

Meeting of the
IDAHO BOARD OF NURSING

MEETING MINUTES
April 18 & 19, 2018

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on April 19 & 20, 2018 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.
<u>Members Present</u>	Vicki Allen, RN, Pocatello, Chair Jennifer Hines-Josephson, RN, Rathdrum Whitney Hunter, Consumer, Boise (Thursday) Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome, Vice Chair Rebecca Reese, LPN, Post Falls Clayton Sanders, APRN, CRNA, Boise (Thursday) Merrilee Stevenson, RN, Wendell Renée Watson, RN, Boise
<u>Members Absent</u>	Whitney Hunter, Consumer, Boise (Friday) Clayton Sanders, APRN, CRNA, Boise (Friday)
<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 guest Anita Harvey, LCSW, ACSW, member of the PRNAC (Program for Recovering Nurses Advisory Committee) who introduced herself to the Board. The Chair outlined the business for each day, including appointments. The Chair reviewed key points of previous Safety discussions and suggested the Board talk about safety at the beginning of each Board meeting. Her suggestion was favorably received.
<u>Motion to Adopt the Consent Agenda as Presented</u>	A motion was made and passed to accept the Consent Agenda as presented, which included the following topics. A motion was made and passed to accept the Minutes for the October, 2017 and January, 2018 meetings

Motion to Accept the Minutes for October, 2017 and January, 2018 as written

COMMUNICATION

1. Approval of Minutes from October 12 & 13, 2017 and January 12 & 13, 2018. The Board voted to approve the minutes from the October and January meetings.
2. Correspondence
 - a. Thank you from South Jr. High School principal
 - b. NCSBN FY2017 Annual Report
 - c. Todd B Monroe, Arkansas Alternative to Discipline Consultant
 - d. Thank you from Emmalee Cron, RN
 - e. Thank you from Nur Rajwany, NCSBN

GOVERNANCE/ORGANIZATION

1. Reports of Meeting Attendance
 - a. IRE Conference 1/24-25/2018, San Francisco CA
 - b. IALN/NLI Workforce meeting 2/8/2018, Boise ID
 - c. IHCA Conference 2/13/2018, Boise ID
 - d. NLC Interstate Commission Meetings, 1/16/18 (by teleconference) and 3/04/18 in Chicago IL
 - e. NCSBN 2018 Leadership Forum and Mid-Year Meeting, 3/5-7/2018, Chicago IL
 - f. National Organization of Alternative Programs, 3/26-29/2018, New Orleans LA
2. Quarterly Updates – 3rd Quarter
 - a. Special Projects
 - b. National Council of State Boards of Nursing (NCSBN)
 - c. Nurse Licensure Compact (NLC) Update
3. Board Development-“Ten Things to Remember about Board Service”, BoardSource 2009
4. Update: Freedom of Licensure Executive Order 2017-06
5. Dr. Anne Burgess resignation from APRN-AC
6. 2018 Idaho Legislature Report

PRACTICE

1. *Full Practice Authority for APRNs is Necessary to Transform Primary Care*, American Academy of Nursing Position Statement

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

1. Consent/Stipulation Agreements: none

LICENSURE/CERTIFICATION

1. Non-Routine Applications Report – 3rd Quarter (January 1, 2018 – March 31, 2018)
2. Licensure by Equivalence (none)

EDUCATION

1. School Notifications to the Board
 - a. Carrington College Leadership change
 - b. L. Varga, Curriculum Vitae, Carrington College
2. Eastern Idaho Technical College name change to College of Eastern Idaho

NEW BUSINESS

COMMUNICATION

Staff Report

1. The Executive Director presented the 3rd Quarter Report (January 1, 2018 – March 31, 2018) providing information regarding communication indicating progress toward accomplishment of established benchmarks related to the Communications strategic goal and objectives.

Open Forum

2. Time for an Open Forum was provided at 9:15am to 10:00am on Friday January 19, 2018. There were no members of the public present to address the Board during the Open Forum.

GOVERNANCE/ORGANIZATION

Staff Report – Organization

1. a. The Executive Director presented the 3rd Quarter Report (January 1, 2018 – March 31, 2018) providing information related to Organization; including quarterly statistics indicating progress toward achievement of established benchmarks related to the Organization strategic goal.
b. The Executive Director presented the 3rd Quarter Finance report indicating a fund balance in excess of Board Policy, as required.

Motion to Accept the Finance Report as presented

A motion was made, seconded and approved to accept the Finance Report as presented.

