



# 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 Asa Hutchinson  
José R. Romero, MD, Secretary of Health  
Sue A. Tedford, MNSc, APRN, Director

## BOARD MEETING MINUTES

<b>TIME AND PLACE:</b>	January 5, 2022 Board Conference Room
<b>MEMBERS PRESENT:</b>	Lance Lindow, RN; Neldia Dycus, BS, MHSM, MHRD, RN; Janice Ivers, MSN, RN, CNE; Stacie Hipp, APRN; Jasper Fultz, LPN; Melanie Garner, LPN, CLC; Yolanda Green, LPN; Ramonda Housh, MNSc, APRN, CNP, C-PNP.
<b>MEMBERS ABSENT:</b>	Rachel Sims, BSN, RN
<b>STAFF ATTENDING AT VARIOUS TIMES:</b>	Sue A. Tedford, Director, MNSc, APRN David Dawson, JD, General Counsel Ashley Fisher, Attorney Specialist Tonya Gierke, Assistant Director, MNSc, RN, CNE 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, Tammy Vaughn, Program Coordinator, MSN, RN, CNE Aaron Singleton, Regulatory Board Chief Investigator 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 Mary Kennebrew, Office of Attorney General

President Lance Lindow called the meeting to order at 8:33 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.

#### **CARA BLAKLEY SMITH PARKER, LICENSE NO. R072679**

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. Respondent was admitted to the Board's Alternative to Discipline program, ArNAP, on November 26, 2019. She was discharged from the program on June 30, 2020, for failure to comply with the terms and conditions of the alternative to discipline contract. Respondent had a missed check in, a no-show for testing, a dilute specimen, and four (4) failed specimens for ETG/ETS, alcohol, and morphine. On September 9, 2020, the Board ratified a Consent Agreement placing Respondent's license on probation for three (3) years. Respondent has

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failed to comply with all the terms of the September 9, 2020, Probation Consent Agreement. Respondent failed to contact the Board approved monitoring company daily as agreed in the Consent Agreement. Respondent missed eleven (11) check-ins. Respondent failed to submit specimens for drug testing when selected by the Board approved monitoring company on five (5) occasions between October 1, 2020, and November 30, 2021. Respondent submitted specimens positive for a drug with no prescription on file with the Board, on November 8, 2021 – Barbiturates – Butalbital 235 ng/mL. Respondent submitted specimens positive for the metabolites of alcohol on October 6, 2021 – ETG 14,689 ng/mL, ETS 4,965 ng/mL; and on May 10, 2021 – ETG 8,491 ng/mL, ETS 4,965 ng/mL. Respondent submitted dilute specimens for drug testing on four (4) occasions between October 1, 2020, and November 30, 2021. Respondent failed to submit Treatment Provider Reports (0 of 4), and Employer Reports (0 of 2) as agreed in the Consent Agreement. ASBN notified Respondent several times of her noncompliance in addition to the automated messages sent by Affinity. 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 comply with the terms and conditions of the Probation Consent Agreement, signed by Respondent, and ratified by the Board on September 9, 2020.

**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 **CARA BLAKLEY SMITH PARKER, LICENSE NO. R072679**, 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 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 \$3,750.00, 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 attend 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 at least three (3) AA/NA or other Board approved support group meeting(s) a week during the period of suspension and / or probation.
- 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. Treatment shall begin within thirty (30) days of receipt of this Order.
- 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 appropriate documentation (i.e. short-term waiver, medical record documentation, etc.). Respondent shall notify Board staff 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 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

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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. 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 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 within ten (10) days of the change.
- Respondent shall request to the Board verification of termination of the suspension period and license reinstatement to probation via the ASBN Nurse Portal or via the Board approved monitoring program 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 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 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 not be employed in critical care, in-home hospice or home health settings.
- Respondent shall request verification of termination of the probationary period via email at [ASBN.monitoring@arkansas.gov](mailto:ASBN.monitoring@arkansas.gov). Respondent is required to continue all monitoring

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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 Ramonda Housh and seconded by Melanie Garner.

