



# Arkansas Department of Health

Arkansas State Board of Nursing  
1123 S. University Ave., #800 • Little Rock, Arkansas 72204 • (501) 686-2700 • Fax (501) 686-2714  
Governor Sarah Huckabee Sanders  
Renee Mallory, RN, BSN, Secretary of Health  
Jennifer Dillaha, MD, Director  
Sue A. Tedford, MNSc, APRN, Director

## BOARD MEETING MINUTES

**TIME AND PLACE:** January 10, 2024  
Board Conference Room

**MEMBERS PRESENT:** Allie Barker, MSN, RN; Tabitha Lancaster, RN; Jamie Sims; Phillip Petty, RN; Barbara Hillman, BSN, RN; Robin Lambert, LNHA, LPN; Lakisha Young, LPN.

**MEMBERS ABSENT:** Cassie Gonzales, MNSc, APRN, FNP-BC  
Veronica Harmon, RN

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

**Guests:** Sloane Stine, Kutak Rock Law Firm

President Allie Barker called the meeting to order at 8:45 a.m. Guests were welcomed and a flexible agenda was approved.

### DISCIPLINARY HEARINGS

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

Lisa Wooten, Assistant Director, discussed with the Board methamphetamine testing and the difference between L methamphetamine and D methamphetamine.

**SHIRLEY JEAN SABAN, LICENSE NO. R071445**

Respondent was not present for the proceedings before the Board and was not represented by counsel. Janet Simpson, MSN, RNP, RNC-MNN, and Brenda Turner, RN, provided testimony on behalf of the Board. An investigation was initiated after the Board received a complaint submitted by Care 4 Home Health, Little Rock, Arkansas, reporting that Respondent tested positive for marijuana on a pre-employment drug screen dated February 7, 2023. The drug screen result document, dated February 7, 2023, by Conservative Care Occupational Health RV, Stephen L. Long, MD, Medical Review Officer, indicates: "Marijuana-Positive". Collection date and time: February 1, 2023, 14:55. The Board Director attempted to contact Respondent by phone and was unable to leave a message due to a full mailbox. Respondent failed to read the nurse portal message and respond by February 13, 2023, therefore the Alternative to Discipline Program was no longer an option, and the matter was referred to a Board investigator. Respondent provided a statement to the Board investigator via e-mail, dated March 13, 2023. Respondent wrote in part, "I did smoke the week of Christmas to New Year's Day. Due to peer pressure even though I knew better. I didn't continue this activity after January 1st, 2023." On July 21, 2023, Board staff sent a proposed Consent Agreement to Respondent via the nurse portal and Certified Mail to the last address on file, offering a one-year probation with monitoring. Respondent did not view the portal message but did sign for the Consent Agreement packet on July 28, 2023. Respondent did not contact Board staff after receiving the proposed Consent Agreement. Board staff have unsuccessfully attempted to contact Respondent via the nurse portal and telephone. Respondent has not viewed the portal messages and has not communicated with Board 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 **SHIRLEY JEAN SABAN, LICENSE NO. R071445**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and that Respondent's license and privilege to practice as a nurse be placed on probation for two (2) years with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent shall pay a civil penalty of \$2,084.00, plus any outstanding balance associated with previous disciplinary action. Such fine shall be payable within fifteen (15) days of receipt of this Order. If unable to pay the civil penalty within fifteen (15) days, a payment schedule shall be submitted within fifteen (15) days to the Board via email at [ASBN.monitoring@arkansas.gov](mailto:ASBN.monitoring@arkansas.gov).
- Respondent shall provide evidence within six (6) months of successful completion of the Board approved course(s): *Substance Use Disorder Bundle, The Nurse and Professional Behaviors*. Respondent shall submit the certificates of completion via the Board approved monitoring program.
- 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 a Board approved evaluator. 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 at [ASBN.monitoring@arkansas.gov](mailto:ASBN.monitoring@arkansas.gov).
- Respondent shall attend Alcoholics Anonymous/Narcotics Anonymous, (AA/NA), or other Board approved 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 three (3) meetings per week until the Board receives the evaluation report with the evaluator's recommendations regarding meeting attendance.

