

Meeting of the  
IDAHO BOARD OF NURSING  
Holiday Inn Boise  
2970 West Elder Street  
Boise, ID

April 9-10, 2015

**MINUTES**

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on April 9-10, 2015 in Boise, ID
<u>Presiding</u>	Susan Odom, PhD, RN, Chairman
<u>Call to Order</u>	The meeting was called to order at 9:10 a.m., Thursday, April 9, 2015 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, Boise Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome Rebecca Reese, LPN, Post Falls Clayton Sanders, APRN, CRNA, Boise
<u>Absent</u>	Chris Jenkins, RN, Homedale
<u>Staff Present</u>	Sandra Evans, RN, Executive Director Judy Taylor, RN, Associate Executive 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, General Counsel Shasta Kilminster-Hadley, Prosecutor (Present April 9, 2015)
<u>Welcome and Introductions</u>	The Chair welcomed guests, including faculty and students, ITT Technical Institute and Kelly Larsen, Carrington College.
<u>Adoption of Consent Agenda Motion</u>	It was moved to adopt the revised Consent Agenda as to include:

Approval of Jan.  
8-9, 2015  
Minutes

Communication

1. Approval of Jan. 8-9, 2015 Board meeting minutes as written
2. 3<sup>rd</sup> Quarter Environmental Scan
3. Notice of Robert Wood Johnson Foundation State Implementation Project Grand Award
4. NCSBN News Release on Center for Regulatory Excellence Grant Awards
5. ORBS Transition Postcard

Governance/Organization

1. Reports of meeting attendance:
  - a. 2015 NCSBN Annual Institute of Regulatory Excellence (IRE) Conference, January 13-15, 2015, Charleston, SC
  - b. NCSBN Executive Officer Meeting, January 31, 2015, Chicago, IL
  - c. 2015 NCSBN Midyear Meeting, March 15-18, 2015, Louisville, KY
  - d. NLCA Meetings, January 13, February 10 (by teleconference), March 15, 2015, Louisville, KY
  - e. NCSBN Leadership Day, March 16, 2015, Louisville, KY
  - f. National Organization of Alternative Programs (NOAP) Annual Conference, March 17-20, 2015, West Palm Beach, FL
2. Quarterly updates – 3<sup>rd</sup> Quarter
  - a. Special Projects Update
  - b. NCSBN Update
  - c. Nurse Licensure Compact (NLC) Update
3. Board Development, Leading with Intent: A National Index of Nonprofit Boards
4. Board of Nursing FY2011-13 Legislative Services Office Audit Final Report
5. Approval of Nurse Licensure Compact Administrators (NLCA) fees for FY2016

Discipline/Alternatives to Discipline

Adopt Consent/  
Stipulation Agreement:  
Approve Application  
for Licensure by  
Examination from  
Nancy McKinney,  
Case #EX-NM00115;  
Issue Reprimand;  
Assess Fine

1. FAQ for Website: Reinstatement after Discipline
2. Adoption of Consent/Stipulation Agreement
  - a. Nancy McKinney, License No. PN-12935, Applicant for RN Licensure by Examination, Case #EX-NM0115.

Licensure/Certification

1. Non-Routine Applications Report – 3<sup>rd</sup> Quarter
2. Licensure by Equivalence
  - a. Report—3<sup>rd</sup> Quarter

Education

Approve EITC  
Practical Nursing  
Curriculum Change

1. 2014 final NCLEX pass rates matrix
2. Eastern Idaho Technical College Practical Nursing program curriculum change for fall 2015 implementation

## NEW BUSINESS

### COMMUNICATION

Staff Report –  
Communication

The Executive Director presented the 3<sup>rd</sup> Quarter Report (Jan. 1 – Mar. 31, 2015) of staff activities related to Communication indicating progress toward established benchmarks.

Open Forum

Time for an Open Forum was provided at 9:15 a.m. on Friday April 10, 2015. Following discussion on a variety of topics, the meeting continued as scheduled.

### GOVERNANCE/ORGANIZATION

Staff Report-  
Governance and  
Organization

The Executive Director presented the 3<sup>rd</sup> Quarter Report (Jan. 1 – Mar. 31, 2015) of staff activities related to Governance and Organization indicating progress toward established benchmarks.

Executive Director  
Expense Report  
Motion

Rebecca Reese reported on Executive Director expenses for the 3<sup>rd</sup> Quarter (Jan. 1 – Mar. 31, 2015) indicating all expenses were in order. A motion was made and carried to accept the report.

