

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

Call to Order: January 26, 2023 at 9:00 a.m. – NDBON Board Conference Room – Video Conference and 919 S 7th Street, Suite 504, Bismarck, ND

Roll Call: Quorum declared with 9 members present.

Kevin Buettner, APRN Member, President	Julie Dragseth, LPN Member
Wendi Johnston, LPN Member Vice President	Maggie Seamands, RN Member
Jamie Hammer, RN Member, Treasurer	Cheryl Froelich, Public Member
Michael Hammer, RN Member	Dana Pazdernik, RN Member
Melodi Krank, RN Member	

Staff Present:

Stacey Pfenning, APRN, Executive Director	Melissa Hanson, RN, Associate Director for Compliance
Tammy Buchholz, RN, Associate Director for Education	Michael Frovarp, Accounting/Licensure Specialist
Maureen Bentz, RN, Associate Director for Practice	Corrie Lund, RN, Assistant Director for Compliance
Kyle Martin, Director for Operations	

SAAG: Nicholas Simonson and Brian Bergeson available for select agenda items.

Other individuals were present for all or portions of the meeting via webinar.

Agenda Item	Discussion	Motion	Roll Call Vote
1.1 Consent Agenda	Reviewed the consent agenda.	M. Hammer motioned; Froelich seconded: Adopt the consent agenda as presented.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried
1.2 Agenda	Reviewed agenda. President Buettner discussed ND Ethics Commission disclosure of conflict-of-interest form, noting board members must disclose conflict of interest prior to board motion. Following a disclosure of a potential conflict of interest, the board will consider and determine if such a conflict exists if recusal is needed.	Seamands motioned; J. Hammer seconded: Approve the agenda with the following edits: Remove 7.1.2 Rules for IEN and Credentials Evaluation; Remove 10.1.1 Default Hearing – Julie Haubenschild.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried
1.3 Public Forum 9:14 am - 9:34 am	No members of the public presented during Public Forum.		
2.1 Meeting Minutes- October 27, 2022	Reviewed draft October 27, 2022, meeting minutes. No corrections identified.	M. Hammer motioned; Seamands seconded: Approve the minutes of the October 27, 2022, regular meeting as distributed.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

