



# Arkansas Department of Health

Arkansas State Board of Nursing  
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Governor Asa Hutchinson  
José R. Romero, MD, Secretary of Health  
Sue A. Tedford, MNSc, APRN, Director

## BOARD MEETING MINUTES

**TIME AND PLACE:** June 9, 2021  
Board Conference Room

**MEMBERS PRESENT:** Lance Lindow, RN; Yolanda Green, LPN; Janice Ivers, MSN, RN, CNE; Stacie Hipp, APRN; Michael Burdine, RN; Neldia Dycus, BS, MHSM, MHRD, RN; Jasper Fultz, LPN; Melanie Garner, LPN, CLC; Ramonda Housh, MNSc, APRN, CNP, C-PNP; Rachel Sims, BSN, RN

**MEMBERS ABSENT:** None

**STAFF ATTENDING AT VARIOUS TIMES:** Sue A. Tedford, Director, MNSc, APRN  
David Dawson, JD, General Counsel  
Ashley Fisher, Attorney Specialist  
Lisa Wooten, Assistant Director, MPH, BSN, RN  
Karen McCumpsey, Assistant Director, MNSc, RN, CNE  
Tonya Gierke, Assistant Director, JD, BSN, RN  
Darla Erickson, Administrative Service Manager  
Shannon McKinney, Assistant Director, DNP, APRN, WHNP-BC  
Aaron Singleton, Regulatory Board Chief Investigator  
Tammy Vaughn, Program Coordinator, MSN, RN, CNE  
Leslie Suggs, Executive Assistant to the Director  
Albert Williams, Information Systems Coordinator  
Susan Moore, Computer Operator  
Mindy Darner, Legal Support Specialist  
Corrie Edge, Administrative Analyst  
Lisa Mendenhall, Administrative Specialist II  
Kassidy Rankin, Governor's office  
Mary Kennebrew, Attorney General's Office

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

### DISCIPLINARY HEARINGS

General Counsel, David Dawson, represented the Board. Motions reflect the decisions of the Board reached in deliberation following the hearing of each case.

### **AMY DAWN BIVENS YARBOROUGH SMITH, LICENSE NO. R063764**

Respondent was present for the proceedings before the Board and was represented by counsel, Darren O'Quinn. Lisa Wooten, MPH, BSN, RN, and Jon Hopkins, L.P.I., provided testimony on behalf of the Board. Respondent has been charged with A.C.A. §17-87-309 (a)(6) and the Arkansas State Board of Nursing *Rules*, Chapter 7, Section IV, (A)(6)(c). Respondent is licensed as a Registered Nurse and holds license number R063764. On March 25, 2020, a complaint was submitted to ASBN from Rachel Tucker of Care IV Home Health in Hot Springs, AR, alleging Respondent falsely documented a visit on an assisted living facility patient who was hospitalized and not at the assisted living facility. Upon

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investigation, it was determined Respondent violated the *Arkansas Nurse Practice Act*, A.C.A. §17-87-309 (a)(6) and the Arkansas State Board of Nursing *Rules*, Chapter 7, Section IV, (A)(6)(c), for failing to make entries, destroying entries, and/or making false entries in records pertaining to the giving of narcotics, drugs, or nursing care. On December 3, 2020, the Arkansas State Board of Nursing (ASBN) issued Respondent a Letter of Reprimand based on the following Findings of Fact:

- Respondent is the holder of Arkansas RN License #R063764.
- Respondent was employed with Care IV Home Health in Hot Springs, Arkansas on March 11, 2020.
- Respondent documented a Resumption of Care (ROC) visit for a patient on March 11, 2020 and it was discovered that the patient had been admitted to CHI St. Vincent's Rehab from March 4, 2020 until March 17, 2020.

The Letter of Reprimand was sent by certified mail to Respondent's last known address on file with ASBN. The certified mail was delivered and signed on December 9, 2020. On January 6, 2021, Respondent's Attorney requested a hearing to appeal the Letter of Reprimand.

**MOTION:** I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, in the case of **AMY DAWN BIVENS YARBOROUGH SMITH, LICENSE NO. R063764**, the Arkansas State Board of Nursing finds that the Letter of Reprimand issued on December 3, 2020 be upheld.

Brought by Janice Ivers and seconded by Stacie Hipp.