2. The Business Systems manager presented an update on ORBS, the Board's data management system; NURSIS®; cybersecurity training and other IT-related activities

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

3. Jennifer Hines-Josephson reported there were no Executive Director expenses during the previous quarter.
A motion was made, seconded and approved to accept the report as presented.

Staff Report – Governance

3. The Executive Director presented the 3rd Quarter Report (January 1, 2018 – March 31, 2018) 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. 2018 International Nurse Regulator Symposium, Chicago IL, 10/22-23/18. 3 staff, 3 board members
 - b. 2018 NCSBN Annual Meeting/Delegate Assembly, Minneapolis MN, 8/15-17/18. 4 staff and 9 board member. Voting delegates' travel will be covered by NCSBN.

- c. CLEAR Annual Educational Conference, Philadelphia PA, 9/26-29/18. 2 staff and 1 board members
- d. 2018 NCLEX Conference, Charlotte, NC, 9/24/18. 1 staff and 1 Board member.

Staff Directed to Move Forward with Legislation and Rule Promulgation for FY 2018

- 5. The Executive Director presented ideas and draft administrative rules for consideration by the Board for the 2019 Idaho Legislature, to include:
 - a. Amendments to rule IDAPA 23.01.01.76.04 (Exceptions to Licensure - Nurse Apprentice) and
 - b. IDAPA 23.01.01.77 (Multistate License) to formally remove rules related to the previous Nurse Licensure Compact, repealed 1/19/18 on implementation of the new NLC.
- 6. Dr. Randall Hudspeth, Executive Director, IALN (Idaho Alliance of Leaders in Nursing) presented a summary of the Idaho Nursing Workforce (INW) 2018 activities, Department of Commerce census predictions through 2025, nursing program expansion constraints, and rural health issues.

Dr. Hudspeth also outlined the progress the IALN has made in creating new relationships that will aid IALN, the designated entity in Idaho to serve as the state's Nursing Workforce Center, to move forward in their work.

- 7. Finalized plans for the 2018 Board Business Retreat to be held May 18, 2018 were presented
- 8. Board Development – “NCSBN: Past, Present and Future,” David Benton, CEO, NCSBN lunch time presentation, taped from the 2018 NCSBN Mid-Year Meeting in Chicago IL.
- 9. Policy Development/Revision. The Associate Executive Director and Executive Director presented draft policies for consideration:
 - a. Practice Policy – 1, “Practice Calls and Inquiries” (New policy)
 - b. Licensure Policy VIII-15, “One-Time/Short-Term Temporary Licensure” (Revised)
 - c. Licensure Policy VIII-17, “Temporary License Pending Receipt of Criminal Background Check Results” (Delete)
 - d. Licensure Policy VIII-7, “Acceptable Evidence of Current Licensure for Issuance of Temporary Licensure” (Delete)
 - e. Employment Policy II-5, “Compensation” (Revised)
 - f. Employment Policy II-13, “Staff Performance Evaluation” (Revised)
 - g. Organizational Management Policy IV-1, “Safety/Security” (Revised)

After discussion about these policies, the Board moved, seconded and approved policies a-f as presented, and referred policy IV-1 for further revision and presentation in July.

- 10. FY2018 Board of Nursing Self-Assessment. The Chair reviewed a summary of the Board self-assessment questionnaire. The Chair reported the Self-Assessment was positive: All responses were agree or strongly agree. There was discussion about the value of the instrument and the meaning of the Likert scale scores. The scale will be modified as suggested for the 2019 Self-Assessment. The summary results will be filed.

Motion to go into
Executive Session

11. A motion was made to go into executive session pursuant to Idaho Code §74-206(1)(b) to discuss the confidential annual performance evaluation of the Executive Director. Role was called by the Board assistant; Clay and Whitney were absent; the motion was unanimously approved. The Board went into Executive Session a 10:10 am MDT, 7/20/19.

Motion to Exit
Executive Session and
Return to Regular
Session

A motion was made, seconded and approved to exit Executive Session and return to regular session at 11:11 am MDT, 7/20/19.

Motion To Accept The
Evaluation As Discussed
With The Maximum
Compensation Increase
Allowed Recommended

A motion was made to accept the evaluation as discussed with the maximum compensation increase allowed recommended; the evaluation will be filed in the Executive Director's personnel file and the results communicated by the Chair to the Governor's office.. The motion was seconded and approved.