			Motion carried
4.1 Financial statements	Treasurer, J. Hammer provided an overview of income and expenses. Provided an update on the IRS appeal, including receipt of a refund check which will be cashed upon receipt of an IRS determination letter. SAAG Simonson monitoring with accounting.		
4.2 Audit Report FY 2022 – Eide Bailly	Note audit report was presented at 12:39 PM due to scheduling conflict with Eide Bailly. Jared Mack, Eide Bailly, presented the audit report, noting the unmodified opinion of the report was no material misstatements identified.	J. Hammer motioned; Seamands seconded: Approve that the Board Accept the FY 2022 Audit Report.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, absent; Pazdernik, yes; Seamands, yes. 8 Yes, 0 No, 1 absent Motion carried
5.2.1 North Dakota State College of Science, ASN and ADN Programs: NCLEX Pass Rate Progress Report	NDSCS AD Program Nurse Administrator submitted a report as required detailing progress made toward compliance with NDAC for NCLEX-RN pass rates. The NCLEX-RN first time tester pass rates for the program for FY 2021-2022 were 81.48%. bringing the program in compliance. The Board continues to monitor for continued compliance through end of current FY. Ms. Deb Smith, nurse administrator for the program was in attendance virtually and available for questions.	J. Hammer motioned; Johnston seconded: Approve the progress report submitted by the Nurse Administrator for the North Dakota State College of Science, Associate Degree Registered Nurse Education Program addressing the deficiency of non-compliance with NDAC 54-03.2-07-01. Performance of Graduates on Licensing Exam meets the NDBON reporting requirements; and require the Program Nurse Administrator to submit quarterly progress reports to the Board addressing the deficiency of non-compliance March 31st, and June 30th, 2023.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried
5.2.2 Dakota Nursing Program Consortium, Lake Region State College, Nurse Apprenticeship Program, PN Certificate and AAS in Nursing Programs: Bi-Annual Progress Report	DNPC Nurse Administrator submitted a progress report as required biannually and for continued approval of the Innovative Educational Approach implemented by DNPC, LRSC of the PN and RN Nurse Apprenticeship Programs initially approved by the Board January 2021. Continued approval was granted through January 2023. The report detailed efforts to enroll student nurse participants and form partnerships with healthcare organizations to further advance the apprenticeship programs. The report provided evidence of outcomes	J. Hammer motioned, Krank seconded: Approve the progress report related to the Nurse Apprenticeship Program utilizing NDAC Innovation in Nursing Education from the Dakota Nursing Program Consortium, Lake Region State College, PN Certificate and AAS in nursing program Nurse Administrator as the report meets the NDBON reporting requirements as outlined in NDAC Periodic Evaluation;	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	<p>being met and public protection not being compromised. Board staff recommend continued approval of the innovative approach through January 2024 with bi-annual progress reports required in June and December 2023.</p> <p>Ms. Julie Traynor, DNPC Nurse Administrator, Ms. Karen Clementich, DNPC, LRSC ADN and PN Programs Director and LRSC CTE Grant Manager Melana Howe were in attendance virtually and available for questions.</p>	<p>Continue approval through January 2024; Require the nurse administrator to submit progress reports June 30, 2023 and December 15, 2023 providing evidence of outcomes being met and public protection not compromised for consideration of continued approval of the innovative approach as required in NDAC Requesting Continuation of the Innovative Approach.</p>	
5.4.1 CE Broker Renewal Update	<p>Staff reported on FY 2022 renewal CE audits. In July 2022, 4,334 ND licensees established accounts with CE Broker. In December of 2022, 6,488 ND licensees had accounts, an increase of (33%). Per policy, CE Broker was directed to randomly audit 2% of individuals this renewal cycle.</p>		
6.1 APRN Applicant Consideration: Johnson, C. and Vogel, A.	<p>Discussed APRNs with prescriptive authority application materials for Johnson, C. and Vogel, A., including Acute Care Nurse Practitioner ANCC certification, current APRN licensure, and educational degrees. Reviewed SAAG memo reviewing laws, rules, and the “Grandfather Provision” per NDCC 54-05-03.1-02.</p>	<p>J. Hammer motioned; Seamands seconded:</p> <p>Move that the Board ratify acceptance of the education and certification as Acute Care Nurse Practitioner to qualify for APRN with prescriptive authority licensure in North Dakota for Johnson, C. and Vogel, A. as Adult NP.</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried</p>
6.2 Optimal Regulatory Board System (ORBS) licensing/discipline/education system	<p>Martin provided a summary of steps completed since the NDBON October approval of the exploration of feasibility for moving the database to ORBS. Martin noted that an agreement between NDBON and NCSBN must be signed in order to formally proceed.</p>	<p>Froelich motioned; J. Hammer seconded:</p> <p>Move that the Board enter into agreement with NCSBN to implement the Optimal Regulatory Board System (ORBS), coordinate with existing vendors to develop a data migration plan; develop proposed timelines; and continue to initiate checklist required to move to the Optimal Regulatory Board System</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried</p>
6.3 Temporary Permit Extension for IEN Applicants Waiting for Credentials Evaluation Results	<p>Bentz discussed that due to the implementation of the requirement of credentials evaluations of all Internationally Educated Nurses, there have been multiple applicants who were unable to provide their credentials evaluation within the 90-day temporary</p>	<p>Froelich motioned; Pazdernik seconded:</p> <p>Move that the Board, as granted authority in 54-02-06-01.1 Temporary Permit, approve Board directors to</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes.</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	permit window. Per NDAC, NDBON may, for cause, allow the extension of a temporary permit.	extend temporary permits of internationally educated nurses while awaiting receipt of credentials evaluations if all other application requirements have been received by the Board.	9 Yes, 0 No, 0 absent Motion carried
7.1.1 ND Nurse Practices Act Amendment - Update	Bentz noted no committee work on SB 2114 (NDBON Alternative to Discipline Program).		
7.1.2 NDAC Rules: Independent Credentials Review for Internationally/foreign Educated Applicants	Removed from Agenda.		
7.1.3 Legislative Bills Impacting NDBON	SAAG Simonson provided a legislative update on bills NDBON was monitoring, including SB 2184 (Healthcare Transparency Bill), 2184 (Uniform Licensure Regulation), SB 2449 (Move boards to Dept of Labor), SB 2337 (Move boards to OMB), and SB 2296 (ALJ proceedings for Boards).	J. Hammer motioned; M. Jammer seconded: Move that the Board Oppose the following bills which would impact the operations of the ND Board of Nursing: and direct staff to provide opposing testimony and education to legislative committees and stakeholders: SB 2184, SB 2249, SB 2337, and SB 2296.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried
8.1 NDBON Organizational Chart	Pfening reported changes to the organizational structure over the past several years due to retirements, change of FTE to accommodate workload, and position revisions. Proposed updated organizational chart discussed.	M. Hammer motioned; Froelich seconded: Move that the Board approve the updated ND Board of Nursing Organizational Chart as presented.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried
9.1 Revised Personnel and Telework Policies	Pfening conducted meetings with each staff member regarding changes to the Personnel and Telework Policies to align with recent OMB telework policies and provide updates to office functions. Froelich noted potential payroll issues if staff are working out of state and recommended a language change from “permanent employees” to “regular employees.” Froelich noted that policy preventing staff from utilizing vacation within first six months of employment can cause recruitment barriers. Pfening reported that vacation can be approved for	Johnston motioned; J. Hammer seconded: Move that the Board revise the Personnel and Telework Policies as presented with the following edits: Change language from permanent employees to regular employees.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No, 0 absent Motion carried

