureate program and full accreditation for the associate program) with the following requirements and concerns:
1. The Board will review the accreditation of both programs at their March 2009 meeting;
  2. The Board will complete a follow up visit in the spring 2009 semester for the associate degree program.
  3. The baccalaureate program lacks:
    - a. adequate secretarial support
    - b. adequate record keeping and meeting minutes
    - c. adequate reporting on the program evaluation plan and its use to evaluate outcomes of the program; and,
    - d. uniformity in the organization of the program with like programs in the university in that the program Chair of the baccalaureate program

who is currently also Chair of the associate degree program does not have a ten month contract as is provided for other Chairs in the Division of Health Sciences.

The programs' accreditation may be adversely affected in the absence of these issues being immediately and adequately addressed; and,

4. A report submitted to the Board before the end of business, February 10, 2009.

The Education Committee also recommended that the Board require the Chair of the BSN program, who is also acting chair of the ADN program have a two credit hour teaching responsibility in order to oversee the progress of concerns addressed in the baccalaureate program site visit report, the current plan of action related to the NCLEX-RN pass rate, and new faculty of the associate program; and that the program maintain the current faculty positions in both programs. The recommendation received unanimous Board approval.

**4.B.18.** The Education Committee recommended to approve the curriculum changes for West Virginia Northern Community College. The recommendation received unanimous Board approval.

**4.B.19.** The Education Committee recommended to approve the following staff reports:  
1. The Curriculum Approval Report; and  
2. The Faculty Approval Reports as submitted.  
The recommendation received unanimous Board approval.

**4.B.20.** The Education Committee recommended to approve Dr. Hayley as Dean of Health Sciences at Mountain State University and to invite her to the next Board meeting. The recommendation received unanimous Board approval.

**BREAK**  
**10:30 - 11:00**

**5. PRESENTATION BY CERTIFIED  
PROFESSIONAL MIDWIVES (LAY  
MIDWIFE)**

5. This agenda item was deferred until the expected guests arrived for the presentation.

**6. BOARD FINANCES**

**6.A. PROPOSED FY 2010  
BUDGET**

- 6.A.** The Board reviewed the proposed FY 2010 budget. A motion was made by Robin Walton to approve the proposed FY2010 budget. The second was offered by Judy Nystrom. Motion carried.

**6.B. FY 2008 END OF YEAR  
REPORT**

- 6.B.** The Board reviewed the FY 2008 End of Year Report. A motion was made by Diana Boyle to approve the FY2008 End of Year Report. The second was offered by Robin Walton. Motion carried.

**6.C. FY 2009 FIRST QUARTER  
EXPENDITURES**

- 6.C.** The Board reviewed the FY 2009 First Quarter Expenditure Report. A motion was made by Robin Walton to approved the FY2009 First Quarter Expenditure Report. The second was offered by Judy Nystrom. Motion carried.

**6.D. PURCHASE CARD**

**6.D.1. EXPENDITURE  
REPORT**

- 6.D.1** The Board reviewed the purchase card expenditure report for January 2008 thru August 2008. A motion was made by Diana Boyle to approve revised the purchase card expenditure report. The second was offered by Robin Walton. Motion carried.

**6.D.2. POLICIES AND  
PROCEDURES**

- 6.D.2** The Board reviewed the revised Purchase Card Policies and Procedures. A motion was made by Diana Boyle to approve the Purchase Card Policies and Procedures. The second was offered by Robin Walton. Motion carried.



**7. REPORT OF MEETINGS  
ATTENDED**

**7.A. AUDITOR'S OFFICE  
MANDATORY  
ORIENTATION**

- 7.A.** A report of the meeting attended was provided by the Board staff members Cyndy Haynes, Director of Education and Practice and Marty Alston, Secretary II/Accounting Assistant II. Board President Pamela Alderman and staff member Barbara Samples, Office Assistant/Dialysis also attended the meeting. No action was taken.

