

Meeting of the
IDAHO BOARD OF NURSING

MEETING MINUTES

April 25 - 26, 2019

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on April 25 – 26, 2019 at the SpringHill Suites Boise, Idaho.
<u>Presiding</u>	Judy Taylor, MSN, RN, Chair, Boise
<u>Call to Order</u>	The meeting was called to order at 10:15 a.m. MT on April 25, 2019 and at 8:30 a.m. MT on April 26, 2019, attendance was taken, and a quorum was declared on each day.
<u>Members Present</u>	Judy Taylor, RN, Chair, Boise Jennifer Hines-Josephson, RN, Rathdrum Jan Moseley, RN, Coeur d'Alene Carrie Nutsch, LPN, Jerome, Vice Chair Clayton Sanders, APRN, CRNA, Boise (Thursday) Merrilee Stevenson, RN, Wendell Renée Watson, RN, Boise
<u>Members Absent</u>	Whitney Hunter, Consumer, Boise Clayton Sanders, APRN, CRNA, Boise (Friday)
<u>Staff Present</u>	Susan Odom, PhD, RN, Interim Executive Director Andrea Anzalone, RN, Associate Director, Investigation and Discipline Sharon Matthies, Business Systems Manager Janet Summers, Operations & Support Manager
<u>Other Attendees</u>	Karen Sheehan, DAG, Board Counsel Robert Berry, DAG, Board Prosecutor (Thursday)
<u>Welcome</u>	The Chair welcomed the Board and Staff and presented the safety announcement. The Board Secretary was assigned to tour the hotel prior to the next Board meeting to identify the exits that may be used in an emergency.

CONSENT AGENDA

Motion to accept the Minutes for January 31 – February 1, 2019 as amended. Approved.

It was noted that the Minutes for January 31, 2019 – February 1, 2019, Agenda item II.D.2, listed the incorrect date for the PRN-AC meeting in April and a request was made that it be corrected.

A motion was made, seconded and approved to accept the Minutes for the January 31, 2019 – February 1, 2019 meeting as amended.

Motion to accept the Amended minutes from December 7, 2018. Approved.

A motion was made, seconded and approved to accept the Amended Minutes for the December 7, 2018 meeting.

Motion to adopt the Consent Agenda as amended. Approved.

A motion was made, seconded and approved to adopt the Consent Agenda as amended, which included the following topics:

COMMUNICATION

1. Correspondence
 - a. Letter from Dan Hammes, Board member, Benewah Community Hospital

GOVERNANCE/ORGANIZATION

1. Reports of Meeting Attendance
 - a. Leadership Succession Committee meeting, February 19-20, 2019, Chicago IL
 - b. NLC Commissioner Summit, February 22-23, 2019, Dallas TX
 - c. Mid-Year Meeting, March 25-28, 2019, San Antonio TX
 - d. APRN Roundtable and Consensus Forum, April 9-10, 2019, Rosemont IL
 - e. ICN (Idaho Center for Nursing) meeting, March 12, 2019, Boise ID
 - f. NOAP 2019 Annual Conference, March 17-20, 2019
2. Quarterly Updates – 3rd Quarter, 2/1/19 - 4/31/19.
 - a. Special Projects
 - b. National Council of State Boards of Nursing (NCSBN)
 - c. Nurse Licensure Compact (NLC) Update
3. Board Development: The IFB Leadership Model
4. Letter from NCSBN President, Julie George
5. EMSAC report from Mike McGrane

PRACTICE

1. Idaho County Health Rankings

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

1. None

LICENSURE/CERTIFICATION

1. Non-Routine Applications Report – 3rd Quarter, 1/1/19 – 3/31/19
2. Licensure by Equivalence
 - a. Report – 3rd Quarter, 1/1/19 – 3/31/19, None
 - b. Applications for Licensure by Equivalence – None to be presented

EDUCATION

1. Carrington College faculty and Assistant Dean
2. LCSC ON program hiatus
3. ISU Adjunct faculty.

**NEW BUSINESS
COMMUNICATION**

Staff Report -
Communication – 3rd
Quarter.

1. The Interim Executive Director delivered the 3rd quarter (January 1, 2019 – March 31, 2019) report providing information regarding communication indicating progress toward accomplishment of established benchmarks related to the Communications strategic goal and objectives including a trifold and bi-fold mailed to all nurses to increase awareness of important licensure topics and to increase communication with Idaho licensed nurses.