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	<p>new hires on a case-by-case basis. Martin summarized the telework policy including use of equipment for work purposes only and ensuring that staff utilize a private WIFI connection or VPN when on public WIFI to safeguard data and privacy.</p>		
9.2 Operations Update	<p>Martin provided an overview of operations since October 2022 including attending Microsoft's Office 365/Sharepoint collaborative in October, completion of NDBON's form audit, renewal and reactivation cross training with staff, PCI compliance completion, ORBS and transition to QuickBooks.</p>		
10.2.1 Recusal related to Desjardins Case Presentation to the Board	<p>Per North Dakota Ethic Commission rules, NDBON board of directors serves as neutral reviewer to vote on if a conflict of interest exists. M. Hammer would not participate in neutral reviewer vote nor be included in vote tally.</p>	<p>J. Hammer motioned; Johnston seconded:</p> <p>Move that the board affirm that a conflict of interest exists (and the Board grant) the request for recusal of Michael Hammer from deliberation and voting for Agenda Item 10.2.1</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; Johnston, yes; Krank, absent; Pazdernik, yes; Seamands, yes. 7 Yes, 0 No, 1 absent Motion carried</p>
10.2.1 Desjardins Case Presentation to the Board	<p>Brian Bergeson, SAAG, representing the Compliance Advisory Council ("CAC"), was present for an investigative case presentation concerning Desiree Desjardins, APRN. Ms. Desjardins was present for the presentation and was represented by legal counsel, Andrew J. Schultz. Twelve potential violation reports were previously filed against Ms. Desjardins asserting violations of the Nurse Practice Act. A Cease and Desist Order was issued by the Board on February 18, 2021 ordering Ms. Desjardins to Cease and Desist from prescribing controlled substances. A second Cease and Desist Order was issued by the Board on May 11, 2021 ordering Ms. Desjardins to Cease and Desist from performing any manipulation treatments on patients. On November 24, 2021, an Order of Emergency Suspension was issued against Ms. Desjardins for continuing to administer the manipulation treatments. On May 5, 2022, the Board issued an Amended Complaint against Ms. Desjardins. Ms. Desjardins and the CAC in general agreed that the facts in the case and the allegations of the amended complaint, if proven to be true, duly reflected violations of NDCC 43-12.1-14 (3)(5)(7)(8), NDAC 54-02-07-01.1 (5)(6)(8)(16), NDAC 54-05-03.1-03.2(1b)(1c)(1f)(2), NDAC 54-05-</p>	<p>Seamands motioned; J. Hammer seconded:</p> <p>Move that the Board accept the stipulation for Settlement [Exhibit 1] for Desiree Desjardins, APRN, and enter its order to:</p> <ul style="list-style-type: none"> • Suspend the license of Ms. Desjardins for three years; • Assess a \$4,800 penalty fee; • Assess costs and disbursements; and • Other terms as set out in the Stipulation for Settlement <p>The intent of this Motion is to reject the Stipulation for Settlement [Exhibit 2] which would impose a reprimand, and to have that Stipulation for Settlement shredded, and of no effect, as agreed by Ms. Desjardins in the Agreement to Resolve Disciplinary Action with Case Presentation to the Board.</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 8 Yes, 0 No, 1 recuse Motion carried</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	<p>03.1-06.2 , and NDAC 54-05-03.1-10(4) by Ms. Desjardins, and agreed that the Board could determine the type of discipline to impose. For purposes of the case presentation and for the Board's consideration, a Stipulation for Settlement imposing a three-year suspension was presented by the CAC, and a Stipulation for Settlement imposing a reprimand was presented by Ms. Desjardins, with the understanding that the Board would adopt one of the Stipulations as its final order pursuant to an Agreement to Resolve Disciplinary Action with Case Presentation to the Board signed by both parties. Board staff, Mr. Bergeson, Ms. Desjardins, and Mr. Schultz provided information and answered questions during the case presentation. Nicholas Simonson, SAAG, was present as general counsel for the Board.</p>		
<p>10.3.1 Recusal related to Cook Stipulation for Settlement and Request for Reinstatement</p>	<p>Per North Dakota Ethic Commission rules, NDBON board of directors serves as neutral reviewer to vote on if a conflict of interest exists. Pazdernik would not participate in neutral reviewer vote nor be included in vote tally.</p>	<p>J. Jammer motioned; Dragseth seconded:</p> <p>Move that the Board affirm that a conflict of interest exists and the Board grants the request for recusal of Dana Pazdernik from deliberation and voting for Agenda Items 10.8.5 and 10.3.1.</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Seamands, yes. 7 Yes, 0 No, 1 absent Motion carried</p>
<p>10.8.5 Stipulation for Settlement- Anna Cook, RN</p>	<p>PVR received on 09/23/2022 from Elm Crest Manor in New Salem, ND. DOE: Started as a CNA on 10/26/2009, and then transitioned into nursing roles upon obtaining LPN (08/2012) and RN (06/2013) licenses. Employment terminated on 09/29/2022. Allegations r/t suspected diversion of narcotics. NDBON 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)(8).</p>	<p>J. Hammer motioned; Seamands seconded:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Anna Cook, RN and enter its order to:</p> <ul style="list-style-type: none"> • Suspend the license for an indefinite period; • Assess \$2,000 penalty plus costs and disbursements; • and • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, recuse; Seamands, yes. 7 Yes, 0 No, 1 absent, 1 recuse Motion carried</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

