

Meeting of the
IDAHO BOARD OF NURSING

MEETING MINUTES
January 30 & 31, 2020

<u>Time and Place</u>		A regular meeting of the Idaho Board of Nursing was held on January 30 & 31, 2020 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 Laura Stott, RN, Boise Renée Watson, RN, Boise
<u>Members Absent</u>		None (Note: two board positions are currently vacant)
<u>Staff Present</u>		Russell Barron, MBA, Executive Director Sarah Phipps, MSHA, BSN, RN, Associate Director Andrea Anzalone, RN, Program Manager, Investigation and Discipline Katie Stuart, CIP, Program Manager, Alternative Programs Sharon Matthies, Data Coordinator Mindy Diehl, Financial Technician (Thursday meeting) Kim Doods, TRS I
<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 having each board member and staff share introductions. Request to have items pulled from the Consent Agenda was offered and declined by all.

		NEW BUSINESS
<u>Budget Update</u>	1.	<p>Mindy Diehl and Director Barron presented budget information.</p> <p>Explained Governor's 1% and 2% holdbacks do not apply to IBN; we don't receive state funds, only dedicated funds.</p> <p>Upcoming JFAC meeting is 2/04/2020.</p> <p>2% compensation increase for state employees recommended by the Governor.</p> <p>Discussed recommended funding for moving to the Chinden Campus including design/build and moving expenses.</p> <p>Reviewed year-to-date expenses.</p>
<u>PRN-AC Report</u> <u>Motion to Approve the appointment of PRN graduate Richelle Stoddard, RN to the committee, Approved.</u> <u>Motion to Approve the reappointment of John Brannen, Approved.</u> <u>Motion to adopt policy of 5yr Gold Standard, Approved.</u>	2.	<p>Jan Mosely, Chair, Program for Recovering Nurses Advisory Committee provided quarterly report. She included meeting details 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 Richelle Stoddard as the RN graduate of the PRN Program member of the committee.</p> <p>Motion was made, seconded and approved to accept the reappointment of John Brannen, RN member.</p> <p>Motion was made, seconded and approved to accept the 5-year gold standard for recovery/post discipline.</p>
<u>Suicide Prevention CEUs</u>	3.	<p>Sharon Fritz presented information regarding Suicide and Suicide Prevention CEUs.</p> <p>Board staff agreed to work with the office of Suicide Prevention on promoting Suicide Prevention CEUs.</p>
<u>Board Logo</u>	4.	<p>Board Logo presented by Russ Barron</p> <p>Currently using state seal; Board of Nursing has a seal that can be used as logo.</p> <p>No motion was made; staff directed to continue working with graphic designer to come up with other options to present for approval at next Board Meeting. Staff may continue to use the Board Seal on official documents.</p>
<u>Board Development</u>	5.	<p>Karen Sheehan, Board Counsel, discussed recent Idaho State Supreme Court case re: public records requests.</p>

