

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

July 16-17, 2015

**MINUTES**

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| <u>Time and Place</u>                    | A regular meeting of the Idaho Board of Nursing was held on July 16-17, 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, July 16, 2015 by Susan Odom, Chairman  |
| <u>Members Present</u>                   | Susan Odom, PhD, RN, Chairman, Moscow<br>Vicki Allen, RN, Vice Chairman, Pocatello<br>Whitney Hunter, Consumer, Boise<br>Chris Jenkins, RN, Homedale<br>Jan Moseley, RN, Coeur d'Alene<br>Carrie Nutsch, LPN, Jerome<br>Rebecca Reese, LPN, Post Falls<br>Merrilee Stevenson, RN, Wendell  |
| <u>Absent</u>                            | Clayton Sanders, APRN, CRNA, Boise   |
| <u>Staff Present</u>                     | Sandra Evans, RN, Executive Director<br>Judy Taylor, RN, Associate Executive Director for Practice and Education<br>Andrea Anzalone, RN, Associate Director for Investigation and Discipline<br>Kathleen Pollard, RN, Associate Director for Alternative Programs<br>Lyn Moore, Management Assistant<br>Roger Gabel, General Counsel<br>Shasta Kilminster-Hadley, Prosecutor |
| <u>Welcome and Introductions</u>         | The Chair welcomed guests, including faculty and students, ITT Technical Institute.  |
| <u>Adoption of Consent Agenda Motion</u> | It was moved to adopt the Consent Agenda to include:   |

Approval of April  
9-10, 2015  
Minutes

Communication

1. Approval of April 9-10, 2015 Board meeting minutes as written
2. 4<sup>th</sup> Quarter Environmental Scan
3. Letters of Appreciation
4. Privacy Notice – Idaho Nurse Portal

Governance/Organization

1. Reports of meeting attendance:
  - a. 2015 NCSBN Special Delegate Assembly, May 4, 2015, Chicago, IL
  - b. Nurse Licensure Compact Administrators (NLCA), May 12, 2015 by teleconference
  - c. NCSBN Discipline Case Management Conference, June 1-3, 2015, Indianapolis, IN
  - d. Idaho Nursing Action Coalition Strategic Planning Summit, June 3-4, 2015, Boise, ID
  - e. NCSBN Executive Officer Summit, June 22-24, 2015, San Francisco, CA
2. Quarterly updates – 4<sup>th</sup> Quarter
  - a. Board Special Projects
  - b. National Council of State Boards of Nursing (NCSBN)
  - c. Nurse Licensure Compact (NLC)
3. Board Development: *Leading with Intent: “Work: Board Responsibilities—Financial Oversight and Accountability”*, BoardSource, January 2015
4. FY2016-19 Board of Nursing Strategic Plan
5. Chris Jenkins appointment to Idaho Emergency Medical Services Advisory Committee (EMSAC)
6. Advisory Committee (EMSAC)
7. Board Response: 90 Day Follow-up to 2014 Fiscal Audit Report

Chris Jenkins  
Appointment to  
EMSAC

Practice

1. Letter from Idaho Veterans Administration

Discipline/Alternatives to Discipline

1. Consent/Stipulation Agreements—None presented
2. Updated Program for Recovering Nurses (PRN) Brochure

Licensure/Certification

1. Non-Routine Applications Report – 4<sup>th</sup> Quarter
2. Licensure by Equivalence
  - a. 4<sup>th</sup> Quarter Report
  - b. Applications for Licensure by Equivalence – None presented

Education

1. Notification of Nursing Program Director change at North Idaho College

Director Change  
North Idaho  
College

## NEW BUSINESS

### COMMUNICATION

Staff Report – Communication The Executive Director presented the 4<sup>th</sup> Quarter Report (April 1 – June 30, 2015) of staff activities related to Communication indicating substantial progress toward established benchmarks.