<p>10.3 Executive Session</p>	<p>Agenda items 10.3.1-10.3.4 includes personal health information which requires an executive session. The executive session began at 2:50 pm and was attended by Board Members as indicated on roll call attendance, Board staff (Hanson, Bentz, Buchholz, Lund, and Frovarp), and the licensee (individually for an assigned period during the respective agenda item discussion).</p>	<p>Dragseth motioned; Froelich seconded:</p> <p>Move that the Board hold an Executive Session to consider the following agenda items according to NDCC Section 44-04-18.1: 10.3.1 ANNA COOK 10.3.2 NICOLE DYKEMA 10.3.3 NICOLE ELKIN 10.3.4 LARISSA HARRINGTON</p> <p>TO DISCUSS CLOSED, CONFIDENTIAL, OR EXEMPT RECORDS</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, recuse; Seamands, yes. 7 Yes, 0 No, 1 absent, 1 recuse Motion carried</p>
<p>10.3.1 Request for Reinstatement- Anna Cook, RN</p>	<p>Convened in open meeting to consider Anna Cook’s request for reinstatement. NDBON then entered an Executive Session, according to NDCC Section 44-04-18.1, to discuss any closed, confidential, or exempt information. Ms. Cook presented in person. The Compliance Advisory Council recommendation of reinstatement to a three-year encumbrance was reviewed. NDBON reconvened in open meeting for discussion and voting.</p>	<p>J. Hammer motioned; Seamands seconded:</p> <p>Move that the Board grant reinstatement of Anna Cook’s RN license to encumbered status for three (3) years with terms and conditions of the encumbrance as established by the Board and as set out in the Board Order as she has fulfilled all requirements for reinstatement.</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, recuse; Seamands, yes. 7 Yes, 0 No, 1 absent, 1 recuse Motion carried</p>
<p>10.3.2 Request for Reinstatement - Nicole Dykema, RN</p>	<p>Convened in open meeting to consider Nicole Dykema’s request for reinstatement. NDBON then entered an Executive Session, according to NDCC Section 44-04-18.1, to discuss any closed, confidential, or exempt information. Ms. Dykema presented in person. The Compliance Advisory Council recommendation of reinstatement to a three-year encumbrance after successful completion of a nurse refresher course was reviewed. NDBON reconvened in open meeting for discussion and voting.</p>	<p>Seamands motioned; J. Hammer seconded:</p> <p>Move that the Board grant reinstatement of Nicole Dykema’s RN license to encumbered status for three (3) years with terms and conditions of the encumbrance as established by the Board and as set out in the Board Order as she has fulfilled all requirements for reinstatement.</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>10.3.3 Request for Reinstatement - Nicole Elkin, RN</p>	<p>Convened in open meeting to consider Nicole Elkin’s request for reinstatement. NDBON then entered an Executive Session, according to NDCC Section 44-04-18.1, to discuss any closed, confidential, or exempt information. Ms. Elkin presented in person. The Compliance Advisory Council recommendation</p>	<p>J. Hammer motioned; Froelich seconded:</p> <p>Move that the Board grant reinstatement of Nicole Elkin’s RN license to encumbered status for</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 8 Yes, 0 No, 1 absent</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	of reinstatement to a three-year encumbrance was reviewed. NDBON reconvened in open meeting for discussion and voting.	three (3) years with terms and conditions of the encumbrance as established by the Board and as set out in the Board Order as she has fulfilled all requirements for reinstatement.	Motion carried
10.3.4 Request for Reinstatement – Larissa Harrington	Convened in open meeting to consider Larissa Harrington's request for reinstatement. NDBON then entered an Executive Session, according to NDCC Section 44-04-18.1, to discuss any closed, confidential, or exempt information. Ms. Harrington presented in person. The Compliance Advisory Council recommendation of reinstatement to a three-year encumbrance was reviewed. NDBON reconvened in open meeting for discussion and voting.	Froelich motioned; Johnston seconded: Move that the board grant reinstatement of Larissa Harrington's RN license to encumbered status for three (3) years with terms and conditions of the encumbrance as established by the board and as set out in the board order as she has fulfilled all requirements for reinstatement.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, absent; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 8 Yes, 0 No, 1 absent Motion carried