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

- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher licensure level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention. Respondent shall not serve as a preceptor during probation. Respondent shall not secure employment or be employed through a staffing agency. Respondent shall not be employed in the following settings: Emergency Room, Pre- and Post-Op, Labor and Delivery, Home Hospice, Home Health, or any Intensive Care Unit.
- Respondent shall ensure that all reports of Respondent and the employer are submitted quarterly via the Board approved monitoring program.
- The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the State of Arkansas. Respondent may submit the *Multistate Conversion Application* after successful completion of probation to determine if license meets the Uniform Licensure Requirements (ULR) for multi-state compact status.
- Respondent shall execute any release necessary to give the Board access to records including, but not limited to, medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.
- Respondent shall obey all federal, state and local laws and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's Order.
- Respondent is required to submit any change of information, even a temporary one, in name, address, or employer via the ASBN Nurse Portal and the Board approved monitoring program within ten (10) days of the change.
- 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 Jamie Sims and seconded by Phillip Petty.

**PASSED**

**CASSIE L. CORBITT SMITH, LICENSE NO. L049437**

Respondent was not 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. An investigation was initiated after the Board received a complaint from the Director of Nursing at Mountain Meadows Nursing and Rehab Center in Batesville, Arkansas. It was reported that after Respondent was observed sleeping on the job, the facility requested that Respondent submit to a urine drug screen. Respondent was terminated from employment on December 12, 2022, after she refused to submit to the urine drug screen as requested by her employer. Video evidence reviewed by the Board investigator depicts Respondent continually falling asleep at her workstation. Facility records indicate previous discipline at work for failing to administer medications in a timely manner and failing to chart properly before completing her shift. Eight (8) medical records were reviewed from July 4, 2022, to December 11, 2022. A total of 150 mg of morphine was unaccounted for; a total of 35mg of hydrocodone was unaccounted for; a total of 100mg of tramadol was unaccounted for; and a total of 20mg of oxycodone was unaccounted for. Pharmacy printouts from January 10, 2021 to January 10, 2023 indicate Respondent was dispensed the following prescriptions as issued by one (1) provider: two thousand eight hundred-eighty (2,880) tablets of hydrocodone/APAP 7.5/325mg, and sixty (60) capsules of Vyvanse 20mg. Respondent denied any misappropriation of medications after being contacted by the Board Director and was therefore not qualified for the Arkansas Nurse Alternative Program. On May 12, 2023, Board staff sent a letter via the nurse portal and certified mail to Respondent, requesting Respondent to obtain a psychological/addiction evaluation by June 13, 2023. The certified letter was delivered May 23, 2023. Respondent failed to contact Board staff and did not provide the requested evaluation. On July 6, 2023, Board staff sent a letter via the nurse portal and certified mail, notifying

Respondent that her case was forwarded for hearing and instructing Respondent to contact Board staff immediately. The certified letter was signed for by Respondent on July 19, 2023. Respondent has failed to contact Board 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 **CASSIE L. CORBITT SMITH, LICENSE NO. L049437**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and that Respondent's license and privilege to practice as a nurse be suspended until Respondent provides evidence of a comprehensive assessment for substance use disorder. Respondent shall appear before the Board upon determination of safe to practice.

Brought by Phillip Petty and seconded by Lakisha Young.

