

Meeting of the  
**IDAHO BOARD OF NURSING**

**MEETING MINUTES**  
July 26 & 27, 2018

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on July 26-27, 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>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 Sharon Matthies, Business Systems Manager Janet Summers, Operations & Support Manager
<u>Other Attendees</u>	Roger Gabel, DAG, Board Counsel Robert Berry, DAG, Prosecutor (portions of the meeting) Karen Sheehan, DAG Cynthia Yee-Wallace, DAG (portion of 7/27/18 only) Peter Wucetich, DAG (portion of 7/27/18 only)
<u>Welcome</u>	The Chair outlined the business for each day, including appointments and offered a reminder related to safety protocols, noting the various exit routes.
<u>Motion to Adopt the Consent Agenda as Amended</u>	A motion was made and passed to adopt the Consent Agenda as amended to move the meeting report, "NCSBN Special APRN World Café, held June 19-20, 2018 in Kohler, WI" to the Business Agenda for discussion. Included on the Consent Agenda was:  COMMUNICATION 1. A motion to approve Minutes of the April 19-20, 2018 meeting as written.
<u>Motion to Adopt the Minutes of April 19-20, 2018 as written</u>	GOVERNANCE/ORGANIZATION 1. Reports of Meeting Attendance a. APRN Roundtable, 4/10/2018, Chicago, IL

- b. Idaho Emergency Medical Services Advisory Council, 2/08/18, Boise, ID
  - c. Nurse Licensure Compact Interstate Commission, 4/24/18 and 5/01/18, by teleconference
  - d. NCSBN Case Management Conference, 6/7-8/18, Denver, CO
  - e. NCSBN Executive Officer Summit, 6/19-20/18, Kohler, WI
2. Quarterly Updates – 4<sup>th</sup> Quarter
    - a. Special Projects
    - b. National Council of State Boards of Nursing (NCSBN)
    - c. Nurse Licensure Compact (NLC) Update
  3. Board Development: *Leadership Conversations*, BoardSource® Smartbrief on Leadership, July 10, 2018
  4. Changes in the APRN Advisory Committee
  5. Re-appointment letter for Betty Brosch-Schoenecker, APRN, CRNA
  6. Legislative Services Office (LSO) Management Report 90-Day Follow-up to the FY 2014-2016 Audit
  7. 2018 Board Business Retreat Notes
  8. 2018 Annual Board Facility (Safety) Report

**PRACTICE**

1. Nurse Apprentice – Approval of West Valley Medical Center

**LICENSURE/CERTIFICATION**

1. Non-Routine Applications - 4<sup>th</sup> Quarter Report
2. Licensure by Equivalence - 4<sup>th</sup> Quarter Report

**EDUCATION**

1. NCSBN NCLEX® Statistical Reports
  - a. Table of 2017 Pass Rates
  - b. 2018 Statistics
2. Carrington College Notice of Change of Ownership

## NEW BUSINESS

### COMMUNICATION

#### Staff Report - Communications

1. The Executive Director presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Communication. The report highlighted related activities during the quarter and significant 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 July 27, 2018. Dustie Reyna, Board staff, introduced herself and engaged members in dialogue about the work of the Board.

### GOVERNANCE/ORGANIZATION

#### Staff Report – Organization

1. a. The Executive Director presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Organization. The report highlighted related activities during the quarter, and noted significant progress toward accomplishment of established benchmarks related to the Organization strategic goal and objectives.

#### Motion to Accept the Finance Report as presented

- b. The Executive Director presented the 4<sup>th</sup> Quarter Finance Report indicating a fund balance in excess of Board Policy, as required. A motion was made, seconded and adopted to accept the Finance Report as presented.
2. The Business Systems Manager presented an update on ORBS, the Board’s data management system; systems security; hardware/software; and the Board’s website.

#### 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 4<sup>th</sup> quarter. A motion was made, seconded and adopted to accept the report as presented.

#### Staff Report – Governance

3. The Executive Director presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Governance. The report highlighted related activities during the quarter, and noted accomplishment of established benchmarks related to the Governance strategic goal and objectives.

