

Meeting of the
IDAHO BOARD OF NURSING

MEETING MINUTES
October 10 and 11, 2019

<u>Time and Place</u>		A regular meeting of the Idaho Board of Nursing was held on October 10 and 11, 2019 at SpringHill Suites by Marriott, 424 E Park Center Blvd, Boise, Idaho.
<u>Presiding</u>		Judy Taylor, MSN, RN, Chair, Boise
<u>Call to Order</u>		The meeting was called to order at 8:30 a.m. MT on both days, attendance was taken, and a quorum was declared on each day.
<u>Members Present</u>		Judy Taylor, RN, Boise, Chair Jennifer Hines-Josephson, RN, Rathdrum, Vice Chair Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome Clayton Sanders, APRN-CRNA, Boise Merrilee Stevenson, RN, Wendell Renée Watson, RN, Boise
<u>Members Absent</u>		
<u>Staff Present</u>		Russell Barron, MBA, Executive Director Andrea Anzalone, RN, Associate Director, Investigation and Discipline Katie Stuart, Associate Director, Alternative Programs Sharon Matthies, Business Systems Manager Mindy Diehl, Financial Technician (portions of the meeting)
<u>Other Attendees</u>		Karen Sheehan, DAG, Board Counsel Robert Berry, DAG, Board Prosecutor (portions of the meeting)
<u>Welcome</u>		Judy Taylor, Board Chair, outlined the business for each day including appointments, introduced the security guard, and offered a reminder related to safety protocols, noting the various exit routes from the meeting room and hotel.

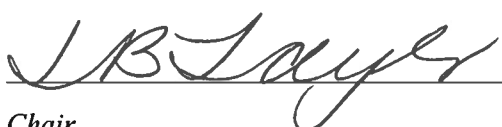
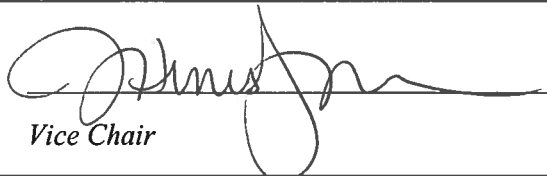
		NEW BUSINESS
<u>Motion to Accept the Election Results of July 2019 board meeting, Approved</u>	1.	<p>A motion was made, seconded, and approved to accept the election results of the July board meeting. The motion needed to be made because this item wasn't marked as an action item on the July agenda.</p> <p>Chair: Judy Taylor Vice Chair: Jennifer Hines-Josephson Member at large on governance committee: Renée Watson PRN-AC Chair: Jan Moseley Reviewer for executive director's expenses: Merrilee Stevenson</p>
<u>Unitek Application to Plan</u>	2.	<p>Abdel Yosef, Chief Academic Officer and Dean of Nursing at Unitek, presented a summary of Unitek learning including staff members, NCLEX pass rates, community needs and workforce shortage assessment, Unitek's proposed programs on a Boise and an Idaho Falls campus, anticipated learning resources including simulation centers, and strategies for establishing nursing programs in Idaho.</p> <p>Motion made, seconded and approved to accept Unitek's application to plan for Idaho campuses as of January 2019.</p>
<u>Board Development</u>	3.	<p>Karen Sheehan, Board Counsel, presented a refresher on Idaho's Open Meeting Laws and a summary of her attendance at the FARB Regulatory Forum.</p>
<u>Program for Recovering Nurses Advisory Committee Report</u> <u>Motion to accept Travis Emerizy as the new PRN-AC member; Approved</u> <u>Motion to add additional member to PRN-AC; Approved</u>	4.	<p>Jan Moseley, Chair, PRN Advisory Committee (PRN-AC) presented on committee activities, including meeting with representatives of the monitoring contractor, reviewing cases, reviewing new policy ideas, and reviewing new marketing material ideas.</p> <p>Motion was made, seconded and approved to accept Travis Emerizy as the new PRN-AC Member.</p> <p>Motion was made, seconded, and approved to add an additional committee member position to the PRN-AC. Proposed criteria for the new member: A licensed nurse at any level, and a graduate of the Program for Recovering Nurses (PRN). Will include travel four times a year. Rule indicates the committee must have a minimum of 6, so adding members is allowed.</p>
<u>Advanced Practice Registered Nurse Advisory Committee Report</u>	5.	<p>Cathy Arvidson, Chair, APRN Advisory Committee (APRN-AC), presented a summary of the September 20, 2019 meeting including from the APRN-AC that the term "nurse anesthiologist" be accepted as a term in addition to existing CRNA. Andrea Anzalone reported on discipline case discussed at the meeting.</p>
<u>Budget Report</u>	6.	<p>Russ Barron, Executive Director, and Mindy Diehl, Financial Tech, presented the FY2021 Budget Request Packet.</p> <p>Russ Barron presented the October 1, 2019 IBN Report to Joint Finance-Appropriations Committee on Revenues, Expenses, and Cash Balance.</p>

