

North Dakota Board of Nursing Meeting Minutes – March 23, 2017

Call to Order:	March 23, 2017 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7 th Street, Suite 504, Bismarck, ND		
Roll Call	Six members present as follows:		
	Jane Christianson, RN Member, President	Mary Beth Johnson, RN Member	
	Paula Schmalz, APRN Member, Treasurer	Janelle Holth, RN Member	
	Bonny Mayer, LPN Member	Wendi Johnston, LPN Member	
	Absent: Michael Hammer, RN Member, Vice-President		
	Clara Sue Price, Public Member		
	Jamie Hammer, RN Member		
	Staff Present:		
	Stacey Pfenning, APRN, Executive Director	Melissa Hanson, RN, Associate Director for Discipline	
	Tammy Buchholz, RN, Associate Director for Education	Patricia Hill, RN, Assistant Director for Practice & Discipline	
	Julie Schwan, Administrative Services Coordinator		
	Other individuals were present as indicated on the Board Meeting Attendance Roster.		

AGENDA	DISCUSSION & ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The consent agenda was reviewed with no items identified for discussion.</p> <p><i>Motion:</i> Holth, seconded by Mayer to: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed. Staff request reordering of agenda item 7.1.2 Family Planning Clinics after Agenda Item 3 so Board SAAG can be present for the discussion.</p> <p><i>Motion:</i> Johnson, seconded by Johnston to: APPROVE THE AGENDA AS REORDER TO DISCUSS AGENDA ITEM 7.1.2 FOLLOWING AGENDA ITEM 3.0.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
1.3 Public Forum 9:00 a.m.	No one was present for the open forum.
2.1 January 19, 2017 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the January 19, 2017 meeting were reviewed. No changes were identified.</p> <p><i>Motion:</i> Mayer, seconded by Holth to: APPROVE THE MINUTES OF THE JANUARY 19, 2017 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
3.1 Financial Statements	The financial statements through February 28, 2017 were reviewed. Income is at 83% and expenses at 72% of budgeted. A comparison of this fiscal year to last fiscal year was reviewed.
3.2 Budget Request – Legal Counsel Other	<p><i>Discussion:</i> The Legal Counsel Other budget category, which includes contested discipline cases, legislative session fees, and out of the ordinary topics requiring legal consultation, has seen an increase this year and was at 113% of budget as of 2/28/2017. The board reviewed a five year history of legal expenses and noted the increase in contested cases when licensees retain attorneys. Staff had shared information with the board last meeting indicating the cases are becoming more complex with more diversion and attorney involvement. Pfenning noted that this is a national trend with other boards facing the same issues. The directors have been reviewing and revising the disciplinary processes to reflect current national and state trends.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: APPROVE THE CONTINUED COSTS ABOVE BUDGETED AMOUNT FOR LEGAL COUNSEL CONTESTED CASES.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>

