

ASBN

Update

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**NURSES WEEK:
ATTITUDE IS
EVERYTHING**

**NURSING STUDENTS GET IN
ON THE ACTION TO HELP,
"MOVE THAT BUS!"**

Publication of the Arkansas State Board of Nursing

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The mission of the Arkansas State Board of Nursing is to protect the public and act as their advocate by effectively regulating the practice of nursing.

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Education



WHAT IS PROBATION?

You may see under the “Disciplinary Actions” section of this magazine, the heading of “Probation”. While it is the most frequently used form of discipline, it’s widely misunderstood among nurses. Does that mean that we just say, “Don’t do that any more, Jamie – now go and be a good nurse.”? Far from it, because every probation comes with conditions that must be met.

Chief among them, in more cases than not, is drug testing. And this is a far more stringent testing program than the one that most employers use. Every day, the nurse must call a phone number, and if the nurse is selected to be tested that day, the nurse must give an observed specimen at a testing site within two hours. If nurses don’t call, or if they call, but do not get tested within two hours, the Board is notified. They’re not just tested for a handful of drugs, but all abuse potential, and many non-abuse potential drugs. In fact, the drug that we have the most positives for is probably Tylenol. These nurses are tested for extremely low levels of drugs so that they can’t just super-hydrate themselves during their two hour window and hope to pass the test. Any nurse who is on probation for a drug related charge is prohibited from consuming alcohol at any time for the period of the probation. This means that we can use a test that shows if alcohol has been used in the last few weeks, instead of just the last few hours. After numerous complaints from those being tested, Board Staff, and Board Members, we have recently rescinded approval from one monitoring and testing company. FirstLab is now the only Board approved drug testing and monitoring program. (Those nurses under contract with a company that is no longer approved, however, must read and comply with any contract that they may have with that company.) This change was made to give the Board confidence that any non-compliance would

be quickly and accurately reported.

In addition to drug testing, we often require coursework. This can be anything from ethics classes to a full refresher course with clinical. If a nurse has a problem with knowledge, skills, or judgment we want to make every effort to correct that.

“But how will I know if one of my employees is on probation?” All nurses who are on probation for substance abuse issues must have their employer submit an Employer/Impaired Nurse contract to the Board. This way, the employer knows that the nurse is under probation, and we know that the employer knows. If the employer has any questions about what supervision requirements have been placed upon the nurse, or would like to verify the reason for the probation, they can contact the Board. We require all nurses under probation to have their employer submit quarterly employee performance reports to the board. In addition to those submitted by the employers, the nurse must submit a quarterly personal report. Included in those reports must be a record of any required meetings (AA, NA, etc.) attended during the quarter.

I’m sure that some nurses (particularly those on probation) will say that these requirements are too stringent, while others will argue that it isn’t enough. Our mission, however, is not punishment, but public protection. These are required conditions, not just suggestions, and those who don’t meet them may be rapidly headed towards license suspension.

Sincerely

A handwritten signature in black ink, appearing to read 'Dan West'.

Dan West, President
Arkansas State Board of Nursing

Important Information

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LOST OR STOLEN LICENSE

A listing of all lost or stolen licenses can be found at www.arsbn.org. All reissued licenses will have "DUPLICATE LICENSE" stamped on them. Employers are urged to inspect the original license from a job applicant and verify the nurse's identity with a photo ID.



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ARE WE THERE YET?

When my husband was a child, his family traveled to Texas for vacation each year and as most children do, he frequently asked,

"Where are we? How much longer is it going to be? Are we there yet?" On one occasion, his mother looked up mistaking a gas station sign for a city sign and said, "Hush honey, we're in Humble." Well, for those who remember that Exxon used to be Humble Oil Company, that let's you know how old we are!

About this time of year, in odd numbered years, I can be heard saying that old phrase, "Are we there yet?" but I'm not talking about a trip, I'm looking for the end of the legislative session! By the time you read this, hopefully all will be completed at the capitol and life will be back to the usual hustle and bustle. When the magazine went to print, the following is what was known about bills introduced in the 86th General Assembly this year:

Act 72, sponsored by Representative Sandra Prater, RN, clarifies that one board of the healing arts cannot take action against a licensee of another board of the healing arts and describes the process that shall be used for such complaints.

Act 125, by Representative Prater, establishes the Arkansas Legislative Task Force on Traumatic Brain Injury to address this subject. The task force will include representation from a variety of healthcare entities including the Arkansas Nurses Association and the Board of Nursing.

Act 205, by Representative Prater, com-

bines the LPN and LPTN positions on the board of nursing such that there will be four LPN or LPTN board members. This will allow the governor to appoint either licensee in these four positions, provided they meet the qualifications set out in statute.

Act 206, by Representative Prater, changes the medication assistant legislation to title protect the term "Medication Assistant-Certified" and the initials "MA-C". The act will also allow nursing students to take the medication assistant certification examination once they have completed a designated portion of their nursing program. The legislation also adds a nurse educator to the Board of Nursing's Medication Assistant Advisory Committee.

Act 207, by Representative Prater, makes technical corrections to the nurse practice act to clarify that the board has the authority to take action on a nurse's privilege to practice in this state when working on a compact license.

Act 1038, sponsored by Senator Barbara Horn, clarifies that any licensed healthcare professional is covered by the Good Samaritan Law.

HB 2805, sponsored by Representative T. Baker did not pass. This bill would have authorized RNs and APNs to pronounce death and complete and sign medical death certificates in certain circumstances when death occurs from natural causes in a hospital, nursing facility, hospice or private home served by home health care provider or hospice and the patient is under the care of a physician who is unable to be present within a rea-

sonable time period. This bill was recommended for study by the Joint Interim Committee on Public Health, Welfare and Labor Committee.

Act 558, sponsored by Representative Dickinson, was on its way to the Governor's desk at this writing. This bill moves Tramadol (Ultram) to a schedule IV controlled substance in this state. Any APN with prescriptive authority must now have a DEA registration number on file to prescribe this drug.

HB2300, sponsored by Representative Gene Shelby, MD, was deemed by the Legislative Rules Committee to have been filed improperly. This bill would have given the Medical Board authority to develop rules for supervision over "medical personnel" a term that is not currently defined by the medical practices act or rules. The bill would also have given the medical board authority to establish rules regarding the physician's role and function in collaborative practice agreements.