Open Forum.

2. Time for an Open Forum was provided at 9:15am to 10:00am on Friday April 27, 2019.

Chris Ellis of Eiguren | Ellis Public Policy Firm and Director of Policy and Legislative Services for Idaho Health Care Association, addressed the Board regarding the Medication Assistant Certificate (MA-C) Rules, indicating the Association does not want to lose the MA-C from the Board of Nursing Rules. NCSBN has developed a national test MACE and local providers, as well as, CWI have expressed an interest in starting up classes. There was some general discussion and, since there were no other members of the public present, the Board continued with the agenda.

GOVERNANCE/ORGANIZATION

Staff Report –
Organization. – 3rd
Quarter.

1. The Interim Executive Director presented the 3rd quarter Report (January 1, 2019 – March 31, 2019) related to Organization.
 - a. The Interim Executive Director provided quarterly statistics indicating progress toward achievement of established benchmarks related to the Organization strategic goals. The Board discussed additions to the Strategic Plan, the hiring of a new Associate Director Alternative Programs, staff CEC plans, regular meetings with DHR consultant and current contracts.
 - b. The Interim Executive Director presented the 3rd quarter Finance report noting that the Board has reduced the fingerprint fee to equal what it is charged by the Idaho State Police (ISP) and that we pay the credit card charges on all credit card payments we accept. The Board also discussed how its policy doesn't match its two-year revenue cycle and the possibility of changing it, as well as, other ideas for finance reporting. The Board reports to JFAC in October on the fund balance.
 - c. The Business Systems Manager reported on the first ORBS user-group telephone call, a Nursys.com change in tracking temporary licenses, the Luma project and several ORBS enhancement topics.

Finance Report – 3rd
Quarter.

Business Systems Staff
Report – 3rd Quarter.

2. Board Member, Merrilee Stevenson reviewed the Interim Executive Director's P-Card expenses and reported all charges were appropriate.

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

Motion to accept the
Report on the Executive
Director's Expenses as
presented. Approved.

Staff Report –
Governance – 3rd
Quarter.

3. The Interim Executive Director presented the 3rd quarter Report (January 1, 2019 – March 31, 2019) 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. Topics addressed included the Board’s annual self-assessment, Workforce IALN contract and submission of new forms (ARRF) for submitting Rule 248 changes for veterans and spouses expedited licensure process.

Motion to Approve Out-
of-State Travel.
Approved.

4. Registration, travel and related expenses not paid by NCSBN were approved for:
 - a. Discipline Case Management Conference, June 10-12, 2019, Memphis, TN – 2 recommended.
 - b. 2019 NCSBN Annual Meeting, 8/21-23/19, Chicago IL (No info posted as of April meeting) – 4-6 recommended
 - c. NCLEX conference, September 9, 2019, Phoenix, AZ – 2 recommended.A motion was made, seconded and passed to approve the out-of-state travel.

Board Member and Chair of the Program for Recovering Nurses (PRN), Jan Moseley gave a verbal report of her attendance at the NOAP 2019 Annual Conference, March 17-20, 2019. (Item II.B.1.f. in the Consent Agenda.)

Pending Rule
Promulgation for FY
2020.

5. The Interim Executive Director and Board Counsel reported on proposed rule changes for the 2020 Idaho Legislature.
 - a. Review and approval of proposed rule changes requiring negotiated rulemaking
 - b. Review and approval of rules to implement HB 248
 - c. Delegation of authority to handle reauthorization of rules

A motion was made, seconded and approved to give the Interim Executive Director delegated authority to review proposed rule changes requiring negotiated rulemaking for the FY2020 legislature.

A Motion to delegate
authority to Interim
Executive Director to
review proposed rule
changes requiring
negotiated rulemaking.
Approved.

Motion to delegate
authority to Interim
Executive Director to
proceed with rule
making required by
HB248. Approved.

A motion was made, seconded and approved to give the Interim Executive Director delegated authority to proceed with the rulemaking required by House Bill 248.

Motion to delegate
authority to Interim
Executive Director to
reauthorize IDAPA
23.01.01. Approved.