Public Meeting A public meeting was held on Thursday, July 16, 2015 at 10:00 a.m. to receive comments on proposed rules. Following discussion on proposed rules, the meeting continued as scheduled. Summary of comments is attached to the minutes.

Open Forum Time for an Open Forum was provided at 9:15 a.m. on Friday July 17, 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 4<sup>th</sup> Quarter Reports (April 1 – June 30, 2015) of staff activities related to Governance and Organization indicating substantial progress toward established benchmarks.

Executive Director Expense Report Motion Rebecca Reese reported on Executive Director expenses for the 4<sup>th</sup> Quarter (April 1 – June 30, 2015) indicating all expenses in order. A motion was made and carried to accept the report.

Travel Approval Motion Travel and related expenses were approved for:

- a. Council on Licensure, Enforcement and Regulation (CLEAR), NCIT Specialized Training, October 19-21, 2015, Sacramento, CA—3 staff members
- b. NCSBN Leadership and Public Policy Conference, October 27-29, 2015, Westlake, CA—2 staff members; 5 Board members
- c. NCSBN 2016 Institute of Regulatory Excellence Conference, January 26-28, 2016, Tucson, AZ—2 staff members; 3 Board members
- d. “Moments of Change,” National Organization for Alternative Programs (NOAP) Conference, September 28 – October 1, 2015, West Palm Beach, FL—1 staff and 1 Board member
- e. 2015 Tri-Regulator Symposium, October 6-7, 2015, Arlington, VA—approval for the Executive Director (amended from the April 2015 Board approval decision)

APRN Advisory  
Committee  
Appointments

At the April meeting, Board Members approved five re-appointments to the APRN Advisory Committee for the period ending June 20, 2018, including Adam Reynolds, MD and Anne Burgess, MD whose appointments were contingent on the Board of Medicine nomination of these two physicians for reappointment. Board of Medicine's concurrence was received electronically on June 30, 2015.

Position  
Statements  
Motion

On the recommendation of the APRN Advisory Committee, at the April 2015 Board meeting members endorsed the "Multi-Board Statement of Understanding Regarding the Prescribing of Controlled Substances in Idaho". Following the Board's action, several minor changes to the statement were made by the workgroup charged to develop the statement. Board Members were electronically polled to determine agreement with the changes. All Board Members responded and indicated agreement. Upon signature by the Board Chair, the statement was forwarded to the Office of Drug Policy indicating the Board's endorsement.

Proposed 2016  
Legislation/Rules  
Promulgation  
Motion

The Executive Director and General Counsel provided progress to date on proposed 2016 legislation and administrative rules. Including:

- a. Proposed Rules Docket 23-0101-1501
- b. Proposed Rules Docket 23-0101-1502
- c. Proposed Rules Docket 23-0101-1502
- d. Proposed legislation to adopt the "Enhanced" Nurse Licensure Compact
- e. Proposed legislation to adopt the APRN Compact
- f. Proposed legislation amending Idaho Code 54-1402 (6), definition of "Practice of Nursing"

The Board was asked to 1) consider all comments and recommendations received during the public meeting held July 16, 2015, both written and verbal, 2) identify unresolved issues and 3) determine next steps in the rulemaking and bill proposal process. A motion was made and carried to move forward with proposed 2016 legislation and rules to include:

- a. Proposed Rule Dockets 23-0101-1501 as revised and 23-1010-1503 as presented;
- b. Proposed legislation related to adoption of the Enhanced NLC and APRN Compact and amending Idaho Code 54-1402(6), "Practice of Nursing" as presented; and
- c. To vacate the Notice of Intent re: Proposed Rule Docket 23-0101-1502

2015 Board  
Business Retreat

The Executive Director provided a summary of outcomes of the 2015 Board Business Retreat, noting the Board affirmed the current Mission Statement, agreed to revised Values and discussed the Vision.

Assisted by consultant Beth Geagan, the Board continued their discussion, considering sample statements resulting from the work done at the Retreat.