**PASSED**

**MAKENZI NOEL HORTON, RN LICENSE NO. 122618**

Respondent was present for the proceedings before the Board and was represented by counsel, Darren O'Quinn. Lisa Wooten, MPH, BSN, RN, and Bendi Bowers MSN, RN, provided testimony on behalf of the Board. Respondent has been charged with Ark. Code Ann. § 17-87-309(a)(1) and (a)(6) and pleads not guilty to the charges. Respondent holds Arkansas RN License No. 122618. An investigation was prompted by a complaint submitted to the Arkansas State Board of Nursing on November 2, 2020 by Jefferson Regional Medical Center (JRMC). The complaint indicates in part the Respondent intravenously injected a minimum of 5-10cc propofol without a physician order or a physician at bedside. According to the complaint, the Respondent stated, "the only reason" she gave the bolus was "to keep the patient comfortable." After a complete investigation, the Respondent was terminated for administering medications without a physician order against JRMC medication policy. Respondent self-reported the incident and termination to the Arkansas State Board of Nursing, by letter from her attorney, dated November 10, 2020, wherein Respondent reports administering a saline flush and not administering propofol. During the hospital investigation, Respondent admitted she administered a bolus of IV propofol to the patient because he was struggling and she wanted to keep him comfortable and sedated. Respondent also stated that she administered a 5cc bolus of propofol twice to the same patient. Respondent's written statement indicated that she gave a 5cc bolus of propofol to the patient, even though the physician had only ordered morphine. Patient medical records and a statement from the attending physician confirm that there was no order for a bolus of propofol. The evidence indicates that Respondent delivered medication to a patient without an order, acting outside the scope of her practice.

**MOTION:** I MOVE that **MAKENZI NOEL HORTON, RN LICENSE NO. 122618**, has not violated the *Arkansas Nurse Practice Act*.

Stacie Hipp has recused herself from this case.

Brought by Janice Ivers and seconded by Neldia Dycus.

**PASSED**

The meeting recessed for lunch at 2:30 p.m. Following lunch, the Board resumed hearings.

President Lance Lindow called the meeting to order at 3:11 p.m. A flexible agenda was approved.

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**CHARLES STEVEN HUHN, LICENSE NO. L026945**

Respondent was present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, and Penny Summers, RN, provided testimony on behalf of the Board. Respondent has been charged with Ark. Code Ann. § 17-87-309(a)(6) and pleads guilty to the charges. Respondent holds Arkansas License No. L026945. An investigation was prompted by a letter dated April 6, 2019, written by a co-worker of Respondent at Seven Springs Rehab and Health Center in Heber Springs, Arkansas. The complainant alleged Respondent was stealing patients' morphine. Respondent was hired at Seven Springs Rehab and Health Center on August 8, 2016. On July 27, 2018, it was discovered liquid morphine that was sent to the Arkansas Department of Health/Pharmacy Services appeared to have been diluted. All staff were requested to submit to a urine drug screen. On July 27, 2018 at 19:32, Respondent submitted to a urine drug screen, which was reported, on August 8, 2018, as positive for amphetamine at 397ng/ml, morphine at 2,790ng/ml, marijuana at 437ng/ml, oxycodone at 128ng/ml, oxymorphone at 76ng/ml, and noroxycodone at 139ng/ml. On August 13, 2018, Respondent was involuntary terminated for failure to return/no contact. On March 27, 2019, Respondent applied for re-employment with Seven Springs Rehab and Health Center. Respondent indicated his reason for leaving Seven Springs Rehab and Health Center in August, 2018 was personal. On March 31, 2019, Respondent was re-hired. Nine medical records from Seven Springs Rehab and Health Center were reviewed from July 6, 2018 to July 20, 2018. A total of 5mg of hydrocodone is unaccounted for and a total of 110mg of oxycodone is unaccounted for. Pharmacy computer printouts of all controlled substance activity, (both new and refill prescriptions), dispensed by Wal-Mart Pharmacy for Respondent from July 5, 2017 to July 7, 2019 indicate Respondent was dispensed the following prescriptions as issued by three (3) different providers: Two (2) APAP/codeine prescriptions, which totaled ninety (90) tablets, last filled on February 17, 2019; Five (5) hydrocodone/APAP prescriptions, which totaled one hundred thirty (130) tablets, last filled on May 29, 2019; One (1) oxycodone/APAP prescription, which totaled forty-two (42) tablets, filled on September 19, 2018; and Seven (7) tramadol prescription, which totaled three hundred ninety-five (395) tablets, last filled on September 19, 2018. On August 14, 2020, ASBN sent a letter by regular and certified mail to Respondent at his last known mailing address on file with the Board requesting an addictive evaluation by September 16, 2019. Both the letter sent by certified and regular mail were returned on August 26, 2019 and August 21, 2019, respectively, marked by USPS "Return to Sender / Attempted Not Known / Unable to Forward." On March 3, 2021, ASBN sent a second letter by regular and certified mail to Respondent at his last known mailing address on file with the Board requesting an addictive evaluation by March 31, 2021. The certified mail was returned on March 10, 2021 marked by USPS "Return to Sender / Attempted Not Known / Unable to Forward." The letter sent by regular mail was not returned. The request for evaluation was also sent through the ASBN Nurse Portal and has not been viewed by the Respondent. Respondent has not communicated with ASBN staff.