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4.1.1 Request for Reinstatement – Stacy Jaeger, L11355	<p><i>Discussion:</i> Stacy Jaeger, LPN was present to request reinstatement of her suspended LPN license. Ms. Jaeger signed a statement in which she acknowledged the board is authorized to hold an executive session to discuss exempt or closed records, and agreed to discuss her request for licensure during the regular board meeting, which is open to the public, and may include personal health information. The board reviewed the compliance panel recommendation to reinstate her license to encumbered status for two years.</p> <p><i>Motion:</i> Holth, seconded by Johnson that: UPON MEETING LICENSURE REQUIREMENTS, THE BOARD GRANT STACY JAEGER'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED LPN LICENSE TO ENCUMBERED STATUS FOR TWO YEARS WITH THE TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND SET OUT IN THE BOARD ORDER.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.2.1 Request for Reissuance – Mary Elizabeth Penley, L15362	<p><i>Discussion:</i> Mary Elizabeth Penley, LPN is requesting reissuance of her LPN license from encumbered status to full licensure status. The board reviewed the current order and discussed the compliance panel recommendation to reissue her license to full licensure status upon successful completion of the North Carolina program and terminate the prior non-disciplinary board order.</p> <p><i>Motion:</i> Johnson, seconded by Holth to: GRANT MARY PENLEY'S REQUEST FOR REISSUANCE OF HER LPN LICENSE TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS UPON SUCCESSFUL COMPLETION OF THE NORTH CAROLINA PROGRAM (WHICH HAS BEEN DEMONSTRATED), TERMINATE THE PRIOR NON-DISCIPLINARY BOARD ORDER AND REISSUE A FULL PRIVILEGE LICENSE.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.2.2 Request for Reissuance – Jessica Abbott, R35372 & L12619 (inactive)	<p><i>Discussion:</i> Jessica Abbott, RN & LPN is requesting reissuance of her RN & LPN license from encumbered status to full licensure status. The board reviewed the current order and discussed the compliance panel recommendation to reissue her license to full licensure status. The terms and conditions of the board order dated March 18, 2014 have been completed as reported by staff.</p> <p><i>Motion:</i> Holth, seconded by Johnson to: GRANT JESSICA ABBOTT'S REQUEST FOR REISSUANCE OF HER RN LICENSE TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF THE ORDER FOR REINSTATEMENT OF LICENSE DATED MARCH 18, 2014.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.1 Stipulation for Settlement – Sheryl Ongstad, L10664	<p><i>Discussion:</i> A Stipulation for Settlement was received from Sheryl Ongstad, LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Johnson, seconded by Johnston to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SHERYL ONGSTAD, LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.2 Stipulation for Settlement – Bethany Glick, R41093	<p><i>Discussion:</i> Brian Bergeson, SAAG was present for this agenda item. A Stipulation for Settlement was received from Bethany Glick, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07.01-1 (8)(12)(19). This order replaces an Order of Emergency suspension which was issued to Ms. Glick on January 5, 2017 and is temporarily retracted as of March 2, 2017. It was noted her encumbrance began on March 1, 2017.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BETHANY GLICK, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ENCUMBER THE LICENSE FOR ONE YEAR; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>

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4.6.3 Michelle Kieffer, R39211 & L12355 (inactive)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Michelle Kieffer, RN & LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07.01-1 (6).</p> <p><i>Motion:</i> Schmalz, seconded by Johnston to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MICHELLE KIEFFER, RN & LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.4 Ruth Quanbeck, R22039	<p><i>Discussion:</i> A Stipulation for Settlement was received from Ruth Quanbeck, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07.01-1 (6)(7).</p> <p><i>Motion:</i> Johnson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR RUTH QUANBECK, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ENCUMBER THE LICENSE FOR ONE YEAR; ◆ ASSESS AN \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, recuse; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, ye 5 yes, 0 no, 1 recuse, 3 absent. Motion carried.</p>
4.6.5 Tera Emter, R29421	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tera Emter, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07.01-1 (5)(6)(8)(9).</p> <p><i>Motion:</i> Johnson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TERA EMTER, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR THREE YEARS; ◆ ASSESS A \$1600 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, recuse; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, ye 5 yes, 0 no, 1 recuse, 3 absent. Motion carried.</p>
4.6.6 Stephanie DeGeest, R42985	<p><i>Discussion:</i> A Stipulation for Settlement was received from Stephanie DeGeest, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (5) and NDAC 54-02-07.01-1 (8)(19).</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR STEPHANIE DEGEEST, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.7 Jessica Beske, R32114	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jessica Beske, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (1) and NDAC 54-02-07.01-1 (8).</p> <p><i>Motion:</i> Schmalz, seconded by Johnston to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JESSICA BESKE, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR ONE YEAR; ◆ ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>