Travel Approval  
Motion

Travel and related expenses were approved for:

- a. NCSBN 2015 Special Delegate Assembly, May 4, 2015, Chicago, IL
- b. NCSBN Discipline Case Management Conference, June 1-3, 2015, Indianapolis, IN
- c. FARB National Policy Summit, July 23, 2015, Washington, DC
- d. NCSBN 2015 Annual Meeting/Delegate Assembly, August 19-21, 2015, Chicago, IL
- e. 2015 NCLEX Conference, September 21, 2015, Portland, OR
- f. Tri-Regulator Symposium, October 6-7, 2015, Alexandria, VA

APRN Advisory  
Committee  
Appointments  
Motion

Betty Brosh-Schoenecker, APRN, CRNA, Boise; Allie Gooding, APRN, CNS, Boise; Charlotte Salinas-Wilkes, APRN, CNM, Boise; and, pending approval by the Board of Medicine, Anne Burgess, MD, Boise; and Adam Reynolds, MD, Eagle were appointed to continuing terms ending June 30, 2018 on the APRN Advisory Committee.

PRN Advisory  
Committee

On recommendation of the PRN Advisory Committee, Heather Nasker, APRN, CRNA, Middleton, was appointed to the PRN Advisory Committee

<u>Appointment Motion</u>	to a term ending January 1, 2018
<u>ORBS Update</u>	Project Director, Lyn Moore, updated the Board on milestones and time lines for Optimal Regulatory Board System (ORBS) implementation.
<u>FY2015 Board Business Retreat May 29, 2015</u>	The annual Board Business Retreat will be held at the Holiday Inn Boise, 2970 W. Elder St, Boise. Primary focus of the Retreat will be review and revision of the Board's Mission, Vision and Values.
<u>2015 Legislative Update</u>	The Executive Director provided an update on 2015 legislative activities to date including approval of Board pending rules on sexual misconduct and the FY2016 budget appropriation.
<u>Potential 2016 Legislation/Rules Promulgation</u>	<p>The Executive Director and General Counsel offered suggestions for possible legislation/rule promulgation for FY2016. Including:</p> <ul style="list-style-type: none"> <li>a. Rules to clarify "active nursing practice"/where practice occurs</li> <li>b. Rules to clarify requirements for RN specialty practice</li> <li>c. Rules to require continuous professional development for LPN/RN license renewal</li> <li>d. Legislation to adopt 'new' Nurse Licensure Compact and APRN Compact</li> <li>e. Legislation to adjust Board per diem</li> </ul> <p>Following discussion, staff was directed to draft documents for consideration at the next meeting and to implement negotiated rulemaking where appropriate.</p>
<u>Board 2015 Self-Assessment</u>	Board members completed their annual self-assessment for FY2015, discussed member comments, and filed the report.
<u>Executive Session: Board Assessment of Executive Director Performance Motion</u>	A motion was made and carried to enter into executive session pursuant to Idaho Code §67-2345(1)(b), to conduct the 2015 Assessment of performance of the Executive Director. Members voting in the affirmative: Susan Odom, Vicki Allen, Jan Moseley, Carrie Nutsch, Clay Sanders, Whitney Hunter, Jill Howell and Rebecca Reese. There were no opposing votes. The Board entered into Executive Session at 2:40pm (MT). The Executive Director was present during the executive session.
<u>Executive Director 2015 Performance Rating, Compensation Recommendation</u>	The Board moved to return to Open Session at 4:18pm, MT, April 9, 2015. The Board moved adoption of the 2015 Assessment of Executive Director Performance and Compensation Adjustment as discussed during Executive Session. The report will be placed in the EDs personnel file.

## Motion

Executive Session: A motion was made and carried to enter into executive session pursuant to  
NCLEX-RN® Test Idaho Code §67-2345(1)(d), to review and provide feedback on the proposed  
Plan Review NCLEX-RN® Test Plan. Members voting in the affirmative: Susan Odom,  
Motion Vicki Allen, Jan Moseley, Carrie Nutsch, Clay Sanders, Whitney Hunter, Jill  
Howell and Rebecca Reese. There were no opposing votes. The Board  
entered into Executive Session at 12:10pm (MT). The Executive Director,  
Board Counsel and Board Staff Members, Judy Taylor, Kathleen Pollard,  
Andrea Anzalone, and Lyn Moore were present during the executive session.

Approve Proposed The Board moved to return to Open Session at 12:30pm, MT, April 10, 2015,  
NCLEX-RN® Test and took action to approve the proposed 2016 NCLEX-RN® Test Plan and  
Plan provide feedback to NCSBN as requested.  
Motion

Strategic Plan Staff presented suggested revisions to the Board Strategic Plan for the 2015  
Review and -2019 period. Following discussion and additional changes, Goals,  
Update Objectives and Performance Measures were approved and staff was directed  
Motion to finalize the plan for submission on July 1, 2015.