**PASSED**

**ERICA JONES STRAVER, LICENSE NO. L053908 (EXPIRED)**

Respondent was not 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. An investigation was initiated after the Board received a complaint from an anonymous source what stated that they were currently working with Respondent. They reported that Respondent seems to be under the influence of some type of substance or substances, is often hard to locate when they need her, that Respondent's speech and movement are sometimes erratic, and her pupils are very pinpoint. A second anonymous complaint stated that Respondent has a suspended drivers' license, failed to show for court, and received a failure to appear warrant. It also indicated that Respondent is a drug user that continues to practice nursing under the influence. The Board investigator obtained information from Respondent's previous employers. Respondent was hired at Willowbend Healthcare and Rehabilitation in Marion, Arkansas on September 7, 2021. On January 26, 2022, Respondent was given disciplinary action including a thirty (30) day action plan and relocation to third shift. Documentation in support of the discipline includes: Respondent having multiple occurrences of late arrivals, some without notice to facility and shift supervisors; Respondent calling in to miss shift without providing adequate notice; multiple residents and coworkers reporting an inability to locate Respondent during her shift; multiple occurrences of delegating patient care assigned to Respondent to another LPN which Respondent did not have supervisory authority over; multiple occurrences of failing to provide complete and accurate documentation for events of Respondent's shift; multiple occurrences of failing to meet COVID-19 testing requirements which are a condition of working for the facility; and failing to communicate with supervisors and not returning communication when feedback and job performance discussion have been requested. On March 16, 2022, Respondent was given disciplinary action and a written warning at Willowbend. Documentation in support of the discipline includes not charting scheduled/unscheduled care; not charting nursing summaries; not reporting to work on time; leaving medicine at the bedside; not wearing the uniform (wore pajamas); not getting a COVID PCR test; and not wearing a N95 mask. Respondent's employment was terminated at Willowbend on March 22, 2022. Respondent was hired at Greene Acres Nursing Home in Paragould, Arkansas, on May 10, 2022. Respondent's employment was terminated from Greene Acres on May 16, 2022, due to poor attendance. Court documents indicate that Respondent was issued an unclassified misdemeanor on March 14, 2022, for driving on a suspended license. On June 1, 2022, Respondent was issued another unclassified misdemeanor for failure to appear on an unclassified misdemeanor. On August 8, 2022, Respondent was found guilty of driving on a suspended license and failing to appear on an unclassified misdemeanor and was assessed a fine. On March 16, 2023, Respondent met with the Board investigator at the Office of Pharmacy Services. Respondent submitted an observed urine drug screen. The drug screen tested positive for amphetamine at 752 ng/ml and methamphetamine at 8,892 ng/ml. The results also indicated the ratio of methamphetamine observed was 94% d-methamphetamine and 6% l-methamphetamine. Respondent did not respond to the Board Director's attempt to contact Respondent regarding the possibility of the Arkansas Nurse Alternative Program. The case was then forwarded for an investigation. Respondent contacted Board staff through the nurse portal on October 16, 2022, after submitting her post-expiration

renewal application on September 21, 2022, that was not automatically renewed. Respondent was notified of the complaint, investigation, and renewal process. Respondent denied the allegations. Respondent and staff communicated several times through the nurse portal. On May 12, 2023, Board staff sent a letter via the nurse portal and certified mail to Respondent's last known mailing address on file with the Board requesting Respondent to obtain a psychological/addiction evaluation by June 13, 2023. The certified letter was returned by the postal service marked "Unclaimed" on June 12, 2023. However, Respondent viewed the message sent through the portal on May 12, 2023, at 12:04 pm. Respondent has quit communicating with Board staff and has failed to provide the requested evaluation.