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4.6.8 Cristie Mitzel, R31424 & L10354 (inactive)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Cristie Mitzel, RN & LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07.01-1 (5)(6)(7)(8)(9)(19).</p> <p><i>Motion:</i> Johnson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CRISTIE MITZEL, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR TWO YEARS; ◆ ASSESS A \$1000 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, recuse; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, ye 5 yes, 0 no, 1 recuse, 3 absent. Motion carried.</p>
4.6.9 Michele Eckmann, R34215 & L9188 (inactive)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Michele Eckmann, RN & LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4)(5) and NDAC 54-02-07.01-1 (7)(8).</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MICHELE ECKMANN, RN & LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ REVOKE HER RN & LPN LICENSE; ◆ ASSESS A \$100 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.10 Lance Hafner, R44263	<p><i>Discussion:</i> A Stipulation for Settlement was received from Lance Hafner, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (2)(4) and NDAC 54-02-07.01-1 (7)(8).</p> <p><i>Motion:</i> Johnson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LANCE HAFNER, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.11 Lenore Seitz, L5604	<p><i>Discussion:</i> A Stipulation for Settlement was received from Lenore Seitz, LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07.01-1 (5)(6)(7).</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LENORE SEITZ, LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.6.12 Diane Gravely, L13115	<p><i>Discussion:</i> A Stipulation for Settlement was received from Diane Gravely, LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (5) and NDAC 54-02-07.01-1 (6).</p> <p><i>Motion:</i> Johnson, seconded by Johnston to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DIANE GRAVELY, LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>