Board directed staff to again formulate sample statements for consideration at the next Board meeting.

Election of Officers Appointment for 2015-2016 Results of the annual election held by secret ballot at the beginning of the meeting, for FY2016 were announced to include:  
Chair, Susan Odom  
Vice-Chair, Vicki Allen  
Member-at-Large to the Governance Committee, Carrie Nutsch  
PRN Advisory Committee Chair, Jan Moseley  
Executive Director Expense Review, Rebecca Reese

2016 Board Meeting Dates The Board established tentative meeting dates for calendar year 2016. Tentative dates are: January 21-22, April 21-22, July 21-22, and October 20-21, 2016. The 2016 Board Business Retreat is tentatively set for May 20, 2016.

State of the Board FY2016 Report The Executive Director facilitated discussion of FY2015 accomplishments and the forecast for FY2016, indicating primary focus will be priority activities under each strategic goal, a continued look at the Board's financial health and anticipated Board legislation and proposed rulemaking.

RWJF SIP III Grant Project Report and Request to Amend Section 54-1403. Idaho Code Randy Hudspeth, PhD, APRN, CNP, CNS, Project Director for the Idaho Nursing Action Coalition (INAC) Robert Wood Johnson Foundation (RWJF) State Implementation Project (SIP III) Grant Project, provided an update on the project and progress toward the goal to "Position Idaho to best meet future nursing workforce needs", including the goal to "create a blueprint for nursing education in Idaho that will meet the current and future nursing workforce needs of the state". At the conclusion of his presentation, Dr. Hudspeth, on behalf of the Idaho Nursing Action Coalition, requested Board support of the proposal to amend Section 54-1403, Idaho Code, to remove the academic degree differentiation for RN Board members to allow interested, eligible RNs to be appointed/reappointed despite their academic degrees. The Board took the request under advisement.

2015 NCSBN Delegate Assembly The Board reviewed the 2015 NCSBN Board of Directors resolutions to be considered at the 2015 Delegate Assembly. After discussion, the Board directed the Board's voting delegates to vote their conscience on all resolutions that come before the NCSBN Delegate Assembly.

## **PRACTICE**

Staff Report - Practice The Associate Executive Director for Practice and Education presented the 4<sup>th</sup> Quarter Staff Report (April 1 – June 30, 2015) related to Practice, indicating progress toward established benchmarks.

APRN Advisory  
Committee Report,  
Recommendation  
to Introduce  
Legislation in 2016  
to Adopt the APRN  
Compact  
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 introduction of legislation in 2016 to adopt the APRN Compact. Motion was made and carried to accept the report and recommendation.

**DISCIPLINE/ALTERNATIVES TO DISCIPLINE**

Staff Report -  
Discipline/Alter-  
natives to Discipline

The Associate Director for Alternative Programs presented the 4<sup>th</sup> Quarter Report (April 1, – June 30, 2015) of staff activities related to discipline and alternatives to discipline, indicating accomplishment of established benchmarks.

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  
Guideline Review  
Motion

The Associate Director for Alternative Programs provided an update on PRNAC review of and proposed revisions to PRN policies and Guidelines. The following were recommended and a motion was made and adopted to:

- Affirm Board PRN Policies VI-2, 3, 5, 8 and 9 as written;
- Approve Board PRN Policies VI-1,4, and 7 as revised; and
- Affirm the "Board's Beliefs" statement as revised.

PRN Guidelines, currently under review/revision will be presented at a future meeting for approval.

Contested Cases

The following cases were presented for Board consideration:

Revocation of RN  
Lic No. N-20392,  
Molly Giacomazzo,  
Cases #12-024 and  
#12-113  
Motion

Shasta Kilminster-Hadley, Board Prosecutor, presented Cases #12-024 and #12-113, for consideration by Default. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-20392, issued to Molly Giacomazzo. Ms. Giacomazzo 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. Chris Jenkins abstained from voting.