**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 **ERICA JONES STRAVER, LICENSE NO. L053908 (EXPIRED)**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and that Respondent's license and privilege to practice as a nurse be SUSPENDED one (1) year, to be followed by PROBATION for four (4) years, with the following terms and conditions:

- Pursuant to A.C.A. §17-87-104(b)(1), Respondent shall pay a civil penalty of \$4,413.00, plus any outstanding balance associated with previous disciplinary action. Such fine shall be payable within fifteen (15) days of receipt of this Order. If unable to pay the civil penalty within fifteen (15) days, a payment schedule shall be submitted within fifteen (15) days to the Board via email at [ASBN.monitoring@arkansas.gov](mailto:ASBN.monitoring@arkansas.gov).
- Respondent shall provide evidence within six (6) months of successful completion of the Board approved course(s): *Substance Use Disorder Bundle, The Nurse and Professional Behaviors*. Respondent shall submit the certificates of completion via the Board approved monitoring program.
- 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 a Board approved evaluator. 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 at [ASBN.monitoring@arkansas.gov](mailto:ASBN.monitoring@arkansas.gov).
- Respondent shall attend Alcoholics Anonymous/Narcotics Anonymous, (AA/NA), or other Board approved 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 three (3) meetings per week until the Board receives the evaluation report with the evaluator's recommendations regarding meeting attendance.
- Respondent shall obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner (if recommended by the evaluator) and shall submit the *Treatment Provider Report* quarterly via the Board approved monitoring program until discharged by the practitioner. Treatment shall begin within thirty (30) days of receipt of this Order.
- Respondent shall request to the Board, verification of termination of the suspension period and license reinstatement to probation by submitting the *Reinstatement Request* form, via the ASBN Nurse Portal once compliance with the Board's Suspension Order is met.
- Respondent shall abstain at all times from the use of all controlled or abuse potential substances including alcohol, products that contain alcohol, all fermented products (i.e. kefir, kombucha tea, etc.), hemp, poppy seeds, cannabidiol (CBD), or any product or by-product containing the same. Short-term treatment (less than three [3] weeks) with a controlled

medication may be allowed for an acute illness or acute condition with a short-term waiver and appropriate documentation (medical record documentation, etc.). Respondent shall provide a completed short-term waiver within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved monitoring program. Acceptable documentation must include the following information: prescriber, medication name, dose, date prescribed, and amount dispensed. Acceptable format of documentation includes photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy.

- Respondent agrees to have personal prescriptions monitored through the Prescription Drug Monitoring Program by board staff while under Board order.
- Respondent shall submit to random drug screens observed or DNA authenticated remote urine drug screen. The drug screens shall meet the criteria established by the Board and be conducted through a Board approved monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following the Board Order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification for observed drug screens, or with the time and manner designated by the remote urine drug screening laboratory. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription or failure to present and provide specimen when notified. Respondent shall notify the Board of any travel two (2) weeks prior to traveling by submitting a monitoring interruption via the Board approved monitoring program. Respondent shall continue to check in during travel period and test when selected. Travel outside the continental U.S. requires thirty (30) days' notice. If approved, a waiver shall be issued during the travel period outside the continental U.S.
- Respondent shall not collect any drug screen specimen from a participant who has been ordered to drug screen by the Board.
- Respondent shall submit the *Enforcement Personal Report* to the Board via the Board approved monitoring program quarterly.
- Respondent shall ensure that all reports of Respondent and the employer are submitted quarterly via the Board approved monitoring program.
- Respondent shall execute any release necessary to give the Board access to records including, but not limited to, medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.
- Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.
- Respondent shall be responsible for all costs involved in complying with the Board's Order.
- Respondent is required to submit any change of information, even a temporary one, in name, address, or employer via the ASBN Nurse Portal and the Board approved monitoring program within ten (10) days of the change.
- If Respondent fails to comply with the terms of suspension during the monitoring period, Respondent may not restart the monitoring period until six (6) months after the date Respondent was determined to be noncompliant.
- The Nurse Licensure Compact status of Respondent's Arkansas license shall be single state, allowing practice only in the State of Arkansas. Respondent may submit the *Multistate Conversion Application* after successful completion of probation to determine if license meets the Uniform Licensure Requirements (ULR) for multi-state compact status.