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AGENDA	DISCUSSION & ACTION
4.8.1 Jessica Enabossi, R37725	<p><i>Discussion:</i> Jessica Enabossi has requested amendment of her Administrative Settlement to allow expungement of her practice without a license after two years instead of five.</p> <p><i>Motion:</i> Schmalz, seconded by Holth to: ACCEPT THE AMENDMENT TO THE ADMINISTRATIVE SETTLEMENT FOR JESSICA ENABOSS, RN RELATED TO EXPUNGEMENT OF PRACTICE WITHOUT A LICENSE.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.9.1 Tchernavia Johnson, R43528	ORDER OF EMERGENCY SUSPENSION issued to Tchernavia Johnson, RN, Mobile, AL on January 6, 2017. PVR received from AMN Health, San Diego, CA & Trinity Health in Minot ND with allegations of concerns related to administration and documentation of narcotics. Refused to submit to drug screen. Contract was terminated August 25, 2016. Respondent's license is SUSPENDED for 5 years or until retracted, modified, or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.2 Jordana Helmer, R37970 & L12662 (lapsed)	NOTICE OF SUSPENSION issued to Jordana Helmer, RN & LPN, Fargo, ND on February 28, 2017. PVR received from Essential Health in Fargo ND related to reasonable suspension of diversion. The compliance panel required completion of a chemical dependency evaluation, and she did not comply with the evaluation. License is SUSPENDED until submission of the required chemical dependency evaluation.
4.9.3 Daniel Peterson, SD PTP R040467	CEASE AND DESIST ORDER issued to Daniele Peterson, SD PTP RN, Sioux Falls, SD on February 28, 2017. PVR received from Sanford Health in Fargo, ND related to allegations of reasonable suspicion of diversion.
4.9.4 Dawn Tweten, R23718	NOTICE OF SUSPENSION issued to Dawn Tweten, RN, Bismarck, ND on February 27, 2017 for violation of terms and conditions of her Order for Reinstatement dated March 10, 2016. Respondent's license is automatically SUSPENDED for a period of two years from date of notice.
4.9.5 Jessica Ness, L12459	NOTICE OF SUSPENSION issued to Jessica Ness, LPN, Minot, ND on March 2, 2017 for violation of terms and conditions of her Order for Reinstatement dated May 19, 2016. Respondent's license is automatically SUSPENDED for a period of two years from date of notice.
4.9.6 Ronnette Rendord, L15365	ORDER OF EMERGENCY SUSPENSION issued to Ronnette Renford, LPN, Beulah, ND on March 16, 2017. PVR received from Knife River Care Center, Beulah ND related to suspicion of diversion of medications. Employment was terminated February 28, 2017. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.7 Tina Martin, NC PTP LPN076478	CEASE AND DESIST ORDER issued to Tina Martin, NC PTP LPN, Asheboro, NC on March 17, 2017. PVR received from Trinity Homes in Minot ND for allegations related to leaving unit for extended periods of time while leaving the medication and narcotic drawers open and failure to chart medications at time given. Employment was terminated on September 20, 2016.
4.9.8 Nicole Marshall, R31648	ORDER OF EMERGENCY SUSPENSION issued to Nicole Marshall, RN, Fargo, ND on March 21, 2017. PVR received from Sanford Medical Center in Fargo, ND with allegations of missing narcotics with video evidence and respondent admission. Employment was terminated on March 10, 2017. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.9 Jordana Helmer, R37970 & L12662	ORDER OF EMERGENCY SUSPENSION issued to Jordana Helmer, RN & LPN, Fargo, ND on March 22, 2017. PVR received from Essentia, Fargo, ND related to allegations of suspicion of diversion of narcotics. Refused to submit to a voluntary drug screen and failed to submit to a chemical dependency evaluation required by the board. Second PVR was received from Sanford Health in Fargo, ND related to suspicion of diversion of narcotics. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.10 Suzette McCall, R20941	NOTICE OF SUSPENSION issued to Suzette McCall, RN, Bismarck, ND on March 22, 2017 for violation of terms and conditions of her Stipulation for Settlement dated January 19, 2017. Respondent's license is automatically SUSPENDED for a period of three years from date of notice.
5.1-1 University of Mary – BSN & DNP Program – Survey Compliance Report	<p><i>Discussion:</i> The board reviewed the University of Mary BSN & DNP Programs Survey compliance report as required by the board in January 2017. The program submitted narrative and supporting documents to address the NDBON Survey Report requirement. Upon review, surveyors noted that two faculty members found to be non-compliant with this rule during the survey, have completed the required NDBON course and are currently licensed RN's in ND. Staff determination is the standard for NDAC 54-03.2-04-04.1 Doctoral Degree Nursing Education Program Faculty Qualifications has been met.</p> <p><i>Motion:</i> Holth, seconded by Schmalz that the board:</p> <ol style="list-style-type: none"> 1. FIND THE COMPLIANCE REPORT SUBMITTED BY THE UNIVERSITY OF MARY, BACCALAUREATE AND DOCTORATE DEGREE NURSING PROGRAMS' NURSE ADMINISTRATOR ADDRESSING THE DEFICIENCY OF NON-COMPLIANCE WITH 54-03.2-04-04.1. DOCTORAL DEGREE NURSE EDUCATION PROGRAM FACULTY QUALIFICATIONS. MEETS THE STANDARD; AND 2. FIND THE UNIVERSITY OF MARY, BACCALAUREATE AND DOCTORATE DEGREE NURSING PROGRAMS' IN SUBSTANTIAL COMPLIANCE WITH ND ADMINISTRATIVE CODE 54-03.2; AND 3. CONTINUE FULL APPROVAL OF THE UNIVERSITY OF MARY, BACCALAUREATE AND DOCTORATE DEGREE NURSING PROGRAMS' UNTIL JANUARY 2022 AS GRANTED JANUARY 19, 2017 AND REQUIRE AN ONSITE SURVEY IN 2022. <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, recuse; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 5 yes, 0 no, 1 recuse, 3 absent. Motion carried.</p>

