

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

October 1-2, 2015

MINUTES

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on October 1-2, 2015 in Boise, ID
<u>Presiding</u>	Susan Odom, PhD, RN, Chairman
<u>Call to Order</u>	The meeting was called to order at 9:02 a.m., Thursday, October 1, 2015 by Susan Odom, Chairman
<u>Members Present</u>	Susan Odom, PhD, RN, Chairman, Moscow Whitney Hunter, Consumer, Boise (present October 1 only) Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome Rebecca Reese, LPN, Post Falls Chris Jenkins, RN, Homedale Clayton Sanders, APRN, CRNA, Boise
<u>Absent</u>	Vicki Allen, RN, Pocatello Merrilee Stevenson, RN, Wendell
<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 (present October 2 only) Lyn Moore, Management Assistant Roger Gabel, General Counsel 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 July
16-17, 2015
Minutes
Motion

Communication

1. Approval of July 16-17, 2015 Board meeting minutes as written
2. 1st Quarter Environmental Scan
3. Letters of Appreciation

Governance/Organization

1. Reports of meeting attendance:
 - a. 2015 NCSBN Annual Meeting/Delegate Assembly, August 19-21, 2015, Chicago, IL
 - b. Nurse Licensure Compact Administrators (NLCA), July 21, 2015 (teleconference) and August 18, 2015, Chicago, IL
 - c. 2015 NCLEX Conference, September 21, 2015, Portland, OR (verbal report by C. Nutsch)
 - d. Idaho Summit on Prescription Drug Diversion, September 9, 2015, Boise, ID
2. Quarterly updates – 1st Quarter
 - a. Special Projects Update
 - b. NCSBN Update
 - c. Nurse Licensure Compact (NLC) Update
3. Board Development: “Leading with Intent—Culture: Leadership and Board Dynamic”, BoardSource, 2015
4. Updated Board FY2015 4th Quarter Finance Report
5. Legislative Services Office Management Report for FY2011-13, 90-Day Follow-up
6. FY2015 Board Performance Measurement Report
7. FY2015 Board Internal Controls Self-Audit Attestation Letter

Approval of PRN
VI-1-5,7, 8,
Motion

Discipline/Alternatives to Discipline

1. Draft Board PRN Policies- Approve PRN policies VI-1-5, 7 and 8 as revised

Licensure/Certification

1. Non-Routine Applications Report – 1st Quarter
2. Licensure by Equivalence
 - a. Report—1st Quarter

Education

1. Idaho State University – Notice of PN program new “Veteran to Nurse” track

NEW BUSINESS

COMMUNICATION

Staff Report –
Communication

The Executive Director presented the 1st Quarter Report (July 1 – Sept. 30, 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 October 2, 2015. During the Forum, the following topics were presented:

- Issues related to statewide instruction in Assistance with Medications for UAPs;
- Concerns related to employer expectations for LPN practice and the current state-approved practical nursing curriculum;
- Concern that Idaho does not require CE for nurse license renewal and resulting discussion of pending rules of the Board related to continuous professional development

Following discussion, the meeting continued as scheduled.

GOVERNANCE/ORGANIZATION

Staff Report- Organization

The Associate Executive Director presented the 1st Quarter Report (July 1 – Sept. 30, 2015) of staff activities related to Organization indicating progress toward established benchmarks. Board members requested review and revision of CORE® referenced benchmarks for each section of the Strategic Plan prior to the next meeting.

Staff Report- Governance

The Executive Director presented the 1st Quarter Report (July 1 – Sept. 30, 2015) of staff activities related to Governance indicating progress toward established benchmarks.

Executive Director Expense Report

Rebecca Reese reported no executive director expenses for the 1st quarter.

Travel Approval Motion

Travel and related expenses were approved for:

- a. Citizen Advocacy Center (CAC) Annual Meeting, November 12-13, 2015, Washington, DC for 2 staff and 2 Board members
- b. Federation of Associations of Regulatory Boards (FARB) 2016 Forum, January 28-31, 2016, Clearwater Beach, FL for 1 staff and 1 Board member
- c. NCSBN Mid-Year Meeting, March 14-16, 2016, Baltimore, MD for 4 staff and 4 Board members
- d. Council on Licensure, Enforcement & Regulation (CLEAR) National Certified Investigator and Inspector Training (NCIT), March 14-16, 2016, Raleigh, NC for 2 staff and 1 attorney

Position Statements Position on Safety to Practice

The Program for Recovering Nurses Advisory Committee reviewed the Board “Safety to Practice Statement” and suggested revisions for Board consideration. Members discussed the statement in general and took the committee’s suggestions under advisement for consideration at the time of Board review of the Statement, scheduled for 2017.