**MOTION:** I MOVE that **CHARLES STEVEN HUHN, LICENSE NO. L026945**, be referred to ArNAP has been charged with a violation of A.C.A. §17-87-109(a)(6):

Brought by Janice Ivers and seconded by Neldia Dycus.

**PASSED**

**ALAN JUSTIN BRIGHT, LICENSE NO. R088356 (INACTIVE/SUMMARILY SUSPENDED)**

Respondent was not present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, and Terry Kuykendall, C.P.I., provided testimony on behalf of the Board. Respondent is licensed as a registered nurse and holds license number R088356. An investigation was prompted by a complaint to the ASBN dated March 30, 2021. The complaint alleges the Respondent arrived at work on March 11, 2021 and shortly after he could not be located. The Respondent was found in the basement of his residence approximately one hour later. The Respondent was terminated for abandoning his patients by leaving his work place without telling anyone and not clocking out. Second and third complaints were received on April 15 and May 3, 2021. These complaints allege the Respondent was arrested at North Arkansas College for Impersonating a State Employee, Criminal Trespass, Refusal to Submit to Arrest, Possession of Methamphetamine, and Possession of a Firearm on

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Campus. Harrison Police Department records also indicate that Respondent was arrested on March 12, 2021, for Terroristic Threatening, Resisting Arrest, and Obstructing Governmental Operations. On March 11, 2021, Respondent reported to work at North Arkansas Regional Medical Center and took report from another RN. Shortly thereafter, co-workers tried to locate Respondent and noted that his car was gone and he would not respond to texts or calls. Respondent sent a text thirty (30) to forty (40) minutes later and said he was in the bathroom. When he could not be located in the bathrooms, the employer contacted the Harrison Police Department and requested a welfare check at Respondent's residence. Respondent's partner thought that he was at work. After a search of the house, Respondent was located in the basement. Respondent stated that he was "on break." On March 12, 2021, police were called to Respondent's residence in reference to a domestic disturbance. The father of Respondent's partner reported that Respondent was angry because he thought that the father was having sexual relations with his daughter, Respondent's partner. The father also reported that Respondent made threats of physical harm to him and his daughter. Respondent refused to cooperate with the officers, interfered with the investigation at the scene and resisted arrest. On April 14, 2021, police officers responded to a call at North Arkansas College when Respondent refused to leave campus. Respondent claimed that he was an agent for the State of Arkansas and was doing an undercover investigation on the Nursing program at the school. After Respondent failed to provide proper credentials, the officer instructed him to leave campus. When Respondent refused to leave, he was arrested for trespass and public intoxication. Respondent resisted arrest at the scene and at the police station. Officers located a substance in Respondent's wallet that was consistent with methamphetamine. Respondent's vehicle was searched on campus and a 9mm hand gun was located inside the vehicle. Respondent had an appointment with Dr. Phillip Brown for an addictive evaluation on April 10, 2021. After four hours, Dr. Brown could not complete the evaluation. Due to HIPAA regulations, information from the uncompleted evaluation cannot be released by Dr. Brown. Respondent has failed to submit an addictive evaluation and a psychological evaluation indicating whether it is safe for Respondent to continue the practice of nursing at this time. On May 12, 2021 Respondent's license was summarily suspended by the Arkansas State Board of Nursing, after the Board determined that the continued practice by the Respondent will create an immediate hazard to the public. A hearing is being set, as outlined below, for the Respondent and Board staff to make a full evidentiary presentation, and for the Board to consider whether continued suspension, revocation, or other action is warranted in order to protect the public.

**MOTION:** I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **ALAN JUSTIN BRIGHT, LICENSE NO. R088356 (INACTIVE/SUMMARILY SUSPENDED)**, has been charged with a violation of A.C.A. §17-87-309(a)(3) and (a)(6) and that Respondent's license and privilege to practice as a nurse be suspended two (2) years with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent must pay a civil penalty of \$1,895.00 plus any outstanding balance associated with previous disciplinary action.
- Respondent shall obtain a Neuro Psychiatric Evaluation recognized mental health practitioner and shall submit the practitioner's progress report quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.
- Respondent shall provide evidence of a comprehensive assessment for substance use disorder within thirty (30) days of receipt of this order. Acceptable evidence shall consist of an evaluation with appropriate testing by an evaluator, who meets the Board approved criteria and specializes in addiction disorders. Respondent shall supply a copy of the Board's order to the evaluator. The evaluation shall contain evidence that the evaluator knows the reason for the referral. The evaluator shall specifically advise the Board that the nurse is or is not presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice could occur. Respondent shall ensure the evaluator sends the report directly to the Board.