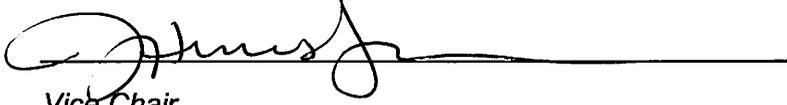
<p><u>Advanced Practice Registered Nurse Advisory Committee Report</u></p>	<p>6.</p>	<p>Cathy Arvidson, Chair, APRN Advisory Committee (APRN-AC), presented quarterly report.</p> <p>Global Signature Bill Legislation seeks APRN signature authority to sign within scope of work.</p> <p>Discussed: FAQ's – working on form for consumers to appear on Board website.</p>
<p><u>CRNA – Position Statement and Proposed Rule.</u></p> <p><u>Motion made to accept Position Statement as amended, Approved.</u></p>	<p>7.</p>	<p>CRNA Position Statement and Proposed Rule</p> <p>Rule moratorium is in place per Executive Order No. 2020-01.</p> <p>This is not a change in scope of practice, only allowing to use Nurse Anesthesiologist as a descriptor. This is not a change to the legal title of CRNA.</p> <p>No violation of the nurse practice act.</p> <p>Emails and letters for and against were provided to Board members.</p> <p>Motion was made, seconded and approved to accept the Position Statement as amended which recognizes Nurse Anesthesiologist and Certified Nurse Anesthesiologist as accurate descriptors for CRNA.</p>
<p><u>IALN Contract Review – No Motion was made.</u></p>	<p>8.</p>	<p>IALN Contract Review by Russ Baron & Karen Sheehan</p> <p>Reviewed current and past MOU's. The current MOU ends in 2022.</p> <p>The Board would like more visibility into how funds are spent.</p>
<p><u>Board Development</u></p>	<p>9.</p>	<p>Working Lunch – Karen Sheehan, Board Counsel, summarized her recent attendance at FARB conference.</p>
<p><u>ICN Update</u></p>	<p>10.</p>	<p>Idaho Center for Nursing Update. Randall Hudspeth presented. Every state has some sort of funding. 29 states have continued with Robert Wood Johnson grant funding.</p> <p>Transitioning RN Idaho (magazine) from printed to online only.</p> <p>Current IALN MOU with IBN goes through to 2022.</p> <p>Other funding comes from: Membership dues, programs, grants.</p> <p>Randy Hudspeth provided information on how funds are being spent.</p>
<p><u>Motion to not support the Cosmetic Injectable Safety Draft Bill or similar drafts presented by Jesse Taylor, Approved</u></p>	<p>11.</p>	<p>Cosmetic Injectable Routing Slip – Jesse Taylor presented.</p> <p>New chapter to Idaho code Title 39 to add a requirement within the code that anyone injecting a derma filler (into the neck or face) would be required to be at least a RN. It also requires a misdemeanor for non-compliance.</p> <p>Discussion that Rule 400 covers delegation and not doing anything outside of a licensee's competency. IBN already has discipline outlined in statute and rule.</p>

		<p>While the Board understands the intention, it does not agree with this approach.</p> <p>Motion to not support the Cosmetic Injectable Safety Draft Bill or similar drafts presented by Jesse Taylor made, seconded and approved.</p>
<p><u>Investigations Discussion – No Motion</u></p>	12.	<p>Discipline Matrix presented by Andrea Anzalone.</p> <p>The Matrix is a baseline for determining discipline, assists in providing clarification for violation and provides consistency.</p> <p>The intent is for IBN staff to use the matrix as an internal tool to impose appropriate disciplinary dispositions. No fees are imposed (currently IBN has no fining authority). Licenses can be encumbered or restricted.</p> <p>Case by case review to determine, under delegated authority, case dispositions are aligned with Board philosophies. The final matrix will include and clearly establish the threshold for cases requiring Board action, which is public, reportable, and stays with a licensee forever.</p> <p>The Board requested the Informal Disposition letters be included with the revised Matrix at the April meeting, for Board member review and input.</p> <p>No motion made. Staff directed to keep working in this direction and bring back at future Board meeting for approval.</p>
<p><u>Motion to go into Executive Session pursuant to Idaho Code §74-206(1)(f). Approved.</u></p> <p><u>Motion to Exit Executive Session and Return to Regular Session. Approved.</u></p>	13.	<p>Executive Session</p> <p>Motion to go into Executive Session pursuant to Idaho Code §74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation; Motion made, seconded and approved. Roll call taken by IBN staff.</p> <p>Motion to Exit Executive Session and Return to Regular Session; Motion made, seconded and approved.</p>
<p><u>Open Forum</u></p>	14.	<p>No guests offered comments.</p>