A motion was made, seconded and approved to give the Interim Executive Director delegated authority to work with the Governor’s office and DFM to reauthorize IDAPA 23.01.01.

Strategic Plan –
7/1/2019 –
June 30, 2023.

6. The Board reviewed the Board Strategic Plan for July 1, 2019 – June 30, 2023 and discussed changes that needed to be made based on recently passed legislation, as well as, cyber security needs, performance improvement in Licensure and a new Governance goal to establish a new Board assessment in 2020.

The Board directed the Interim Executive Director to make the necessary changes and submit the Strategic Plan before the July 1, 2019 deadline.

A motion was made, seconded and approved to approve the July 1, 2019 – June 30, 2023 Strategic Plan with the directed changes.

Motion to approve the
Strategic plan with the
directed changes.
Approved.

Search Committee
Report.

7. The Chair of the Search Committee reported there are nine (9) applications submitted for the Executive Director position and outlined the upcoming process for using a special SharePoint site to share applications among the Committee. A WebEx meeting will be set up May 1 (evening) to rank the candidates and decide on those who will be interviewed by phone. The best of the phone interviews will meet with the whole Board May 16 or 17 when the Board Retreat is scheduled.

The Chair reminded the Board that the entire process, including names of applicants, is confidential and they should declare a conflict of interest if they know someone who is applying.

Policy
Review/Revisions.

8. Policy Review/Revision
- a. Office Policy III-14: Agency Vehicle
 - b. Office Policy III-12: Inventory
 - c. Office Policy IV-28 Phone, Email, Message Center Response Time

The Board discussed the proposed policies and suggested a couple changes to the Inventory Policy.

A motion was made, seconded and approved to accept Office Policies III-14: Agency Vehicle and IV-28: Phone, Email, Message Center Response Time as written and III-12: Inventory with modifications.

Motion to accept Office
Policies III-14: Agency
Vehicle and IV-28:
Phone, Email, Message
Center Response Time
as written and III-12:
Inventory with
modifications.
Approved.

Board Telehealth
Statement Review.

9. The Board reviewed the Board's Telehealth Statement and decided no changes were needed since it continues to reflect the Board's views. The Board discussed ways to share this information with nurses since it is not a part of the Nurse Practice Act.
10. Discussion about rules concerning out-of-state program faculty requirements to be licensed in Idaho when they are teaching students in Idaho. CNS program in non-compact state must license their faculty when their students do clinicals in Idaho. Is this necessary?

The Board decided they will review the issue before the end of the fiscal year and either affirm or change the current policy.

Motion to go into Executive Session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints against a public officer, employee, staff member or individual agent. Approved.

11. A motion was made to go into executive session pursuant to Idaho Code §74-206(1)(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints against a public officer, employee, staff member or individual agent. Role was called by the Board assistant. Member Whitney Hunter was absent; the motion was unanimously approved. The Board went into Executive Session at 3:52 p.m. MT, 4/25/19.

Motion to exit Executive Session and Return to Regular Session. Approved.

A motion was made, seconded and approved to exit Executive Session and return to regular session at 4:55 p.m. MT, 4/25/19

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.

12. 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. There was a quorum. Member Whitney Hunter was absent; the motion was unanimously approved. The Board went into Executive Session at 3:28 p.m. MT, 4/25/19.

The Executive Session was informational only.

Motion to exit Executive Session and Return to Regular Session. Approved.

A motion was made, seconded and approved to exit Executive Session and return to regular session at 3:49 p.m. MT, 4/25/19.

13. The Board discussed Executive Orders 2019-01, 2019-02, House Bills 175 and 248; how the Board is currently responding to them and how they could/will impact the business of the Board in the future.
14. The Interim Executive Director presented information sent to the Board by CE Broker, an organization that helps nurses manage documentation for continuing competency. The Board felt there was no reason to pursue it further since currently it only requires nurses to submit their documentation upon selection for an audit.

Motion to adopt the Board Self-Assessment as submitted. Approved.

15. The Board discussed the Board Self-Assessment that was submitted. A motion was made, seconded and approved to adopt the Self-Assessment as presented. The Board will complete the Self-Assessment, the chair will collate the responses and discuss at the next quarterly meeting.