- Respondent shall attend AA/NA, or other Board approved counseling / support group meetings and shall submit quarterly reports to the Board through the Board approved monitoring program. Acceptable evidence shall consist of completion of the disciplinary form, Aftercare Meetings Report. Respondent shall log attendance of all support group meetings via the Board approved monitoring program. Respondent shall follow the evaluator's recommendations regarding treatment, counseling and support group meetings. Respondent shall attend three (3) meetings per week until the Board receives the evaluation with recommendations regarding meeting attendance.
- Respondent shall obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner and shall submit the practitioner's progress report quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.
- Respondent shall abstain at all times from the use of controlled or abuse potential substances, including alcohol and products that contain alcohol. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall not use or consume products that contain Cannabidiol (CBD). Short-term treatment with a controlled medication may be allowed for an acute illness or acute condition. Short-term treatment is a course of treatment that is limited in duration. Respondent shall notify Board staff within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved drug screen monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved drug screen monitoring program. Acceptable documentation includes, but is not limited to photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy indicating the prescriber, medication, dose, date prescribed and amount dispensed.
- Respondent shall submit to observed, random drug screens. The observed drug screens shall meet the criteria established by the Board and be conducted through a Board approved drug screen monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following Board order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription. Failed drug screens also include failure of Respondent to check-in daily, failure of Respondent to present and provide specimen when notified, and failure of Respondent to provide specimen within the allotted time.
- Respondent shall submit the Enforcement Personal Report to the Board via the Board approved monitoring program quarterly.
- Respondent shall execute any release necessary to give the Board access to records, including but not limited to medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.
- Respondent shall ensure that all reports, of Respondent and the employer, are submitted quarterly.
- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's order.
- Respondent shall request a hearing and appear for license reinstatement once compliance with the Board's suspension order is met.

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- Respondent shall notify the Board within ten (10) days, via the Arkansas Nurse Portal, of any change, even a temporary one, in name, address, or employer.
- Respondent shall request verification of termination of the probationary period via the Arkansas Nurse Portal.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this order may result in additional disciplinary action on the Respondent's licensure and/or privilege, including but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Ramonda Housh and seconded by Rachel Sims.

**PASSED**

**JORDAN MARIE TILLEY RANSONE CLUGSTON, LICENSE NO. L047479**

Respondent was present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, and Penny Summers, RN, provided testimony on behalf of the Board. Respondent holds Arkansas License No. L047479. The Arkansas State Board of Nursing received a letter written on October 15, 2020, by Diane Pugh, Director of Nursing at Craighead Nursing and Rehab in Jonesboro, Arkansas. This letter reported Respondent's employment termination due to mismanagement of controlled substances and activity consistent with drug diversion. A second complaint was received following an Office of Long-Term Care Investigative Report that indicated, the loss of four hydrocodone tablets, following the transfer of a patient from the COVID unit to another unit at Craighead Nursing and Rehab. Respondent was named as the Alleged Party. On October 8, 2020, according to the Facility Investigative Report, Patient-VD was transferred off the COVID Unit back to her original room. When Respondent transferred her narcotic medications to the unit where Patient-VD resides, the narcotic count of medication was different than what was signed out in the transferring narcotic book. Respondent was the transferring nurse off the unit and another nurse was the receiving nurse. There were four tablets of hydrocodone/APAP 10/325mg missing and unaccounted for in review of the narcotic book and count. Each nurse with recent contact submitted to a drug screen. All drug screens were negative for hydrocodone. While performing this investigation Respondent stated she did not take the medication but also stated on several occasions to the DON and ADON that she had "messed up" and will not be returning to Craighead Nursing Center. On October 15, 2020, according to the Disciplinary Warning Notice, Respondent was terminated. There is no record of 4 hydrocodone/APAP 10/325mg tablets being administered. Respondent was responsible per professional licensure and facility protocol for these medications and was unable to account for these tablets. On December 14, 2020, according to the Facility Investigation Report, while collecting data for ASBN for an investigation involving misappropriation of narcotic medications on Respondent, it was discovered that there was an additional discrepancy in the narcotic count by Respondent. Page twenty-five (25) in the Station one (1) Narcotic Book was folded. The count was manipulated back on October 6, 2020 by Respondent when she transferred the count to Page twenty-seven (27) of the narcotic book. Seven (7) medical records from Craighead County Nursing and Rehab were reviewed from September 12, 2020 to October 8, 2020. A total of 482.5mg of hydrocodone is unaccounted for. Pharmacy computer printouts of all controlled substance activity, (both new and refill prescriptions), dispensed by Wal-Mart Pharmacy for Respondent from January 6, 2019 to January 6, 2021 indicate Respondent was dispensed the following prescriptions as issued by Dr. Suzanne Yee: Two (2) prescriptions for hydrocodone/APAP, which totaled fifty-eight (58) tablets, last filled on March 12, 2020; One (1) prescription for Lunesta, which totaled thirty (30) tablets, filled on February 29, 2020; and, One (1) prescription for APAP w/Codeine #3, which totaled thirty (30) tablets, filled on March 10, 2020. A certified letter dated January 15, 2021 was sent to Respondent requesting her to contact the investigator to discuss the allegations and findings. Respondent has not contacted the investigator. On March 19, 2021, ASBN sent a letter via the ASBN Nurse Portal and by certified mail to Respondent at her last known mailing address on file with the Board requesting an addictive evaluation by April 19, 2021. The certified letter was returned on April 19, 2021 marked by USPS "Return to Sender / Unclaimed / Unable to Forward." The letter sent through the ASBN Nurse Portal was viewed by the Respondent on March 22, 2021. Respondent failed to provide the evaluation by April 19, 2021 and a