An Act number indicates the legislation passed. If a house bill (HB) or senate bill (SB) number is listed, you can go to the general assembly website for the final action taken on the bill. To obtain the full text of any legislation introduced this session go to www.arkleg.state.ar.us and enter the bill or act number in the appropriate blank.

If you haven't done so already, contact your legislator and thank them for their dedication and the hard work they do throughout the year.

Faith A. Fields

Faith A. Fields, MSN, RN

Board Business



Standing L to R: Robert Currie, LPTN; Pamela Crowson, RN; Lori Eakin, LPN; Cassandra Harvey, RN; Peggy Morgan, LPN; Darlene Byrd, APN; Frank Fusco, Rep. of Older Population, Seated L to R: Stephanie Rockett, RN; Dan West, RN; Lepaine McHenry, RN; Kathy Hicks, RN

The public is invited to attend ASBN Meetings. Groups of more than five should call and ask for Carmen Sebastino at 501.686.2701

BOARD MEETING DATES FOR 2007

June 13	Disciplinary
June 14	Disciplinary
July	No Meetings Scheduled
August 1	Disciplinary
August 2	Disciplinary
September 12	Disciplinary
September 13	Business
October 10*	Disciplinary
October 11*	Disciplinary
November 14	Disciplinary
November 15	Disciplinary
December	No Meetings Scheduled
April 2-4	NCSBN Mid Year Meeting New Orleans, LA
August 7-10	NCSBN Annual Meeting Chicago, IL

*decide by September whether dates are needed.

ASBN WELCOMES



New Staff Member

The Arkansas State Board of Nursing is pleased to welcome Ms. Chiquita Hadley as our new Receptionist/Cashier. Ms. Hadley's previous experience includes: working for the Arkansas Department of Corrections and Department of Finance and Administration.

She attended school in Oklahoma, receiving an Associate Degree in Applied Science and Math. "I am very happy to be working for the State of Arkansas and especially for the Board of Nursing."

When Chiquita is not at work, she enjoys learning Spanish, traveling, spending time with friends and volunteering with the ministry at her church.



NURSING STUDENTS GET IN ON THE ACTION TO HELP, **“MOVE THAT BUS!”**

Recently, a star studded assignment came my way and the only requirement was to drive to Murfreesboro to cover it. As I drove from Little Rock to Murfreesboro, I took a turn off the beaten path towards the small winding roads of rural Hollywood- Arkansas that is- to find myself on a bumpy two lane road. I saw how rural Arkansas lives in the country complete with fresh air, cool nights and wild deer eating just off the side of the road. Upon arriving in town, I saw people driving in the same direction toward a huge tent. I approached the tent to check in and was issued a hard hat and media pass. I rolled down the dirt road to find bright lights, talent trailers scattered all up and down the area leading to where the television camera crews and home designers all converged on Pit Road in Murfreesboro.

That's right ABC's *Extreme Home Makeover* was in town and the nursing students from Cossatot Community College were on site. "I got a phone call from builders by the name of

RealSteel out of Rogers, Arkansas saying that they wanted nurses and nursing students on site to help out with an extreme home makeover build and I just knew someone was playing a joke on me.", nursing educator Kim Dickinson, RN said.

The nursing students and their instructors were on site to help with bruises, sprains, cuts and splinters. Nursing educator Kim Dickinson coordinated the efforts by organizing 24 hour, around the clock care for anyone who needed it.

The masses of volunteers that numbered up to 1,500 were a sight to see and of course, there was Ty Pennington, the star of ABC's *Extreme Makeover: Home Edition*, that everyone recognizes by his bouncy personality and appearances in Sears commercials. He always emulates pure energy.

A couple of nursing students at a time assist-





ed their instructors throughout the week taking turns working shifts. On February 26th, all of the nursing students had a chance to participate by helping carry in supplies to workers that were putting the finishing touches on the home. The students also had the opportunity to help restock the closets in the home and present scholarships to the Collins Family compliments of Cossatot Community College.

EXTREME MAKEOVER: HOME EDITION, MEET THE FAMILY

Dennis and Kim Collins of Murfreesboro and their family were the proud recipients of a new home constructed by the Extreme team and Real Steel Construction Company of Rogers.

Their son, Mitchell, is a teenager who survived a rare form of brain cancer that he had at age 3, leaving him with a mental handicap. Mitchell is now active in raising funds to help make patients comfortable while at Arkansas Children's Hospital. He helps to raise money by gathering pop tabs from aluminum cans.

The couple also has five nieces and nephews living with them after Kim's cousin and her husband were killed in an automobile accident from a few years ago. The Collins family decided to keep the children together. The kids now age in range from 5 to 16. The small space of 1900 square feet was bulldozed on February 19th to make room for the new and improved 4,900 square foot steel frame home that was revealed to the Collins' family on February 26th upon their arrival home from a week long trip to Walt Disney World.





CONTINUING EDUCATION: EVEN FOR THE NON-PRACTICING NURSE

YES, it is true that even non-practicing nurses should have continuing education. The *Nurse Practice Act* states that in order to renew or reinstate a nursing license, you must have completed the continuing education requirement. This law which may be found in ACA 17-87-207 of the *Nurse Practice Act* does not make exceptions. You confirm compliance at time of renewal/reinstatement with your signature right the line that states, "I affirm that the contents of this document are true and correct to the best of my knowledge and belief and that I have met the continuing education requirements for license renewal".

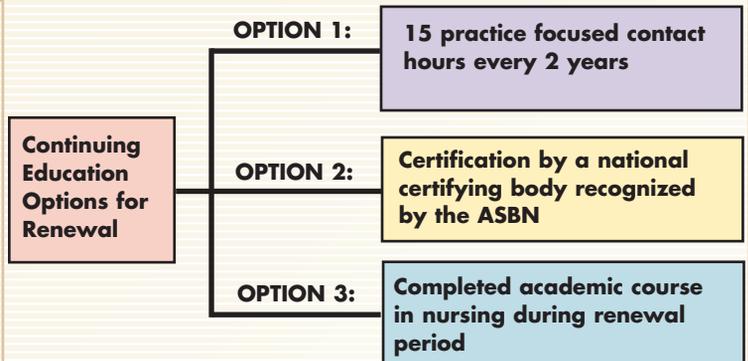
CERTIFICATIONS MUST BE AN ORIGINAL CERTIFICATION OR A RENEWAL OF THE CERTIFICATION DURING THE TWO YEAR PERIOD AND APPROVED BY ONE OF THE CERTIFICATION APPROVAL BODIES RECOGNIZED BY THE ASBN.

