

Meeting of the
IDAHO BOARD OF NURSING
Springhill Suites by Marriott
425 East ParkCenter Blvd.
Boise, ID

July 17-18, 2014

MINUTES

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on July 17-18, 2014 in Boise, ID
<u>Presiding</u>	Susan Odom, PhD, RN, Chairman
<u>Call to Order</u>	The meeting was called to order at 9:05 a.m., Thursday, July 17, 2014 by Susan Odom, Chairman
<u>Members Present</u>	Susan Odom, PhD, RN, Chairman, Moscow Vicki Allen, RN, Pocatello Jill Howell, RN, Jerome Whitney Hunter, Consumer Member, Boise Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome Rebecca Reese, LPN, Coeur d'Alene Clayton Sanders, APRN, CRNA, Boise
<u>Members Absent</u>	Chris Jenkins, RN, Homedale
<u>Staff Present</u>	Sandra Evans, RN, Executive Director Judy Taylor, RN, Associate Director for Practice and Education Andrea Anzalone, RN, Associate Director for Investigation and Discipline Kathleen Pollard, RN, Associate Director for Alternative Programs Lyn Moore, Management Assistant Roger Gabel, Deputy Attorney General (Present July 17) Shasta Kilminster-Hadley, Deputy Attorney General (Present July 18)
<u>Introductions and Welcome</u>	The Chair welcomed faculty and students from ITT Technical Institute nursing program and other guests. Andrea Anzalone introduced herself as the new investigator.

Adoption of
Consent Agenda
Motion

The following items were removed from the Consent Agenda:
Carrington College approval moved to business agenda under Education;
2013 Fiscal Audit Report deleted.

The Consent Agenda was adopted as revised to include:

A. Communication

Motion:
Approval of Minutes
4/10-11 and 7/2/14

1. Approval of Board Meeting Minutes – April 10-11, 2014 and July 2, 2014
2. 4th Quarter Environmental Scan
3. Idaho Board Annual Update to NCSBN

B. Governance/Organization

Motion:
Adoption of Revised
Policies VII-25, 22. 6

1. Reports of meeting attendance
 - a. NCSBN State of APRN Consensus, April 23, 2014, Chicago, IL
 - b. NCSBN IT/Operations Conference, May 13-14, 2014, Chicago, IL
 - c. CAC Public Outreach Conference, May 20-21, 2014, Washington, DC
 - d. 2014 NCSBN Discipline Case Management Conference, June 4-6, 2014, Park City, UT
 - e. INAC Annual Conference, June 5, 2014, Boise, ID
 - f. NCSBN EO Summit, June 23-25, 2014, Asheville, NC
2. Quarterly updates
 - a. Special Projects Update
 - b. NCSBN Update
 - c. Nurse Licensure Compact Update
3. Board Development: “Ask our Consultants: Strategic Planning and Refining the Vision,” Ann Cohen, BoardSource, 2014
4. Notes from 2014 Board Business Retreat
5. Idaho Board of Nursing 2015-18 Strategic Plan
6. Board Policy Approved
 - a. Policy VII-25, “External Meeting Attendance”, as revised
 - b. Policy VII-22, “Executive Director Succession”, as revised
 - c. Policy VII-6, “Board Organization”, as revised

Motion:
LPN-License by
Equivalence
Janice Ferguson

C. Licensure/Certification

1. Non-Routine Applications Report 4th Quarter
2. Licensure by Equivalence
 - a. Report – 4th Quarter
 - b. LPN Licensure by Endorsement application submitted by Janice Ferguson – Action to issue a renewable license, valid only in Idaho, based on equivalence under provisions of IDAPA 23.01.01.241.01.b

Motion:
Full approval of NA
Programs at CWI,CSI
EITC, ISU, LCSC,
NIC, SH-BOI

F. Education

Nursing Assistant Program Approvals for 2014-15 for College of Western Idaho, College of Southern Idaho, Eastern Idaho Technical College, Idaho State University, Lewis-Clark State College, North Idaho College, Stevens-Henager College – Boise.

Motion:
Full approval of
NA Program at
SH-IF

Stevens-Henager College – Idaho Falls Campus – Action to grant full approval for the period ending 6/30/2016

Lewis-Clark State College notification – Chair of Nursing and Health Sciences.

**NEW BUSINESS
COMMUNICATION**

Staff Report –
Communication

The Executive Director presented the 4th Quarter Report (April 1 - June 30, 2014) of staff activities related to Communication indicating progress toward established benchmarks.