10.3 Executive Session Adjourn	Adjourned executive session at 3:33 pm and meeting opened to public onsite and videoconference.	J. Hammer motioned; Pazdernik seconded: Move that the Board adjourn the Executive Session and open the meeting to the public at 3:33 pm	
10.4.1 Request for Reissuance- Rudra Komarraju, RN	Rudra Komarraju is requesting reissuance of his RN license from encumbered status to full licensure status. NDBON reviewed the Order for Reinstatement of License dated July 16, 2020, Mr. Komarraju's compliance with this order and the Compliance Advisory Council recommendation to reissue the RN license to unrestricted and full licensure status. Per report by staff, he has completed the terms and conditions of the Order for Reinstatement dated July 16, 2020.	J. Hammer motioned; Dragseth seconded: Move that the Board RATIFY the Order for Reissuance of License for Rudra Komarraju's RN license to unrestricted practice and full licensure status, as he has complied with the terms and conditions of the Order for Reinstatement of License dated July 16, 2020. The Order for Reissuance of License was approved by the Executive Director on December 12, 2022.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried
10.4.2 Request for Reissuance - Carol Bicknese, RN	Carol Bicknese is requesting reissuance of her RN license from encumbered status to full licensure status. NDBON reviewed the Order for Reinstatement of License dated January 21, 2021, Ms. Bicknese's compliance with this order and the Compliance Advisory Council recommendation to reissue the RN license to unrestricted and full	Seamands motioned; Krank seconded; Move that the Board RATIFY the Order for Reissuance of License for Carol Bicknese's RN license to unrestricted practice and full licensure status, as she has complied	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	licensure status. Per report by staff, she has completed the terms and conditions of the Order for Reinstatement dated January 21, 2021.	with the terms and conditions of the Order for Reinstatement of License dated January 21, 2021. The Order for Reissuance of License was approved by the Executive Director on December 12, 2022.	
10.5.1 Request for Reconsideration – Olufemi Ekisola, RN	Licensee is requesting reconsideration of his Stipulation for Settlement (Encumbrance for 1 year), which is a non-appealable order and voluntarily signed by him with the advice of his attorney on October 14, 2022. The Compliance Advisory Council recommends to deny request for reconsideration.	J. Hammer motioned; Krank seconded: Move that the Board not agree to consider Olufemi Ekisola’s request for reconsideration of his Stipulation for Settlement.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried
10.6 Surrenders 10.6.1 Nicole Frane, RN R35364, L12485 10.6.2 Annette Groves, RN R26325 10.6.3 Stephanie Fox, RN R27544	Nicole Frane signed and submitted a surrender, seeking the NDBON’s consideration and approval of the terms of her surrender. Executive Director Pfenning approved and signed the Surrender on January 18, 2023. NDBON reviewed and discussed the facts and terms of the surrender. Annette Groves signed and submitted a surrender, seeking the NDBON’s consideration and approval of the terms of her surrender. Executive Director Pfenning approved and signed the Surrender on December 12, 2022. NDBON reviewed and discussed the facts and terms of the surrender. Stephanie Fox signed and submitted a surrender, seeking the NDBON’s consideration and approval of the terms of her surrender. Executive Director Pfenning approved and signed the Surrender on January 18, 2023. NDBON reviewed and discussed the facts and terms of the surrender.	M. Hammer motioned; Froelich seconded: Move that the Board ratify the acceptance of the terms of the surrender as a final order of the Board for the following individual(s): Frane, Nicole, R35364, L12485, Grand Forks, ND Groves, Annette, R26325, Devils Lake, ND, \$800 penalty fee Fox, Stephanie, R27544, Viborg, SD	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried
10.8.1 Stipulation for Settlement – Nnenna Oruche, RN	PVR received on 06/16/2022 from the South Dakota Board of Nursing who received the PVR from RN Staff in Indianapolis, IN. Contracted at Sanford Health in Bismarck, ND. DOE at Sanford Health: November 2021 to May 2022. Contract terminated. Allegations r/t failure to follow physician’s orders pertaining to as needed medication administration	J. Hammer motioned; Johnston seconded: Move that the Board accept the terms of the proposed Stipulation for Settlement for Nnenna Oruche, RN and enter its order to:	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