- Respondent shall notify and present to each employer a copy this Order if working as a nurse on probation. Respondent shall have employer sign the *Employer Acknowledgement* form. Respondent shall submit the document to the Board via the Board approved monitoring program. Respondent shall have their employer complete the *Performance Evaluation Report* and Respondent shall submit the report to the Board via the Board approved monitoring program quarterly.
- Respondent shall work under supervision in any setting. Supervision requires another nurse at the same or higher licensure level, to be working in the same setting as Respondent and be readily available to provide assistance and intervention. Respondent shall not secure employment or be employed through a staffing agency. Respondent shall not be employed in the following settings: Emergency Room, Pre- and Post-Op, Labor and Delivery, Home Hospice, Home Health, or any Intensive Care Unit.
- Respondent shall request verification of termination of the probationary period by submitting the Reinstatement Request form, via the ASBN Nurse Portal once compliance with the Board's Probation Order is met. Respondent is required to continue all monitoring requirements including, but not limited to, checking in daily for random drug screening, testing if selected, attending meetings, and submitting reports until released from the probation period by Board staff.
- Pursuant to Ark. Code Ann. §17-87-309, failure to comply with this Order may result in additional disciplinary action on the Respondent's licensure and/or privilege including, but not limited to, additional probation, suspension, or revocation of licensure and/or privilege to practice nursing in this state.

Brought by Jamie Sims and seconded by Phillip Petty.

**PASSED**

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

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

**Bankston, Jackie Deshaun Mays R082160, L041025 (Pine Bluff, AR)**

Violation – *The Nurse Practice Act of Arkansas ACA §17-87-309(a)(6)*  
*Arkansas State Board of Nursing Rules, Chapter Seven, Section IV (A)(6)(m)*  
Probation – 5 years  
Civil Penalty - \$2,500.00

**Foster, Lauren Kaylee L058613 (Greenbrier, AR)**

Violation – *The Nurse Practice Act of Arkansas ACA §17-87-309(a)(2)*  
*Arkansas State Board of Nursing Rules, Chapter Seven, Section IV (A)(2)*  
Probation – 1 year  
Courses – *Substance Abuse Bundle*  
Civil Penalty - \$1,034.22

**Hart, Christal Gayle Hart Cloinger R079961, L043987 (Marianna)**

Violation – *The Nurse Practice Act of Arkansas ACA §17-87-309(a)(6), (a)(7)*  
*Arkansas State Board of Nursing Rules, Chapter Seven, Section IV(A)(6)(d), (A)(7)*  
Probation – 5 years  
Courses – *Substance Abuse Bundle*  
Civil Penalty - \$2,250.00



**Oakes, Tamara Kay Lockett L047402**

**(Vilonia, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)  
*Arkansas State Board of Nursing Rules, Chapter Seven, Section IV(A)(6)(b), (c), (e)*  
Probation – 1 year  
Courses – *The Nurse and Professional Behaviors; Documentation for Nurses*  
Civil Penalty - \$1,900.00

**Romine, Robyn D. Thomas L023147**

**(Little Rock, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309(a)(6)  
*Arkansas State Board of Nursing Rules, Chapter Seven, Section IV(A)(6)(b), (c), (e), and (o)*  
Probation – 1 year  
Courses – *The Nurse and Professional Behaviors; Documentation for Nurses*  
Civil Penalty - \$1,500.00  
Brought by Phillip Petty and seconded by Lakisha Young

**PASSED**

The meeting recessed for lunch at 11:58 p.m. Following lunch, the Board resumed hearings.

President Allie Barker called the meeting to order at 1:02 p.m. A flexible agenda was approved.