Roger Gabel, Deputy Attorney General, introduced the proposed Board rules for 2015; IDAPA 23-0101-1401 and IDAPA 23-0101-1402 and stated no written comments have been received to date.

Public Meeting

Time for a public meeting to receive comments on proposed rules was provided at 10:30 a.m. on Thursday, July 17, 2014. Present was Val C. Greenspan, Ph.D., RN. Dr. Greenspan provided testimony for IDAPA 23-0101-1402 Continued Competency Requirements for Renewal of an Active License. A copy of Dr. Greenspan's testimony is attached.

The comment period was open until noon, July 17, 2014. Rules will be printed in the Bulletin and additional time allowed for written comments. Following discussion on the issue presented, the meeting continued as scheduled.

Open Forum

Time for an open forum was provided at 9:15 a.m. on Friday July 18, 2014. Present were students from ITT Technical Institute. ITT Student, Autumn Hammar, spoke on behalf of the ITT students regarding the public meeting testimony by Dr. Val C. Greenspan on proposed rule IDAPA 23-0101-1402 Continuous Professional Development, 061.03: "First renewal exemption." The students requested the exemption stay in the rule due to the time and financial commitment for students just graduating.

Patty Mahrt, instructor from ITT, asked for clarification on Nurse Practice Act sunset action. The Executive Director provided clarification sunset process.

Gwen Hoffmann, RN, CDE addressed the Board regarding Administrative Rules of the Idaho Board of Nursing; Licensed Professional Nurse;

23.01.01.401-402.02 “Recognized Specialty Practice Areas”. As a Certified Diabetes Educator (CDE), Ms. Hoffmann requested an addition be made to the Administrative Rule of the Idaho Board of Nursing, 402.02 to include a Certified Diabetes Educator as one of the specialty practice areas. Ms. Hoffmann provided a Scope of Practice for a CDE which Madison Memorial Hospital is currently developing to define the responsibilities of a CDE.

Following discussion on the issues presented, the meeting continued as scheduled.

GOVERNANCE/ORGANIZATION

Staff Report- Governance and Organization

The Executive Director presented the 4th Quarter Report (April 1 – June 30, 2014) of staff activities related to Governance and Organization indicating progress toward established benchmarks, including a fund balance well above the policy standard.

Executive Director Expense Report

Rebecca Reese indicated no Executive Director expense report for the 4th Quarter, April 1 – June 30, 2014.

Travel Approval Motion

Travel and related expenses were approved for:

1. Associate Director for Practice and Education to attend the 2014 NCLEX Conference, September 28-29, 2014, Charlotte, NC
2. Two (2) Deputy AGs to attend the 2014 FARB Regulatory Law Seminar, October 3-5, 2014, Annapolis, MD
3. Associate Director for Alternative Programs, Associate Director for Investigations and Discipline, and Deputy Attorney General to attend the CLEAR 2014 Educational Conference, October 14-16, 2014, Portland, OR
4. Executive Director and two (2) Board members to attend the CAC 2014 Annual Meeting, October 23-24, 2014, Baltimore, MD
5. Associate Director for Practice and Education to attend the International Nurse Regular Collaborative, October 28-30, 2014, Chicago, IL. (Executive Director to attend with NCSBN support.)
6. Three (3) staff and one (1) Board member to attend the NCSBN IRE, January 13-15, 2015, Charleston, SC. Deferred identification of participants to October meeting when agenda is available.

Position Statements

Executive Director started discussion with request for guidance from the Board on position statements.

a. Nurses Add Value – Committee Members: Chris Jenkins, Clay Sanders, and Susan Odom. Chair recommended combining with review of practice philosophy statement. Charge to committee amended to review Practice Statement and revise to include value added concept.

- b. Education Philosophy – Committee Members: Susan Odom, Carrie Nutsch, and Clay Sanders. Extend committee charge to include review of Education Rules.
- c. Sexual Misconduct – Committee Members: Jill Howell, Chris Jenkins, Jan Moseley and Shasta Kilminster-Hadley. Position statement no longer needed. Committee retired.
- d. Governance Philosophy – Review of Governance Philosophy Statement directed to Governance Committee.

Appointments to
APRN Advisory
Committee

Terms on the APRN Advisory Committee for Cathy Arvidson, APRN-CNP and Keith Davis, MD expired June 30, 2014
Chad Bailey, APRN-CNP and Cathy Arvidson, APRN-CNP were nominated following discussion on the value of more than 10 members on the committee. The open MD position will be addressed once nominations are received from the Board. Motion: Appoint Chad Bailey and Cathy Arvidson to terms ending June 30, 2017. Motion carried.

