

Meeting of the
IDAHO BOARD OF NURSING

MEETING MINUTES
January 18 & 19, 2018

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on January 18 & 19, 2017 at the SpringHill Suites by Marriott, 424 E Park Center Blvd, Boise, Idaho.
<u>Presiding</u>	Vicki Allen, RN, Chair, Pocatello
<u>Call to Order</u>	The meeting was called to order at 9:00 a.m. MDT and a quorum was declared. The Chair outlined the business for each day, including appointments.
<u>Members Present</u>	Vicki Allen, RN, Pocatello, Chair Jennifer Hines-Josephson, RN, Rathdrum Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome, Vice Chair Clayton Sanders, APRN, CRNA, Boise Renée Watson, RN, Boise (Thursday) Merrilee Stevenson, RN, Wendell Whitney Hunter, Consumer, Boise (Friday)
<u>Members Absent</u>	Renée Watson, RN, Boise (Friday) Whitney Hunter, Consumer, Boise (Thursday) Jennifer Hines-Josephson, RN, Rathdrum (missed last hour of Friday) Rebecca Reese, LPN, Post Falls None
<u>Staff Present</u>	Sandra Evans RN, Executive Director Susan Odom, PhD, RN, Associate Executive Director, Practice and Education Andrea Anzalone, RN, Associate Director, Investigation and Discipline Kathleen Pollard, RN, Associate Director, Alternative Programs Sharon Matthies, Business Systems Manager Janet Summers, Operations & Support Manager
<u>Other Attendees</u>	Roger Gabel, DAG, Board Counsel Robert Berry, DAG, Prosecutor
<u>Welcome</u>	The Chair welcomed those present and reviewed the schedule for the next two days.
<u>Motion to Remove Minutes from Consent Agenda</u>	The minutes from the October 19 & 20, 2017 meeting were not available. A motion was made and passed to remove the minutes from the Consent Agenda and postpone approval of the minutes from October 19 & 20, 2017 to the next Board meeting. The Consent Agenda was approved as amended.
<u>Motion to Adopt the Amended Consent Agenda including</u>	COMMUNICATION 1. Approval of Minutes from October 12 & 13, 2017 2. Environmental Scan – 2nd Quarter 3. Correspondence

Travel to eNLC Legal Forum, January 4, 2018.

- a. Correspondence from National Association of Orthopedic Nurses (NAON)
 - b. Thank you to Diana Anderson
 - c. Thank you and Pizza to staff
 - d. Thank yous to Randy
 - e. Thank you from Nur Rajwany, CIO Information Resources Division, NCSBN
4. Update on eNLC letters to licensees, employers and nursing educators

GOVERNANCE/ORGANIZATION

1. Reports of Meeting Attendance
 - a. Emergency Medical Services Advisory Committee (EMSAC), November 1, 2017, Boise
 - b. Interstate Commission for the eNLC, December 12, 2017, by teleconference
 - c. eNLC Legal Forum, January 4, 2018, Rosemont, IL
 - d. eNLC Legal Forum, January 4, 2018, Rosemont, IL
2. Quarterly Updates – 2nd Quarter
 - a. Special Projects
 - b. National Council of State Boards of Nursing (NCSBN)
 - c. Nurse Licensure Compact (NLC/eNLC) Update
3. Board Development, “5 Ways to Close the Strategy-to-Execution Gap”, Leinwand, Mainardi and Kleiner, Harvard Business Review, December 22, 2015
4. Travel Approval
 - a. eNLC Legal Forum, January 4, 2018, Rosemont, IL
5. Correspondence from Secretary of State, Update to Idaho Nursing Practice Act
6. Management Report resulting from the Legislative Services Office (LSO) audit of FY 2014, 2015, 2016
7. NCSBN Programs and Services

PRACTICE

1. Ketamine Resources

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

2. Consent/Stipulation Agreements: none

LICENSURE/CERTIFICATION

1. Non-Routine Applications Report – 2nd Quarter
2. Licensure by Equivalence
 - a. Report – 1st Quarter
 - b. Applications for Licensure by Equivalence – None to be Presented
3. “News Alert” regarding MO recognition of Air Force Practical Nursing program
4. “Requirements for RN Licensure when Programs have No Supervised Clinical Experience”, NCSBN survey results from 5/2010

EDUCATION

1. ISU ADN program update
 - a. ISU Letter ADRN Nursing program approval
 - b. ISU Letter of Continued Approval

NEW BUSINESS

COMMUNICATION

Staff Report

1. The Executive Director presented the 2nd Quarter Report (October 1, 2017 – December 31, 2017) providing information regarding communication indicating progress toward accomplishment of established benchmarks related to the Communications strategic goal and objectives. The ED briefed the Board on some of the areas that still need improvement and the plan to bring those areas in line with the Board’s desired outcomes.
Staff were directed to amend the communication statistical report to include a presentation by the Associate Executive Director – Practice and Education.