		He explained the three main topics of the report: increasing expenses where the Board needs to, eliminating fees where appropriate, and modifying the Board's policy on Cash Balances.
<u>Cash Balance Policy</u> <u>Motion to amend the policy; Approved</u>	7.	<p>Russ Barron discussed the current policy, along with proposed amended language outlined in the 10/1/19 report to JFAC.</p> <p>A motion was made, seconded, and approved to modify the Cash Balance Policy as follows:</p> <p><i>The Executive Director:</i></p> <p><i>A. Manages fiscal activities consistent with the Board's approved appropriation and annual budget.</i></p> <p><i>B. Operates with a financial accounting system that adheres to State of Idaho requirements.</i></p> <p><i>C. Assures a safety reserve of not less than eighteen (18) months of operations at all times. This policy, along with annual revenues, expenses, and cash balances is to be reviewed annually to determine needed adjustments based on foreseeable future expense and revenue impacts.</i></p> <p><i>D. Maintains all finance and asset files and records in accordance with State guidelines</i></p> <p><i>E. Reports quarterly to the Board on the financial position and operations of the board</i></p> <p><i>F. Adheres to State of Idaho purchasing guidelines/policies</i></p> <p><i>G. Receives, processes and disburses fund in accordance with State of Idaho guidelines</i></p> <p><i>H. Holds contractors accountable to contract terms and conditions, including agreed upon fiscal constraints</i></p>
<u>Graduate Temporary \$25 Fee Policy</u> <u>Motion to amend policy; Approved</u>	8.	<p>Russ Barron presented the existing policy for Temporary Licensure Pending Receipt of Criminal Background Check Results. He suggested striking "and upon payment of the temporary license fee" from item A.</p> <p>Motion was made, seconded, and approved to amend the policy by striking "and upon payment of the temporary license fee" from item A.</p>
<u>Petition for Reinstatement Policy</u> <u>Motion to amend policy; Approved</u>	9.	<p>Andrea Anzalone presented an assessment of the current Petitions for Reinstatement Following Disciplinary Actions policy.</p> <p>Andrea recommended adding language indicating the board's prosecutor (rather than general counsel) will assist staff with various responsibilities, including drafting documents.</p> <p>Motion was made, seconded, and approved to accept the wording as proposed to the Board with the exceptions of B.3 (adding "to the Board"), and combining C.3.b and C.3.c while specifying both chair and designee, amend the policy by adding "with assistance from the Board's Prosecutor" to item B, adding "to the Board" to item B.3, eliminating C.2.a through C.2.d, replacing with C.3.a through C.3.c.</p>
<u>Draft Legislation: Global Signature Bill</u>	10.	<p>Tammy Perkins and Colleen Shackelford (family nurse practitioner representing Nurse Practitioners of Idaho) presented proposed legislation to be introduced during the upcoming Idaho legislative session.</p>