	and neurological assessments. NDBON 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 (5)(6)(8).	<ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	
10.8.2 Stipulation for Settlement – James Michalski, RN	PVR received on 07/27/2022 from Sanford Health in Fargo, ND. Contracted employment started in 07/2021 and was terminated on 07/16/2022. Allegations r/t suspected diversion of narcotics. NDBON 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 (5)(6)(8).	<p>Froehlich motioned; J. Hammer seconded:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for James Michalski, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand with six-months of monitoring; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
10.8.3 Stipulation for Settlement- Tiffany Two Eagle, RN	PVR received on 03/24/2021 from Spirit Lake Tribal Health in Fort Totten, ND. DOE: 02/04/2021 to 03/16/2021. Employment terminated. Allegations r/t drug screen positive for methamphetamine and amphetamine. Issued an Order of Emergency Suspension on 04/06/2021 which became a five-year suspension on 05/30/2022. NDBON 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).	<p>J. Hammer motioned; M. Hammer seconded:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Tiffany Two Eagle, RN and enter its order to:</p> <ul style="list-style-type: none"> • Suspend the license for three years; • Assess \$800 penalty plus costs and disbursements; and • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
10.8.4 Stipulation for Settlement- Lindsay (Kath) Auwarter, RN	PVR received on 09/12/2022 from the ND Department of Health, Division of Health Facilities in Bismarck, ND. Employed at the Leach Home in Wahpeton, ND. DOE: 02/2018 to 07/2022 (resigned). Allegations r/t falsifying records. NDBON 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 (5)(7)(8).	<p>J. Hammer motioned; M. Hammer seconded:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Lindsay Auwarter, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