Revocation of RN  
Lic No. N- 25143,  
Laura Suitter.

Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 14-059, for consideration by Default. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-25143, issued

Case #14-059  
Motion

to Laura Suitter. Ms. Suitter 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 4<sup>th</sup> Quarter Staff Report (April 1– June 30, 2015) of activities related to licensure, indicating substantial progress toward established benchmarks.

Denial of Request to  
Retake the NCLEX-  
RN® and Appli-  
cation for Licensure  
by Examination  
Submitted by Daniel  
Fauvell, Case  
#EX-DF0215  
Motion

The Associate Director for Investigation and Discipline presented Case No. EX-DF0215, Daniel Fauvell, for consideration. Motion made and carried to deny the request to retake the NCLEX-RN® and the application for licensure by examination submitted by Mr. Fauvell.

### EDUCATION

Staff Report -  
Education

The Associate Executive Director for Practice and Education presented the 4<sup>th</sup> Quarter Staff Report (April 1 – June 30, 2015) of activities related to education, indicating substantial progress toward established benchmarks.

College of Southern  
Idaho LPN Program  
Site Visit Report and  
Recommendation for  
Full Approval  
Motion

The Associate Executive Director for Practice and Education presented the College of Southern Idaho LPN Program site visit report and recommendation for Continued Full Approval for the 8-year period ending 2023. A motion was made and carried to accept the report and recommendation as presented. Carrie Nutsch abstained from voting.

Eastern Idaho  
Technical College  
AD/RN Program  
Site Visit Report/  
Recommendation  
For Full Approval  
Motion

The Associate Executive Director for Practice and Education presented the Eastern Idaho Technical College Associate Degree Registered Nursing Program site visit report and recommendation for Continued Full Approval for the 8-year period ending 2023 with a Self-Study due after the first 4 years (i.e. 2019) if a new curriculum is implemented during the approval period. A motion was made and carried to accept report as submitted and recommendation for program approval as presented.

Carrington College  
AD/RN Bridge  
Program Site  
Visit Report and  
Recommendation

The Associate Executive Director for Practice and Education presented the Carrington College Associate Degree Registered Nursing Bridge Program site visit report and recommendation for Continued Full Approval for the 5-year period ending 2020. A motion was made and carried to accept the report and recommendation as presented.

For Full Approval  
Motion

Continued Full  
Approval for  
Nursing Programs at  
College of Western  
RN Program: Idaho  
State University  
AD/RN Program:  
Northwest  
Nazarene University  
RN Program  
Motion

The Associate Executive Director for Practice and Education presented the recommendation for Continued Full Approval for the following programs:  
a. College of Western Idaho – Associate Degree Registered Nursing  
b. Idaho State University – Associate Degree Registered Nursing  
c. Northwest Nazarene University – Bachelor of Science Registered Nursing  
  
A motion was made and carried to accept the report and recommendation to grant Continued Full Approval for the period ending 2023.

**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.

Emergency Medical  
Services Advisory  
Committee Update

Board Member, Chris Jenkins, appointed to serve on the Emergency Medical Services Advisory Committee (EMSAC), provided an update on the recently held meeting of EMSAC.

Governance  
Committee  
Meeting Report

The Governance Committee reported on their meeting held the afternoon of Thursday, July 16, 2015 during which they considered the Schedule of Work for FY2016 and key issues as potential agenda items for the 2016 Board Business Retreat. The Board suggested May 20, 2016 as the tentative date for the Retreat.

Next Meeting

October 1-2, 2015.

Adjournment

The meeting adjourned at 3:31 p.m. July 17, 2015.