<p><u>Motion to support the proposed legislation; Approved</u></p>		<p>The request is for the Board to provide support and to be available to legislators should they have questions or need additional information.</p> <p>Motion was made, seconded, and approved for the Board to support the Global Signature Bill. The Board directed the Executive Director to seek permission from the governor’s office to be available to express support or answer questions in any hearings.</p>
<p><u>Rules</u></p> <p><u>Motion to adopt proposed rules as presented; Approved</u></p> <p><u>Motion to approve the Omnibus proposed rule changes; Approved</u></p>	<p>11.</p>	<p>Karen Sheehan discussed the Proposed and Omnibus rules.</p> <p>Motion was made, seconded, and approved that that the Board adopt the proposed rules as presented today, with no changes, contingent on no substantive comments criticizing the proposed rules be received after today’s date and ratify the Executive Director’s action to have them published as pending rules in the next available edition of the Idaho Administrative Bulletin.</p> <p>Motion was made, seconded, and approved to approve the Omnibus proposed rule changes to the Rules of the Idaho Board of Nursing as discussed and modified today and to delegate authority to the Executive Director, to continue with the rule promulgation process.</p>
<p><u>Certified Nurse Anesthesiologist: Rule, Position Statement</u></p> <p><u>Motion directing staff to craft a position statement for review at next board meeting; Approved</u></p> <p><u>Motion directing staff to draft proposed rule change for review at next board meeting; Approved</u></p>	<p>12.</p>	<p>Russ Barron provided context about this request to add “or certified registered nurse anesthesiologist (nurse anesthesiologist)” to the text of Rule 390.d, which currently references the title “certified registered nurse anesthetist (nurse anesthetist)”.</p> <p>A motion was made, seconded, and approved to direct Board staff to draft a position statement saying, “The Idaho Board of Nursing recognizes “Nurse Anesthesiologist” and “Certified Registered Nurse Anesthesiologist” as accurate descriptors for CRNAs.</p> <p>The Board will vote on adopting the position statement in the January board meeting.</p> <p>Motion was made, seconded, and approved directing Board staff to draft a rule change for consideration at the next Board meeting.</p>
<p><u>Investigations Discussion</u></p>	<p>13.</p>	<p>Andrea Anzalone presented a Discipline Decisions grid, along with excerpted chart from 2020-2023 IBN Strategic Plan, Discipline Goal D.3.</p>
<p><u>Open Forum</u></p>	<p>14.</p>	<p>Time for an Open Forum was provided from 8:40am to 9:10am on Friday, October 11, 2019.</p> <p>A former licensee spoke about her personal situation and her desire to get back into the nursing profession. She wants to participate in the PRN program but can’t afford it.</p>

		Lee Varga and Mara Poynter from Carrington College provided public comments on issues with having sufficient opportunities for students to do clinicals; opinions on fees; expressed opinion on keeping the art of nursing defined in rule, schools can teach the science of nursing.
<u>Contested Cases</u> <u>Motion to adopt in full the Findings of Fact and Conclusions of Law and Final Order for Case No.15-001, Elquist, Rebekah A., License No. RN-46564 and LPN-14920. Revocation, Approved</u> <u>Motion to adopt in full the Findings of Fact and Conclusions of Law and Final Order for Case No. 16-134, Monroe, Wendy, License No. RN-44490 and LPN-14495. Revocation, Approved</u>	15.	PRN Non-Compliance Cases a) Robert Berry, Board Prosecutor, presented the Findings of Fact and Conclusions of Law and Final Order for Case No.15-001, Elquist, Rebekah A., License No. RN-46564 and LPN-14920. After discussion, motion was made, seconded, and approved to adopt in full the Findings of Fact and Conclusions of Law and Final Order for Case No.15-001, Elquist, Rebekah A., and revoke RN-46564 and LPN-14920. Respondent may not apply for reinstatement for at least five (5) years. Conditions for reinstatement are stated in the final order and as required by board statute and rule. b) The Board Prosecutor presented the Findings of Fact and Conclusions of Law and Final Order for Case No. 16-134, Monroe, Wendy, License No. RN-44490 and LPN-14495. After discussion, motion was made, seconded, and approved to adopt in full the Findings of Fact and Conclusions of Law and Final Order for Case No. 16-134, Monroe, Wendy and revoke License RN-44490 and LPN-14495 for 5 years. Respondent may not apply for reinstatement for at least two (2) years. Conditions for reinstatement are stated in the final order and as required by board statute and rule.
<u>Reinstatement After Discipline</u> <u>Motion to reinstate Money, Gayla, License No. P-14583; Approved</u>	16.	Reinstatement After Discipline Andrea Anzalone, Associate Director for Investigation and Discipline, presented a non-routine application for reinstatement after discipline for Money, Gayla, License No. P-14583, Case No. 12-086, 14-136, 14-137. After discussion, motion was made, seconded, and approved to approve reinstatement of License No. P-14583, with probation period of 1 year and any other conditions as outlined by board staff.
<u>Motion to accept /reaffirm the evaluation of the associate executive director of practice and education; Approved</u>	17.	Acceptance of Associate Director Evaluation In the April board meeting, the Board accepted the evaluation of the associate executive director. The agenda did not list this as an action item. A motion was made, seconded, and approved to accept /reaffirm the evaluation of the associate executive director of practice and education.
<u>Motion to Approve Out-of-State Travel; Approved</u>	18.	Registration, travel, and related expenses not paid by the National Council of State Boards of Nursing (NCSBN). Oregon Board Meeting (Russ) – Nov. 13-14, 2019 International Rural Nursing and Healthcare Conference (Russ) – July 28-30, 2020 FARB (Karen) – January 24-26, 2020