**7.B. COUNCIL ON LICENSING  
ENFORCEMENT AND  
REGULATION (CLEAR) -  
SEPTEMBER, 2008**

- 7.B.** Board member Robin Walton and Board staff members Cyndy Haynes, Director of Education and Practice, Alice R. Faucett, General Counsel and Director of Discipline and Lauranna Ware, Secretary I attended this conference. Cyndy Haynes and Robin Walton provided a report. Alice R. Faucett provided a presentation at the conference. No action was taken.

**7.C. CENTER FOR NURSING  
REPORT FROM BOARD  
REPORT**

- 7.C.** Cynthia Persily, Board Secretary and Board representative to the West Virginia Center for Nursing Board of Directors provided an update on the Center's activities. No action was taken.

**8. DIALYSIS TECH UPDATE**

**8.A. PROGRAM REVIEW**

- 8.A.** An update on the Dialysis Technician activities was provided by Laura Rhodes, Executive Director. Information was provided regarding the new CMS rule for re-certification. No action required.

## **8.B. PARAMETER REVIEW**

- 8.B.** The Dialysis Technician Advisory Council recommended to approve the parameters related to:
1. Parameters for Dialysis Technician Educational Programs Continued Approval
  2. Parameters for Dialysis Technician Testing Organizations Continued Approval

The recommendation received unanimous Board approval.

## **9. NATIONAL COUNCIL OF STATE BOARDS OF NURSING (NCSBN)**

### **9.A. DELEGATE ASSEMBLY AND ANNUAL MEETING REPORT**

- 9.A.** Laura Rhodes, Executive Director provided a report of the activities occurring during the Delegate Assembly and the Annual Meeting. She was elected President of the National Council of State Boards of Nursing during the Delegate Assembly. No action was taken.

## **10. PURPLE BOOK REVISIONS UPDATE**

- 10.** The Committee plans to meet in December and provide a report at the March Board meeting.

## **11. ANNOUNCEMENT OF ADVANCED PRACTICE AND PRESCRIPTIVE REVISIONS TO APPLICATION**

- 11.** The Board was provided with a copy of the current and revised copy of the Announcement of Advanced Practice and Prescriptive Authority applications. Robin Walton made a motion to approve the revisions to the applications. The second was offered by Diana Boyle. Motion carried.

**12. AMERICAN NURSES  
CREDENTIALING CENTER  
(ANCC) CHANGE TO  
EXAMINATION - PSYCH  
MENTAL HEALTH**

12. A discussion ensued regarding the changes to the ANCC examination for Psych-Mental Health. The Board will revisit this topic at the March 2009 Board meeting.

**13. CHILD CARE CONSULT**

13. This agenda item was moved until Day Two of the meeting.

**14. NEUROCRANIAL  
RESTRUCTURING**

14. This agenda item was moved until Day Two of the meeting.

**15. RENEWAL UPDATE**

15. The Executive Director provided the Board with an update on the renewal process. She reported that as of October 22, 2008 that approximately 6000 nurses still needed to renew their licenses. Actions have been to circulate reminders to nurses across the state of the new expiration date of October 31. This was for informational purposes only.

**16. ENVIRONMENTAL SCAN**

16. This agenda item was moved until Day Two of the meeting.

**17. BOARD COMMITTEE  
ASSIGNMENTS**

17. The Board Secretary reviewed the following committee assignments:

Disciplinary Review Committee:	Judy Nystrom and Cynthia Persily
Education Committee:	Diana Boyle, Linda Williams and Robin Walton
Advisory Council-Dialysis Technicians:	Linda Williams

The assignments remained the same by consensus.

**18. 2009 LEGISLATIVE ISSUES**

- 18.** The Executive Director provided the Board with an update on the Rules of interest to the Board.

**5. PRESENTATION BY CERTIFIED PROFESSIONAL MIDWIVES (LAY MIDWIFE)**

- 5.** The Board recognized the guests joining the meeting for the presentation at this time. A presentation about the movement to license certified Professional Midwives (CPM) was provided. A Discussion ensued. The board has formally responded to the Sunrise application as being opposed to licensing CPMs.

