

Meeting of the
IDAHO BOARD OF NURSING

MEETING MINUTES
November 1-2, 2018

<u>Time and Place</u>	A regular meeting of the Idaho Board of Nursing was held on November 1-2, 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 on 11/01/18 and at 8:00 am on 11/02/18 and a quorum was declared on each day.
<u>Members Present</u>	Vicki Allen, RN, Pocatello, Chair Jennifer Hines-Josephson, RN, Rathdrum Whitney Hunter, Consumer, Boise Jan Moseley, RN, Coeur d'Alene (11-01-18 only) Carrie Nutsch, LPN, Jerome, Vice Chair Rebecca Reese, LPN, Post Falls Clayton Sanders, APRN, CRNA, Boise 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
<u>Other Attendees</u>	Robert Berry, DAG, Prosecutor (portions of the meeting) Karen Sheehan, DAG, General Counsel
<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 from the meeting room and hotel
<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 report of the "2018 Citizen Advocacy Center (CAC) Annual Meeting" and the "FY2018 Board of Nursing Performance Measurement Report" to the Business Agenda for discussion. Included on the Consent Agenda:
<u>Motion to Adopt the Minutes of July 26-27 and August 10, 2018 as written</u>	COMMUNICATION <ol style="list-style-type: none">1. A motion to approve Minutes of the July 26-27, 2018 and August 10, 2018 meetings as written.2. November 2018 <i>Board Views</i>, Idaho Board tri-fold flyer GOVERNANCE/ORGANIZATION <ol style="list-style-type: none">1. Reports of Meeting Attendance<ol style="list-style-type: none">a. 2018 NCSBN Annual Meeting and Delegate Assembly, 8/15-17/2018, Minneapolis, MN

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- b. Nurse Licensure Compact Interstate Commission, 8/14/18, Minneapolis, MN; and 10/9/18, by teleconference
 - c. 2018 International Nurse Regulator Collaborative Symposium, 10/22-23/18, Chicago, IL
 - d. 2018 NCSBN Scientific Symposium, 10/24/18, Chicago, IL
2. Quarterly Updates – 1st Quarter
 - a. Special Projects
 - b. National Council of State Boards of Nursing (NCSBN)
 - c. Nurse Licensure Compact (NLC)
 3. Board Development: “Exercise Responsible Financial Stewardship”, *The Nonprofit Chief Executive’s Ten Basic Responsibilities*, Rick Moyers, 2012 BoardSource®
 4. Federal Trade Commission Report on Occupational License Portability
 5. 2018 NCSBN Commitment to Ongoing Regulatory Excellence (CORE®) Survey-Idaho
 6. Major Board of Nursing Accomplishments FY 2009-2018
 7. Idaho Alliance of Leaders in Nursing FY2018 Workforce Development Funding Accountability Report
 8. 2018 Internal Controls Attestation Letter

PRACTICE

1. Nurse Apprentice Facilities Approval

LICENSURE/CERTIFICATION

1. Non-Routine Applications – 1st Quarter Report
2. Licensure by Equivalence – 1st Quarter Report

EDUCATION

1. North Idaho College Clinical Adjunct Faculty Approval
2. College of Southern Idaho Program Administration Change
3. BYU-Idaho Education Program Administration Change

NEW BUSINESS

COMMUNICATION

Staff Report - Communications

1. The Executive Director presented the 1st Quarter Report (July 1, 2018 – September 30, 2018) on Communication. The report highlighted related activities during the quarter and beginning progress toward accomplishment of established benchmarks related to the Communications strategic goal and objectives.

Report of CAC Annual Meeting

2. Members V. Allen and W. Hunter presented their report on the Citizen Advocacy Center (CAC) Annual Meeting, held 10/16-17/2018 in Washington, DC (moved from the Consent Agenda).

Open Forum

3. Time for an Open Forum was provided at 9:30am to 10:00am on Friday November 2, 2018. No one came forward to speak during the Forum.