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AGENDA	DISCUSSION & ACTION
5.2-1 DNP Williston State College Discontinuation of Satellite Site	<p><i>Discussion:</i> Julie Traynor, Chair of the Dakota Nursing Program (DNP), Annie Paulson, BSC Site Coordinator and Jackie Klipfel, DON for Ashley Medical Center skilled nursing facility were present for the next two agenda items. DNP at Williston State College has submitted a request for programmatic change for discontinuation of the satellite site at Nueta Hidatsa Sahnish College (NHSC) in New Town, ND effective July 30, 2017. The satellite site has been provided and managed by WSC since 2013 and has employed two full time faculty at the New Town site. NHSC has elected to discontinue collaboration with WSC, notifying WSC of the dissolution of the memorandum of understanding (MOU). Students currently enrolled in the PN program who choose to articulate to the AD program fall 2017 have the option to travel to Williston or transfer to any other DNP partner campus. No PN students have been accepted into the New Town site, and interested students were informed early fall that the site would most likely not be available fall 2017.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: APPROVE THE WILLISTON STATE COLLEGE, DAKOTA NURSING PROGRAM, PRACTICAL NURSE AND ASSOCIATE DEGREE PROGRAMS' REQUEST FOR DISCONTINUATION OF THE SATELLITE SITE AT NUETA HIDATSA SAHNISH COLLEGE, NEW TOWN, ND AS A MAJOR PROGRAMMATIC CHANGE AS THE PROGRAMS HAVE FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGE IS IN COMPLIANCE WITH <u>NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES.</u></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
5.2-2 DNP – Bismarck State College PN program – Addition of Site	<p><i>Discussion:</i> Dakota Nursing Program at Bismarck State College has submitted a programmatic change request for addition of a Practical Nurse Program satellite site in Ashley, ND starting fall 2017 at Ashley Medical Center (AMC). The board reviewed the proposal for planned clinical sites, nursing labs and IVN classroom for lecture delivery. The same delivery method is used for all DNP campuses and sites. Faculty responsibilities were outlined and administrative services and collaborative fiscal support detailed. Preparation for this request began fall 2016. A community meeting was held in January 2017 with the Ashley Medical Center administration and potential students. Student advising was available at the meeting, and revealed fifteen interested students. Some of the interested students would begin fall 2017 and others would need to complete a year of general education courses. There is a high level of commitment among all entities to insure the success of the proposed program in the Ashley community. Two letters of support accompanied this request, one from AMC CEO Jerry Lepp and the other from Jackie Klipfel, BSN, RN, proposed site Manager/Clinical Faculty in Ashley.</p> <p><i>Motion:</i> Schmalz, seconded by Johnston to: APPROVE THE BISMARCK STATE COLLEGE, DAKOTA NURSING PROGRAM, PRACTICAL NURSE PROGRAM REQUEST FOR ADDITION OF A SATELLITE SITE AT ASHLEY MEDICAL CENTER, ASHLEY, ND AS A MAJOR PROGRAMMATIC CHANGE AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGE IS IN COMPLIANCE WITH <u>NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES.</u></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
5.2-3 ND State College of Science – AAS RN Program – Curriculum Change Request	<p><i>Discussion:</i> The ND State College of Science AAS RN program is requesting approval of a major programmatic change for addition of a three credit Microbiology course and a one credit Microbiology lab. This change will increase the overall program credit hours to 69 and the change was approved by the NDSCS Curriculum Committee. As of January 2017, the Accreditation Commission for Education in Nursing (ACEN) has changed the standard related to total overall credit hours. The standard previously required that Associate Degree RN programs limit overall credit hours required to 65 credits or less. The NDSCS Department of Nursing believes that the addition of a Microbiology course and lab will help solidify the scientific knowledge base needed by their RN graduates.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: APPROVE THE NORTH DAKOTA STATE COLLEGE OF SCIENCE, ASSOCIATE OF APPLIED SCIENCE REGISTERED NURSE PROGRAM CURRICULUM REQUEST AS A MAJOR PROGRAMMATIC CHANGE AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGE IS IN COMPLIANCE WITH <u>NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES</u></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
5.2-4 Dickinson State University – Addition of Program	<p>The board reviewed a programmatic change notification from Dickinson State University for the addition of an online Associate Degree Registered Nurse to Bachelor of Science in Nursing program. The change will go into effect Fall of 2017. This program will be in addition to the current AASPN and BSN programs. The program addition has been approved by the appropriate DSU entities. The program will be offered to nurses who have previously completed an Associate Degree Registered Nurse or Associate Degree Nurse program and are currently licensed as RNs. Rationale for the change indicates the addition of an online BSN Completion Program aligns with the DSU mission and provides accessibility to individuals who presently do not have access to such a program. The online format will allow for increased accessibility and flexibility for potential in and out-of-state students. Board approval is not required for a post licensure program.</p>