  
Chairman

  
Vice-Chairman MEMBER AT LARGE

**IDAHO BOARD OF NURSING  
COMMENTS RECEIVED ON PROPOSED RULES  
DOCKET 23-0101-1501 AND 1503**

**I. INTRODUCTION**

Consistent with requirements for agencies wishing to engage in the process of negotiated rulemaking, a public meeting was held Thursday, July 16, 2015 at 10:00 am (MDT) at SpringHill Suites by Marriott, 424 E. ParkCenter Blvd, Boise, Idaho to consider proposed rules of the Board of Nursing, Dockets No. 23-0101-1501, 1502 and 1503. Notice of the meeting was published in the June 3, 2015 Idaho Administrative Bulletin.

Persons wishing to participate in the negotiated rulemaking were invited to:

- 1) Submit any written comments, questions, recommendations, or ideas to the Board of Nursing
- 2) Attend the scheduled public meeting on July 16 during which the Board invited oral comments and/or presentations on the proposed rules

**II. COMMENTS RECEIVED ON DOCKET 23-0101-1501**

Written and oral comments relative to Docket 23-0101-1501 were received prior to the close of business on July 16, 2015 from:

- A. St. John's Faith Community Services Coordinator
- B. Idaho Alliance of Leaders in Nursing (IALN) Nurse Residency Program Project Director
- C. President, Idaho Nurses Association
- D. St. Alphonsus Regional Medical Center Faith Community Nursing Coordinator
- E. President, Boise Friendship Clinic
- F. Retired RN
- G. Director, Nursing Education, ITT Technical Institute

Comments were primarily in support of the proposed rules and also included questions related to specific scenarios related to the subject of the proposed rules, e.g.:

- The proposed rules are "clean and friendly. They are sufficiently broad and should allow almost any nurse to be able to meet them. Specifically, they address earlier concerns
- "Looks good!"
- "Rules as proposed are reasonable and may be accomplished by most volunteer faith community nurses"
- "The rules as proposed address previous concerns and validate what we know: nursing is not just at the bedside in a hospital. Nursing is an influence in our communities, in our churches, at organized events—I encourage [our members] to reach out to support [adoption of these rules] this legislative session"
- "The Board heard our concerns and refined the rules to address them—"I love these rules!"
- "Thank you, Board of Nursing, for your responsiveness" (President, The Friendship Clinic, Boise)
- "We need to remain aware of related issues", e.g. access to simulation labs, affordability, etc. in order to retain older nurses in the Idaho nursing workforce
- "Will serving as a tutor for 'refreshing' nurses/students meet requirements for active practice?"

### **III. COMMENTS RECEIVED ON DOCKET 23-0101-1503**

Comments relative to Docket 23-0101-1503 were received from:

- A. Diabetic Educator, Madison Memorial Hospital: Supported the rules as proposed and identified a concern expressed by the hospital's Risk Management Director related to section 402.02.c. Further, "As written, the nurse is held accountable to perform within the parameters of his/her education and demonstrated competence" and in accordance with agency/facility policies and guidelines.
- B. Madison Memorial Hospital, Risk Management/Compliance Director: Raised concern that the rules may be inconsistent with state and federal laws for hospitals that indicate 'written protocols must be approved by the medical staff, nursing and pharmacy'.
- C. Association of Perioperative Registered Nurses (AORN): Indicated "rules as proposed align with the AORN's...suggestions" related to compliance with accepted national standards for specialty nursing practice.

### **IV. BOARD DELIBERATION AND CONCLUSIONS**

Following the public meeting, the Board carefully considered all comments received and took the following actions:

- A. **For Proposed Rule Docket 23-0101-1501:**
  - 1. **Amend §061.01 to clarify the total number of activities necessary to meet requirements; and**
  - 2. **Amend §061.05 to clarify the exemption provision.**
- B. **Proposed Rule Docket 23-0101-1502:**
  - **Vacate the Notice of Intent to Promulgate Rules.**
- C. **Proposed Rule Docket 23-0101-1503**
  - **Delete §402.01.c to avoid confusion related to employer responsibilities resulting from federal/national regulations vs those of the Board of Nursing.**
- D. **Proceed with rulemaking on Dockets 23-0101-1501 and 1503 as amended.**