Elections/
Appointments
For FY2015

Board elections were held by secret ballot. The following were elected:
Chair – Susan Odom, Vice-Chair – Vicki Allen, PRN Chair – Jan Moseley, Governance Committee Member-at-Large – Carrie Nutsch, Executive Director Expense Reviewer – Becky Reese

Board of
Nursing Dates
For 2015

2015 Board Meeting Dates: January 8-9, April 9-10, July 16-17, October 1-2, with October 8-9 as backup.

2014 NCSBN
Delegate
Assembly

The NCSBN Board of Directors is presenting resolutions for consideration by the 2014 Delegate Assembly in August. The Board was asked to review the following resolutions and provide direction to the voting delegates.

- Adopt the proposed revision to the NCSBN Model Practice Act and Rules recommended by the Distance Learning Education Committee
- Adopt proposed revisions to the NCSBN Bylaws addressing the simultaneous vacancy of the president and president-elect positions
- Adopt the proposed revision to the APRN Interstate Compact
- Approve the College of Licensed Practical Nurses of Newfoundland and Labrador as an Associate Member of NCSBN
- Approve the Nurses Association of New Brunswick as an Associate Member of NCSBN
- Approve the Nursing and Midwifery Council of New South Wales as an Associate Member of NCSBN
- Approve the Yukon Registered Nurses Association as an Associate Member of NCSBN
- Adopt the 2014 Slate of Candidates

Additional resolutions dealing with a variety of issues may be introduced during the Delegate Assembly. The Board recommended the delegates vote their conscience consistent with the Board's Vision, Mission, Values, and Strategic Goals as they consider resolutions and motions that come before the Assembly.

State of the Board
Report 2015

The Executive Director presented the State of the Board Report for Fiscal Year 2015. Highlighted were past year accomplishments and priority activities for FY2015, including anticipated legislative activities and the Board's financial health.

Database Upload
Request

The Executive Director presented a request for database upload from CE Broker – Boulder CO represented by LobbyIdaho. The information requested is currently available through Nursys as a requirement of participation in the Compact. Discussion took place regarding any risk to the integrity/security of the data if we upload to other organizations other than NCSBN. It has been determined that Nursys can accommodate this request. The Executive Director has communicated with the client and provided assurance the request can be satisfied through Nursys and Nursys e-Notify®. The Executive Director proposed discontinuing the current practice of license verification on the Idaho Board of Nursing website and instead directing the public to Nursys for verification using a link on the Board's website.

Proposed
Administrative
Rules
IDAPA
23-0101-1401
and 1402
Motion

- a. Docket IDAPA 23-0101-1401 – There were no public comments or suggestions for this Docket. The Board discussed the Docket and agreed to revisions previously suggested.
- b. Docket IDAPA 23-0101-1402 – Discussion regarding comments received during the public meeting held July 17.

Comments/suggestions related to:

- 1) Request to reference the Idaho Nurse Residency Program (INRP) in 061.01.h.(v) the Board concluded the INRP is included in the language as revised by the Board without specific reference to any one program.
- 2) Request to delete the exemption in 061.03. countered by a request to retain the exemption. The Board agreed to retain the exemption as proposed.
- 3) Request to include preceptor preparation among accepted activities in old 01.h.v. The board agreed that revised language is inclusive of such training.

Motion was made to adopt proposed changes and advance the rules to the Office of Administrative Rules to be published in the September Bulletin.

Board of Nursing
Membership

The Executive Director presented report on Idaho Board of Nursing membership compared to other states. Comparison included size of the Board, member qualifications, statutory requirements, and number of public members vs. number of licensed professionals (LPN, RN, APRN). The Executive Director and Board Chair will query other Boards of Nursing relative to member requirements and report back to the Board at the next meeting.

Workforce
Initiative
Priorities for
FY2015

The Executive Director provided an overview of progress on the two FY2014 funded workforce initiatives, both of which have been extended to September 30, 2014. The Board discussed their preferred focus for FY2015 and determined: 1) The focus should remain on Institute of Medicine (IOM) recommendations in partnership with the Idaho Nursing Action Coalition (INAC). 2) Keep the Board of Nursing research plan broad based and consistent with strategic goals/objectives.

PRACTICE

Staff Report -
Practice

The Associate Director for Practice and Education presented the 4th Quarter Staff Report (April 1 - June 30, 2014) related to practice, indicating progress toward established benchmarks.