This rule in the *Nurse Practice Act* was enacted, because nursing knowledge quickly becomes obsolete, and nurses cannot provide safe patient care without keeping up with all the changes. Continuing education is designed to assist in maintaining competence by increasing the knowledge and skills in this rapidly changing field. It is easy to find continuing education activities. Read on for some handy tips on where to search:

The Arkansas State Board of Nursing webpage, www.arsbn.org, has information on different continuing education activities available. Under the

Continuing Education link, you will find education resources, workshop listings and a list of certifications that are accepted for the continued competency requirements. *Approved Approval Bodies* is an important element you will want to add into your places to check when deciding on continuing education. Some other places to search include major nursing journals that may have continuing education articles in each edition, and many websites are available on the Internet.

To meet the continuing education requirements when renewing an active license there are three options available:



Most nurses are meeting these requirements by obtaining the appropriate number of contact hours. Some nurses opt to use the term contact hour and continuing education units (CEUs) interchangeably. However, they are different. A contact hour is equivalent to either a 50 or 60 minute clock hour of continuing education and it takes ten contact hours to equal one CEU.

For contact hours to be accepted for license renewal, they must have been obtained during the two year renewal period or no more than two years prior to rein-

statement of an inactive or expired license. Guidelines for continuing education state that the activity must be nursing practice focused (related to your job duties), a **minimum of one credit hour in length**, and also have received approval from a nationally recognized or state continuing education approval body recognized by the ASBN. Advanced training courses such as ACLS, PALS, NRP, and S.T.A.B.L.E. have been approved for the following contact hours:

ACLS	10 contact hours
PALS	10 contact hours
NRP	10 contact hours
S.T.A.B.L.E.	7.5 contact hours

Certifications must be an original certification or a

renewal of the certification during the two year period and approved by one of the certification approval bodies recognized by the ASBN. **Certifications such as ACLS, PALS, and IV therapy do not count as certification for license renewal. However, they may be used for contact hours.**

Completed nursing college courses may be used to meet the continuing education requirement. One **completed** college credit hour equals 15 contact hours and the course must be completed during the two year renewal period. **Prerequisites to a nursing degree cannot be used.**

A newly licensed nurse whose initial license is valid for less than 2 years is not required to have continuing education for the first renewal. Remember, be selective about your continuing education by choosing approved courses that are at least 1 or more contact hours. Keep a folder of your certificates for up to four years for a potential audit and visit the continuing education link at www.arsbn.org.

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One nurse will be chosen from each county in Arkansas and recognized in *Front Porch* magazine. Five regional finalists will be announced and the winner will be revealed in December, receiving a seven day Caribbean cruise for two!

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10 Years	✓ + Vision & Hearing screen	—	Tdap: Tetanus, Diphtheria and Acellular Pertussis
11 Years	✓ + Vision & Hearing screen	HPV*, MCV4*, Tdap*	
12 Years	✓ + Vision & Hearing screen	—	
13 Years	✓ + Vision & Hearing screen	—	

*May be given any time between 11 to 12 years.

ARKids 1st



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ADVANCED PRACTICE NURSES

Collaborative Practice Agreements required for Prescriptive Authority

- DO send the Board the original copy of the agreement
- DO include a physician who is available for consultation and referral in the absence of the collaborating physician.
- DO include the name of a hospital where patients can receive emergency services 24 hours daily if advanced practice nurse and/or collaborating physician are unavailable.
- DON'T expect to practice with a physician who does not have a practice comparable in scope, specialty or expertise to that of the advanced practice nurse.
- DON'T forget to notify the Board in writing the next working day following termination of the collaborative practice agreement. This is the nurse's responsibility, NOT the physician's!



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Dos and Don'ts

Writing Prescriptions

- DO send the Board of Nursing a copy of your DEA certificate. If the Board does not have a copy of your DEA number, then our assumption is that you cannot write prescriptions for controlled substances Schedules III thru V.
- DON'T write prescriptions for family members or friends, unless they are patients with a medical record in your clinic.
- DON'T have your DEA number printed on the prescription pad. Your DEA number is written on the prescription pad only when a controlled substance is being prescribed.
- DON'T sign your name to blank prescription pads in an effort to save time.

DOS AND DON'TS



For more information
contact:

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STAY INFORMED

Professional Accountability-what is it? If you think you know what it means then you could need some clarifying. It means being responsible for your professional actions as a nurse, right? It is considered a privilege to have the ability to function as a professional nurse and with privilege comes **responsibility**. You must stay “in the know”, about all the up to date requirements that are implemented in order to keep your license current and in good standing.

After leaving nursing and before I accepted the position here at the Board of Nursing, I felt lucky to be receiving the *ASBN Update*, so I was made aware of all the “new and improved” requirements for my license. For years, we had been told that mandated continuing education was coming. Well, it arrived while I had little or no contact with nursing, yet I was able to keep up with all the new requirements by simply reading the informative articles written by Board of Nursing staff and medical professionals. It is **your** nursing

license and it **your** job to keep up with changes in your specific area. One helpful way to do this is logging onto the internet and going to www.arsbn.org and start reading through all the links. There are over forty thousand licensees at the Board of Nursing and staying

YOU MUST STAY “IN THE KNOW”, ABOUT ALL THE UP TO DATE REQUIREMENTS THAT ARE IMPLEMENTED IN ORDER TO KEEP YOUR LICENSE CURRENT AND IN GOOD STANDING.

informed by reading *ASBN Update* and going to the website will help curb unnecessary questions posed to the busy staff at the Board.

Most of the forms you may need to submit are readily accessible at www.arsbn.org. Opportunities for continuing education are also there for you to use and keep yourself current. As I always say, “You do not go into a Court of Law and announce to the

Judge that you made a mistake or you didn’t read something you signed. That is not an acceptable defense.” You are a professional, and as such, you must keep up with all the requirements of your license. Make sure that you complete your continuing education in a timely manner and seek information in any area that you do not understand. Be proud of yourself as a nurse and stand tall as a professional!



NURSES WEEK:

Attitude is everything

Vicky Morris,
Public Information Specialist



Nurses make a difference in the world today- yes they do.