#### Motion to Approve Out- of-State Travel

4. Registration, travel and related expenses were approved for:
  - a. Citizen Advocacy Center (CAC) 2018 Annual Meeting, 10/16-17/18, Washington, DC for 4 staff and 3 Board members to attend
  - b. 2018 NCSBN Scientific Symposium, 10/24/18, Chicago, IL for 3 staff and 3 Board members to attend.

#### Report of the 2018 NCSBN APRN World Café

5. The Executive Director presented her report of the 2018 NCSBN APRN World Café, 6/18/18, Kohler, WI, noting the recommendations resulting from the meeting that may impact the APRN Compact.

**Motion to Proceed with Proposed Rule Making for FY 2019**

6. The Executive Director presented the status of suggested changes to Board administrative rules for consideration by the 2019 Idaho Legislature, to include amendments to:
  - a. IDAPA 23.01.01.76.04 (Exceptions to Licensure - Nurse Apprentice);
  - 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.
  - c. IDAPA 23.01.01.315 (Prescriptive and Dispensing Authorization for APRNs)The Board, by unanimous vote, directed staff to proceed with rulemaking as proposed.

In addition, the Executive Director provided an update on NLC rule promulgation related to NLC Rule sections 200 (Coordinated Licensure Information System-Uniform Data Set and Levels of Access); and 500 (Administration – Dispute Resolution and Compliance and Enforcement).

**FY2019 State of the Board Report**

7. The Executive Director presented the FY 2019 ‘State of the Board Report’, highlighting FY2018 Board accomplishments and priority strategic objectives for FY2019.

**Safety Hints and Tips**

8. The Business Operations Manager presented the results of an external assessment of the safety and security of the Board office as well as general hints and tips for safety in public buildings. Following the presentation Board members suggested “practice drills” during future Board meetings, as a reminder of what was learned.

**Board Development: Nurse Apprentice/Extern Roles/Rules**

9. Board member Jan Moseley and the Executive Director presented “Nurse Apprentice/Extern Roles/Rules”, a carryover presentation from the 2018 Board Business Retreat.

**Motion to approve Policies X-2, X-3, IV-25 and IV-1 as presented**

10. The Associate Executive Director and Executive Director presented draft policies and recommendations for consideration:
  - a. Education Policy X-2, “NCLEX® Reports”: Revise to provide clarity to the process for report distribution
  - b. Education Policy X-3, “Approval of Accredited Programs in Lieu of Survey Visit”: Affirm as written
  - c. Organizational Management Policy IV-25, “Confidentiality”: Revise to provide clarity to staff responsibilities
  - d. Organizational Management Policy IV-1, “Safety/Security”: Revise to incorporate changes suggested at the April meeting
  - e. Office Policy III-2, “Inventory”: Revise to provide clarity for internal management processes

Following discussion, it was moved to approve Policies X-2, X-3, IV-25 and IV-1 as presented; and to request further revisions to Policy III-2 for consideration in November.

FY 2019-21 BON Strategic Plan

11. Staff presented the FY2019-21 Board of Nursing Strategic Plan which was submitted to the Governor's Office 9/01/18 and invited questions and comments from Board members.

Board Report re: Executive Order 2017-06

12. The Associate Executive Director presented the Board's Report in response to Executive Order 2017-06, the *Licensing Freedom Act*. She provided an overview of the report content, including findings from the website survey conducted by the Board with assistance from NCSBN that solicited over 2,000 constituent responses.

Motion to appoint Helen Reusser, Jessica Garner and Marylynn Hippe to the APRN Advisory Committee

13. Board members considered information submitted by nurses interested in appointment to the APRN Advisory Committee to fill positions formerly held by Allie Gooding, APRN, CNS; and Charlotte Wilkes, APRN, CNM. Following discussion, the Board took action to appoint Helen Reusser, APRN, CNM, Meridian; Jessica Garner, APRN, CNS, Meridian; and Marylynn Hippe, APRN, CNS, Middleton to 3-year terms ending June 30, 2021.