The Board expressed a preference for the Georgia Self-Assessment and having it online. The Board expressed a desire to review the Georgia Self-Evaluation in October to modify it for use in Idaho.

Motion to appoint Dr. Philippe Masser, Physician to a 4th term and Dr. Starla Higdon, Pharmacist and Gwen Smith, EdD, Layperson to 2nd terms on the Advanced Practice Registered Nurse Advisory Committee (APRN-AC). Approved.

16. The Interim Executive Director reported that the terms of three members of the Advanced Practice Registered Nurse Advisory Committee (APRN-AC) will expire June 30, 2019: Dr. Philippe Masser, Physician is completing his 3rd term; Dr. Starla Higdon, Pharmacist is completing her 1st term and Gwen Smith, EdD, Layperson is completing her 1st partial term. All three members are interested in remaining on the committee and due to their participation, the Interim Executive Director recommended they be approved for another term. The Board agreed. A motion was made, seconded and approved to appoint Dr. Philippe Masser, Physician to a fourth (4th) term and appoint Dr. Starla Higdon, Pharmacist and Gwen Smith, EdD, Layperson to second (2nd) terms; all of which will end June 2022.

PRACTICE

Staff Report – Practice

1. The Interim Executive Director presented the 3rd quarter Report (January 1, 2019– March 31, 2019) of activities related to Practice, reporting progress toward accomplishment of stated goals including a conversation with SNOI (School Nurses of Idaho) who may be joining the IALN.
2. The Interim Executive Director discussed the types of email and phone inquiries received pertaining to Practice; reporting the types of correspondence continue to follow the previously reported pattern.
3. Cathy Arvidson, Chair, APRN Advisory Committee (APRN-AC), presented outcomes of the April 12, 2019 meeting where they reviewed discipline cases, as well as, criteria for APRN faculty. Dr. Arvidson reported on the topics presented at the APRN Roundtable in Rosemont, IL April 9, 2019.

Advanced Practice Registered Nurse Advisory Committee Report.

Dr. Arvidson officially thanked the licensure staff for how quickly they were able to process the license application for a new NP moving into the state to work at Benewah Hospital where they have a critical need.

Motion to accept the APRN Advisory Committee Report and Recommendations. Approved.

The Board thanked the APRN-AC (Advanced Practice Registered Nurse Advisory Committee) Chair for her report and a motion was made, seconded and approved to accept the APRN Advisory Committee Report.

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

Staff Reports – Discipline, Alternatives to Discipline

1. The Associate Director - Discipline presented the 3rd quarter Staff Reports (January 1, 2019– March 31, 2019) on Discipline and Alternatives to Discipline, indicating significant progress toward the accomplishment of Discipline and Alternatives to Discipline goals in the Board's 2018 strategic plan including the ATD philosophy.

Board Counsel reminded the Board that the Southworth contract is up and the RFP needs to be reviewed.

2. Jan Moseley, RN, Chair, Program for Recovering Nurses Advisory Committee, presented outcomes of the April 12, 2019 meeting including the six (6) cases reviewed and the need for more discussion regarding confidentiality and security. The PRN-AC will meet again June 28, 2019.

Motion to accept the PRN Advisory Committee Report, as Presented. Approved.

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

Motion to revoke PN License No. 51663, Bartlett, Chelsey L, Cases No. 17-003 &17-110. Approved.

3. b.1) The Board Prosecutor presented Cases No. 17-003 &17-110, Bartlett, Chelsey L., LPN License No. 51663. Following discussion, the Board moved to adopt The Findings of Fact and Conclusions of Law for Cases No. 17-003 &17-110, Bartlett, Chelsey L., and revoked LPN License No. 51663.

Respondent may not apply for reinstatement for a minimum of four (4) years and after having completed requirements identified in this order as well as the Orders for Case No. CR42-17-12922.

Motion to revoke RN License No. 33319, Straubhaar, Laurie, Case No. 18-095. Approved.

- b.2) The Board Prosecutor presented Case No. 18-095, Straubhaar, Laurie, RN License No. 33319. Following discussion, the Board moved to adopt The Findings of Fact and Conclusions of Law for Case No. 18-095, Straubhaar, Laurie and Revoke RN License No. 33319.

The respondent may not apply for reinstatement for a minimum of two (2) years and only after having completed requirements identified in the order and participating in an active recovery plan acceptable to the Board.