Nurses have the opportunity to help in the healing of patients not only physically, but mentally too. It is the attitude of the nurse, both towards the patient and the patients' family that makes the difference. The attitude of a nurse can have a vital impact on the emotions of a patient, as this is when some are at their weakest and desperately need a positive influence. The time I have spent both with nurses at the Arkansas State Board of Nursing and outside of the Board of Nursing, I realize that the career of a

nurse is not limited to caring for patients and working with doctors.

The next time that you find yourself tired from working multiple shifts or pre-occupied with thoughts outside of work, just consider this: your attitude, smile and the way you speak towards someone may be the little bit of encouragement needed to help them cheer up and have the strength to get well.

The example that you set by choosing to have an uplifting attitude will not only make you and your patient happy, but it will also set an example for your co-workers. Your actions may be all it takes

to brighten someone's day and give them hope to fight a disease they are battling.

You never know who is watching and learning from your actions. You may encourage someone to pursue the career of nursing by setting the right example. It has been said, "Attitude is everything in life" and the career of nursing offers not only great monetary benefits, but everlasting benefits by the impression that you leave on the ones you serve. Thank you for all that you do and the way in which you care for your patients.

Remember the week of May 6-12th is Nurses Week.

Patients not Paperwork



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For more info, visit our website or call Betty Dunn, RN, at 501-661-2276.

www.adhhomework.org

Arkansas In-Home Care
Your Local Health Unit

CORRECTIONS FROM THE MARCH 2007 ASBN UPDATE

In our March 2007 issue, we ran an article on the states that are planning to implement the Interstate Compact. We reported that Colorado would be implementing in July 2007. The correct date for Colorado's plan to implement is October 1, 2007

4th Annual

NURSING REGULATION FOR MANAGERS OF NURSES

A Continuing Education Workshop designed to increase the understanding of laws that regulate the practice of nursing.

Sponsored by Arkansas State Board of Nursing

JUNE 20, 2007

National Park Community College
Computer Resources Auditorium
101 College Drive
Hot Springs, Arkansas



SCHEDULE

8:00 a.m.	Registration
8:30 a.m.	ASBN 101
	Tort Law
	Chemical Dependency - "Do you know it when you see it?"
	Advanced Practice Nurses
	Medication Assistant - Certified "What is that?"
	Delegation/Scope of Practice
	Continuing Education - "What are the requirements?"
	Unprofessional Conduct/Criminal Convictions
4:00 p.m.	Evaluation/adjournment

Registration Fee: \$50.00

Fee includes course materials, refreshments, lunch, and CE certificate. 6.0 Contact Hours of continuing education will be awarded (application has been submitted to the Arkansas Nurses Association.) Workshop is intended for nurses in management/supervisory roles, facility administrators, or anyone who has management responsibilities related to the practice of nursing.

If you have questions, call the ASBN at 501.686.2701 or E-mail info@arsbn.org

Mail registration form & fee to: ASBN, 1123 So. University Ave., Suite 800, Little Rock, AR 72204

REGISTRATION FORM

Nursing & The Law • June 20, 2007

Registration must be received one week prior to date of workshop. All fees are non-refundable.

NAME _____ LICENSE NUMBER _____

HOME ADDRESS _____

HOME PHONE _____ WORK PHONE _____

Caribbean Nursing Continuing Education Cruise

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For more information about the cruise, call or email
Teresa Grace at Poe Travel • toll-free at 800.727.1960 • tgrace@poetravel.com

Arkansas Nurses Association Names New Chief of Staff

Joanne J. DeJanovich has been named chief staff officer of the Arkansas Nurses Association. DeJanovich will be responsible for the day-to-day administration of the association's office and staff.

DeJanovich is a registered nurse and has a master's degree in nursing. She served a previous tenure as chief staff officer for the association for nine years, retiring for the first time in 1999. Welcome back Joanne!

I want to be a Hero when I grow up.



*Caren Lewis, Nurse – age 2.
Today Chief Nursing Officer for Conway Regional Health System.*

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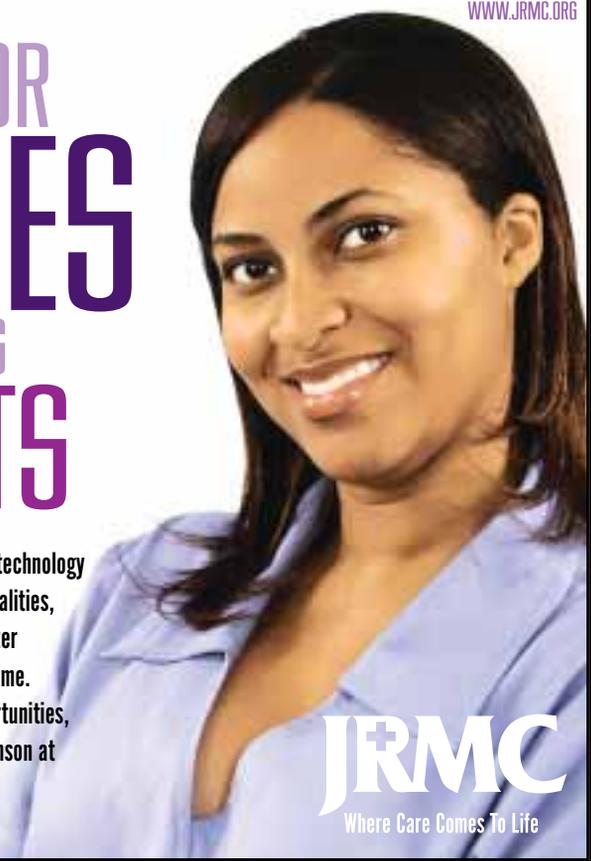
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Michele Forinash
at **501.221.9986**

or by email at
mforinash@pcipublishing.com

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Moving? What you need to know about compact licensure

by Deborah L. Jones,
RN, MNSc, LNCC

Did you know that Arkansas was the second state to enact the Nurse Licensure Compact legislation? Utah was the first to pass multi-state licensure legislation in 1999. Arkansas legislation passed the same year and implemented the following year. Currently, there are twenty states in the Compact with two more planning to implement in 2007.

If the nurse does not have a license in the new home state within the 30 day period, the nurse must cease the practice of nursing as their original compact license has been invalidated.