Review Proposed The Executive Director presented the proposed Nurse Licensure Compact  
Nurse Licensure (NLC) and APRN Compact that will be presented to the Special NCSBN  
Compact and Delegate Assembly to be held May 4, 2015 for adoption. Board members  
APRN Compact reviewed and discussed the Compacts and directed voting delegates Vicki  
Motion Allen and Sandy Evans to vote in favor of each compact.

Vote on NCSBN The Executive Director presented the NCSBN Standard, “Criminal  
Standard Background Checks for Licensure as a Nurse”, and the request from the  
Motion Standards Development Committee for a vote by each member Board  
signifying the Board opinion on the efficacy of the standard for the licensure  
of nurses as an American National Standard of best practice for the regulation  
of nurses. A motion was made and carried to accept the NCSBN Standard,  
“Criminal Background Checks for Licensure for Nurses”.

## **PRACTICE**

Staff Report - The Associate Executive Director for Practice and Education presented the  
Practice 3<sup>rd</sup> Quarter Staff Report (Jan. 1 – Mar. 31, 2015) related to Practice,  
indicating progress toward established benchmarks.

Adoption of Revised The workgroup charged to review/recommend revisions to the Board’s  
Practice Philosophy Practice Philosophy Statement (Susan Odom, Clay Sanders, and Chris

Statement Motion Jenkins) presented the draft revisions to the “Philosophy of Nursing Practice” for review and comments. A motion was made and carried to adopt the “Philosophy of Nursing Practice” as revised.

RN Specialty Practice Request For Rule Revision Casey Seckel, RN, BSN, CFRN, Clinical Manager, Life Flight Network, provided information regarding recent changes in EMS rules that impact requirements for RNs practicing as flight/transport nurses. Mr. Seckel requested Board consideration of rule revision to align with national practice standards for this specialty, suggesting changes to rule 402 for consideration. Following discussion, the Board directed staff to consider the expressed concerns in preparing draft rule dockets for consideration at the July Board meeting.

APRN Advisory Committee Report, Recommendation to Endorse the “Multi-Board Statement of Understanding on Opioid Treatment of Pain” Motion Cathy Arvidson, APRN, CNP, Chair of the APRN Advisory Committee reported on the April 3<sup>rd</sup> meeting of the APRN Advisory Committee, including the Committee’s support of the proposed “Multi-Board Statement of Understanding on Opioid Treatment of Pain” developed by the subcommittee of the state’s Prescription Drug Abuse Workgroup and recommendation to the Board to endorse the statement. Motion was made and carried to accept the report and recommendation.

### **DISCIPLINE/ALTERNATIVES TO DISCIPLINE**

Staff Report - Discipline/Alternatives to Discipline The Associate Director for Alternative Programs presented the 3<sup>rd</sup> Quarter Report (Jan. 1, – Mar. 31, 2015) of staff activities related to discipline and alternatives to discipline, indicating progress toward established benchmarks.

Discipline Case Reviews Roger Gabel, General Counsel, facilitated discussion on selected cases relevant to the purposes of the Idaho Board of Nursing. In addition, he presented information on the recent Supreme Court decision in North Carolina Board of Dentistry vs the Federal Trade Commission.

PRN Advisory Committee Report Motion Jan Moseley, RN, Chair, Program for Recovery Nurses Advisory Committee (PRNAC), reported on the March 27 meeting of the Committee. There were no recommendations resulting from that meeting. Motion was made and carried to accept the report.

PRN Policy and The Associate Director for Alternative Programs provided an update on



<u>Guideline Review</u>	the review and possible revision of PRN policies and Guidelines. The PRNAC will complete the process and present recommended revisions to the Board at a future meeting.
<u>Non-Contested Cases</u>	Cases were presented for Board consideration, including:
<u>Voluntary Surrender - RN Janet Hide Brown Case #15-032 Motion – Revoke</u>	Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 15-032, for consideration. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-40588, issued to Janet Hide Brown. Ms. Brown 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.
<u>Alternative Program Non-Compliance Angel Bateman. Lic No. N-21709. Case #13-133 Motion – Revoke</u>	Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 13-133, for consideration. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-21709, issued to Angel Bateman. Ms. Bateman 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.
<u>Executive Session Motion</u>	The Associate Director for Investigation and Discipline presented Case No. 09-012, for consideration. A motion was made and carried to enter into executive session pursuant to Idaho Code §67-2345(1)(d), to consider the case before the Board. Members voting in the affirmative: Susan Odom, Vicki Allen, Jan Moseley, Carrie Nutsch, Clay Sanders, Whitney Hunter, Jill Howell and Rebecca Reese. There were no opposing votes. The Board entered into Executive Session at 10:00am (MT). The Executive Director, Board Counsel and Board Staff Members, Judy Taylor, Kathleen Pollard, Andrea Anzalone, and Lyn Moore were present during the executive session.
<u>Petition for Reconsideration-RN Diana Curtis, Lic. No. N-33983. Case #09-012 Motion - Original Order Upheld</u>	The Board moved to return to Open Session at 10:46am, MT, April 9, 2015 at which time the Associate Director for Investigation and Discipline presented Case No. 09-012, for consideration. Motion made and carried to deny the Petition for Reconsideration and upheld the original order to deny the petition for reinstatement for License No. N-33983 issued to Diana Curtis. Ms. Curtis 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 Original Board Order to deny reinstatement.
<u>Cease and Desist Daniel Fauvell</u>	Shasta Kilminster-Hadley, Board Prosecutor, presented the ‘Cease and Desist’ letter sent to Daniel Fauvell for discussion.