Open Forum

2. Time for an Open Forum was provided at 9:15am to 10:00am on Friday January 19, 2018.
Tina Baird, Southworth Associates, was introduced to the Board by the Assistant Directors of Discipline and Alternate Programs who described her background and the work she does monitoring nurses in the Program for Recovering Nurses. The Board thanked her for her work. There was no one else present to address the Board during the Open Forum.
3. The Operations & Support Manager presented a trifold flyer to the Board to be sent to all licensed nurses in the state with the intent to provide more information regarding the eNLC, implementation of the new continued professional development policy and other topics of interest.
The Executive Director discussed the cost of mailing as a regular strategy to communicate with nurses in Idaho. There was general discussion and brainstorming about other communication strategies.

GOVERNANCE/ORGANIZATION

Staff Report – Organization

1. The Executive Director presented the 2nd Quarter Report (October 1, 2017 – December 31, 2017) providing information related to Organization; including quarterly and end of year statistics indicating progress toward achievement of established benchmarks related to the Organization strategic goal.
 - a. The ED reported on a reorganization in the office, staff FBI security training, gap analysis and time study as well as the hiring of a temporary employee due to long-term approved absence.
 - b. The ED presented the quarterly finance report indicating the Board in on budget for the quarter.
 - c. The Business Systems Manager provided an update on the December ORBS 2.0 ‘go-live’ and how the eNLC will affect the database in addition she discussed upcoming security training.
 - d. The Operation & Support Manager provided an update on the upcoming office redesign and reorganization. Although the floor plan has been designed, the date has not yet been set for the installation
 - e. The EO presented the proposed FY 2019 Budget and responded to Board questions.

Motion to Accept the Report on the Executive Director's Expenses

2. Jennifer Hines-Josephson reviewed the Executive Director's expenses and presented her report. A motion was made and passed to accept the report as delivered.

Staff Report – Governance

3. The Executive Director presented the 2nd Quarter Report (October 1, 2017 – December 31, 2017) of staff activities related to Governance indicating progress toward accomplishment of established benchmarks related to the Governance strategic goal as well as the second quarter statistics of governance related activities.

Motion to Approve Out-of-State Travel

4. Registration, travel and related expenses (attendees to be decided later) were approved for:
 - a. APRN Roundtable, April 10, 2018, Rosemont, IL
 - b. eNLC Commission and NCSBN 2018 Mid-Year Meetings, March 4-7, 2018, Chicago, IL (IBN delegates paid for by NCSBN)
 - c. NCSBN IT/Operations Conference, May 15-16, 2018, Albuquerque, NM
 - d. National Organization of Alternative Programs, March 26-29, 2018, New Orleans, LA
 - e. NCSBN Discipline/Case Management Conference, June 7-8, 2018, TBA
 - f. Executive Officer Summit, June 19-20, 2018, Kohler, WI

Legislation and Rule Promulgation for FY 2018

5. The Executive Director presented the status of suggested Board legislative bills and administrative rules under consideration by the 2018 Idaho Legislature, to include:
 - a. Amendments to rules IDAPA 23.01.01.132 and .640, .643, Limited Licensure/Faculty Qualifications
 - b. Board of Nursing RS 426-01 amending Idaho Code §54-1403 (Board Member Qualifications)
 - c. The ED reported on other legislation that is of interest to the Board.

NLI/INAC Workforce Development Initiative

6. January 19, 2018 the Board set aside time at 11:15 for Dr. Randy Hudspeth to present his update on the IALN, Idaho Association of Nurse Leaders and the Idaho Nursing Action Coalition activities. Dr. Hudspeth reported that Idaho is the nation's fastest growing state but the graduation rate of nursing students who remain in Idaho will not keep up with the need particularly due to outward migration and unequal distribution around the state.

Board Business Retreat

7. The Executive Director and Board Chair discussed the Board Business retreat in detail and facilitated discussion on retreat topics and presentation strategies.
8. The Board viewed and discussed the eNLC video that is available on the NCSBN.org web site.