Motion Directing delegates to the 2018 NCSBN Delegate Assembly

14. The Executive Director presented resolutions to be considered by the NCSBN 2018 Delegate Assembly at their meeting in Minneapolis, MN in August 2018. Following discussion, Board members moved to direct the Board's voting delegates to "vote from your heart" on issues coming before the Assembly.

Motion to Elect 2019 Officers, PRN AC Chair, Expense Reviewer

15. Ballots were distributed for the nomination and election of the Chair, Vice Chair, Member-at-Large, PRN Advisory Committee Chair and ED Expense reviewer for 2019. Elected/appointed by majority vote were:

- Chair: Vicky Allen, RN;
- Vice Chair: Carrie Nutsch, LPN;
- Member-at-Large: Jennifer Hines-Josephson, RN;
- PRN Advisory Committee Chair: Jan Moseley, RN and
- ED Expense Reviewer: Merrilee Stevenson, RN

2019 Tentative Meeting Dates

16. The Board set the following tentative meeting dates for 2019:

- January 31-February 1
- April 25-25
- May 17 (Board Business Retreat)
- July 11-12
- October 10-11

Significant legislation adopted in 2018

17. General Counsel and the Executive Director presented legislation enacted in 2018 that may impact the work of the Board, including:

- HO 611, "Transparent and Ethical Government Act"
- HO 638, "Abortion Complications Act"

- c. SB 1316a, entitling the prevailing party in an administrative procedure between a licensee and a licensing authority to recover reasonable investigative and defense costs, including attorney's fees.

**Motion to go into Executive Session**

- 18. A motion was made to go into executive session pursuant to Idaho Code §74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation. Role was called by the Board assistant; the motion was unanimously approved. The Board went into Executive Session at 12:31 pm MDT, 7/27/18.

**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 1:44 pm MDT, 7/27/18.

**PRACTICE**

**Staff Report**

- 1. The Associate Executive Director presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Practice. The report highlighted related activities during the quarter and significant progress toward accomplishment of established benchmarks related to the Practice strategic goal and objectives.
- 2. The Associate Executive Director for Practice and Education, on behalf of Cathy Arvidson, Chair, APRN Advisory Committee, presented outcomes of the Advisory Committee meeting held July 20, 2018. Issues discussed by the Committee included emerging practices, e.g. stem cell clinics, new Board of Pharmacy laws; and issues of concern, e.g. drug shortages.

**Motion to Accept the APRN Advisory Committee Report**

A motion was made seconded and passed to accept the APRN Advisory Committee Report.

**Motion directing a stakeholder group to address emerging practices**

Following discussion, the Board took action directing staff to convene a stakeholder group to explore the issue of new and emerging practices and expanding scopes of practice and their regulatory implications and to report back to the Board at a later date.

- 3. The Associate Executive Director Practice and Education (AED) discussed the types of email and phone inquiries received pertaining to Practice during the quarter.

**DISCIPLINE/ALTERNATIVES TO DISCIPLINE**

**Staff Report on Discipline/Alternatives to Discipline**

- 1. The Associate Director for Discipline presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Discipline and Alternatives to Discipline. The report highlighted related activities during the quarter and significant progress toward accomplishment of established benchmarks related to the Discipline and Alternatives to Discipline strategic goal and objectives.

**Motion to Accept the PRN Advisory Committee Report and Recommendations**

2. Whitney Hunter, Chair, Program for Recovering Nurses Advisory Committee, presented outcomes of the June 29, 2018 meeting, reviewing the program statistics for 4/1/18 – 6/30/18. The committee referred 1 case to the Board recommending discipline due to non-compliance with the monitoring terms and conditions.

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

**Motion to adopt Findings of Fact and Conclusions of Law in Case No. 17-096, Debi Behrend and revoke LPN License No. 10077**

3. Contested Cases  
The Board Prosecutor presented Case No. 17-096, Debi Behrend, LPN, for consideration. Following discussion the Board moved/adopted Findings of Fact and Conclusions of Law for Case No. 17-096, Debi Behrend, LPN, and revoked LPN License No. 10077. Ms. Behrend may not apply for reinstatement of license for a period of two (2) years and until all terms and conditions outlined in the Order have been met.