Motion to go into
Executive Session

12. A motion was made to go into executive session pursuant to Idaho Code § 74-206(1)(d) to review the confidential Draft 2019 NCLEX-RN® Test Plan. Role was called by the Board assistant Clay and Whitney were absent; the motion was unanimously approved. The Board went into Executive Session at 8:40 am MDT, 7/20/18.

Motion to Exit
Executive Session and
Return to Regular
Session

A motion was made, seconded and approved to exit Executive Session and return to regular session at 9:55 am MDT, 7/20/18.

The Board directed the staff to respond to NCSBN on behalf of the Board based on their discussion.

Motion to Re-appoint
Betty Brosch-
Schoenecker, APRN-
CRNA and Charlotte
Wilkes, APRN-NP to
the APRNAC

13. The Associate Executive Director Practice and Education (AED) reported on the makeup of the Advanced Practice Registered Nurse Advisory Committee (APRNAC) noting five members are completing their terms. Adam Reynolds, MD; Anne Burgess, MD and Allie Gooding, APRN-CNS have declined a third term. A letter requesting physician nominations was sent to the Board of Medicine. Board members were asked to suggest potential nominees.

Two members, Betty Brosch-Schoenecker, APRN-CRNA and Charlotte Salinas Wilkes, APRN-CNM would like to continue to serve.

A motion was made, seconded and passed to reappoint Betty Brosch-Schoenecker, APRN-CRNA and Charlotte Wilkes, APRN-CNM to the APRNAC to terms ending 6/30/21.

14. The Associate Executive Director Practice and Education presented the current belief statement on Continued Competence and Continued Professional Development for the Board's review. The Board engaged in spirited discussion regarding the shift from continued competence to continued professional development and the state of current research regarding continuing education credits.

The Board directed staff to return to the Board with a suggested changes to the statement to better reflect the current discussion.

Motion to Approve the Strategic Plan as presented with requested changes.

15. Board of Nursing Strategic Plan Review/Proposed 2019 Revisions were presented to the Board by the staff.

There was discussion about proposed changes and the Board suggested additional revisions. .

After thorough discussion the Board made a motion to approve the Strategic plan as presented authorizing the staff to make additional changes needed to finalize the document for submission to the Division of Financial Management before July 1, 2018.

PRACTICE

Staff Report

1. The Associate Executive Director for Practice and Education presented the 3rd Quarter Report (January 1, 2018 – March 31, 2018) 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 April 5, 2018. The Chair reported lively discussions regarding the new Board of Pharmacy rules; APRN faculty changes; complaint investigations outcomes and telehealth.
- 3.
4. The Advisory Committee recommended change in prescribing rules to require only the DEA number or APRN license number on the written prescription to bring prescribing rules in line with physician and Board of Pharmacy requirements. They also recommend that Board policy IX-3 APRN Re-entry to Practice be revised to include temporary license provisions to support remedial practice.

The committee also discusses and expressed their support for Idaho telehealth and model NCSBN model telehealth policies.

The committee held their annual election: Cathy Arvidson was re-elected Chair and Betty Brosch-Schoeneker, Vice-Chair.

The Board directed the staff to follow through on the recommendation to amend the rule regarding written prescription requirements for APRN's and to review the policy regarding APRN re-entry to practice.

Motion to Accept the APRN Advisory Committee Report and Recommendations

The Board thanked the APRNAC (Advanced Practice Registered Nurse Advisory Committee) Chair for her report and a motion was made seconded and passed to accept the APRN Advisory Committee Report and recommendations.

5. The Associate Executive Director Practice and Education (AED) discussed the types of email and phone inquiries received pertaining to Practice noting that some were beyond Rule 400. The AED reported she attended the Mid-Year meeting via the web stating it was a good way to attend without traveling.

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

Staff Report

1. The Associate Directors for Investigation and Discipline and Alternative Programs presented 3rd Quarter Staff Reports (January 1, 2018 – March 31, 2018), indicating significant progress toward the accomplishment of Discipline and Alternatives to Discipline goals in the Board's 2018 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 April 16, 2018 meeting, reviewing the program statistics for 1/1/18 – 3/31/18. The committee reviewed 10 cases at this meeting, recommending 2 cases to the Board for discipline due to non-compliance with the terms of the Program.

A motion was made, seconded and approved to accept the Chair's PRN Advisory Committee report and recommendations as presented.

Motion to adopt in full the Findings of Fact and Conclusions of Law and proposed Disciplinary Actions Case No. 16-063, Reed, Joshua, License N-44744

3. Contested Cases
 - b. Voluntary Surrender
The Board Prosecutor presented the Findings of Fact and Conclusions of Law for Case No. 16-063, Reed, Joshua, RN License N-44744.