GOVERNANCE/ORGANIZATION

Staff Report – Organization

1. The Executive Director presented the 1st Quarter Report on Organization. The report highlighted:
 - a. Related activities during the quarter, and noted significant progress toward accomplishment of established benchmarks related to the Organization strategic goal and objectives.
 - b. The 1st 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.
 - c. The Business Systems Manager presented an update on ORBS, the Board's data management system; systems security; hardware/software; and the Board's website.
 - d. The Executive Director provided an overview of how staff approaches financial forecasting in anticipation of information to be provided during a future meeting of the Board.

Motion to Accept the Finance Report as presented

Motion to Accept the Report on Executive Director Expenses

2. Merrilee Stevenson reported her review and approval of Executive Director expenses during the 1st Quarter. Action was taken to accept the report as presented.

FY2020 Budget Proposal

3. The Executive Director presented the Board's proposed FY2020 budget for review and discussion. The proposed budget is now pending review by the 2019 Idaho Legislature.

Staff Report – Governance

4. The Executive Director presented the 1st Quarter Report on Governance. The report highlighted related activities during the quarter, and noted beginning progress toward accomplishment of established benchmarks related to the Governance strategic goal and objectives.

2018 Performance Measurement Report

5. A question was raised concerning data included in the FY2018 Board of Nursing Performance Measurement Report (moved from the Consent Agenda). Staff was directed to review the information and make needed corrections.

Motion to Approve Out-of-State Travel

6. The Board took action to approve registration, travel and related expenses for:
 - a. NLC Strategic Planning Retreat, 11/28-29/18, Nashville, TN for the Executive Director
 - b. NCSBN Antitrust and Regulation Forum, 1/29/19, Nashville, TN for the Executive Director and/or Associate ED and Board Counsel
 - c. 2019 NCSBN Mid-Year Meeting, 3/26-28/19, San Antonio, TX for 4 staff and 6 Board members
 - d. Federation of Association of Regulatory Boards (FARB) 43rd Annual Forum, 1/24-27/19, New Orleans, LA for Board Counsel

Pending legislation and rulemaking

7. The Executive Director presented information on the status of anticipated legislation and rulemaking, including:

Motion to adopt Rule Docket 23-0101-1801 as Pending

- a. IDAPA 23-0101-1801, Proposed Rules of the Board of Nursing; following discussion, the Board voted unanimously to adopt IDAPA 23-0101-1801 as “Pending”;
- b. Proposed amendments to Idaho Board of Medicine statute and rules;
- c. Dept. of H&W proposed rules related to hospital licensing;
- d. NLC Rules related to Compliance, Conflict Resolution, Data Access

Report from IALN/Idaho Center for Nursing

8. Dr. Randy Hudspeth, Executive Director, Idaho Alliance of Leaders in Nursing (IALN) and the Idaho Center for Nursing (ICN), provided an update on the newly formed Idaho Center for Nursing, a collaborative alliance of the IALN, Idaho Nurses Association (INA), Nurse Leaders of Idaho (NLI), Idaho Association of Nurse Anesthetists (IDANA), Nurse Practitioners of Idaho (NPI) and the Idaho Nursing Action Coalition (INAC). In addition, Dr. Hudspeth presented an overview of *Idaho’s Nursing Workforce: 2018 Report on the Current Supply, Employment, Education and Future Demand Projections*, a copy of which was provided to Board members. The 2018 Report fulfills IALNs commitment to “support production of the biennial *Idaho Nursing Workforce Report*”, IALN/BON MOU dated 9/15/17 and amended 4/19/18.

Board Development: NCSBN Global Regulatory Atlas

9. Board Development presentation, “NCSBN Global Regulatory Atlas” was postponed to a future meeting.

Motion to adopt revisions to Policy V-13.

10. The Executive Director presented suggested revisions to Board Complaint Management Policy V-13, “Appointment of General Counsel

“Appointment of General Counsel as Hearing Officer in Contested Case Proceedings”

as Hearing Officer in Contested Case Proceedings” for consideration. Following discussion, the Board took action to adopt proposed revisions to Policy V-13.

Motion to appoint ZX Morarity, MD and Ralene Wiberg, MD, to the APRN Advisory Committee

11. Board members considered nominations from the Board of Medicine for appointment to the APRN Advisory Committee. Following discussion, the Board took action to appoint Zach X. Morarity, MD, Twin Falls, and Ralene F. Wiberg, MD, Boise, to 3-year terms ending June 30, 2021.