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5.2-5 United Tribes Tech College – AASPN program request for programmatic change - Mission	<p><i>Discussion:</i> United Tribes Technical College Department of Nursing AASPN program has submitted a programmatic change to omit their purpose statement and revise their mission statement. The change has been approved by the UTTC Administrative Council. Revisions to the AASPN Program mission were made to reflect more congruency with the overall College mission and to better encompass the commitment the program strives to accomplish. The NDBON surveyors noted lack of consistency between the mission statements for the College and Program during the last program survey completed Fall 2016.</p> <p><i>Motion:</i> Schmalz, seconded by Johnson to: APPROVE THE UNITED TRIBES TECHNICAL COLLEGE, ASSOCIATE DEGREE APPLIED SCIENCE PRACTICAL NURSE PROGRAM REQUEST FOR CHANGE TO MISSION STATEMENT AS A MAJOR PROGRAMMATIC CHANGE AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGE IS IN COMPLIANCE WITH NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
5.2-6 United Tribes Technical College AASPN program Change in Faculty	<p>United Tribes Technical College Department of Nursing AASPN program has notified the board of a change in Non-nurse faculty that will be teaching Anatomy & Physiology I & II with labs.</p>
7.1.1 Practice Inquiry & Interpretive and Practice Statements Policy & Procedure & Form	<p><i>Discussion:</i> The board reviewed a new proposed policy and procedure for Practice Inquiry & Interpretive Practice Statements. Staff are proposing the policy and procedure to assure practice questions are appropriately addressed.</p> <p><i>Motion:</i> Johnson, seconded by Holth to: APPROVE THE PROPOSED “POLICY & PROCEDURE FOR NURSING PRACTICE INQUIRIES AND INTERPRETIVE AND PRACTICE STATEMENTS” AND “REQUEST FOR NURSING PRACTICE INQUIRY FORM”.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
7.1-2 Family Planning Clinics DoH Standing Orders Update	<p><i>Discussion:</i> Brian Bergeson, legal counsel for the Board and Tara Brandner, legal counsel for ND Department of Health (NDDoH) and other representatives from NDDoH were present for this agenda item and participated in the discussion. As an overview, throughout 2016, numerous meetings and discussions took place involving ND Board of Nursing, Board of Medicine, Board of Pharmacy, NDDoH, State Health Officer, Dr. Terry Dwelle, and appointed attorneys, related to the issue of RN practice at Title X Family Planning Clinics in ND as it relates to diagnosis and treatment of STIs for clients with no evaluation by a licensed Practitioner. At the convened November 2016 meeting, the Board carried the following motion, “The Board supports allowing RNs to follow the ND Department of Health standing orders for the treatment of chlamydia and standing orders for the treatment of gonorrhea as authorized by the State Health Officer”. Subsequently, a non-physician State Health Officer was appointed and assumed position in February 2017. The Board contacted the NDDoH in February 2017 requesting an update on the physician assuming the authorization of the Chlamydia and Gonorrhea standing orders for continued compliance with the November 2016 Board motion. Ms. Brandner requested the Board accept authorization of the Chlamydia and Gonorrhea standing orders by various clinic medical directors in lieu of the State Health Officer. Board members expressed concern related to removal of State Health Officer authorization for these specific orders. According to NDCC 23-01-05 STATE HEALTH OFFICER if the governor does not appoint as a state health officer a physician licensed in this state, the governor shall appoint at least three licensed physicians recommended by the state medical association to serve as an advisory committee to the state health officer. The Board inquired if the governor appointed advisory committee may authorize the standing orders to provide compliance with the November 2016 Board motion. Ms. Brandner expressed that this would not be a feasible option. Board and NDDoH representatives discussed legislation implemented in several states to keep RNs within their regulatory framework in these situations. Telehealth options were discussed. Pfenning discussed a correspondence with a non-Title X family planning clinic in which the facility revised the STI standing orders to involve the licensed practitioner for positive diagnostic tests, which brings the licensed practitioner into the medical diagnosis and decision-making aspect of the standing orders, allowing the RNs to remain within their regulatory framework. During this conversation, Amy Burke, NDDoH representative, reported that this is a current practice in all Title X family planning clinics. The Board stated that inclusion of the licensed practitioner with positive findings within the NDDoH developed STI standing orders allows the RN to remain within their regulatory framework. Ms. Brandner and the NDDoH representatives reported the current standing orders would be revised to reflect inclusion of the licensed practitioner with positive diagnostics test for Chlamydia/Gonorrhea and that these standing orders will be made available for use by all ND family planning clinics. The accountability of the licensed practitioner in terms of diagnosing and treating without an evaluation was discussed. Minutes from the January 2017 Board meeting discussion included: “Dr. Pfenning and Dr. Dwelle discussed APRNs potentially signing DOH standing Orders. After review of NPA, directors indicated the APRN signing standing orders without evaluating the client is not recommended”.</p>
7..2-1 NP Workforce in ND Report (9:00 a.m. appt)	<p>Dr. Rhoda Owens, PhD, RN, and Jana Zwilling, APRN, MS, FNP-C from the University of ND presented the findings of a research project titled “ND Nurse Practitioner Workforce Summary Brief”.</p>
7.3-1 eNLC and APRN Compact-update	<p>The board reviewed on table on the United States Health Care Compacts that have been enacted to date. Currently, 14 states have enacted the eNLC. The eNLC will be implemented once 26 states enact or as of December 31, 2018. The APRN compact has been passed in two states and three state have pending legislation, 10 states are required to implement. The board also reviewed a document developed by NLC titled “Anticipated Process for Rulemaking by the Commission”.</p>