Motion to Approve Changes to Policies VIII-27, VII-5, TBD-PSOR

9. Policy Development/Revision
 - a. Licensure Policy VIII – 27, Social Security Number Required for Licensure/Certification: adds references to Idaho Code and the Social Security Administration form number required as an alternate document in lieu of SSN.
 - b. Governance Policy VII – 5, “Board Member Code of Ethics/Conduct: adds conflict of interest and definition
 - c. Proposed Licensure Policy - Declaration of Primary State of Residence (PSOR): a new policy for graduate permits (page 60) clarifies the process

when an applicant for licensure by examination declares another Compact state as the Primary State of Residence (PSOR).

After discussion, a motion was made and unanimously approved to accept the policies as presented including additional revision to Policy VIII-27

10. The Executive Officer facilitated a discussion soliciting comments from the Board regarding the Draft National Standard NCSBN-007, “Exemptions from Licensure Requirements” which is intended to address the nursing exemptions that may be needed in case of an emergency. The ED took note of the comments and will forward them to the NCSBN committee.
11. The Board discussed the proposed “Veterinary Nurse” designation by the National Association of Veterinary Technicians in America (NAVTA) and decided no action by the Board was needed.
12. The Executive Director advised the Board that the link to the Board of Nursing Freedom of Licensure Survey is on the IBN website and encouraged the members to take the survey and pass on the information to their colleagues.
13. Mike McGrane presented his EMSAC/INA second quarter update to the Board addressing topics such as lobbyist concerns regarding pending legislation, the Affordable Care Act, opioids, new EMSAC committee structure, potential collaborative agreements between agencies and quality of care provided by critical care paramedics and EMS.

PRACTICE

Staff Report

1. The Associate Executive Director for Practice and Education presented the 2nd Quarter Report (October 1, 2017 – December 31, 2017) of activities related to Practice, reporting progress toward accomplishment of stated goals.
2. Cathy Arvidson, Chair, APRN Advisory Committee, presented outcomes of the meeting held January 12, 2018. The Chair reported discussion regarding telehealth and proposed Board of Pharmacy rules.
 - a. The Associate Executive Director Practice and Education reviewed the NCSBN process for surveying and determining eligibility for APRN programs.
 - b. The APRNAC Chair and brought forth the committee recommendation that the Board accept the newly vetted NCSBN list of APRN Certifying Bodies as recognized by the Idaho Board of Nursing.
 - c. The AED provided an overview of and comparison of APRN Certification Exam 1st time writers by year and role.

Motion to Accept the APRN Advisory Committee Report Including Recommendation to Approve the NCSBN list of APRN Certifying Bodies

A motion was made and passed to accept the APRN Advisory Committee Report and approve the current NCSBN list of approved APRN Certifying Bodies.

3. The Associate Executive Director Practice and Education discussed the types of email and phone inquiries received pertaining to Practice noting that scope of practice for RNs, LPNs, eNLC and UAP delegation top the list.
4. The Associate Executive Director Practice and Education facilitated a discussion regarding the proposal by Mr. Ruben DeKastle during the October Open Forum to extend the Nurse apprentice role past graduation until a temporary or permanent license is issued – not to exceed three (3) months. The Executive Director provided the history of the Nurse Apprentice Program as background to the discussion.
The Board expressed a desire to work within existing statutes, engage educators in the conversation and requested the Associate Executive Director Practice and Education continue to look into the issue, talk about it at the next Practice call and network about it at the Mid-Year meeting.

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

Staff Report

1. The Associate Directors for Investigation and Discipline and Alternative Programs presented 2nd Quarter Staff Reports (October 1, 2017 – December 31, 2017), indicating significant progress toward the accomplishment of Discipline and Alternatives to Discipline goals in the Board’s 2017 strategic plan.

Motion to Accept the Chair’s PRN Advisory Committee Report, as Presented

2. Whitney Hunter, Chair, Program for Recovering Nurses Advisory Committee, presented outcomes of the December 8, 2017 meeting, including the number of cases reviewed, PRN participants by region report and other related statistics. The Assistant Director, Alternative Programs, reported on the presentation Heather Nasker, CRNA, PRN committee member, made at the IALN conference.
A motion was made and approved to accept the PRN Advisory Committee Report as presented.

