



# 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>	November 18, 2021 Board Conference Room
<b>MEMBERS PRESENT:</b>	Lance Lindow, RN; Neldia Dycus, BS, MHSM, MHRD, RN; Janice Ivers, MSN, RN, CNE; Stacie Hipp, APRN; Michael Burdine, RN; 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 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 Lisa Mendenhall, Legal Support Specialist Mary Kennebrew, Office of Attorney General

President Lance Lindow called the meeting to order at 8:36 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.

#### **MARK WAYNE CLARK, LICENSE NO C001569**

Respondent was present for the proceedings before the Board and was represented by counsel, Bart Calhoun and Gabriel Mallard. Shannon McKinney, DNP, APRN, WHNP-BC, RNC-OB, and Nick Shull Arkansas Department of Health, Pharmacy Services, provided testimony on behalf of the Board. Ben Campbell, CRNA NSPM-C, Anesthesia Specialist, Mena Regional Health System, Kasia Pabian, CRNA, Sentient Anesthesia Little Rock, AR, and Scott Rigdon, MPH, DNAP, CRNA, NSPM-C, TAP Anesthesia, Montana provided witness testimony on behalf of the Respondent. Respondent has been charged with A.C.A. §17-87-102(7)(A) and §17-87-309(a)(1) and pleads not guilty to the charges. On January 21, 2021, the Board issued a Letter of Reprimand to Respondent for violations of the *Arkansas Nurse Practice Act*, A.C.A. §17-87-102(7)(A) and §17-87-309(a)(1). On or about June 11, 2020, the Board received a complaint related to Respondent's practice at Clark Pain Clinic, located inside Piggott

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Community Hospital. An investigation determined that Respondent prescribed the following at Clark Pain Clinic: June 1, 2020 - Marcaine 0.25% 4 ml and Depo-Medrol 40 mg, June 3, 2020 - Decadron 5 mg and Marcaine 0.25% 1 ml, June 22, 2020 - Lidocaine 1% 3ml and Depo-Medrol 80 mg, June 29, 2020 - Botox 185 units, July 1, 2020 - Lidocaine 1% and Depo-Medrol 40 mg, July 6, 2020 - Lidocaine 1% 2 ml and Decadron 1.5-2 mg, July 10, 2020 - Lidocaine 1% 7 ml and Decadron 10 mg, July 13, 2020 - Decadron 10 mg, Lidocaine 1% 1 ml, Marcaine 0.25% 8 ml, and Depo-Medrol 40 mg, July 20, 2020 - Lidocaine 1% 10 ml and Depo-Medrol 40 mg, and July 27, 2020 - Lidocaine 1% 2 ml and Marcaine 0.25% 1 ml. Respondent did not have prescriptive authority for the listed medications. The procedures done in the pain clinic setting were not administered preoperatively or postoperatively, and there are no physician's orders for the medications administered. Medical records indicate Respondent as the "Attending Physician." No Supervising Physician is indicated on the records and no records indicate that a physician evaluated the patients before they were seen by Respondent or that a physician reviewed Respondent's records. Respondent's attorney filed a timely Notice of Appeal and Request for Hearing on March 24, 2021, to appeal the Letter of Reprimand issued on January 21, 2021.

**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 the Letter of Reprimand issued to **MARK WAYNE CLARK, LICENSE NO C001569, R073955 (expired)**, on November 18, 2021, be Rescinded

Brought by Melanie Garner and seconded by Ramonda Housh.

**PASSED**

The meeting recessed for lunch at 1:34 p.m. Following lunch, the Board resumed hearings.

President Lance Lindow called the meeting to order at 2:17 p.m. A flexible agenda was approved.

### **DERRICK JAMAL BILLINGSLEY, LICENSE NO R212688**

Respondent was present for the proceedings before the Board and was represented by counsel, Stewart Whaley. Karen McCumpsey, MNSc, RN, CNE, provided testimony on behalf of the Board. On June 25, 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)(1) and (a)(2). On or about May 4, 2017, Respondent plead No Contest to Failure to Appear in Crittenden County District Court, Marion Division, Arkansas. On or about March 21, 2012, Respondent was found guilty of Criminal Mischief 1st Degree Damage, in the District Court of Jacksonville, Arkansas. On June 4, 2020, Respondent submitted an examination application to the Arkansas State Board of Nursing with "no" marked as the answer for the question "Have you been convicted of a misdemeanor or felony, pled guilty or nolo contendere to any charge in any state, jurisdiction, country or province?: (With the exception of DWI, traffic violations do not constitute a crime). The Letter of Reprimand was sent by certified mail to Respondent's last known address on file with the Board. On July 13, 2021, Board staff received Respondent's email request to appeal the June 25, 2021, Letter of Reprimand.

**MOTION:** I MOVE to accept the Respondent's motion to withdrawal of his appeal of the Letter of Reprimand issued to **DERRICK JAMAL BILLINGSLEY, LICENSE NO R212688**.

Brought by Stacie Hipp and seconded by Janice Ivers.

**PASSED**

### **MARK GARRAHAN, RN LICENSE NO 213937**

Respondent was not present for the proceedings before the Board and was not represented by counsel. Karen McCumpsey, MNSc, RN, CNE, provided testimony on behalf of the Board. On June 25, 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)(1) and (a)(2). On or about April 26, 2006, Respondent was found guilty of DWI in

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Stone County District Court, Arkansas. On September 24, 2020, Respondent submitted an examination application to the Arkansas State Board of Nursing with "no" marked as the answer for the question "Have you been convicted of a misdemeanor or felony, pled guilty or nolo contendere to any charge in any state, jurisdiction, country or province?: (With the exception of DWI, traffic violations do not constitute a crime). The Letter of Reprimand was sent by certified mail to Respondent's last known address on file with the Board. On July 19, 2021, Board staff received Respondent's request to appeal the June 25, 2021, Letter of Reprimand.

**MOTION:** I MOVE to dismiss the Respondent's appeal of the Letter of Reprimand issued to **MARK GARRAHAN, RN LICENSE NO 213937.**

Brought by Stacie Hipp and seconded by Janice Ivers.

**PASSED**

The following motions were brought before the Board:

**MOTION:** I MOVE that the Arkansas State Board of Nursing make the following change regarding the Faith A. Fields Nursing Loan for the 2021 Fall Semester, as follows:

**Practice Applicant:**

Change the disbursement amount of the scholarship from \$1,200.00 to \$600.00 payable to the University of Arkansas at Little Rock on behalf of Naomi Hill.

Brought by Neldia Dycus and seconded by Mike Burdine.

**PASSED**

The following motions were brought before the Board:

**MOTION:** I MOVE that the Arkansas State Board of Nursing approve the Board Meeting Minutes from the October 13, 2021, and October 14, 2021, Board Meetings.

Brought by Neldia Dycus and seconded by Mike Burdine.

**PASSED**

There being no further business, the meeting adjourned at 2:28 pm.



Lance Lindow, President



Mindy Darner, Recording Secretary



Date Approved