<p><u>Contested Cases</u></p> <p><u>Motion to adopt in full the Findings of Fact and Conclusions of Law and Final Order for Case 05-095 Kathy Wheeler; Revocation (5yr), Approved.</u></p> <p><u>Motion to adopt in full the Findings of Fact and Conclusions of Law and Final Order for Case No 20-024 Kent Long; Revocation (2 yr.), Approved.</u></p> <p><u>Motion to adopt in full the amended Findings of Fact and Conclusions of Law and Final Order for Case No 19-023 Tammy Case; Revocation (3yr), Approved.</u></p>	<p>15. PRN Non-Compliance Cases</p> <p>Robert Berry, Board Prosecutor, presented the Findings of Fact and Conclusions of Law and Final Order for Case No 05-095 Kathy Wheeler;</p> <p>Motion made, seconded and approved for 5-year revocation of license.</p> <p>The Board Prosecutor presented the Findings of Fact and Conclusions of Law and Final Order for Case No 20-024 Kent Long.</p> <p>Motion made, seconded and approved for 2-year revocation of license.</p> <p>The Board Prosecutor presented the Findings of Fact and Conclusions of Law and Final Order for Case No 19-023 Tammy Case.</p> <p>Motion to approve with amended language made, seconded and approved for 3-year revocation of license.</p>
<p><u>Reinstatement After Discipline</u></p> <p><u>Motion to reinstate the license of Molly Giacomazzo, license N-20392, Approved.</u></p> <p><u>Motion to reinstate the license of Angela Kaschmitter, license N-28809, Approved.</u></p>	<p>16. Reinstatement After Discipline – 2 cases</p> <p>Andrea Anzalone, Program Manager for Investigation and Discipline, presented the following:</p> <p>Case 1 Molly Giacomazzo</p> <p>Motion made to move that the Board grant the application for reinstatement after discipline to include the following terms and conditions: an active single state license for the term or probation, attend Nurse Refresher Program, and include 6 additional individual counseling sessions for a 6 month period after return to the workplace. Motion made, seconded and approved.</p> <p>Case 2 Angela Kaschmitter</p> <p>Motion made to move that the Board grant the application for reinstatement after discipline with the following terms and conditions: an active single state license for the term or probation, attend Nurse Refresher Program, and workplace evaluations monthly for a 6-month period after return to the workplace, and after every job change for a duration of 5 years. Motion made, seconded and approved.</p>

<p><u>Distance Programs</u></p>	<p>17.</p>	<p>Sarah Phipps, Associate Director, presented the following:</p> <p>Nightingale College’s presence in Idaho as previously requested by the Board. Nightingale College has advertisements that play on Idaho radio stations and has billboards in the Treasure Valley. The Nightingale College website states that Boise, Twin Falls, and Pocatello have EL Hubs. EL Hubs are not defined on the website, but Nightingale College used the term “Experiential Learning” on the website when describing their programs.</p> <p>Nightingale College’s First Time NCLEX Pass Rates for the last few years were provided. The IBN has received requests for Nightingale College RN students to be allowed to sit for the LPN Equivalency Exam in Idaho. These applications will be reviewed on a case-by-case basis to ensure that IBN Statute and Rules are met.</p> <p>A discussion around Distance Education Program requirements in Idaho highlighted the next steps that the Board would like Board Staff to explore in preparation for the next Board Meeting. This includes:</p> <ul style="list-style-type: none"> • Board Staff to visit any physical spaces in Idaho occupied by Distance Education Programs being offered to nursing students in Idaho. • Develop a Philosophy of Education Regulation Statement for the Board to review at an upcoming Board Meeting. • Board Staff to request information from Nightingale College, Idaho Department of Education, and UT Board of Nursing.
<p><u>Motion to Accept 4/03/2020 as the date for the Board retreat at SpringHill Suites, Approved.</u></p>	<p>18.</p>	<p>Board Retreat/Strategic Planning by Russ Barron and Marsha Bracke, a 30-year facilitator with an office in Boise. Marsha Bracke reviewed the schedule for drafting a new strategic plan and discussed the survey needing to be completed.</p> <p>Motion made to accept 4/03/2020 as the date for the Board retreat at SpringHill Suites, seconded and approved.</p>
<p><u>Working Lunch Q&A</u></p>	<p>19.</p>	<p>Working Lunch/Staff Q&A</p> <p>Comments and questions about Southworth report.</p> <p>Discussion on the atmosphere of the office being positive and office is fully staffed.</p> <p>ORBS 2.6.9 upgrade – 30 changes. Significant changes for new update in Fall which will be 3.0.</p>