**PASSED**

**Ashley Fisher**, Attorney Specialist, presented a consent agreement 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 Agreement:

**Melhorn, Denetia Lynn Roberts Power Lumsden R080641 (Rison, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309 (a)(4) and (a)(6)  
Probation – 3 years  
Courses – Substance Abuse Bundle and The Nurse and Professional Behaviors  
Civil Penalty - \$750.00

Brought by Neldia Dycus and seconded by Melanie Garner

**PASSED**

**Ashley Fisher**, Attorney Specialist, 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:

**Adair, Nina Marie Rice Edwards L048240 (Cabot, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309 (a)(6)  
Probation – 1 year  
Courses – The Nurse and Professional Behaviors  
Civil Penalty - \$425.00

**Carpenter, Constance Louise Priester Glass RN TX 683911 (Holiday Island, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309 (a)(4), (a)(6), (a)(8)  
Probation – 5 years  
Courses – Substance Abuse Bundle, The Nurse and Professional Behaviors, and refresher course

**McCauley, Kimberly Renea LPN Applicant (Dierks, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309 (a)(2), (a)(4)  
Probation – 3 years  
Courses – Substance Abuse Bundle

**Thompson, Cody Ray R102891, L055408 (Arkadelphia, AR)**

Violation – *The Nurse Practice Act of Arkansas* ACA §17-87-309 (a)(4), (a)(6)  
Probation – 3 years  
Courses – Substance Abuse Bundle

Brought by Stacie Hipp and seconded by Janice Ivers

**PASSED**

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**Sue Tedford** discussed the following items:

- Up-coming business meeting
- Issues discussed at the December meeting of the Arkansas Medical Board
- Board members may participate in a review of NCLEX test items. The review will be scheduled between May 9<sup>th</sup> and May 27<sup>th</sup>

**Jasper Fultz** brought a motion to approve continued disbursement of funds from the Faith A Fields Nursing Loan Program.

**MOTION:** I MOVE that the Arkansas State Board of Nursing continue the disbursement of the funds from the Faith A Fields Nursing Loan Program for the 2022 Spring Semester, as follows:

### **Practice Renewal Applicants:**

- 1) \$600.00 payable to University of Arkansas at Fayetteville on behalf of Faith Boyd;
- 2) \$1,200.00 payable to University of Arkansas at Fayetteville on behalf of Raymond Cabarcas;
- 3) \$600.00 payable to University of Arkansas at Little Rock on behalf of Brittney Harding;
- 4) \$1,200.00 payable to University of Arkansas at Fort Smith on behalf of Erica Harris;
- 5) \$600.00 payable to University of Arkansas at Little Rock on behalf of Naomi Hill;
- 6) \$1,200.00 payable to Henderson State University on behalf of Keaira Jackson;
- 7) \$1,200.00 payable to University of Arkansas for Medical Sciences on behalf of Carey James, Jr.;
- 8) \$1,200.00 payable to University of Arkansas for Medical Sciences on behalf of Dominique Matlock;
- 9) \$1,200.00 payable to University of Arkansas at Fort Smith on behalf of Allison Mooney;
- 10) \$1,200.00 payable to Northwest Technical Institute on behalf of Christine Moore;
- 11) \$1,200.00 payable to Walden University on behalf of Shannon Morgan;
- 12) \$1,200.00 payable to University of Arkansas at Fayetteville on behalf of Jennifer Ragsdale;
- 13) \$1,200.00 payable to Arkansas State University on behalf of Emma Watkins

### **Educator Renewal Applicants:**

- 1) \$4,000.00 payable to University of Central Arkansas on behalf of Karmen Goodner;
- 2) \$2,500.00 payable to Aspen University on behalf of Kristina Shelton;
- 3) \$2,500.00 payable to Aspen University on behalf of Ashley Simmons.

### **Jill Hasley Memorial Scholarship:**

Educator- Susan Ferguson in the amount of \$700.00 payable to University of Arkansas at Fayetteville.

Brought by Jasper Fultz and seconded by The Scholarship Committee.

**PASSED**

**Sue Tedford** spoke to the Board about the midyear meeting and asked who would like to attend. Ramonda Housh, Stacie Hipp, Yolanda Green, and Melanie Garner said they would like to attend. The delegates will be Lance Lindow, Sue Tedford, and Neldia Dycus will be an alternate

**Sue Tedford** presented to the Board a motion to approve the highlighted edits to the *ASBN Rules*, Chapter 4. After discussion, the following Motion was approved:

**MOTION:** I MOVE that the Arkansas State Board of Nursing approve the highlighted edits to the *ASBN Rules*, Chapter 4.