**CARLA MARIE THOMAS HODGE JACKSON, LICENSE NO. CNP 221880**

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 January 19, 2023, the Board issued a Letter of Reprimand (LOR) to Respondent for a violation of the *Arkansas Nurse Practice Act*, A.C.A. §17-87-309(a)(1). On August 29, 2022, Respondent submitted an Advanced Practice Registered Nurse (APRN) endorsement application to the Arkansas State Board of Nursing with “no” marked as the answer to the question “Have you ever been convicted of a misdemeanor or felony, pleaded guilty, or nolo contendere to any charge in any state, jurisdiction, country or province? It IS required to report DWI(s), DUI(s), or substantially similar offense(s). However, it is NOT required to report other traffic violations as they do not constitute a crime.” However, records indicate, on or about August 2, 1995, Respondent entered a plea of guilty to the misdemeanor offense of Theft by Check in the Cass County Court, Texas. The Arkansas State Board of Nursing *Rules*, Chapter 7, Section IV (A)(1)(a) states that “fraud and deceit” shall include false representation of facts on an application for licensure by examination or licensure by endorsement without examination or an application for renewal of a license. Respondent’s “no” answer to the question on the endorsement application was a false representation of the facts. On January 19, 2023, Board staff received a request from Respondent for appeal of the Letter of Reprimand issued January 19, 2023, via the nurse portal message center.

**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 **CARLA MARIE THOMAS HODGE JACKSON, LICENSE NO. CNP 221880**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(1) and that the Letter of Reprimand appeal be dismissed for failure to appear and prosecute.

Brought by Tabitha Lancaster and seconded by Barbara Hillman.

**PASSED**

**CHARLES AUGUSTINE FRYMAN, JR., LICENSE NO. R106128 (EXPIRED)**

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 August 24, 2022, the Board issued a Letter of Reprimand with stipulations on Respondent’s Nurse License. Respondent was ordered to attend and submit evidence of course completion within six (6) months of *The Nurse and Professional*

*Behaviors and Older Adult Care – Geriatrics* courses. The Letter of Reprimand was sent by certified mail to Respondent's last known mailing address on file with the Board and through the nurse portal. The certified letter was signed for and delivered to Respondent on September 7, 2022. Respondent failed to provide evidence of course completion for the two (2) courses within six (6) months. On August 7, 2023, a notice was sent to Respondent through First-Class mail and through the nurse portal, notifying Respondent to submit the course completion certificates by August 21, 2023, or a hearing would be scheduled. The letter sent by First-Class mail has not been returned. Respondent has not viewed the letter in the nurse portal. Respondent has failed to provide evidence of course completion for the two (2) courses and has not communicated with Board staff. Respondent has violated Ark. Code Ann. § 17-87-309(a)(6) and the Board's *Rules*, Chapter Seven, Section IV (A)(6)(t) by failing to fully comply with the terms and conditions of the Letter of Reprimand dated August 24, 2022.

**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 **CHARLES AUGUSTINE FRYMAN, JR., LICENSE NO. R106128 (EXPIRED)**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and the ASBN *Rules*, Chapter 7, Section IV, (A)(6)(t), and that Respondent's license and privilege to practice as a nurse be suspended until the terms of their Letter of Reprimand are met.

Brought by Lakisha Young and seconded by Phillip Petty.

**PASSED**

**DANA DEE HATHCOAT KING, LICENSE NO. L036291**

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 11, 2022, the Board issued a Letter of Reprimand with stipulations on Respondent's Nurse License. Respondent was ordered to submit evidence of course completion within six (6) months of *The Nurse and Professional Behaviors* course. The Letter of Reprimand was sent by certified mail to Respondent's last known mailing address on file with the Board and through the nurse portal. The certified letter was delivered on March 21, 2022. Respondent failed to complete the required course within six (6) months. On August 23, 2023, a notice was sent to Respondent through the nurse portal, notifying Respondent to submit the course completion certificate by September 6, 2023, or a hearing would be scheduled. Respondent viewed the letter in the portal on September 4, 2023, at 08:23 am. Board staff verified that Respondent has not registered for the *Nurse and Professional Behaviors* course with the course preceptor, Megan Foshee. Respondent has not communicated with Board staff and has not completed the required course. Respondent has violated Ark. Code Ann. § 17-87-309(a)(6) and the Board's *Rules*, Chapter Seven, Section IV (A)(6)(t) by failing to fully comply with the terms and conditions of the Letter of Reprimand dated March 11, 2022.