While the compact license gives the nurse flexibility and mobility, there are rules to remember when you move to a new state. Nurses have 30 days beginning with the first day worked after moving their primary residence to Arkansas to obtain an Arkansas license. If 30 days pass and an Arkansas license has not been obtained, then the nurse must cease the practice of nursing as the original compact state license becomes invalid. Many times the nurse simply needs to reactivate an inactive Arkansas license. Others may need to apply for a temporary license while the endorsement (transfer of license from another state) is being processed.

Some nurses are continuing to work on the original compact license until its expiration date after moving to Arkansas. Working past the 30 day period is a violation of the Nurse Practice Act and is grounds for discipli-

nary action. Other pitfalls of practicing on an invalid compact license include: Co-workers unknowingly violate the Nurse Practice Act, as they believe they are appropriately assigning or delegating nursing care to a licensed nurse. The co-worker also believes they are accepting orders, supervision and communication from a licensed nurse. The Nurse Manager violates the Nurse Practice Act by assigning nursing care to an unlicensed person. The employer may be sanctioned by their regulatory body and are at risk for increased civil liability or may have to reimburse money to Medicare, Medicaid, or other insurance providers. A plaintiff's attorney could use the information to their advantage if the nurse is involved in an untoward event. And lastly, a nurse's malpractice insurance carrier may not cover the nurse while the nurse is unlicensed.

continued on page 28



Kirk, RN Emergency Department

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*best nurses equal
the best care.*

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Twenty-five percent of the nursing staff at Washington Regional have worked here for 10 years or more. All our nurses have excellent clinical skills because Washington Regional is the only hospital in northwest Arkansas that has full-time nurses in every clinical area to teach the latest nursing techniques. What better way is there to show that *We're Here for You?*

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Congratulations
to
JUDITH GAUNTT

Congratulations to Judith Gauntt, an RN from Hope, Arkansas, who recently was honored as the 2007 recipient of the Debra Fisher Gibbon Excellence in Occupational Health Nursing Award. She is the Regional Case Manager in Environmental Health and Safety for Tyson Foods, Inc.

The award was established in 2006 to honor the memory of Debra Fisher Gibbon, RN, BSN, CSP, COHN-S, a former Certified Occupational Health Nurse and Certified Safety Professional, who lost her life in the World Trade Center on the morning of September 11, 2001.

The Arkansas State Board of Nursing is proud to recognize Ms. Judith Gauntt for her service in nursing and her exemplary performance in passing the Safety Manager certification exam with the highest score and receiving this award.

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Human Resource
Department
6701 Hwy 67
Benton, AR 72015
501-860-0500



HAVE YOU BEEN CONVICTED?



by Sue Tedford, MNSc, RN

“Can I obtain a license if I have been convicted of....” State and Federal criminal background checks are conducted on every individual applying for licensure as a nurse in Arkansas. The question is, “Have you ever been convicted of a misdemeanor or felony or pled guilty or nolo contendere to any charge in any state or jurisdiction?”

This is a simple “yes” or “no” answer, but all too often, an applicant answers no when they should be honest and answer yes. The excuses are typically, “I forgot...”, or “It has never shown up before...” or “I thought the question asked ...” Please be very careful as you answer the question. If you answer “no” and court documents reveal a conviction or plea, the application can be denied or disciplinary action can be taken against the nurse.

All misdemeanor and/or felony convictions must be reported to the Arkansas Board of Nursing at the time of application. Failure to report past convictions could result in denial of licensure. Certain felonies such as robbery, theft of property and violation of the uniform controlled substance act, have been identified as an automatic bar to licensure. (See ACA §17-87-312 for a complete list) Individuals, who have pleaded guilty or nolo contendere to, or been found guilty of any of the offenses listed in ACA §17-87-312 by any court in the State of Arkansas or of any similar offense by a court in another state are

ineligible to receive or hold a nursing license in Arkansas.

The law determines what information is released to individuals or agencies who request criminal back-

process will not take as long.

Documents needed are:

- letter from the applicant explaining the circumstances of each incident



ground checks. Because the Board is a licensing agency, everything can show up on the background check including juvenile, military, sealed, and expunged records. Nursing programs and employers do not receive the same report that the Board of Nursing receives.

Every applicant with any type of charges showing on the background check, even when the charges have been dismissed or nol prossed must be reviewed by Board staff. Approximately 450 individuals are investigated each year due to issues with their background checks. Of those, about 10% falsify the licensure application. The review process does slow down the processing time of the application. If all of the appropriate documents are attached to the application, the review

- certified copy of the disposition for each incident (no faxed documents)
- proof that all court ordered stipulations have been met (completed probation, paid fines, completed classes, etc)

Additional documents and reports may be required due to the circumstances of the incident being investigated.

The criminal background history of each applicant is reviewed on an individual basis. Some factors to consider are:

- Type and number of convictions
- Length of time since convictions
- Completion of probation and all court ordered stipulations
- Sealed, expunged or pardoned by

Continued on page 24.

LETTER TO THE EDITOR

QUESTION:

After Completing a 7 Day Stretch, 56 Hours, at the nursing home, I came home and found the ASBN UPDATE in my mailbox. I read your article with great interest and I would like to make this comment. How can you say that you are concerned with the safety of the public and not be concerned about the long hours that many nurses put in at their jobs?

Putting in over 40 hours a week is not safe at any job, no matter what job it is. Protecting the public by regulating the number of hours that nurses are working would also be protecting the public. A tired, overworked nurse will and can make mistakes- big ones. I have been a LPN since 1985 and I am looking forward to retirement, but I would like to protect the younger nurses coming up in the ranks behind me. You wonder why there is a nursing shortage, I can understand it. I can understand your position, if a nurse is abusing illicit drugs or alcohol and endangering patients, but who is an advocate for nurses?

RESPONSE:

Thank you for your comments on my message in the March edition of the Update.

I'm afraid, however, that you misread it. I did not say that we are unconcerned about nurses working long hours, but that we have no authority to correct the situation. There are many instances that I would love to have authority over nurses' employers, but under current law, we simply don't. I agree completely that a "tired, overworked nurse" is a threat to patient safety, but you're in a better position to change the number of hours you work than the Board or I am. The only change that we could make would be to pass a rule prohibiting a nurse from working over 40 hours a week. Imagine the "catch 22" that you would be in when your relief called in sick. You could chose to either face discipline for abandonment, or to face discipline for working more than 40 hours.