letter was sent on April 20, 2021, via the ASBN Nurse Portal and certified mail notifying respondent that her case was being forwarded for hearing and offering her the opportunity to voluntarily surrender until she was mentally, physically and financially ready to comply with a Board order. The certified mail was delivered on April 23, 2021 and Respondent viewed the notice in the Nurse Portal on April 20, 2021. Respondent has not communicated with ASBN staff.

**MOTION:** I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **JORDAN MARIE TILLEY RANSONE CLUGSTON, LICENSE NO. L047479**, has been charged with a violation of to A.C.A. §17-87-309(a)(6) and that Respondent's license and privilege to practice as a nurse be suspended two (2) years with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent must pay a civil penalty of \$4,7130.00 plus any outstanding balance associated with previous disciplinary action.
- Respondent shall provide evidence of a comprehensive assessment for substance use disorder within thirty (30) days of receipt of this order. Acceptable evidence shall consist of an evaluation with appropriate testing by an evaluator, who meets the Board approved criteria and specializes in addiction disorders. Respondent shall supply a copy of the Board's order to the evaluator. The evaluation shall contain evidence that the evaluator knows the reason for the referral. The evaluator shall specifically advise the Board that the nurse is or is not presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice could occur. Respondent shall ensure the evaluator sends the report directly to the Board.
- Respondent shall attend AA/NA, or other Board approved counseling / support group meetings and shall submit quarterly reports to the Board through the Board approved monitoring program. Acceptable evidence shall consist of completion of the disciplinary form, Aftercare Meetings Report. Respondent shall log attendance of all support group meetings via the Board approved monitoring program. Respondent shall attend at least three (3) AA/NA or other Board approved support group meetings a week during the period of supervision or follow the evaluator's recommendations if the evaluator's recommendations are greater.
- Respondent shall obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner and shall submit the practitioner's progress report quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.
- Respondent shall abstain at all times from the use of controlled or abuse potential substances, including alcohol and products that contain alcohol. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall not use or consume products that contain Cannabidiol (CBD). Short-term treatment with a controlled medication may be allowed for an acute illness or acute condition. Short-term treatment is a course of treatment that is limited in duration. Respondent shall notify Board staff within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved drug screen monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved drug screen monitoring program. Acceptable documentation includes, but is not limited to photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy indicating the prescriber, medication, dose, date prescribed and amount dispensed.
- Respondent shall submit to observed, random drug screens. The observed drug screens shall meet the criteria established by the Board and be conducted through a Board approved drug screen monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following Board order. If selected for testing, Respondent shall submit the

specimen within two (2) hours from the time of notification. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription. Failed drug screens also include failure of Respondent to check-in daily, failure of Respondent to present and provide specimen when notified, and failure of Respondent to provide specimen within the allotted time.