Motion to appoint Heather Naskar, APRN, CRNA; Susie Bunt, RN; Jill Humble, RN; and Susan “Spooky” Taft, consumer; to the PRN Advisory Committee

12. Board members considered requests for continuing appointments to the PRN Advisory Committee from current members whose terms expire December 31, 2018. Following discussion, the Board took action to appoint Heather Naskar, APRN, CRNA, Middleton; Susie Bunt, RN, Lewiston; Jill Humble, RN, Boise; and Susan “Spooky” Taft, consumer; to 3-year terms ending December 31, 2021.

Presentation on Legislative Processes and Protocols

13. Kay Christensen, Division Chief, Contracts and Administrative Law Division, Office of the Attorney General, presented an overview of legislative processes and protocols and responded to questions from Board members. Accompanying Ms. Christensen was Allie Breshear, DAG.

Use of dedicated funds to support external initiatives

14. The Executive Director presented results of a recent web-survey related to Boards of Nursing use of dedicated funds to support external initiatives, e.g. support of Nursing Resource Center, etc. Following discussion, the Board indicated the issue of use of funds merits further discussion in the future.

Scheduled Executive Session delayed to January 2019

15. A scheduled Executive Session to discuss pending/imminent litigation was rescheduled for the January 2019 meeting due to time constraints.

PRACTICE

Staff Report

1. The Associate Executive Director presented the 1st Quarter Report on Practice. The report highlighted related activities during the quarter and beginning progress toward accomplishment of established benchmarks related to the Practice strategic goal and objectives.

Motion to Accept the APRN Advisory Committee Report

2. Cathy Arvidson, Chair, APRN Advisory Committee, presented outcomes of the Advisory Committee meeting held October 19, 2018. Following her report, the Board took action to accept the APRN Advisory Committee Report.

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

Stakeholder group to consider New and evolving nursing practices

4. Board members requested staff convene a stakeholder group, initially discussed in July 2018 to explore the issue of ‘new and emerging practices’, including, for example, RN administration of anesthesia agents. The stakeholder group is suggested as a process to engage in generative dialogue on how to assure nurses practice consistent with their defined scope of practice in order to provide adequate public protection. Suggested for inclusion in the group: Gus Powell, APRN, CRNA; licensed anesthesiologist; among others.

DISCIPLINE/ALTERNATIVES TO DISCIPLINE

Staff Report on Discipline/Alternatives to Discipline

1. The Associate Director for Discipline presented the 1st Quarter Report on Discipline and Alternatives to Discipline. The report highlighted related activities during the quarter and beginning 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, former Chair, Program for Recovering Nurses Advisory Committee, presented outcomes of the, October 12, 2018 meeting. The committee referred 1 case to the Board recommending discipline due to non-compliance with monitoring terms and conditions.

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

Motion to adopt Findings of Fact and Conclusions of Law in Case No. 16-165, Neesa Marie Greenwell and revoke LPN License No. 46356

3. Contested Cases
 - a. The Board Prosecutor presented Case No. 16-165, Neesa Marie Greenwell, LPN, for consideration. Following discussion the Board adopted Findings of Fact and Conclusions of Law for Case No. 16-165, Neesa Marie Greenwell, LPN, and revoked LPN License No. 46356. Ms. Greenwell may not apply for reinstatement of license for a period of five (5) years and until all terms and conditions outlined in the Order have been met.

Motion to adopt Findings of Fact and Conclusions of Law in Case No. 16-129, Jennifer Lawson and revoke LPN License No. 15407

- b. The Board Prosecutor presented Case No. 16-129, Jennifer Lawson, LPN, for consideration. Following discussion the Board adopted Findings of Fact and Conclusions of Law for Case No. 16-129, Jennifer Lawson, LPN, and revoked LPN License No. 15407. Ms. Lawson 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.

Hearing: Cheri, Thomas, Case No. 17-184.