Policy Review Motion

Board Members reviewed and took action on Board Policies: VIII-2, “Applicants who have Been Out of Active Practice”, affirmed as written; III-2, “Travel”, adopted as revised 10/10/15; Draft Policy,

“Discipline on a Lapsed License”, discussed; to be considered further at the next meeting.

Proposed 2016
Legislation/Rules
Promulgation

The Executive Director and General Counsel provided an update on progress of proposed 2016 legislation and rule promulgation. Including: Proposed Rule Dockets 23-0101-1501 and 1503; and proposed legislation to:

- Adopt the Enhanced NLC
- Adopt the APRN Compact
- Revise the statutory definition of “Practice of Nursing”

In addition, the Board, in partnership with other health-related discipline regulatory boards, is preparing proposed legislation to amend the Idaho Patient Freedom of Information Act (Title 54, Chapter 46, Idaho Code). Staff provided an update on the status of the initiative.

RWJF SIP III
Grant Project
Report

Randy Hudspeth, APRN, CNP, CNS, Project Director for the Idaho Nursing Action Coalition Robert Wood Johnson Foundation State Implementation Project (RWJF SIP III) Grant, provided an update on the project and progress toward the goal to “create a blueprint for nursing education in Idaho that will meet the current and future nursing workforce needs of the state”.

Governor’s
Directive,
NC Board of
Dental Examiners
v. FTC

Board Counsel provided an overview of Governor Otter’s directive related to the recent Supreme Court opinion on NC Board of Dental Examiners v. FTC. The Governor requested that Idaho’s regulatory boards work together as the state identifies and addresses implications of the decision.

Board Membership
Continued
Discussion

Members continued their dialogue relative to the future structure of the Board. Members were asked to present thoughts at the next meeting, including member requirements, number, etc.

2016 Board
Business Retreat

May 20, 2016 is the tentative date for the one-day Board business retreat. Members suggested Board structure, future role of the Board and key regulatory issues as topics for the retreat.

Board Vision

Staff facilitated further discussion on the Board Vision statement, providing four sample statements. Following discussion, the Board referred the Vision back to the Governance Committee for additional suggestions to be considered at the January 2016 meeting.

PRACTICE

Staff Report -

The Associate Executive Director for Practice and Education presented the

<u>Practice</u>	1 st Quarter Staff Report (July 1 – Sept. 30, 2015) related to Practice, indicating progress toward established benchmarks.
<u>Continued Approval Nurse Apprentice Facilities Motion</u>	The Associate Executive Director for Practice and Education presented a summary of nurse apprentice approved agency Annual Reports to the Board for 2015. Staff recommended the Board grant approval to St. Luke’s-Boise, St. Alphonsus-Boise and St. Alphonsus-Nampa and any late annual reports be on future consent agendas if staff determines the facility substantially meets Board standards for approval. Motion was made and carried to accept report and recommendation.
<u>APRN Advisory Committee Report and Approval of APRN Credentialing Organizations Motion</u>	Cathy Arvidson, APRN, CNP, Chair of the APRN Advisory Committee, reported on the September 25 th meeting of the APRN Advisory Committee. Agenda items included: case study of FNP scope of practice question, CNM prescribing question; approval of APRN credentialing bodies based on the NCSBN “Report of Certification Alignment and the APRN Consensus Model”; review of revised FAQ on peer review; complaint and discipline; proposed 2016 legislation; updates from the field. Motion was made and carried to accept the report and recommendation to approve the APRN credentialing organizations reviewed by the Advisory Committee.
<u>Idaho Telehealth Access Act</u>	Staff presented an overview of the Idaho Telehealth Access Act, enacted in 2015. Copies of the Act were distributed as the basis for future discussion of implications relative to nursing regulation. The Board decided to take a ‘wait and see’ approach at this time to determine whether future rule promulgation will be necessary or appropriate.
<u>Multi-Board Statement of Understanding on Prescribing of Controlled Substances in Idaho</u>	The Board-endorsed “Multi-Board Statement of Understanding on Opioid Treatment of Pain”, developed by the subcommittee of the Prescription Drug Abuse Workgroup, was presented for discussion. Staff will continue to provide updates on the issue as the subcommittee continues its work in 2016.
<u>State Healthcare Innovation Plan</u>	Miro Barac, Project/Contract Manager, Regional Collaboratives, and Dieuwke Dizney-Spencer, Deputy Division Administrator, Public Health, Department of Health & Welfare, presented an informative update on the Idaho State Healthcare Innovation Plan (SHIP) and responded to questions from Board members.

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

Staff Report - The Associate Director for Investigation and Discipline presented the

Discipline/Alternatives to Discipline 1st Quarter Report (July 1, – Sept. 30, 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 two selected cases relevant to purposes of the Idaho Board of Nursing.