## LICENSURE/CERTIFICATION

Staff Report -  
Licensure/  
Certification

The Executive Director presented the 3<sup>rd</sup> Quarter Staff Report (Jan. 1– Mar. 31, 2015) of activities related to licensure, indicating progress toward established benchmarks.

Executive Session  
Motion

The Associate Director for Investigation and Discipline presented Case No. 12-079, for consideration. A motion was made and carried to enter into executive session pursuant to Idaho Code §67-2345(1)(d), to consider the case before the Board. Members voting in the affirmative: Susan Odom, Vicki Allen, Jan Moseley, Carrie Nutsch, Clay Sanders, Whitney Hunter, Jill Howell and Rebecca Reese. There were no opposing votes. The Board entered into Executive Session at 11:18am (MT). The Executive Director, Board Counsel and Board Staff Members, Judy Taylor, Kathleen Pollard, Andrea Anzalone, and Lyn Moore were present during the executive session.

Reinstatement  
Following Discipline  
Case #12-079  
Joanna Hawkins. Lic  
No. PN-12684,  
Motion

The Board moved to return to Open Session at which time the Associate Director for Investigation and Discipline presented Case No. 12-079, Joanna Hawkins, for consideration. Motion made and carried to grant the petition for reinstatement of License No. PN-12684, to issue a Limited License with monitoring conditions, valid for five (5) years. Conditions include: pre-employment approval, performance evaluations, urine drug screens, self-evaluation reports, 12-step meeting attendance, sponsor reports, period of no access to narcotics, abstain from non-prescribed controlled substances, obey all laws.

Licensure  
Policies VIII-10,  
VIII-3.b Revised  
Motion

The following revised policies were approved:

- 1) Policy VIII-10, “International Nurse Licensure Criteria”
- 2) Policy VIII-3.b, “Licensure by Equivalence”

Written Interpretive  
Statement  
Regarding  
Midwifery Affirmed  
Motion

The written Interpretive Statement Regarding Midwifery, adopted November 4, 2010, was affirmed as written.

## EDUCATION

Staff Report -  
Education

The Associate Director for Practice and Education presented the 3<sup>rd</sup> Quarter Staff Report (Jan. 1 – Mar. 31, 2015) of activities related to education, indicating progress toward established benchmarks.

ITT-RN/AD  
Program Site  
Visit Report and

The Associate Executive Director for Practice and Education presented the ITT-PN/AD Program site visit report and recommendation. A motion was made and carried to accept report as submitted and recommendation that the



Recommendation Motion Board extend provisional approval for the period 3/2015 - 4/30/2016. The Board requested additional information regarding the program be presented at the July 2015 meeting.

### OTHER BUSINESS

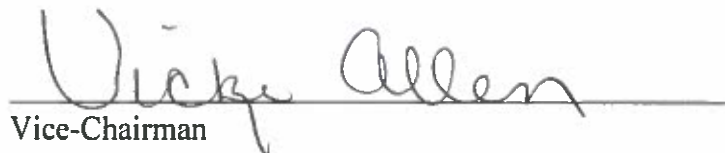
Citizen Advocacy Center (CAC) Steering Committee Update Board consumer member, Whitney Hunter, who serves on the steering committee for a 'Public Member Network' initiative funded by NCSBN and administered by the Citizen Advocacy Center (CAC), provided an update relative to the project. The update included encouragement to each member state to develop a citizen advisory panel for regulatory Boards in the state. The Board requested additional information related to the idea.

Governance Committee Meeting Report The Governance Committee reported on their meeting held the afternoon of Thursday, April 9, 2015.

Next Meeting July 16-17, 2015.

Adjournment The meeting adjourned at 4:23 p.m. April 10, 2015.

  
Chairman

  
Vice-Chairman