<p><u>Motion to go into Executive Session pursuant to Idaho Code §74-206(1)(f). Approved.</u></p> <p><u>Motion to Exit Executive Session and Return to Regular Session; Motion made, seconded; Approved</u></p>	<p>20.</p>	<p>Executive Session</p> <p>Motion to go into Executive Session pursuant to Idaho Code §74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation; Motion made, seconded and approved. Roll call taken by IBN staff.</p> <p>Motion to Exit Executive Session and Return to Regular Session; Motion made, seconded and approved.</p>
<p><u>Motion as a result of discussion of claims during Executive Session, Approved.</u></p> <p><u>Motion amending requirements of Application for Temporary License 45608, Approved.</u></p>	<p>21.</p>	<p>Motion as a result of discussion of claims regarding application 7825472 from 2014 discussed during Executive Session and that time frames have expired for any claim, seconded and approved.</p> <p>Motion regarding Application for Temporary License APRN 45608 dated 11/09/2018 to amend recommendation of Director Barron dated 10/21/2019 to include: Temporary license to extend 6 months from this date forward and to complete 100 clinical hours to demonstrate safe/competent return to practice, seconded and approved.</p>
<p><u>Motion to Accept the upcoming travel requests, Approved.</u></p>	<p>22.</p>	<p>Travel Requests</p> <ol style="list-style-type: none"> 1. National Organization of Alternative Programs (NOAP) Annual Conference (1 staff member/1 board member) 2. National Council of State Boards of Nursing (NCSBN) APRN Roundtable (1 staff member/1 committee member) 3. NCSBN Investigator Training (2 staff members) 4. NCSBN New EO Orientation (1 staff member) 5. NCSBN IT/OPS (1 staff member) 6. NCSBN Discipline (1 staff member/1 board member) 7. NCSBN EO Summit (1 staff member) 8. NCSBN Annual Meeting (3 staff members/2 board members) <p>Motion made, seconded and approved to accept all travel.</p>
<p><u>Motion to Accept the Expense Oversight Report as presented and roll-over duties to Vice Chair, Approved.</u></p>	<p>23.</p>	<p>Expense Oversight Report presented by Jennifer Hines-Josephson</p> <p>All charges appropriate and coincide with P-Card transactions.</p> <p>Amended motion made to accept the expense oversight report as presented and to roll these duties going forward into role of vice chair, seconded and approved.</p>

<p><u>2020 Year of the Nurse</u></p>	<p>24.</p>	<p>2020 Year of the Nurse & Midwife discussion by Sarah Phipps and Katie Stuart.</p> <p>The Idaho Board of Nursing went live on Social Media as of January 6th - Facebook and Instagram.</p> <p>The Board Staff are working with various key stakeholders throughout the state to highlight 2020 Year of the Nurse and Midwife. The Idaho Board of Nursing has a traveling banner that is being signed by nurses, nursing students, and advocates of the nursing profession throughout this year to highlight the importance of the nursing profession and its impact on public safety.</p>
<p><u>Executive Director Updates</u></p>	<p>25.</p>	<p>Executive Director Updates presented by Russ Barron.</p> <p>Russ Barron presented updates to the Board regarding office changes, achievements and improvements, as well as some current and upcoming projects. He shared information from recent Executive Orders, legislative updates, and some items the Board may see on the April Board Meeting agenda.</p>
<p><u>Meeting Minutes</u></p> <p><u>Motion to adopt the Meeting Minutes from the August 12, 2019 special meeting as presented and the October 2019 board meeting minutes as presented, Approved.</u></p>	<p>26.</p>	<p>Meeting Minutes for August 12, 2019 & October 10 & 11, 2019</p> <p>Motion to adopt the Meeting Minutes from the August 12, 2019 special meeting as presented and the October 2019 board meeting minutes as presented. Motion made, seconded and approved.</p>
<p><u>Consent Agenda</u></p> <p><u>Motion to accept consent agenda as presented, Approved.</u></p>	<p>27.</p>	<p>Consent Agenda</p> <p>A motion was made, seconded and approved to accept the consent agenda as presented.</p>
<p><u>ADJOURNMENT</u></p>		
<p>The meeting Adjourned at 4:47 p.m. on Thursday 1/30/2020 and 4:02 p.m. on Friday 1/31/2020.</p>		
<p><u>MINUTES APPROVAL</u></p>		
<p><u>Signatures:</u></p>	<p style="text-align: center;">  _____ Chair </p>	
	<p style="text-align: center;">  _____ Vice Chair </p>	