PRN Advisory Committee Report, Recommendations Motion Jan Moseley, RN, Chair, Program for Recovery Nurses Advisory Committee (PRNAC), reported on the September 25th meeting of the Committee. She presented program statistics, both current and cumulative, activities and recommendations of the Committee, including their recommendations for Board disciplinary action against the licenses of two LPN's participating in the PRN program. Each nurse was determined to be non-compliant with terms of her monitoring contract. Motion was made and carried to accept the report and committee recommendations.

PRN Guideline Review The Associate Director for Alternative Programs provided an update on the review and proposed revisions to PRN "Guidelines". The Board directed staff to move forward with Guideline revisions and booklet publication.

Contested Cases The following contested cases were presented for Board consideration:

Voluntary Surrender:

Ronald Eddington Lic No N-38529, Case #14-029 Motion – Revoke Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 14-029, for consideration. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-38529 issued to Ronald Eddington. Mr. Eddington may not apply for reinstatement for a period of two (2) years from entry of the Order and after completing all court-imposed obligations associated with the criminal proceeding.

Deborah Hollingsworth Lic Nos N-33941 and NP-701-A, Case #15-085 Motion – Revoke Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 15-085 for consideration. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License Nos. N-33941 and NP-701-A issued to Deborah Hollingsworth. Ms. Hollingsworth 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.

Diane Holzman Lic No N-43710, Case #15-067 Motion – Revoke Shasta Kilminster-Hadley, Board Prosecutor, presented Case No. 15-067, for consideration. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. N-43710 issued to Diane Holzman. Ms. Holzman 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.

Alternative Program

Non-Compliance:

Jana Salvadori
Lic No. PN-13949,
Case #12-014 and
#12-039
Motion – Revoke

Shasta Kilminster-Hadley, Board Prosecutor, presented Case Nos. 12-014 and 12-039 for consideration. Ms. Salvadori and her attorney, Rebecca Voss, were present and were granted their request to present additional information to the Board. Following their presentation, the Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. P-13949 issued to Jana Salvadori. Ms. Salvadori 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.

Stacy Pomerinke
Lic No. PN-15270,
Case #12-036 and
#15-041
Motion – Revoke

Shasta Kilminster-Hadley, Board Prosecutor, presented Case Nos. 12-036 and 15-041, for consideration. The Board took action to adopt Findings of Fact, Conclusions of Law and Final Order to revoke License No. P-15270 issued to Stacy Pomerinke. Ms. Pomerinke 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 1st Quarter Staff Report (July 1– Sept. 30, 2015) of activities related to licensure, indicating progress toward established benchmarks.

EDUCATION

Staff Report -
Education

The Associate Executive Director for Practice and Education presented the 1st Quarter Staff Report (July 1 – Sept. 30, 2015) of activities related to education, indicating progress toward established benchmarks.

Summary of
Annual Reports

and Continued
Approval of NA
Programs:
CSI, CWI,
EITC,
LCSC,
NIC, ISU
S-H, Idaho Falls
Motion

The Associate Executive Director for Practice and Education presented the summary of Annual Reports from approved nursing assistant training programs. Based on substantial compliance with Board of Nursing standards and submission of the Annual Report, it was recommended that the Board of Nursing grant continued approval to CNA programs administered by: College of Southern Idaho, College of Western Idaho, Eastern Idaho Technical College, Idaho State University, Lewis-Clark State College, North Idaho College, Stevens-Henager Idaho Falls. Motion was made and carried to accept the report and recommended continued approval of the above programs.

EITC RN Program
From LPN to RN
“Bridge” to

Tera Bybee and Cathy George, Co-Nursing Administrators, Eastern Idaho Technical College, presented an overview of the proposed RN program curriculum revision to change the current LPN to RN ‘bridge’ to

Generic Associate Degree RN Program Motion a generic Associate degree RN program. A motion was made and carried to approve the proposed curriculum change and affirm the Board's previous request for a self-report of program outcomes to be submitted in 2019.

OTHER BUSINESS

Governance Committee Meeting Report The Governance Committee reported on their meeting held the afternoon of Thursday, October 1, 2015 during which they considered the Schedule of Work for FY2016 and key issues as potential agenda items for the 2016 Board Business Retreat.

Speaker: Dr. Mark Broadhead Dr. Mark Broadhead, M.D., Medical Consultant, for Southworth Associates, spoke to the Board about trends and issues in the field of substance use and addiction and the application of agonist therapy. Dr. Broadhead responded to questions from Board Members.

Next Meeting January 21 – 22, 2016.

Adjournment The meeting adjourned at 4:10 p.m. October 2, 2015.


Chairman


Vice-Chairman