**19. MEETING TO ATTEND - SELECTION OF REPRESENTATIVES**

**19.A. FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS (FARB) - ANNUAL MEETING JANUARY 23 - 25, 2008 TAMPA, FLORIDA**

- 19.A.** A motion was made by Diana Boyle to approval a total of five (5) board members or staff to attend this conference. The second was offered by Robin Walton. Motion carried.

**19.B. CITIZENS ADVOCACY CENTER (CAC) ASHEVILLE, NC - OCTOBER, 2008**

- 19.B.** A motion was made by Diana Boyle to approval a total of two (2) board members or staff to attend this conference. The second was offered by Robin Walton. Motion carried.

**19.C. NCSBN MID YEAR  
MEETING - MARCH, 2009  
CHICAGO, IL**

- 19.C.** A motion was made by Diana Boyle to approval a total of six (6) board members or staff to attend this conference. The second was offered by Robin Walton. Motion carried.

**LUNCH  
12:30 - 1:15**

**21. DISCIPLINARY REVIEW  
COMMITTEE**

**21.A. DISCIPLINARY REVIEW  
COMMITTEE REPORT**

- 21.A.** The Disciplinary Review Committee report was presented by the Discipline Assistant for activity between June 11, 2008 and October 23, 2008. Robin Walton made a motion to approve of the DRC report as submitted. The second was offered by Diana Boyle. Motion carried. A copy of the report is filed herewith.

**21.B. MISCELLANEOUS**

- 21.B.** There was no information for this agenda item.

**22. ATTORNEY GENERAL OPINION  
REGARDING CHAPTER 30  
BOARDS**

- 22.** The Executive Director provided the Board with information on the State of West Virginia Office of the Attorney General opinion regarding Chapter 30 Boards pertaining to salary increases.

## **23. STAFF EVALUATIONS**

### **EXECUTIVE SESSION**

Pamela Alderman, Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to discuss certain matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Diana Boyle that the Board recess and reconvene in an Executive Session to discuss Staff Evaluations and Compensation. The second was offered by Robin Walton. Motion carried. The Board reconvened in Executive Session.

### **RECONVENE PUBLIC SESSION**

A motion was made by Robin Walton to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Diana Boyle. Motion carried. The Board reconvened in Public session.

## **23.B. SUPPORT STAFF EVALUATIONS**

- 23.B.** A motion was made by Diana Boyle to defer decisions regarding staff salary adjustments until the March 2009 Board meeting and to direct the Executive Director to do a market analysis of salaries by position. The second was offered by Robin Walton. Motion carried.

## **RECESS**

A motion was made by Robin Walton to recess the meeting at 2:30 pm. The motion was seconded by Linda Williams. Motion carried.

**DAY TWO  
OCTOBER 24, 2008**

The Disciplinary Review Committee met from 8:00 a.m. until 9:20 a.m. Board Members present were Judy Nystrom and Pamela Alderman. Staff members present were Laura Rhodes and Leslie Morris.

**CALL TO ORDER**

The meeting was called to order by Pamela Alderman, Board President at 9:30 a.m.

**QUORUM**

Linda Williams was present for Day Two of the meeting. Cynthia Persily was absent. With the required number of members being present a quorum was established.

**2.A. REVIEW OF MINUTES  
JULY 17, 2008 SPECIAL BOARD  
MEETING**

- 2.A.** This agenda item was moved from Day One of the meeting. The meeting minutes for July 17, 2008 were reviewed. The motion was made by Diana Boyle to accept the minutes with the recommended revisions. The second was offered by Robin Walton. The motion carried.

**13. CHILD CARE CONSULT**

- 13.** This agenda item was moved from Day One of the meeting. Sara Hicks and Glenna Bailey, Child Care Consultants addressed the board regarding a request from the Department of Health and Human Resources to develop training for unlicensed providers to administer insulin. A discussion ensued. Ms. Hicks and Ms. Bailey informed the Board that they will provide more information to the Board regarding this issue. No action was taken.

**16. ENVIRONMENTAL SCAN**

- 16.** This agenda item was moved from Day One of the meeting. The Executive Director provided the board with an update on the following:
- 1. Charitable Pharmacy Rule** - The Executive Director discussed the proposed rule regarding charitable pharmacies and the role of advanced practice nurses. The proposed rule provides greater oversight by the Board of Pharmacy. There is

concern that the rule is too restrictive.