4. The Board Counsel presented two cases for discussion and Board development: Cadet v. Florida Dep't of Health, 255 So.3d 386 (Oct. 17, 2018) and Wagner v. Missouri State Bd. of Nursing, 2019 WL 1028461 (Mar. 5, 2019).

LICENSURE/CERTIFICATION

Staff Report –
Licensure/Certifications

1. The Interim Executive Director presented the 3rd quarter Report (January 1, 2019– March 31, 2019) for licensure providing statistical information as well as progress toward established benchmarks related to the Licensure strategic goals, noting that the Board has 100% compliance with the NPDB (National Practitioner Database) and that all of the Idaho Nursing Programs met or exceeded the Board's requirement for first time NCLEX pass rates.

Motion to reinstate PN License No. 10884, Barnes, Marjory, Case No. 10-057. Approved.

2. Non-Routine Applications
 - a. Reinstatement Following Discipline. The Associate Director-Discipline presented the following non-routine application for Board Consideration: Barnes, Marjory, PN License No. 10884, Case No. 10-057. Following discussion, the Board moved to reinstate License No. 10844, Barnes, Marjory, Case No. 10-057 as a single-state license with the restriction to work under RN supervision for 80 hours.
3. The Board deferred the discussion on the Belief Statement on Continued Competence and Continuous Professional Development until the July meeting.

EDUCATION

Staff Report - Education

1. The Interim Executive Director presented the 3rd quarter Report (January 1, 2019– March 31, 2019) for Education indicating statistical information as well as progress toward established benchmarks related to the Education strategic goals.
2. The Interim Executive Director presented information regarding the types of phone calls and email received regarding education.

Motion to grant the BSU BSN program continued approval for eight (8) years. Approved.

3. The Interim Executive Director reported on her 2/14/19 site visit to the BSU BSN program. Based on meeting Board criteria and good NCLEX pass rates the Interim Executive Director recommended the Board grant the BSU BSN program continued approval for eight (8) years through 2027.

A motion was made, seconded and approved to grant the BSU BSN program continued approval for eight (8) years.

4. Dr. Bethany Mello NP; Dr. Leonie Sutherland and Professor Chrisy Bayes shared information and provided a handout to the Board about the Northwest Nazarene University (NNU) Family Nurse Practitioner (FNP) Program.

The Interim Executive Director presented her report form her site visit to the school 3/18/19 and recommended the Board grant the NNU FNP full approval.

Motion to accept the NNU FNP site visit report as written. Approved.

A motion was made, seconded and approved to accept the site visit as written.

Motion to grant the NNU FNP Program full approval for eight (8) years. Approved.

A motion was made, seconded and approved to grant the Northwest Nazarene University (NNU) Family Nurse Practitioner (FNP) Program full approval for eight (8) years through 2027.

5. The Interim Executive Director presented the annual summary of Idaho's Nursing Programs' NCLEX results. All programs have met the Board requirement that each program shall have a pass rate of 80% for first-time test takers in 2018.

Motion to grant the LCSC BSN Program continued approval for eight (8) years. Approved.

6. Based on meeting Board criteria and good NCLEX pass rates the Interim Executive Director recommended the Board grant the LCSC BSN program continued approval for eight (8) years through 2027.

7. The Interim Executive Director reported that Unitek College sent a formal letter of interest indicating a desire to establish a pre-licensure Baccalaureate degree in Nursing and Master's Entry Program in Nursing Degree Programs in Boise.

OTHER BUSINESS

**Governance Committee
Report – 3rd Quarter**

1. The Interim Executive Director reported on the Governance Committee meeting held January 31, 2019 and committee discussion regarding the goals and outline for the Board Retreat in May.

**Motion to accept the
Governance Committee
minutes as written and
approve the outline for
the Board Retreat.
Approved.**

A motion was made, seconded and approved to accept the Governance Committee Report and to approve the outline for the Board retreat with time correction.

2. The Board reviewed the summary of the comments from the last meeting and completed their evaluations for the current meeting.

ADJOURNMENT


Adjournment

The meeting Adjourned at 4:46 p.m.

MINUTES APPROVAL

Signatures:


Chair

 1/30/2020
Vice Chair