**Case Reviews for Board Development**

2. Board Counsel presented the following case studies for review and discussion:
  - a. Francis v. Delaware Bd. of Nursing, 2018 WL565303 (Delaware Superior Court: Jan 23, 2018)
  - b. Michael v. Delaware Bd. of Nursing, 181 A.3d 182 (Delaware Supreme Court 2018)

**LICENSURE/CERTIFICATION**

**Staff Report on Licensure**

1. The Executive Director presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Licensure. The report highlighted related activities during the quarter and significant progress toward accomplishment of established benchmarks related to the Licensure strategic goal and objectives.

**Review/Revision of Board Belief Statement on Continued Competence and Continuous Professional Development**

2. The Executive Director facilitated discussion on the draft revision of the Board “Belief Statement on Continued Competence and Continuous Professional Development” resulting from the April 2018 Board review and suggested changes. Additional changes were suggested. Staff was directed to incorporate suggestions and present the next draft at the next scheduled Board meeting.

**EDUCATION**

**Staff Report - Education**

1. The Associate Executive Director presented the 4<sup>th</sup> Quarter Report (April 1, 2018 – June 30, 2018) on Education. The report highlighted related activities during the quarter and significant progress toward accomplishment of established benchmarks related to the Education strategic goal and objectives.

**Education-related Phone, eMail Inquiries**

2. 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 and out-of-state programs; most are generated by students and faculty.

**Motion to adopt the Board Education Philosophy Statement as Revised**

2. The Associate Executive Director facilitated discussion on the most recent draft of the Board's Education Regulation Philosophy. Additional changes were made, after which it was moved to adopt the Statement as revised.

**Motion to Grant Full Continuing Approval to the BSU APRN, AGNP Program for 8 Years.**

3. The Associate Executive Director presented the results of her on-site visit on 5/31/18 of the APRN Adult-Gerontology Nurse Practitioner Program administered by Boise State University and recommendation to grant full continuing approval for eight (8) years based on compliance with defined standards. Present to respond to questions was Interim Program Coordinator, Renee Walters, PhD.

Following the presentation, the Board took action to adopt the staff recommendation and grant full continuing approval to the BSU APRN AGNP program for the 8-year period ending June 30, 2026.

**CWI Notice of Intent to Activate the PN Program**

4. The Associate Executive Director presented a letter from the College of Western Idaho (CWI) notifying the Board of its intent to reactivate the Practical Nursing program at that institution. In addition, she provided the results of her on-site visit to the CWI campus on 6/26/18 as part of the activation process. It is anticipated CWI representatives will present their request for approval to activate the program at the November 2018 meeting.

**Nightingale College Nursing Education Program Presence in Idaho**

5. The Associate Executive Director presented a brief overview of communication between the Board office and representatives of Nightingale College, Ogden, UT relative the school's 'presence' in Idaho as indicated on local billboards and other indicators.

**Motion to Grant Initial Approval to the Stevens-Henager College, Idaho Falls, Nursing Assistant Program**

6. The Associate Executive Director presented the results of her assessment of the 'stand-alone' nursing assistant training program administered by Stevens-Henager College, Idaho Falls, and recommendation to grant initial approval based on compliance with defined standards.

**Status of Idaho's Approved Nursing Education Programs**

7. The Associate Executive Director presented the current status of approved nursing education programs in Idaho for review and discussion.

**OTHER BUSINESS**

**Governance Committee Report**

The Executive Director and Chair reported outcomes of the Governance Committee meeting held July 26, 2018 noting the committee's program of work for the coming year. In addition, the Chair shared the Committee's conversation related to Board meeting attendance, cautioning members to plan their travel to allow for full day agendas at each meeting.



**ADJOURNMENT**

Adjournment

The meeting Adjourned at 3:10 pm MDT

The next Board Meeting will be held November 1 & 2, 2018

**MINUTES APPROVAL**

Signatures:

Wicky Allen 11/2/18  
Chair Date

Christine 11/2/18  
Vice Chair Date