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

Staff Report -
Discipline/Alter-
natives to Discipline

The Associate Director for Investigation and Discipline presented the 4th Quarter Report (April 1, – June 30, 2014) of staff activities related to discipline and alternatives to discipline, indicating progress toward established benchmarks including the accomplishment of the 180-day benchmark to resolve cases. Board Members requested reports that highlight:

- Trends
- Geographic breakdown of origin of complaints
- Breakdown by type of license of respondent

The Deputy Attorney General clarified first and foremost focusing on the investigation and ensuring it is thorough and complete vs. staying within the 180-day benchmark.

PRN Advisory
Committee
Report
Motion

Jill Howell, RN, Chair of the Program for Recovery Nurses Advisory Committee (PRNAC), presented the report of the meeting held June 27, 2014. As a result of their review of individual cases, the Committee referred three (3) cases to the Board with the recommendation that the Board take disciplinary action due to non-compliance with terms and conditions of monitoring. In addition, the Advisory Committee completed their Annual Self-Assessment indicating positive performance in addressing their charge.

Participant Exit Surveys and five pending graduates were reviewed. Following discussion, the report was accepted.

Voluntary
Surrender - PRN
Casey St. Martin
Case #11-098
Motion – Revoke

Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 11-098, for consideration. The Board took action to adopt the Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-35756, issued to Casey St. Martin. Mr. St. Martin may not apply for reinstatement for a period of two (2) years from entry of the Order, and after having met requirements set forth in the Order.

Voluntary
Surrender - PRN
Kylie Gibson
Case #12-102
Motion – Revoke

Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 12-102, for consideration. The Board took action to adopt the Findings of Fact, Conclusions of Law and Final Order to revoke License No. PN-15286, issued to Kylie Gibson. Ms. Gibson may not apply for reinstatement for a period of two (2) years from entry of the Order, and after having met requirements set forth in the Order.

LICENSURE/CERTIFICATION

Staff Report -
Licensure/
Certification

The Executive Director presented the 4th Quarter Staff Report (April 1– June 30, 2014) of activities related to licensure, indicating progress toward established benchmarks. The Board recommended staff survey clients to determine efficiencies in the application process. Additional data was requested to be included in future reports: practicing in Idaho/outside Idaho; working PT/FT; licensed in other states.

Case Discussion:

The Executive Director led a discussion on hypothetical Licensure Cases related to a recent decision by the NCSBN Executive Office Leadership Council to preclude applicants with prior felony convictions from being eligible for multi-state licensure. Board directed staff to revise related licensure policies for consideration at the October meeting to reflect the directive.

Petition for
Reinstatement:
D. Roberts
Case #07-056
Motion

The Associate Director for Investigation and Discipline presented information on Case No. 07-056 for consideration. The Board met with D. Roberts via conference call for additional information on the case. Following discussion, it was moved/seconded to reinstate License #N-28500 and issue a limited license, valid for 12 months, which license shall be a single state license with conditions as discussed with the applicant. The motion passed.

EDUCATION

Staff Report -
Education

The Associate Director for Practice and Education presented the 4th Quarter Staff Report (April 1 - June 30, 2014) of activities related to education, indicating progress toward established benchmarks.

Item From
Consent Agenda
Carrington College
RN Program
Approval
Motion

Motion to grant full continuing approval to the RN education program at Carrington College from July 1, 2014 to June 30, 2015.

OTHER BUSINESS

Governance
Committee
Meeting Report

The Governance Committee reported on their meeting held the afternoon of Thursday, July 17, 2014, during which they discussed outcome of Committee 'Schedule of Work – 2014,' Charge to Committee, outcome of 2014 Board Self-Assessment, and development of 'Schedule of Work - 2015.' Other business included setting May 29, 2015 for Board Business Retreat with the following ideas proposed for consideration:

- Strategic Plan Full Revision
- Board Self Assessment – Are we asking the right questions?
- Changes: NLC, ORBS, others
- Education Blueprint for Idaho
- Practice changes and issues

Electronic Tablets

Board Members received electronic tablets along with instructions in an effort to go paperless for future Board Meetings. Related policies are to be developed/distributed in future.

Next Meeting

October 9-10, 2014. Discussion on Board Meeting start time. Consensus was to leave the Thursday start time at 9:00am, but start Friday at 8:00am or 8:30am.

Adjournment

The meeting adjourned at 2:45 p.m. July 18, 2014.


Chairman


Vice-Chairman