		<p>Mid-Year Conference – March 3-5, 2020. Up to 1 board member and 2 staff members.</p> <p>Motion to approve travel as outlined above.</p>
<p><u>Motion to go into Executive Session pursuant to Idaho Code §74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation; Approved</u></p> <p><u>Motion to Exit Executive Session and Return to Regular Session; Approved</u></p>	<p>19.</p>	<p>A motion was made, seconded, and approved to go into Executive Session pursuant to Idaho Code §74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation. Roll was called by the Board assistant. The Board went into Executive Session at 10:28 a.m. MT, 10/11/19.</p> <p>A motion was made, seconded, and approved to exit Executive Session and return to regular session at 10:45 a.m. MT, 10/11/19.</p>
<p><u>Board Meeting Dates</u></p> <p><u>Motion to accept Board meeting dates for 2020; Approved</u></p>	<p>20.</p>	<p>Board Meeting Dates</p> <p>A motion was made, seconded, and approved for the Board to reaffirm 2020 dates of Jan 30 & 31, April 23 & 24, and July 30 & 31 as the Board’s next meeting dates, and select November 5 & 6 as the fourth 2020 board meeting date.</p> <p>Further, the Board discussed March and April 2020 as possible months for the Board Retreat for Strategic Planning, with dates to be determined through later discussion.</p>
<p><u>Motion to Accept the Report on the Executive Director’s Expenses as Presented; Approved</u></p>	<p>21.</p>	<p>Merrilee Stevenson reviewed the Executive Director’s P-Card expenses, reporting all charges were appropriate.</p> <p>Motion was made, seconded, and approved to accept expense oversight report as presented.</p>
<p><u>Education Update</u></p>	<p>22.</p>	<p>The Executive Director announced that Sarah Phipps has been hired as the new Associate Executive Director, Practice and Education. He discussed orientation plans for this individual.</p> <p>Next week, Randy Kibler, Licensure Clerk, and Russ Barron, Executive Director, will travel to College of Southern Idaho (CSI) in Twin Falls to present licensure application information to graduating students.</p> <p>Andrea Anzalone, Associate Director for Investigation and Discipline, presented Status of Approved Nursing Education Programs report, providing status as of September 28, 2019.</p>
<p><u>Executive Committee & Governance Committee Policies</u></p>	<p>23.</p>	<p>Judy Taylor, Board Chair, discussed the purpose, charge, and activities of the Governance Committee, in the context of the Board’s mission.</p>

		The Board directed the staff to review and revise all policies related to the Executive Committee and Governance and then provide the results at the April board meeting.
<u>Consent Agenda</u> <u>Motion to accept consent agenda as presented;</u> <u>Approved</u>	24.	Consent Agenda A motion was made, seconded and approved to accept the consent agenda as presented.
<u>Staff Q & A</u>	25.	Conversation included presentation of annual renewal-cycle statistics, comparing notes with other boards on handling disclosures of 1 st and 2 nd DUI incidents during initial or renewal licensing review, and logistics for a possible fund to support PRN enrollees with expenses of the program and treatment. The Board directed the staff to make the 2014 interpretive statement about the scope of the APRN committee an agenda item for the January 2020 board meeting.
		<u>ADJOURNMENT</u>
		The meeting Adjourned at 4:26 p.m. on Thursday 10/10/19 and 1:00 p.m. on Friday 10/11/19.
<u>MINUTES APPROVAL</u>		
<u>Signatures:</u>		 <i>Chair</i>
		 <i>Vice Chair</i>