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<p>7.4-1 NDBON Licensure Compacts and Nurse Practice Act Amendments</p>	<p><i>Discussion:</i> Pfenning shared testimony for HB1096 APRN Compact and HB1097 eNLC with amendments to the NPA 43-12.1-09.1 Nursing licensure or registration-Criminal history record checks. Amendments occurred after both bills passed the House. Amendments resulted from collaborations with FBI Criminal Justice Information Law Unit, ND Bureau of Criminal Investigations, Board legal counsel, and NCSBN NLC legal counsel to address FBI's requirement to clarify criminal history record checks for multi-state licenses, and to add a statement that the board may not share or disclose results of criminal history record check to the interstate commission of nurse licensure compact administrators. Both bills passed senate with amendments and are to be reviewed by the House Human Service Committee for consideration.</p> <p><i>Motion:</i> Holth, seconded by Johnston to: APPROVE THE AMENDMENTS TO NPA 43-12.1-09 NURSING LICENSURE OR REGISTRATION INCLUDED IN HB1096 & 1097 RELATED TO FBI BACKGROUND CHECKS.</p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, absent; M. Hammer, absent; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, absent; Schmalz, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
<p>7.4-2 Monitoring Documents: NDCFN</p>	<p>The board reviewed the updated monitoring chart from the ND Center for Nursing.</p>