- Respondent shall provide evidence within six months of successful completion of the Board approved course(s): *The Nurse and Professional Behaviors and Substance Abuse Bundle*. Respondent shall submit the certificate(s) of completion via the Board approved monitoring program.
- Respondent shall submit the Enforcement Personal Report to the Board via the Board approved monitoring program quarterly.
- Respondent shall execute any release necessary to give the Board access to records, including but not limited to medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.
- Respondent shall ensure that all reports, of Respondent and the employer, are submitted quarterly.
- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's order.
- Respondent shall request license reinstatement to the Board via the Arkansas Nurse Portal once compliance with the Board's suspension order is met.
- A probation period of three (3) years shall follow the suspension period. All conditions of the suspension period regarding treatment programs, random drug screens, and abstinence shall continue through the probation period.
- While on probation, if working as a nurse, The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the state of Arkansas. Respondent may submit the Multistate Nursing License Application after successful completion of probation to determine if license qualifies for multi-state compact status.
- Respondent shall notify and present to each employer a copy of this Board order. Respondent shall have employer sign and submit directly to the Board the document, Employer Acknowledgement.
- Respondent shall have their employer submit directly to the Board a Performance Evaluation Report quarterly.
- Respondent shall not collect any drug screen from a participant whom has been ordered to drug screen by the Board of Nursing.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher education level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention.
- Respondent shall not be employed in critical care, in-home hospice or home health settings.
- Respondent shall notify the Board within ten (10) days, via the Arkansas Nurse Portal, of any change, even a temporary one, in name, address, or employer.
- Respondent shall request verification of termination of the probationary period via the Arkansas Nurse Portal.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this order may result in additional disciplinary action on the Respondent's licensure and/or privilege, including but not



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limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Neldia Dycus and seconded by Janice Ivers.

**PASSED**

**SARAH CAMPBELL WILSON, LICENSE NO. L060870**

Respondent was present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, and Nick Shull, Pharm D, provided testimony on behalf of the Board. Respondent holds Arkansas License No. L060870. A complaint was sent to the Arkansas State Board of Nursing on September 19, 2019, by Fran Gordon, RN, Director of Nursing, Siloam Springs Nursing and Rehab in Siloam Springs, Arkansas. The complaint indicates, in part, Robin Garrett, LPN, Assistant Director of Nursing, informed Ms. Gordon that other nurses had reported Respondent had been giving a lot of Norco to residents who don't usually take a lot of pain medication. Upon review, Respondent signed out a Norco 5/325mg at 2:31 A.M. for a resident. Ms. Gordon and Ms. Garrett watched camera footage for the time the pill was signed out but did not see Respondent enter the room. When Respondent reported for her next shift, Ms. Garrett and Ms. Gordon asked her to take a drug test and interviewed her. During the interview, Ms. Gordon asked Respondent if she had diverted any narcotics and Respondent responded "no". Ms. Gordon asked if Respondent had ever diverted any narcotics and Respondent responded "yes". According to Ms. Gordon, Respondent indicated she diverted "a long time ago" and she diverted "oxycodone". The facility was unable to confirm diversion of current incident but with Respondent's statement related to a past incident, Respondent was terminated. Respondent was hired at Siloam Healthcare on January 15, 2019 and was terminated on September 3, 2019. Four patient medical records from Siloam Healthcare were reviewed from August 1, 2019 to September 30, 2019. The records included the Respondent's Controlled Substance Logs (CSL) and patient Medication Administration Records (MAR). No discrepancies were noted. An additional complaint was sent to the ASBN on December 3, 2019, by Rachel King at The Maples at Har-Ber Meadows in Springdale, Arkansas. The complaint indicates Respondent was signing out more narcotics than she was documenting as administered. Ms. King indicated that residents involved were interviewed and they verified they did not receive the medication that the nurse documented as administered. According to Ms. King, Respondent provided a urine sample for a drug test and the results were positive for opioids and hydrocodone. Respondent was unable to provide a current proof of prescription. Respondent was hired at The Maples at Har-Ber Meadows on September 11, 2019 and was terminated on December 2, 2019. Four medical records from The Maples at Har-Ber Meadows were reviewed from November 1, 2019 to November 23, 2019. A total of 100 mg of hydrocodone is unaccounted for and a total of 15 mg of oxycodone is unaccounted for. A third complaint was sent to the Arkansas State Board of Nursing on February 17, 2020, by Veronica Garcia at Bradford House Nursing and Rehab in Bentonville, Arkansas. The complaint indicates after auditing every narcotic book in the facility, narcotic discrepancies from Respondent were found, one hundred-twenty (120) Norco 5/325mg tablets, (1) Ativan 0.5mg tablet, and thirty-nine (39) oxycodone 10mg tablets. A total of nine (9) residents were affected. Ms. Garcia further indicated Respondent was noted to administer multiple IM Ativan injections to residents and not wasting the remaining solution. Respondent was hired at Bradford House Nursing and Rehab on December 10, 2019 and was terminated on February 10, 2020. Seven (7) medical records from Bradford House Nursing and Rehab were reviewed from January 1, 2020 to February 10, 2020. A total of 150 mg of oxycodone is unaccounted for and a total of 425 mg of hydrocodone is unaccounted for. Pharmacy computer printouts of all controlled substance activity (both new and refill prescriptions) dispensed by Wal-Mart Pharmacy #6960 in Siloam Springs, Arkansas, for Respondent from December 4, 2017 to December 4, 2019, indicate Respondent was dispensed one (1) prescription for hydrocodone/APAP 5/325mg as issued by Brandon Stroope, D.M.D. The prescription totaled twelve (12) tablets and was filled on March 21, 2019. On April 4, 2020, a certified letter was sent to Respondent at her last known address to discuss this investigation. Respondent has not contacted the Investigator. On November 17, 2020, ASBN staff sent a letter via certified mail and regular mail to Respondent at her last known mailing address on file with the Board requesting an addictive evaluation by December 21, 2020. The certified