**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 **DANA DEE HATHCOAT KING, LICENSE NO. L036291**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and the Board's *Rules*, Chapter Seven, Section IV (A)(6)(t), and that Respondent's license and privilege to practice as a nurse be suspended until the terms of their Letter of Reprimand are met.

Brought by Jamie Sims and seconded by Allie Barker.

**PASSED**

**ANNETTE SKAGGS HARROD RATHE, LICENSE NO. L034153**

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 June 16, 2022, the Board issued a Letter of Reprimand with stipulations on Respondent's Nurse License. Respondent was ordered to submit evidence of course completion within six (6) months of *The Nurse and Professional Behaviors* course. The Letter of Reprimand was sent by certified mail to Respondent's last known mailing address

on file with the Board and through the nurse portal. The certified letter was signed for by Respondent and delivered on June 18, 2022. Respondent viewed the letter in the nurse portal on June 16, 2022, at 11:10 a.m. Respondent failed to provide evidence of completion of the ordered course within six (6) months. On August 21, 2023, a notice was sent to Respondent through First-Class mail and the nurse portal, notifying Respondent to submit the course completion certificate by September 5, 2023, or a hearing would be scheduled. Respondent did not view the letter in the nurse portal. The letter sent by First-Class mail was not returned. Board staff verified that Respondent has not registered for the *Nurse and Professional Behaviors* course with the course preceptor, Megan Foshee. Respondent has not communicated with Board staff and has failed to complete the ordered course. Respondent has violated Ark. Code Ann. § 17-87-309(a)(6) and the Board's *Rules*, Chapter Seven, Section IV (A)(6)(t) by failing to fully comply with the terms and conditions of the Letter of Reprimand dated June 16, 2022.

**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 **ANNETTE SKAGGS HARROD RATHE, LICENSE NO. L034153**, has been charged with a violation of Ark. Code Ann. § 17-87-309(a)(6) and the Board's *Rules*, Chapter Seven, Section IV (A)(6)(t), and that Respondent's license and privilege to practice as a nurse be suspended until the terms of their Letter of Reprimand are met.

Brought by Jamie Sims and seconded by Phillip Petty.

**PASSED**

Sue Tedford, Director, and David Dawson updated the Board on a case they were contacted about that involved many nurses who were witnesses for the DEA. The DEA requested the Board to delay any discipline action against the nurses until after the case has been adjudicated in court. Currently there are no current investigations against any of the nurses. Based on the advise of Arkansas Department of Health counsel and the Attorney General's Office, if a complaint is received on any of the identified nurses, an investigation will be conducted per current policy. Prior to any discipline action, additional legal advise will be sought.

Shannon McKinney, Assistant Director, updated the Board on the Prescribing Matric Report. After discussion, the following Motion was presented:

**MOTION:** I MOVE that the Arkansas State Board of Nursing issue a letter to all APRNs after the first appearance on the Prescriber's Metrics Report. If an APRN appears on the Prescriber's Metrics Report a second time in a two-year period the APRN will referred for investigation. If the APRN has a score of 7, they will immediately be referred to investigation. Failure to respond to Board staff, the APRN will be referred to investigation.

Brought by Jamie Sims and seconded by Phillip Petty.

**PASSED**

The following items were discussed:

- APRN Round Table will be April 9, 2024.
- Mid Year meeting will be March 12, 2024, until March 14, 2024, in Atlanta, Georgia.
- Nurse Licensure Compact meeting will be March 11, 2024.
- NOAP will be May 14, 2024, until May 17, 2024, in Fort Myers, Florida.
- The ASBN 2023 Annual Report was distributed to each Board member.
- Winter weather is forecasted for next week. The Board was apprised of the ASBN Disaster Plan which allows staff to work remotely in the event the office is closed for inclement weather.
- The solar eclipse is the week of the April Board meeting. It is expected Little Rock and surrounding areas will have many tourists and hotel rates will be exceptionally high. The Board was given the option to cancel the April meetings or move the April hearings to March. The Board will vote on this on January 11, 2024.