After discussion, the Board made a motion to adopt in full the Findings of Fact and Conclusions of Law and revoked RN License No N-44744 until the obligation set by the court and all condition of the order are met. The motion was seconded and approved.

Motion to adopt in full the Findings of Fact and Conclusions of Law and proposed Disciplinary Actions Case No. 16-042, Summer Walsh, License No. 45626

- c. Alternative Program Non-Compliance
The Board Prosecutor presented the Findings of Fact and Conclusions of Law for Case No. 16-042, Summer Walsh, RN License No. 45626.

After discussion the Board made a motion to adopt in full the Findings of Fact and Conclusions of Law and revoked License No. 45626 to be considered for reinstatement after 2 years, conditions to be stated in the Board order. The motion was seconded and approved.

Motion to adopt in full the Findings of Fact and Conclusions of Law and proposed Disciplinary Actions Case No. 17-040, Wray, Shelly, Licenses Nos. N34386/NP-1476A

- d. Board Monitored Non-Compliance
The Board Prosecutor presented the Findings of Fact and Conclusions of Law for Case No. 17-040, Wray, Shelly, RN and APRN Licenses Nos. N-34386 and NP-1476A.

After discussion the Board made a motion to adopt in full the Findings of Fact and Conclusions of Law and revoke Licenses Nos. N-34386/NP-1476A to be considered for reinstatement after 2 years, conditions to be stated in the final Board order and other reasonable terms as set by the board at the time of reinstatement.

4. Board Counsel presented the following case study for review and discussion, "McClanahan v. W. Va. Bd. of Examiners for Registered Professional Nurses, 2017 WL 136332 (April 10, 2017) for purposes of Board development.

LICENSURE/CERTIFICATION

Staff Report

1. The Executive Director presented the 3rd Quarter Report (January 1, 2018 – March 31, 2018) for licensure indicating statistical information as well as progress toward established benchmarks related to the Licensure strategic goals.

Motion to Deny the Request for Reinstatement Case No. 10-057, Barnes, (Howard) Marjory, License No P-10844

2. a. Reinstatement Following Discipline
 1. The Associate Director, Discipline presented the facts of Case No. 10-057, Barnes (Howard), Marjory, LPN License No P-10844

After discussion the Board made a motion to deny the request for reinstatement based on a lack of proof of demonstrated sobriety. The motion was seconded and approved.

Motion To Reinstatement License No. P13859, Brooks (Murphy), Alicia, Case No. 09-036 On Condition Of Immediate Enrollment In Board Monitoring Program

2. The Associate Director, Discipline presented the facts of Case No. 09-036, Brooks (Murphy), Alicia, LPN License No. P-13859.

The Board made a motion to reinstate LPN License No. P-13859 on condition the nurse immediately enroll and participate in a Board monitoring program. The motion was seconded and approved.

Motion to Deny Application for LPN Licensure by Endorsement for Guevera, Melinda, Case No. 18-015

b. Denial for Cause

1. The Associate Director, Discipline presented the facts of Case No 18-015. Guevara, Melinda, Application for temporary LPN License No PN-26110 and application for LPN licensure by endorsement PN - 26111.

Following discussion it was moved to deny the applications for LPN licensure by endorsement submitted by Melinda Guevara for reasons defined in the order.

EDUCATION

Staff Report - Education

1. The Associate Executive Director presented the 3rd Quarter Report (January 1, 2018 – March 31, 2018) for Education indicating statistical information as well as progress toward established benchmarks related to the Education strategic goal.
2. The Associate Executive Director facilitated discussion on the latest draft of the Board's Education Regulation Philosophy. Following discussion the Board directed staff to continue to refine the statement for consideration in July.
3. The Associate Executive Director Practice and Education (AED) discussed the types of email and phone inquiries received pertaining to Education noting that the majority deal with continued competency, out-of-state programs and scope of practice.

OTHER BUSINESS

- Governance Committee Report 4. The Executive Director and Chair reported outcomes of the Governance Committee meeting held April 19, 2018 and outlined the goals of the upcoming Board Business Retreat in May. The topics and presenters were established and help from the Board assistant offered.

ADJOURNMENT

Adjournment The meeting Adjourned at 3:27 PM
The next Board Meeting will be held November 1 & 2, 2018

MINUTES APPROVAL

Signatures:

Chair

Vice Chair