letter was returned on December 8, 2020 marked by USPS "Return to Sender / Attempted Not Known / Unable to Forward." The letter sent by regular mail was returned on December 7, 2020 marked by USPS "Return to Sender / Attempted Not Known / Unable to Forward." Notification was also sent through the ASBN Nurse Portal. However, Respondent has not set up her portal account. ASBN staff attempted to reach Respondent by telephone with the last known number on file with the Board. Respondent has not communicated with ASBN staff.

**MOTION:** I MOVE that based on the evidence presented and the allegations contained in the Order and Notice of Hearing, the Arkansas State Board of Nursing finds that **SARAH CAMPBELL WILSON, LICENSE NO. L060870**, has been charged with a violation of A.C.A. §17-87-309(a)(6) and that Respondent's license and privilege to practice as a nurse be suspended two (2) years with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent must pay a civil penalty of \$5,588.00 plus any outstanding balance associated with previous disciplinary action.
- Respondent shall provide evidence of a comprehensive assessment for substance use disorder within thirty (30) days of receipt of this order. Acceptable evidence shall consist of an evaluation with appropriate testing by an evaluator, who meets the Board approved criteria and specializes in addiction disorders. Respondent shall supply a copy of the Board's order to the evaluator. The evaluation shall contain evidence that the evaluator knows the reason for the referral. The evaluator shall specifically advise the Board that the nurse is or is not presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice could occur. Respondent shall ensure the evaluator sends the report directly to the Board.
- Respondent shall attend AA/NA, or other Board approved counseling / support group meetings and shall submit quarterly reports to the Board through the Board approved monitoring program. Acceptable evidence shall consist of completion of the disciplinary form, Aftercare Meetings Report. Respondent shall log attendance of all support group meetings via the Board approved monitoring program. Respondent shall attend at least three (#3) AA/NA or other Board approved support group meetings a week during the period of supervision or follow the evaluator's recommendations if the evaluator's recommendations are greater.
- Respondent shall obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner and shall submit the practitioner's progress report quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.
- Respondent shall abstain at all times from the use of controlled or abuse potential substances, including alcohol and products that contain alcohol. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall not use or consume products that contain Cannabidiol (CBD). Short-term treatment with a controlled medication may be allowed for an acute illness or acute condition. Short-term treatment is a course of treatment that is limited in duration. Respondent shall notify Board staff within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved drug screen monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved drug screen monitoring program. Acceptable documentation includes, but is not limited to photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy indicating the prescriber, medication, dose, date prescribed and amount dispensed.
- Respondent shall submit to observed, random drug screens. The observed drug screens shall meet the criteria established by the Board and be conducted through a Board approved drug screen monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following Board order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification. Respondent shall not submit specimens at

Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription. Failed drug screens also include failure of Respondent to check-in daily, failure of Respondent to present and provide specimen when notified, and failure of Respondent to provide specimen within the allotted time.

- Respondent shall provide evidence within six months of successful completion of the Board approved course(s): *Substance Abuse Bundle, and The Nurse and Professional Behaviors*. Respondent shall submit the certificate(s) of completion via the Board approved monitoring program.
- Respondent shall submit the Enforcement Personal Report to the Board via the Board approved monitoring program quarterly.
- Respondent shall execute any release necessary to give the Board access to records, including but not limited to medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.
- Respondent shall ensure that all reports, of Respondent and the employer, are submitted quarterly.
- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's order.
- Respondent shall request license reinstatement to the Board via the Arkansas Nurse Portal once compliance with the Board's suspension order is met.
- A probation period of three (3) years shall follow the suspension period. All conditions of the suspension period regarding treatment programs, random drug screens, and abstinence shall continue through the probation period.
- While on probation, if working as a nurse, The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the state of Arkansas. Respondent may submit the Multistate Nursing License Application after successful completion of probation to determine if license qualifies for multi-state compact status.
- Respondent shall notify and present to each employer a copy of this Board order. Respondent shall have employer sign and submit directly to the Board the document, Employer Acknowledgement.
- Respondent shall have their employer submit directly to the Board a Performance Evaluation Report quarterly.
- Respondent shall not collect any drug screen from a participant whom has been ordered to drug screen by the Board of Nursing.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher education level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention.
- Respondent shall not be employed in critical care, in-home hospice or home health settings.
- Respondent shall notify the Board within ten (10) days, via the Arkansas Nurse Portal, of any change, even a temporary one, in name, address, or employer.
- Respondent shall request verification of termination of the probationary period via the Arkansas Nurse Portal.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this order may result in additional disciplinary action on the Respondent's licensure and/or privilege, including but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Neldia Dycus and seconded by Janice Ivers.