If you feel that your facility is unsafe, my suggestion would be to contact the Office of Long Term Care, or the Arkansas Division of Health. They have the authority that we lack.

To answer your question, the Arkansas Nurses Association is an advocate for nurses.

Sincerely

Dan West, President

Arkansas State Board of Nursing

NURSING PRACTICE 2007

**Continuing Education Workshop
sponsored by Arkansas State Board of Nursing
Registration Fee: \$45.00 (includes lunch)**

FEBRUARY 20
St. Vincent Infirmary
Two St. Vincent Circle
Little Rock

APRIL 19
El Dorado Golf & Country Club
101 Shadyside
El Dorado

SEPTEMBER 19
St. Bernard's Regional Medical Center Auditorium
505 East Washington Street
Jonesboro

OCTOBER 25
Baptist School of Nursing
11900 Colonel Glenn Road
Little Rock

NOVEMBER 7
Jones Center
922 East Emma Avenue
Springdale

**Pre-registration is required. If you have questions, contact
the Board of Nursing at 501.686.2701**



AGENDA

8:30 Introduction
8:45 Professional Behaviors
9:30 Legislative Issues
10:00 Break
10:15 Disciplinary Case Study
11:00 Medication Assistant -
Certified
11:30 Lunch
12:15 How to Deal With
Difficult People
1:30 Delegation/
Scope of Practice
2:30 Break
2:45 NCLEX

Continuing education awarded is 5.75 contact hours. Participants who leave immediately prior to NCLEX presentation will receive 4.75 contact hours. The continuing nursing education activity was approved by Arkansas Nurses Association, an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation. Provider Code 07-01-EA

REGISTRATION FORM

Nursing Practice 2007

Registration must be received one week prior to date of workshop. **All fees are non-refundable.**

Name _____ License Number _____

Address _____ City _____ Zip _____

Home Phone _____ Work Phone _____

Workshop attending:

- February 20 - Little Rock
- April 19 - El Dorado
- September 19 - Jonesboro
- October 25 - Little Rock
- November 7 - Springdale

Mail your \$45 check (payable to Arkansas State Board of Nursing) and Registration Form to:
Arkansas State Board of Nursing
1123 South University Avenue, Suite 800
Little Rock, AR 72204

**It's fast & easy
REGISTER
ONLINE at
www.arsbn.org**

MAY IS FOR NURSES

National Nurses Week
May 6th through 12th

For all you do. We salute you!

I solemnly pledge myself before God and in the presence of this assembly, to pass my life in purity and to practice my profession faithfully. I will abstain from whatever is deleterious and mischievous, and will not take or knowingly administer any harmful drug. I will do all in my power to maintain and elevate the standard of my profession and will hold in confidence all personal matters committed to my keeping and all family affairs coming to my knowledge in the practice of my calling. With loyalty will I endeavor to aid the physician in his work and devote myself to the welfare of those committed to my care.

The Nightengale Pledge

Thinkaboutnursing.com
Education Recruitment

Publishing
Concepts



Continued from page 21

the governor

Applicants may be approved by staff or may require Board approval. The approval process is dependent upon the nature of the conviction/s.

The Board of Nursing office answers many calls by individuals seeking endorsement, planning to attend or currently attending a nursing program. The Board of Nursing does not have jurisdiction over any individual until an application for licensure is submitted. Therefore, we cannot give a definitive answer until the paperwork is received.

It is a shame for a nurse, especially a new graduate, to have any disciplinary action against their license for not being honest on the application. Disciplinary action follows a nurse the rest of their nursing career and may affect employment opportunities. Be honest and don't start off on the wrong foot.

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FORM COMPLETION: FINISH WHAT YOU STARTED!

The Arkansas State Board of Nursing mails application forms back to people for various reasons. The following are simple tips to avoid being *receiving returned applications from us*

PLEASE SIGN:

- The main reason forms are returned is because the applicant did not sign the form.

COMPLETE THE ENTIRE FORM:

- Another common problem is the applicant submits an incomplete form. All questions must be answered. Please check both sides of the form(s) and be certain all required fields are completed.
- A frequent oversight is failing to indicate your primary state of residence. We must have this information to process your forms.

INCLUDE THE CORRECT FEE:

- Applications are often returned because the person did not include the fee or the incorrect fee was included with the form. If sending a check, remember to sign it. If you are paying by a check or money order, please DO NOT include the additional processing fee. This fee only applies when submitting a paper application and paying by credit card.

FORMS SENT TO OUR OFFICE IN ERROR:

- When a request for verification of licensure form is mailed to our office, forms are returned. We no longer complete verification of licensure. This must be sent to the National Council of State Boards of Nursing in Chicago, Illinois, with a \$30 money order or cashier's check.

OTHER HELPFUL INFORMATION:

- An address change can be made online. However, changing your name on your nursing license requires a copy of your marriage license, divorce decree or other legal document stating the legal name change.
- If you are retired and/or no longer working, and want to place your license on inactive status call 501-686-2707 for instructions. Please note: if it is after the expiration date on your license, it is too late to be placed on inactive status.

These simple steps can be easy to overlook. Forms must be completely filled out and signed before we can process them. Double check your form and payment before mailing, or better yet, go online at www.arsbn.org to complete transactions.

ASBN HOT CHECK NOTICE

The following names appear on the ASBN records for checks returned to the ASBN due to insufficient funds. If practicing in Arkansas, they may be in violation of the Nurse Practice Act and could be subject to disciplinary action by the Board. Please contact Darla Erickson at 501.686.2705 if any are employed in your facility.

Bradley, Rosa Marie	L16658
Gonzalez, Jessica	Exam Application
Long, Melonie	L26991
McKee-Murphy, Bobbie	L14764
Mulhernin, James	L28486
Sanders, Amber	R73529
Shaheed, Nathan	T01220
Sivils, June Elizabeth	L30290
Williams, Della	L28175
Williams, Sally F.	L26287

Disciplinary Actions

The full statutory citations for disciplinary actions can be found at www.arsbn.org under Nurse Practice Act, Sub Chapter 3, §17-87-309. Frequent violations are ACA §17-87-309 (a)(1) "Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing or engaged in the practice of nursing without a valid license;" (a)(2) "Is guilty of a crime or gross immorality;" (a)(4) "Is habitually intemperate or is addicted to the use of habit-forming drugs;" (a)(6) "Is guilty of unprofessional conduct;" and (a)(9) "Has willfully or repeatedly violated any of the provisions of this chapter." Other orders by the Board include civil penalties (CP), specific education courses (ED), and research papers (RP). Probation periods vary and may include an impaired-nurse contract with an employer and/or drug monitoring and treatment programs.