- c. Time was set aside Friday, November 2, 2018 at 10:00 am for the Board to hear Case No. 17-184, Cheri Thomas, License Numbers RN-36605, and APRN, CNP-56607. The case was presented by the respondent’s attorney and the Board Prosecutor.

Motion to adopt Findings of Fact, Conclusions of Law and Order in Case No. 17-184, Cheri Thomas, and

After hearing the arguments on both sides, the Board took action by roll call vote of those present to adopt Findings of Fact, Conclusions of Law and Final Order revoking license numbers RN 36605 and NP 56607. Ms.

revoke RN and APRN,
CNP License Nos. RN
36605 and CNP 56607

Thomas may not apply for reinstatement of licenses for a period of four (4) years after entry of the Order or after successful completion of probation, whichever date is later and until all terms and conditions outlined in the Order have been met.

Case Review for Board
Development

4. Board Counsel presented a case involving open meeting violation for review and discussion

LICENSURE/CERTIFICATION

Staff Report on
Licensure

1. The Executive Director presented the 1st Quarter Report on Licensure. The report highlighted related activities during the quarter and beginning progress toward accomplishment of established benchmarks related to Licensure strategic goal and objectives.

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

2. Discussion on the draft revision of the Board “Belief Statement on Continued Competence and Continuous Professional Development” was deferred to the next scheduled quarterly Board meeting due to time constraints.

EDUCATION

Staff Report - Education

1. The Associate Executive Director presented the 1st Quarter Report on Education. The report highlighted related activities during the quarter and beginning progress toward accomplishment of established benchmarks related to Education strategic goal and objectives.

Education-related
Phone, e-Mail
Inquiries

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

Motion to Grant Full
Approval to the CWI
Practical Nursing
Program for 8 years

3. The Associate Executive Director Practice and Education (AED) introduced representatives from the Nursing Department at the College of Western Idaho. (CWI) Joan Weddington, Practical Nursing Instructor, and Allison Baker, Nursing Department Chair, provided an overview of the proposed practical nursing program developed in response to community need and responded to questions.

Following their presentation, the Associate Executive Director presented her report of on-site visit to the CWI practical nursing program. Following the AED’s report the Board took action to support the recommendation to grant full approval to the CWI practical nursing program for the 8-year period ending 2026.

Nightingale College
Nursing Education
Program Presence in
Idaho

4. The Associate Executive Director provided an update on communication between the Board office and representatives of Nightingale College, Ogden, UT relative to the school’s presence in Idaho.

Status of Idaho's
Approved Nursing
Education Programs-
NCLEX Results

5. The Associate Executive Director presented quarterly NCLEX results for Idaho's approved nursing education programs.

Motion to Grant Full
Continuing Approval to
the ISU College of
Technology Practical
Nursing Program for 8
years

6. The Associate Executive Director presented her report of on-site visit to the practical nursing program administered by Idaho State University College of Technology. Following the AED's report the Board took action to support the recommendation to grant full continuing approval to the ISU practical nursing program for the 8-year period ending 2026.

OTHER BUSINESS

Motion to go into
Executive Session to
Consider Personnel
Matters

1. A motion was made to go into executive session pursuant to Idaho Code §74-206(1)(b) to discuss personnel matters. Role was called by the Board Chair; the motion was unanimously approved by those present. The Board went into Executive Session at 8:00 am MDT, 11/02/18.

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.

Governance Committee
Report

2. The Chair reported outcomes of the Governance Committee meeting held November 1, 2018, indicating the Committee discussed potential ideas for the 2019 Board Retreat; the ED's Notice of Retirement received 11/01/18; and the Board's Governance Policy VII-15, "Executive Director Succession".

Following the report, Board members discussed next steps and directed staff to schedule a Special Meeting of the Board for November 15-16, 2018 in Boise to plan for Executive Director Succession.

Travel Procedures

3. Staff member Mindy Diehl, Finance Technician, provided an overview of travel procedures to assist Board members in arranging travel and reimbursements.

ADJOURNMENT

Adjournment

The meeting Adjourned at 4:30 pm MDT

The next regularly scheduled Board Meeting will be held January 31 & February 1, 2019

MINUTES APPROVAL

Signatures:

Chair *Date*

Vice Chair *Date*