		<ul style="list-style-type: none"> • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	
10.8.6 Stipulation for Settlement- Eliza De Sousa, RN	PVR received on 07/14/2022 from an anonymous source. Employed at Sanford Health in Fargo, ND. DOE: 04/04/2022 to present. Allegations r/t a serious medication error. NDBON 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 (5)(6).	<p>M. Hammer motioned; Froelich seconded:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Eliza De Sousa, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
10.8.7 Stipulation for Settlement- Tricia Nerison, RN	PVR received on 09/13/2022 from Nelson County Health System in McVille, ND. DOE: 03/19/2008 to 09/13/2022. Employment terminated. Allegations r/t violation of patient privacy. NDBON 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).	<p>Motioned by J. Hammer, seconded by Krank:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Tricia Nerison, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
10.8.8 Stipulation for Settlement – Dawn Trelstad, RN	PVR received on 08/31/2022 from the North Dakota State Hospital in Jamestown, ND. DOE: 08/02/1996 to 09/09/2018 (resigned) and 08/09/2021 to 08/24/2022 (placed on administrative leave). Allegations r/t lack of nursing assessments and interventions. NDBON 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 (5)(6)(8)(10).	<p>Motioned by J. Hammer, seconded by Seamands:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Dawn Trelstad, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

<p>10.8.9 Stipulation for Settlement – Renee Morris, RN</p>	<p>PVR received on 10/25/2022 from the North Dakota State Penitentiary in Bismarck, ND. DOE: 09/03/2019 to 11/21/2022. Employment terminated. Allegations r/t practicing outside of scope, failure to assess and notify physician, pre-dishing medications. NDBON 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 (5)(6)(8)(10).</p>	<p>Motioned by Froelich; seconded by Pazdernik:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Renee Morris, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
<p>10.8.10 – Stipulation for Settlement – Haylie Rychlik, LPN</p>	<p>PVR received on 11/07/2022 from Baptist Health and Rehab in Bismarck, ND. DOE: Started as a CNA on 02/03/2014, and then transitioned into a nursing role upon obtaining LPN license on 08/31/2020. Employment terminated on 10/19/2022. Allegations r/t theft by falsifying time clock punches. NDBON 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 (7)(8).</p>	<p>Motioned by Seamands; seconded by J. Hammer:</p> <p>Move that the Board accept the terms of the proposed Stipulation for Settlement for Haylie Rychlik, LPN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$600 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
<p>10.11.1 Request for Board Delegate to Executive Director</p>	<p>Hanson noted that licensees have encountered life circumstances that prevented them from completing the refresher course (illness, caring for loved ones, etc). As such, the licensee would need to wait a decision, in some instances, by several months, to be granted extension to complete coursework. This motion would allow the Executive Director to grant extension without waiting for board action.</p>	<p>M. Hammer motioned; Pazdernik seconded:</p> <p>Move that the Board grant the delegation of authority to the Executive Director to sign Amendments to Orders for Reinstatement of License for extensions to complete the Refresher course, for up to two six-month extensions, and allow the Amendment Orders to be then ratified by the Board at the next Board meeting.</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried</p>
<p>10.12.1 Amendment to Order Karen Evans, LPN L12722</p>	<p>Licensee's request for an extension of time to complete the refresher course is granted, and Licensee shall be required to complete the refresher course, including both a theory component and a clinical component, by July 31, 2023.</p>	<p>J. Hammer motioned; Froelich seconded:</p> <p>Move that the Board grant the Amendment to Order for</p>	<p>Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes.</p>