Motion to adopt the Findings of Fact, Conclusions of Law and revoke license No. P-15711; Case No. 16-074, Kingrey, Larry

3. Contested Cases:
 - a. Default
 - i) The Board Prosecutor presented the Findings of Fact and Conclusions of Law in the matter of of Case No. 16-074, Kingrey, Larry, License No. P-15711.
The Board moved and approved the adoption of the Findings of Fact and Conclusions of Law and revoked license No. P-15711; Case No. 16-074, Kingrey, Larry for three years. The respondent is eligible to apply for reinstatement after two (2) years.
 - b. Voluntary Surrender - none
 - c. Alternative Program Non-Compliance – none
 - d. Other Discipline – Board Monitored

Motion to deny the Request for early Release from Monitoring; Cruz,

- i) The Assistant Director, Alternative Programs presented the facts of the case for Cruz, Ronald, License No. N-27005, Case No. 06-014 who is requesting early release from Board monitoring. After discussion, the Board determined conditions of the original order had not been met and moved and voted unanimously to deny the request.

Ronald, License No. N-27005, Case No. 06-014

The Board clarified Mr. Cruz may approach the Board as early as five (5) years from the date the original order was signed to request release if all conditions have been met.

Motion to reinstate restricted license after revocation Taylor, Jody, License No. N-41204, Case No. 13-071 for five (5) years

ii) The Assistant Director, Alternative Programs presented the facts of the case for Taylor, Jody, License No. N-41204, Case No. 13-071. Jody Taylor addressed the Board and the AD recommended the Board reinstate License No. N-41204 as restricted for 5 years due to relapse. A motion was made and unanimously approved to accept the Assistant Director's recommendation to allow return to terms of limited licensure with a "reset" of five (5) – year timeframes from the date of the reported relapse.

4. The Board Prosecutor presented a Case study: Alsager v. Bd. of Osteopathic Med. & Surgery, 384 P.3d 641 (Wash. App., Nov. 15, 2016), facilitating discussion and answering questions.

LICENSURE/CERTIFICATION

Staff Report

1. The Executive Director presented the 2nd Quarter Report (October 1, 2017 – December 31, 2017) for licensure indicating statistical information as well as progress toward established benchmarks related to the Licensure strategic goal. The ED outlined the effect the new eNLC requirements will have on grandfathered Idaho nurses with multi-state licenses.

2. Non-Routine Applications

a. Reinstatement following discipline

iii) The Assistant Director, Discipline presented Case No. 06-053: Kilborn (Donatelli), Stacey, License No. P-11544 and recommended the license be reinstated with Restrictions.

Reneé Watson recused herself from voting due to familiarity with the respondent's sister.

It was moved and approved to reinstate License No. P-11544, Kilborn (Donatelli), Stacey, Case No. 06-053 with restrictions with the caveat the order be corrected to read LPN where it now reads RN.

3. The Executive Director briefed the Board on the issue of social security numbers being required for licensure, an issue that was raised during the October Open Forum. The ED explained that social security numbers are required by Idaho State law for any Idaho occupational license and that the eNLC now requires a social security number for issuance of a multi-state license.

EDUCATION

Staff Report - Education

1. The Associate Executive Director presented the 2nd Quarter Report (October 1, 2017 – December 31, 2017) for Education indicating statistical information as well as progress toward established benchmarks related to the Education strategic goal.

2. The Associate Executive Director Practice and Education presented a summary of information from the Annual 2018 reports and NCLEX results for Idaho Nursing Programs.
3. The Associate Executive Director facilitated discussion on the latest draft of the Education Regulation Philosophy. Discussion points will be incorporated and returned in April for continued discussion.
4. The Associate Executive Director Practice and Education briefed the Board on the types and volume of email and phone inquiries related to education.

OTHER BUSINESS

Governance Committee Report

5. The Executive Director reported outcomes of the Governance Committee meeting held January 18, 2017 and facilitated a discussion where assignments were made for presentation subjects for the Board Business Retreat in May. The main topic for the retreat is Board of Nursing 101. Assignments include:
 - a. Roberts Rules – Jennifer & Carrie
 - b. Telehealth – Andrea & Vicki
 - c. Marijuana legalized – Whitney, Kathleen & Merrilee
 - d. Nurse apprentices Jan & Sandy
 - e. Ketamine and propofol administration (learn rule 400) and other emerging practice issues - Clay and Susan
 - f. National Council Model on delegation Rebecca & Renee
 - g. Cybersecurity hacking to medical equipment (the internet of things) Sharon

ADJOURNMENT

Adjournment

The meeting Adjourned at 2.42 p.m. MDT, January 19, 2017

MINUTES APPROVAL

Signatures:

Chair

Vice Chair