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7.4-3 Legislative Updates: SB 2312 EMS; SB2202 Clinical Laboratory; HCR 3026 Antitrust	The board reviewed letters of endorsement from the ND Hospital Association Workforce Committee for the Interstate Medical Licensure Compact, the Physical Therapy Licensure Compact (HB1157), the Enhanced Nurse Licensure Compact and Advanced Practice Registered Nurse Compact. Other compacts being enacted in other states include Psychology Compact and EMS Compact.
SB 2312 EMS	SB 2312 relates to emergency medical services professionals. RN and APRN oversight is present within this bill for paramedics in hospital settings.
SB 2202 Clinical Laboratory	SB 2202 is a bill related to clinical laboratory practices exemptions and board membership. The exemption relates to the blood glucose test.
HCR 3026 Antitrust	HCR 3026 is a request for Legislative Management to study the membership and state supervision of the state's occupational and professional licensing boards in order to retain antitrust law immunity. Testimony from Mark Hardy of the ND Board of Pharmacy was reviewed. Board supports participation in activities or research related to HCR 3026 Antitrust.
9.1 Nursing Education Committee	Will meet in May.
9.2 Finance Committee	Will meet in May.
9.3 Executive Committee	Will meet in May.
9.4-1 Prescription Drug Monitoring Committee	No meeting.
9.4-2.1 ND Center for Nursing Board of Directors Meeting	No meeting
9.4-2.2 Legislative Day Planning Committee	Completed. Buchholz, Hill & Schmalz.
9.4-2.3 NDCFN Conference Planning	Hanson attended.
9.5-3 Neonatal Taskforce	Taskforce work is completed.
9.5-4 Reducing Pharmaceutical Narcotics in our Community	
9.9-5 ND Tri-Regulator Collaborative	ND Board of Medicine, ND Board of Pharmacy, and ND Board of Nursing. Last meeting November 2016. Next meeting June 2017.
9.5-6 Envision 2030 Health Care Advisory Committee	Pfenning is representing the board on this advisory committee.
10.1 Renewal statistics	The board reviewed a chart of non-renewals for the past six years.
10.2 Pfenning Fellows Announcement	Pfenning accepted as American Association of Nurse Practitioner Fellow. Induction as Fellow will occur June 2017.
11.1 Seeking Applicants for APRN & Public Member on website	There are two board member positions opening effective July 1, 2017. The APRN Board member and Public Member positions will be open and interested applicants are encouraged to contact the governor's office for an application.
11.2 Advisory Panel application	The board is accepting application for an advisory panel for practice issues that may need research and review. The applicants do not need to be a nurse and can be in other positions in health care field.
12.1 Staff Presentations	May 4 – Safe Nursing Practice 1; Essentia Fargo May 11- Current and Emerging Trends in Nursing Practice Regulation; Sanford Health, Bismarck. May 23 – Safe Nursing Practice 2; Essentia, Fargo

CONSENT AGENDA:

8.1 NCSBN
8.1-1 New NCSBN 101 on-line – free with 4.8 CE provided
8.2 Office Management
8.3 Nursing Practice
8.4 Legal Counsel
8.5 Unlicensed Assistive Person/Medication Assistant
8.5-1 NNAAP Testing Summary
8.5-2 NNAAP Testing Statistics
8.6 Licensure
8.6-1 NCLEX-RN Quarterly Reports – 4 th Quarter 2016
8.6-2 NCLEX-PN Quarterly Reports – 4 th Quarter 2016
8.7 Discipline

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8.7-1 Discipline Statistics/Case Activity Report
8.7-2 NLC Case Log
8.8 Academic and Continuing Education
8.8-1 Ratification of approval of continuing education for contact hours
8.8-2 Distance education students
8.8-3 Faculty Development Program
8.8-4 Survey Schedule Updates Fall 2016-Spring 2017

The meeting recessed from 12:00 p.m. to 12:30 p.m. and adjourned at 1:30 p.m. on March 23, 2017.



Stacey Pfenning, DNP, APRN, RN
Executive Director
Draft 03/27/2017