2. **Tele-Health & Mobility of Nursing** - The Executive Director reported that the criminal background check system is in place and was moving along very well.
3. **Meeting with Nancy Tyler** - The meeting with Nancy Tyler related to how the nurse practice act may be a barrier to individuals who have a need to hire persons to assist them with daily personal health needs. The Executive Director requested specifics in areas to assist in review of this issue. No additional information was provided prior to this meeting.
4. **Newspaper Article RE: License Renewal** - The Executive Director provided the Board with a copy of the newspaper article and discussed the media coverage related to the Board's attempts to notify registered nurses of the upcoming expiration date of October 31. She reported that there was a good response to the notification.

## **EXECUTIVE SESSION**

Pamela Alderman, Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to consider certain matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Diana Boyle that the Board recess and reconvene in an Executive Session to consider disciplinary matters. The second was offered by Robin Walton. Motion carried.

### **20. PETITIONER FOR REINSTATEMENT**

#### **20.1 CHARLES KLAR**

- 20.1 The Discipline Assistant gave an overview of the case concerning Charles Klar to the Board. Mr. Klar addressed the Board to petition for reinstatement of his nursing license. The Board asked him several questions relating to the circumstances surrounding his license being suspended.

## **PUBLIC SESSION**

A motion was made by Diana Boyle to reconvene the regular meeting to make motions related to the Executive Session regarding the petition for reinstatement. The motion was



seconded by Judy Nystrom. Motion carried.

## 20.1 CHARLES KLAR

**20.1.** Robin Walton made a motion to continue Mr. Klar's suspension for six (6) months and during this time Mr. Klar must provide of evidence of monthly random drug screening with a Board approved facility, submit evidence of participation in 12-Step meetings five (5) times per week and participate with a certified addictions counselor approved by the Board. The treating counselor shall make a monthly report to the Board. After six (6) consecutive months of successfully meeting of the above to place the license on PROBATION for five (5) years. The Board ORDERS Mr. Klar to pay the appropriate fine and administrative costs of \$1000.00 for each year his license is on Probation totaling the amount of \$5000.00. The terms of probation are as follows:

1. Mr. Klar shall not work at Nursing Registry, Temporary Nursing Agency, Home Health Care Agency, or Private Duty Nurse
2. He shall not work in an autonomous or supervisory nursing position. He shall work only under the direct supervision of a registered professional nurse in a structured setting throughout the term of his probation. Such supervising registered professional nurse must, at the time of said supervision, hold an active, unencumbered West Virginia license.
3. He shall inform the Board in writing within ten (10) days of the date he assumes the practice of registered professional nursing, or any employment in the health care field, in the State of West Virginia and shall include the name, address, and telephone number of his employer. He shall provide in writing the name of his immediate registered professional nurse supervisor. He shall inform the Board of any interruption in nursing practice or change in employment within ten (10) days of such interruption or change.
4. He shall immediately inform his nursing employer, any prospective nursing employer, and the director of any nursing education program in which he enrolls or teaches, that the Board has placed he license on probation, and shall provide a complete copy of this agreement to his employer(s). The Board may provide his employer(s) with a copy of this agreement and may communicate with his employer(s).
5. He shall, within ten (10) days of employment or continuation of practice, cause his employer or immediate registered professional nurse supervisor to notify the Board, in writing, of the employer's or supervisor's receipt

of a copy of this agreement. He shall further cause his employer or supervisor to submit monthly reports to the Board describing his job performance, attendance, attitude, and other work behaviors during the year of probation and if their progress is satisfactory to the Board, quarterly thereafter.