Brought by Lance Lindow and seconded by Stacie Hipp

**PASSED**

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The meeting recessed for lunch at 12:00 p.m. Following lunch, the Board resumed hearings.

President Lance Lindow called the meeting to order at 1:00 p.m. A flexible agenda was approved.

### **TREVIA LYNN GOODALL LICENSE NO. R095145**

Respondent was present for the proceedings before the Board and was represented by counsel, Darren O'Quinn. Aaron Singleton, Chief Investigator, provided testimony on behalf of the Board. Tyrin J. Strickland, Respondent's husband provided testimony for the Respondent. Respondent has been charged with *Arkansas Nurse Practice Act*, A.C.A. §17-87-309(a)(2) and pleads not guilty to the charges. On August 23, 2021, the Board issued a Letter of Reprimand to Respondent for violations of the *Arkansas Nurse Practice Act*, A.C.A. §17-87-309(a)(2). Respondent was ordered to complete the *Nurse and Professional Behaviors* course within six months. Respondent pled guilty to *Disorderly Conduct*, in violation of A.C.A. 5-71-207, in the District Court of Crittenden County on April 13, 2020. On September 16, 2021, Respondent requested a hearing to appeal the issuance of the Letter of Reprimand.

**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 **TREVIA LYNN GOODALL LICENSE NO. R095145**, UPHOLD the Letter of Reprimand issued August 23, 2021, with the removal of course *The Nurse and Professional Behaviors*.

Brought by Janice Ivers and seconded by Yolanda Green.

**PASSED**

### **JUSTIN MYERS, LICENSE NO. R092352**

Respondent was present for the proceedings before the Board and was not represented by counsel. Aaron Singleton, Chief Investigator, provided testimony on behalf of the Board. Respondent has been charged with *Arkansas Nurse Practice Act*, A.C.A. §17-87-309(a)(6) and pleads not guilty to the charges. On October 7, 2021, the Board issued a Letter of Reprimand to Respondent for violations of the *Arkansas Nurse Practice Act*, A.C.A. §17-87-309(a)(6). Respondent was ordered to complete the *Nurse and Professional Behaviors* and *Anger Management* courses. An investigation was prompted by a complaint to the ASBN by Peggy Henderson, the Administrator of Methodist Behavioral Hospital, reporting Respondent had inappropriate physical contact with a patient using his closed fist. Respondent worked at Methodist Behavior Health in a facility with juvenile patients who had behavioral issues. Records from the facility indicate Respondent had a verbal confrontation with a juvenile patient that turned into a physical altercation. Video of the incident was reviewed. The video depicts the following observations: Respondent can be seen on video acting in an aggressive manner toward one (1) juvenile patient. Respondent can be seen in the video clearly instigating the confrontation and not taking the standard steps expected of a nurse to defuse an obviously hostile situation. In addition to aggressively posturing and steadily advancing on the juvenile, Respondent can be seen pushing/shoving the juvenile backwards on at least two (2) occasions prior to the confrontation turning physical. The juvenile can be seen punching Respondent in the face at which point Respondent pushes the juvenile up against a wall and repeatedly punches him with a closed fist. Respondent eventually takes the juvenile to the ground, mounts on top of him and delivers what appears to be another blow to the juvenile's head before others come and hold the juvenile down as the incident ends. Respondent's employment with Methodist Behavior Health was terminated because of this incident. In a written statement, Respondent denies that he instigated the incident and states that the punches he threw were "involuntary punching motion" that stopped before he touched the patient. Video evidence does not support this statement. On November 5, 2021, ASBN staff received a written request from Respondent to appeal the October 7, 2021, Letter of Reprimand.

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**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 **JUSTIN MYERS, LICENSE NO. R092352**, UPHOLD the Letter of Reprimand issued on October 7, 2021.  
Brought by Yolanda Green and seconded by Janice Ivers.  
**PASSED**

There being no further business, the meeting adjourned at 3:58 pm.

*Lance K. Lindow RN*

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Lance Lindow, President

*Mindy Darner*

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Mindy Darner, Recording Secretary

*4.7.2022*

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Date Approved