Each individual nurse is responsible for reporting any actual or suspected violations of the Nurse Practice Act. To submit a report or to receive additional information, contact the Nursing Practice Section at 501.686.2700 or Arkansas State Board of Nursing, 1123 South University, Suite 800, Little Rock, Arkansas 72204.

March 2007

PROBATION

Bennett, Donna Sue
L39783, Fort Smith
A.C.A. §17-87-309(a)(4)&(6)
Probation – 2 years
Civil Penalty - \$1,800

Currie, Rhonda Denice Adams Robinson
L30264, Jonesboro
A.C.A. §17-87-309(a)(6)
Probation – 18 months
Civil Penalty - \$500

Emerson, Lisa Denise McAdams Butler
L38882, Fouke
A.C.A. §17-87-309(a)(6)
Civil Penalty - \$1,000

Franchiseur, James Kelly
R45441, Rogers
Probation Non-Compliance
Probation – 3 years
Civil Penalty - \$1,000 + balance

James, Katherine Leslee
L45373, Hot Springs
A.C.A. §17-87-309(a)(4)&(6)
Probation – 2 years
Civil Penalty - \$1,000

Jauch, Kandace Marie Moore
R72577, Benton
Probation Non-Compliance
Probation – 3 years
Civil Penalty - \$1,500

Lambert, Sheila Louise
L34577, Amity
A.C.A. §17-87-309(a)(4)&(6)
Probation – 2 years
Civil Penalty - \$1,000

Majors, Jennifer Rebekah
RN Applicant, Fayetteville
A.C.A. §17-87-309(a)(4)&(6)
Probation – 2 years
Civil Penalty - \$1,000

Pizzolatto, Michael
R34256, C00637, Batesville
A.C.A. §17-87-309(a)(4)&(6)
Probation – 4 years
Civil Penalty - \$1,500

Pohler, Rodger Wayne
L41237, Hardy

A.C.A. §17-87-309(a)(6)
Probation – add't 11 months

Richmond, Brauna Rose Richmond
Amos Motley Butenschoen Woodard
R69537, L31733(exp), Danville
A.C.A. §17-87-309(a)(4)&(6)
Probation – 3 years
Civil Penalty - \$1,500

Rose, Lori N. Graver Sutton
R41347, Benton
Probation Non-Compliance
Probation – add't 1 year

Ross, James Allen
R63726, Hot Springs
Probation Non-Compliance
Probation – 3 years
Civil Penalty - \$500 + balance

Vincent, Ann Kathryn Alexander
R37761, Fort Smith
A.C.A. §17-87-309(a)(4),(6)&(7)
Probation – 3 years
Civil Penalty - \$2,000

SUSPENSION

Cowles, Shalisa Nichole Delk
L33448, Benton
Probation Non-Compliance
Reinstate to Suspension – 2 years, followed by
Probation – 3 years
Civil Penalty - \$2,500 + balance

Harkey, Linda Ann Hoselton
R44263, Houston
Probation Non-Compliance
Suspension – 2 years, followed by
Probation – 2 years
Civil Penalty - \$1,500 + balance

Nicholas, Linda Sue Rector
L24500, Paris
Probation Non-Compliance
Reinstate to Suspension – 2 years, followed by
Probation – 2 years
Civil Penalty - \$2,000 + balance

Sanders, Stephanie Jo McElhiney
L33888, El Dorado
Probation Non-Compliance
Reinstate to Suspension – 2 years, followed by
Probation – 3 years
Civil Penalty - \$1,500 + balance

Thomas, Kathleen Irene
L41731, Fort Smith
Probation Non-Compliance
Suspension – 2 years, followed by
Probation – 3 years
Civil Penalty - \$1,000 + balance

VOLUNTARY SURRENDER

Berry, Marci Rachelle Freemyer
L32664, Stuttgart
March 8, 2007

Bland, Tameka Lyvette
L36558, Carlisle
March 13, 2007

Boyd, Susan Renee Miller
L36469, Percy
March 14, 2007

Cribbs-Lyle, Janice Baptist Oman
R36927, Hot Springs
February 14, 2007

Crow, Sunny Leigh
R55891, Percy
February 23, 2007

Keck, Teresa Rene Boyd Campbell
L14267, Leslie
March 2, 2007

Ladas, Cynthia Theresa Maxstadt
R68337, Yellville
March 14, 2007

Martin, Martha Frances Dover
R38298, L04840(exp), Paragould
February 26, 2007

REINSTATEMENTS

Molnaird, Lillian Michael Hudson
L37656, Ward
March 7, 2007

REPRIMAND

Adcock, Chalene Danele
L45825, Wideman
A.C.A. §17-87-309(a)(1)&(2)

Current, Kathleen Anne Nuwer
L45920, Woodland Park, CO
A.C.A. §17-87-309(a)(1)&(2)

Gardner, Patricia Kay
R78027, Helena
A.C.A. §17-87-309(a)(1)&(2)

Holt, Amber Lindsey
L45924, Siloam Springs
A.C.A. §17-87-309(a)(1)&(2)

Martin, James Tinsely, III
R78185, C02643, Shreveport, LA
A.C.A. §17-87-309(a)(1)&(7)

Nassar, Bruce Wayne
L45970, Sherwood
A.C.A. §17-87-309(a)(1)&(2)

Stierwalt, Patricia Renee Johnson
L45801, Jasper
A.C.A. §17-87-309(a)(1)&(2)

Turner, Randy Keith
R31942, State University
A.C.A. §17-87-309(a)(1)
and A.C.A. §17-87-309(c)(2)

PROBATIONARY STATUS REMOVED

Cate, Paula Lenee Lawrence
R40839, Malvern
February 16, 2007

Cordova, Stephanie Lynn Heller
R43152, North Little Rock
February 16, 2007

Denton, Sherri Annette Fulton Milam
R31075, Little Rock
February 21, 2007

Herring, Kimberly Leann Baxter, Bagwell
R52262, L32407 (exp.), Jonesboro
February 16, 2007

Jones, Wayne Herrell
R54666, Benton
February 16, 2007

Smith, Josie Annette
L24102, Camden
February 21, 2007

Tubbs, Meredith Kate
R73898, Little Rock
February 16, 2007

Vann, Linda Ann Booth Cox Delaney
L25948, Ashdown
February 16, 2007

LICENSE VERIFICATION

Arkansas Nursing License Verification Options

The Arkansas State Board of Nursing provides the following options for individuals attempting to verify an Arkansas nursing license.