- Staff discussed the pros and cons of Board ordered drug screens including Benadryl. The current MRO supports removing Benadryl since it is an over-the-counter medication and abuse cannot be identified through a drug screen. A motion was made to remove Benadryl from the panel.
- The FBI audited the Board of nursing related to handling criminal records checks. The final report showed ASBN had zero findings.

Allie Barker, President, discussed faculty to student ratio. Bureau of Legislative Research (BLR) approached her about a review of the current faculty ration in Arkansas. Tammy Vaughn, Program Coordinator, also added information for the Board.

Tabitha Lancaster, Vice President, discussed attending the Work Force meeting hosted by Workforce Services.

**MOTION:** I MOVE that the Arkansas State Board of Nursing distribute the funds From the Faith A. Fields Nursing Loan program for the 2024 Spring Semester, as follows:

**Practice Renewal Applicants:**

- 1) \$1,250.00 payable to Northwest Arkansas Community College on behalf of Caeylin Ace;
- 2) \$2,500.00 payable to Arkansas State University on behalf of Claire Brown;
- 3) \$2,000.00 payable to University of Arkansas at Fayetteville on behalf of Jose Cano;
- 4) \$1,250.00 payable to North Arkansas College on behalf of Jennifer Cline;
- 5) \$2,500.00 payable to Henderson State University on behalf of Clayton Cockerill;
- 6) \$2,500.00 payable to Henderson State University on behalf of Lunden Cotton;
- 7) \$2,500.00 payable to University of Central Arkansas on behalf of Terren Cox;
- 8) \$2,500.00 payable to Ouachita Baptist University on behalf of Clark Denney;
- 9) \$2,500.00 payable to Ouachita Baptist University on behalf of Cassandra Ecker;
- 10) \$2,500.00 payable to Henderson State University on behalf of Caitlyn Jones;
- 11) \$1,000.00 payable to University of Arkansas at Fayetteville on behalf of Cierra Lenderman;
- 12) \$1,250.00 payable to Arkansas Tech University on behalf of Christina Picard;
- 13) \$2,500.00 payable to Black River Technical College on behalf of Sharonaka Ransom;
- 14) \$2,500.00 payable to Arkansas State University on behalf of Madison Taylor;
- 15) \$2,500.00 payable to Harding University on behalf of Marissa Tidmore;
- 16) \$2,500.00 payable to Baptist Health College on behalf of Cheryl Tilmon;
- 17) \$1,000.00 payable to University of Arkansas at Monticello on behalf of Holly Wilson.

**Jill Hasley Memorial Scholarship:**

Educator- \$4,500.00 payable to Arkansas State University on behalf of Meredith Sykora; and

Practice- \$1,250.00 payable to National Park College on behalf of Emma McJunkins

Brought by Allie Barker and seconded by The Scholarship Committee.

**PASSED**

**MOTION:** I MOVE that the Arkansas State Board of Nursing approve the revision of the July 2024 Board Meeting dates to be held on July 24<sup>th</sup> and July 25, 2024.

Brought by Allie Barker and seconded by Jamie Sims.

**PASSED**

ASBN MINUTES

January 10, 2024

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**MOTION:** I MOVE that ASBN remove diphenhydramine from the standard panels utilized in drug screen monitoring.

Brought by Phillip Petty and seconded by Jamie Sims.

**PASSED**

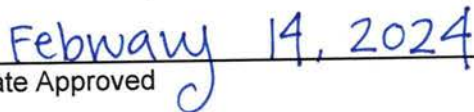
There being no further business, the meeting adjourned at 4:04 pm.



Allie Barker, President



Mindy Darner, Recording Secretary



Date Approved