6. He shall submit documentation of fifteen (15) contact hours of continuing education awarded each year during the time his license is on probation in addition to those already required by law.
7. He shall report in person for appointment with the Board staff upon request.
8. He shall not handle nor administer narcotic or psychotropic medications, nor have access to locked or other storage areas in which such medications are kept. He shall notify his employer of this restriction on his practice.
9. He shall submit to unannounced, witnessed drug-screening tests. Said tests shall be on demand and to the specifications of the Board and at his expense. Receipt of a positive drug screen is deemed to be a violation of this Consent Agreement, and shall result in immediate suspension of the probationary license. Eating products containing poppy seeds will not constitute as an accepted reason for having a positive screen for opioids.
10. He shall abstain from the use of alcohol and limit his use of drugs to those prescribed for a legitimate purpose by a physician, dentist or nurse practitioner duly licensed in the State of West Virginia. He shall provide a copy of this Agreement to any prescribing physician, dentist or nurse practitioner. He shall cause his physician, dentist or nurse practitioner to notify the Board in writing of any medications/drugs prescribed and the condition for which said drug(s) has been prescribed. He agrees that if he accepts a prescription for narcotic or psychotropic drugs, the Board may impose additional probationary terms.
11. He shall coordinate any health care services he requires with one physician or registered nurse practitioner, who shall be informed of any services or prescriptions sought or obtained by any physician, dentist or nurse practitioner. He shall provide this individual, who serves as his point of contact for health care needs, with a copy of this agreement.
12. He shall execute a release to permit the Board to obtain medical or other health care records, which may be requested at any time while his license

is on probation, regarding his physical or mental health and any treatment rendered.

13. He shall annually submit to the Board a written personal statement regarding her progress. The statement shall be due at the end of the first year and in each subsequent year during the month in which this agreement is accepted by the Board.
14. He shall participate in a structured aftercare program, with a certified addictions counselor approved by the Board. The treating certified addictions counselor shall make a monthly report to the Board about his progress and his compliance with the aftercare program. He shall visit his approved treatment provider at least one (1) time per month during the term of this agreement. This requirement may be modified upon request to the Board by the certified addictions counselor.
15. He shall submit or have submitted to the Board evidence of participation in 12-Step meetings. He shall attend at least five (5) 12-Step meetings per week. Written evidence of participation in meetings shall be submitted to the Board on or before the fifth day of each month.

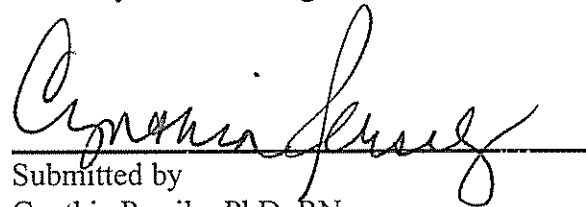
The second was offered by Linda Williams. Motion carried.

## ADJOURN

Diana Boyle made a motion to adjourn the meeting at 11:20 am. The motion was seconded by Judy Nystrom. Motion carried.



Minutes taken and prepared by  
Margaret "Marty" Alston  
Secretary II/Accounting Assistant II



Submitted by  
Cynthia Persily, PhD, RN  
Board Secretary

**VISITORS:**

**October 23, 2008**

La Shonda Bare  
Helen M. Johnstone  
Sharon Marley  
Elizabeth Van R  
Evelyn Klocke  
Barbara Donahue

Linda Jo Shelek  
Julia Hiller  
Rose Beebe  
Donna Lukich  
Teresa F  
Vicki Stephens

Martha Rader  
Laura M. Festa  
Karen Daniels  
Martha Blizzard White  
Ruth Walsh  
Morgan McKinney

Marshall State University  
Marshall State University - Martinsburg  
Shepherd University  
Blue Ridge College  
West Virginia University Technical College  
Southern West Virginia Community &  
Technical College (SWCTC)  
West Virginia Northern Community College  
West Virginia University Parkersburg  
West Virginia University Parkersburg  
West Liberty State College  
West Liberty State College  
West Virginia State Community & Technical  
College  
University of Charleston  
University of Charleston  
Mountain State University  
West Virginia Birth Policy Commission  
West Virginia Birth Policy Commission  
West Virginia Birth Policy Commission

**October 24, 2008**

Sarah Hicks, RN  
Glenna Bailey, RN  
Elizabeth Baldwin, PNP, BC

RVCDS  
RVCDS  
WVNA APN Congress