- 1.) **Phone Verification. Public (free).** Call 501.682.2200 put in license number and # sign. Listen for instructions.
- 2.) **Information Network of Arkansas. Public (subscription required).** Call 501.324.8900 or go to http://www.arkansas.gov/sub_services.php for more information.
- 3.) **Nursys® Nurses' verification.** Go to www.nursys.com. If the original state of nurse licensure is not a Nursys® participant, contact the original state licensing board.

PCCUA NURSING STUDENTS HELP VICTIMS OF THE DUMAS TORNADO

Students in the PCCUA Associate Degree of Nursing (ADN) and Practical Nursing (PN) programs traveled to Dumas as part of a two-day relief effort following the recent storms that devastated the area. Students took supplies they purchased themselves, as well as donations made by fellow students, PCCUA employees, and community members.

PN faculty members Jeanne McCullars, Shannon McKewen, and Pam Johnston, along with ADN instructor Renee Moss were welcomed with open arms and then assigned duties to assist in the relief efforts. The faculty brought along 25 ADN and PN students to aid them in both learning how to handle disaster situations and bring relief to the town.

The PN students assisted the Red Cross with cleaning out the newly transformed command center to make ready the facilities for victims and the influx of supplies for distribution. The group also made sandwiches for workers and victims and assisted public health nurses with paperwork, while tetanus injections were given. When asked about the experience, McCullars commented, "The students were exposed to the social impact of a disaster, as well as the physical devastation. This experience will serve the students well in their profession and their personal lives."

Freshmen ADN students from the

PCCUA DeWitt campus assisted the American Red Cross by delivering water door-to-door and then traveled to the Back Gate community to help a fellow student sort through the rubble of her family's home and salvage personal items. Two of the PCCUA ADN students are from the Dumas area.

"The students were shocked at the magnitude of the devastation," commented Moss, "and were grateful for the opportunity to participate in the relief efforts."

ADN faculty, Geraldine Campbell, LeAnne Marley, Brandy McGee, and Jewell Naylor along with 33 sophomore ADN students from the Helena campus caravanned to Dumas with diapers, cleaning supplies, and clothing to deliver to the Red Cross command center. The students and instructors assisted with unloading supplies, preparing and serving food, cleaning, and assisting public health nurses with paperwork for tetanus injections.

Disaster preparedness is part of the nursing curriculum. Amy Hudson, Dean of Allied Health, and the instructors were eager to participate in the relief efforts, stating, "Very seldom do you have the opportunity to experience this type clinical experience first hand. Our hearts go out to the Dumas area for their loss, and our students and faculty were pleased to assist their neighbors and fellow students."

The students were applauded for



THE STUDENTS WERE EXPOSED TO THE SOCIAL IMPACT OF A DISASTER, AS WELL AS THE PHYSICAL DEVASTATION.

their efforts upon departure back to PCCUA. The appreciation shown by people in the area and Red Cross workers made a lasting impression on the students and faculty.

"The students took away such a good feeling from this training experience," commented PCCUA instructor Geraldine Campbell. "The students gave out of their own pockets to purchase supplies, and felt honored that their efforts meant so much in a disaster of that magnitude."

The PCCUA Department of Nursing offers a four-to-five-semester Associate Degree Nursing (ADN) program and a three-semester Practical Nursing (PN) program. The Arkansas State Board of Nursing approves the ADN and PN programs. ADN graduates are eligible to submit an application to write the National Council Licensing Examination for Registered Nurses and PN graduates are eligible to write the

continued on bottom of page 28

The Nurse Licensure Compact applies only to Registered Nurse and Licensed Practical (Vocational) Nurse licenses. Advanced Practice Nurses (APN) must obtain an Arkansas APN license prior to practicing as an APN in Arkansas even if the nurse lives in one of the other compact states. Occasionally, a nurse will have an Arkansas APN license and an RN license from their home compact state. The nurse then moves their primary state of residence to Arkansas. If the APN does not obtain an Arkansas RN license within the 30 day period they too, must cease the practice of nursing until the RN license is issued.

Rules to Remember

1. The nurse with a primary state of residence in a compact state cannot hold a LPN or RN license in a remote state. A remote state is a compact state other than the nurse's primary state of residence. The exception to this rule is if the nurse is working for the federal government or military.
2. The nurse must obey all laws in the state where their nursing practice takes place.
3. The LPN or RN with a compact license may work in any compact state as long as the nurse :
 - holds a valid, unencumbered license (a license that is not burdened by disciplinary requirements) in a compact state, and
 - that compact state is their primary state of residence.
4. Primary state of residence means the state of a person's declared fixed permanent and principal home for legal purposes; domicile.
5. If the LPN or RN with a compact license moves their primary state of residence to a different compact state, the nurse may continue to work on the original compact state license for a 30 day period.
 - During the 30 day period the nurse must obtain licensure in the new home state.
 - If the nurse does not have a license in the new home state within the 30 day period, the nurse must cease the practice of nursing as their original compact license has been invalidated.
6. The Nurse Licensure Compact applies only to the Registered Nurse and Licensed Practical (Vocational) Nurse licenses.

For a complete list of states in the compact go to www.ncsbn.org and click on Nurse Licensure Compact/Participating States.

National Council Licensing Examination for Practical Nurses.

Both Phillips College and its nursing school have current state and national accreditations. The program now offers classes via compressed video to students in Arkansas and Phillips Counties.

PowerPoint presentations and the Internet are resources used to present class content. Nursing students at Phillips have the advantage of an up-to-date computer lab and software available to them for lateral learning.

Those individuals interested in enrolling in the nursing program are welcome to schedule an appointment to visit classrooms as well as tour the campus and nursing department. For more program information, please contact Hudson at (870) 338-6474, ext. 1371, or send an e-mail to ahudson@pccua.edu.

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