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

		Reinstatement of License for Karen Evans, LPN.	9 Yes, 0 No Motion carried
10.12.2 Amendment to Order Kim Hartje, RN R26477, L8251	Licensee's request for an extension of time to complete the refresher course is granted, and Licensee shall be required to complete the refresher course, including both a theory component and a clinical component, by July 31, 2023.	Seamands motioned; Dragseth seconded: Move that the Board grant the Amendment to Order for Reinstatement of License for Kim Hartje, RN.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried
10.12.3 Amendment to Order Chenoa Peterson, RN R39600	Licensee's request for an extension of time to complete the refresher course is granted, and Licensee shall be required to complete the refresher course, including both a theory component and a clinical component, by July 31, 2023.	Pazdernik motioned; J. Hammer seconded: Move that the Board grant the Amendment to Order for Reinstatement of License for Chenoa Peterson, RN.	Buettner, yes; Dragseth, yes; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes. 9 Yes, 0 No Motion carried
10.9.1 Emergency Actions- No Board Action Required: Tanya Muehlbauer, LPN L12386	Cease and Desist Order: Respondent is ordered to CEASE AND DESIST from the practice of nursing in the state of North Dakota under any license, authority or privilege Respondent may currently or later have to practice nursing in the state of North Dakota, including pursuant to any multi-state nursing licensure compact with the Board, until such time as Respondent updates her address with the Board, the Notice and Complaint are served upon Respondent and this Cease and Desist Order is retracted, modified or superseded by final disciplinary action by the Board or upon agreement between Respondent and the Board. Executive Director Pfenning approved and signed the Cease and Desist Order on November 10, 2022.		
10.9.2 Emergency Actions- No Board Action Required: Starlet Carbins, LPN L16897	Termination of Cease and Desist Order: Based upon Respondent's compliance with all of the requirements for reinstatement of licensure as set forth in the Cease and Desist Order, it now appears that the Cease and Desist Order against Respondent is no longer necessary. The Executive Director of the Board therefore terminates the Cease and Desist Order issued against Respondent on October 10, 2022, and fully reinstates Respondent's license to practice nursing in the state of North Dakota as a Licensed Practical Nurse. Executive Director Pfenning approved and signed the Termination of Cease and Desist Order on November 15, 2022.		
10.9.3 Emergency Actions- No Board Action Required: Paigelyn Leingang, LPN L15503	Notice of Suspension: Failure to maintain compliance with Order for Reinstatement of License, dated April 22, 2021. License is suspended for a period of three years. Executive Director Pfenning approved and signed the Notice of Suspension on December 6, 2022.		
10.9.4 Emergency Actions- No Board Action Required:	Cease and Desist Order: Respondent is ordered to CEASE AND DESIST from the practice of nursing in the state of North Dakota under any license, authority or privilege Respondent may currently or later have to practice nursing in the state of North Dakota, including pursuant to any multi-state nursing licensure compact with the Board, until Respondent submits to a chemical dependency evaluation and such evaluation has been reviewed by the Board or its designee; provided, if the Board, or its designee, determines from the chemical dependency evaluation that Respondent is unsafe to practice, the Cease and Desist shall remain in effect until		

**North Dakota Board of Nursing
Meeting Minutes – January 26, 2023**

Devine Gordon, LPN IN LPN 27078646A	Respondent demonstrates to the satisfaction of the Board that Respondent has the ability to safely return to the practice of nursing; or until such time as this Cease and Desist Order is retracted, modified or superseded by final disciplinary action by the Board or upon agreement between Respondent and the Board. Executive Director Pfenning approved and signed the Cease and Desist Order on December 12, 2022.		
10.9.5 Emergency Actions- No Board Action Required: Courtney Schall, RN R40699	Notice of Suspension: Failure to maintain compliance with Order for Reinstatement of License, dated April 28, 2022. License is suspended for a period of three years. Executive Director Pfenning approved and signed the Notice of Suspension on January 18, 2023.		
Adjournment	Adjournment at 3:39 p.m.	J. Hammer motioned; Krank seconded:	Adjourn the meeting

Breaks and lunch provided.

Stacey Pfenning, DNP, APRN, FNP, FAANP
North Dakota Board of Nursing Executive Director
Approved by ND Board of Nursing 04/2023