**PASSED**

**ANDREA LEIGH SANDERS WHARTON WALL, LICENSE NO APRN-CNP 214921**

Respondent was not present for the proceedings before the Board and was not represented by counsel. Lisa Wooten, MPH, BSN, RN, provided testimony on behalf of the Board. On March 4, 2021, the Arkansas State Board of Nursing issued a Letter of Reprimand to Respondent for violations of the *Arkansas Nurse Practice Act*, ACA §17-87-309(a)(1) – is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing or engage in the practice of nursing without a valid license. The Letter of Reprimand was based upon the following facts: (a) On or about October 15, 2014 the Oklahoma Board of Nursing took disciplinary action against Respondent's RN and CNP licenses, R0086862, for failure to timely notify the board of the change in supervising physician, (b) On or about July 22, 2020, Respondent submitted an APRN endorsement application to the Arkansas State Board of Nursing with "no" marked as the answer for the question "Have you ever had any disciplinary action on a nursing license or a privilege to practice in any state, jurisdiction, country, or province?" The Letter of Reprimand was sent by certified mail to Respondent's last known address on file with the Board. The certified mail was delivered and signed on March 8, 2021. On March 15, 2021, ASBN staff received notice that Respondent is requesting a hearing to appeal the Letter of Reprimand issued on March 4, 2021.

**MOTION:** I MOVE that the hearing scheduled on June 9, 2021 for the appeal of the Letter of Reprimand for **ANDREA LEIGH SANDERS WHARTON WALL, LICENSE NO APRN-CNP 214921**, be dismissed due to failure of Respondent to appear for the appeal.

Brought by Janice Ivers and seconded by Neldia Dycus.

**PASSED**

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

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

<b>Cleveland, Laura Lynn, L054969</b>	<b>(Jonesboro, AR)</b>
Violation – <i>The Nurse Practice Act of Arkansas</i> ACA §17-87-309(a)(4)	
Probation – 2 years	
<b>Gates, Teresa Ann, R090631, L049565</b>	<b>(Batesville, AR)</b>
Violation – <i>The Nurse Practice Act of Arkansas</i> ACA §17-87-309(a)(6)	
Probation – 3 years	
Courses – Documentation for Nurses, Sharpening Critical Thinking Skills	
Civil Penalty - \$3,300.00	
<b>Grizzle, Heather Shea Harris, R094842</b>	<b>(Sherwood, AR)</b>
Violation – <i>The Nurse Practice Act of Arkansas</i> ACA §17-87-309(a)(4), (a)(6)	
Probation – 2 years	
Courses – Substance Abuse Bundle, Sharpening Critical Thinking Skills	
<b>Hendrickson, Julie Carol Harris, R064120</b>	<b>(Cabot, AR)</b>
Violation – <i>The Nurse Practice Act of Arkansas</i> ACA §17-87-309(a)(6)	
Probation – 1 year	
Courses – Sharpening Critical Thinking Skills	
<b>Pettie, Perry Edward, R086148, L047986</b>	<b>(Marvell, AR)</b>
Violation – <i>The Nurse Practice Act of Arkansas</i> ACA §17-87-309(a)(6)	
Probation – 1 year	
Courses – Substance Abuse Bundle, Sharpening Critical Thinking Skills, and Documentation for Nurses	
Civil Penalty - \$750.00	

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Brought by Stacie Hipp and seconded by Janice Ivers  
**PASSED**

After discussion of individual applicant, the following verbal motion was presented by **David Dawson, General Counsel, JD**:

**MOTION:** I MOVE that based on the evidence presented, the Arkansas State Board of Nursing finds that **Audria Louise Ruiz, RN-NCLEX Applicant**, pleaded guilty or *nolo contendere* to, or has been found guilty of a crime making them ineligible to hold a nursing license as cited in Ark. Code Ann. §17-87-312 309(a)(2) and that the Board GRANT a waiver of ACA §17-87-312.

Brought by Ramonda Housh and seconded by Melanie Garner.  
**PASSED**

Sue reminded the Board that anything they need to review will be uploaded to the cloud.

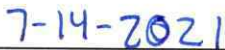
There being no further business, the meeting adjourned at 5:15 pm.



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Lance Lindow, President



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Mindy Darner, Recording Secretary



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Date Approved