

**North Dakota Board of Nursing
Meeting Minutes – July 27, 2023**

Call to Order: July 27, 2023, at 9:04 a.m. – NDBON Board Conference Room – Video Conference and 919 S 7th Street, Suite 504, Bismarck, ND

Roll Call: Quorum declared with 8 members present.

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

Absent: Julie Dragseth, LPN 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, Associate Director for Operations	

SAAG: *Nicholas Simonson available for select agenda items.*

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

Agenda Item	Discussion	Motion	Roll Call Vote
1.1 Conflict of Interest Statement	President Buettner provided a summary of the ND Ethics Commission conflict of interest law and rules.		
1.2 Consent Agenda	Reviewed the consent agenda.	Johnston motioned; Seamands seconded to: Adopt the consent agenda as presented.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
1.3 Agenda	Reviewed agenda.	Krank motioned; Froelich seconded to: Approve the agenda as distributed	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
1.4 Public Forum 9:15 am - 9:29 am	No comments received.		
2.1 Meeting Minutes – April 27, 2023	Reviewed draft April 27, 2023 meeting minutes. No corrections identified.	Seamands motioned; Krank seconded to: Approve the minutes of the April 27, 2023 regular meeting as distributed.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried

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<p>4.1 Financial statements and updates</p>	<p>Treasurer Hammer provided a financial overview of FY 2023 balance sheet; and the income and expense reports through June. The Board reviewed the new OMB policy related to reimbursements and discussed a plan to discontinue the partial internet reimbursement implemented during the pandemic to align with OMB Section 501. Staff given time to adjust personal budgets accordingly.</p>	<p>Froelich motioned; Krank seconded to:</p> <p>Discontinue the staff expense budget item providing for partial internet reimbursement for remote work effective the December payroll to align with Section 501 of the OMB October 2022 fiscal reimbursement policy.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>4.2 Bank Account Ratification</p>	<p>Completed annual authorization for management of bank accounts used for NDBON operations.</p>	<p>Froelich motioned; Krank seconded to:</p> <p>Approve the management of the following accounts:</p> <p>Kirkwood Bank: - Main Checking: Stacey Pfenning, Maureen Bentz, Jamie Hammer (Board Treasurer); and - ACH: Stacey Pfenning, Michael Frovarp, Karen Hahn, Brady Martz (limited to payroll & benefits).</p> <p>Kirkwood Savings: Stacey Pfenning, Jamie Hammer (Board Treasurer); and Michael Frovarp (Savings/Checking transfers only)</p> <p>Bank of North Dakota- NEL Checking & Savings: Stacey Pfenning, Jamie Hammer (Board Treasurer)</p> <p>Bank of North Dakota–Merchant Account: Stacey Pfenning and Jamie Hammer (Board Treasurer)</p> <p>Dakota Community Bank, BND, BNC, Kirkwood Bank (Investment/Reserve funds): Stacey Pfenning On-line Banking Transfers: Stacey Pfenning, Michael Frovarp, Karen Hahn</p> <p>KBT Safety Deposit Box: Stacey Pfenning, Michael Frovarp</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>

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<p>4.3 FY 2024 Fee Schedule ratification</p>	<p>Reviewed FY 2024 fee schedule. No revisions noted from FY 2023.</p>	<p>Johnston motioned; Pazdernik seconded to:</p> <p>Ratify the FY 2024 schedule fee schedule as distributed.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>5.1.1 Staff request for extension for Dakota Nursing Program Consortium, Certificate PN & AAS Programs located at WSC, DCB, LRSC, BSC through July 2024</p>	<p>Review of the FY 2024 nursing education program survey schedule, revealed a need to adjust the date of the spring 2024 onsite survey for the Dakota Nursing Program, Certificate PN & AAS Programs located at WSC, DCB, LRSC, BSC due to frequent issues with travel encountered during the ND winter season due to weather conditions.</p> <p>Staff spoke with Julie Traynor, nurse administrator for the DNPC, about moving the survey visits to late spring and extending approval through July 2024, and received a positive response to the proposed schedule adjustment.</p>	<p>Nursing Education Committee motioned; Krank seconded to:</p> <p>Approve the staff request to extend approval of the Dakota Nursing Program Consortium, Certificate PN & AAS Programs located at WSC, DCB, LRSC, BSC from April 2024 through July 2024, and to conduct the onsite survey for continued approval of all the programs Spring 2024.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>5.1.2 Staff request to move Survey for University of Jamestown, BSN program to fall of 2023</p>	<p>Review of the FY 2024 nursing education program survey schedule revealed the University of Jamestown, BSN program's next onsite survey was scheduled to be conducted fall 2024, with approval through January 2025. An initial survey visit for the ASN and Master's entry programs at the University of Jamestown has been tentatively scheduled for November 2023. Moving the BSN program survey one year earlier would align all program surveys, conserve resources for the institution, DON, and the NDBON, and support a comprehensive review of the DON and each program.</p> <p>Dr. Kim Ash, nurse administrator for the University of Jamestown, DON, agreed to moving the BSN survey to fall 2023 to align surveys.</p>	<p>Nursing Education Committee motioned; Froelich seconded to:</p> <p>Approve the staff request to move the onsite survey for continued approval of the University of Jamestown, BSN Program from Fall 2024 to Fall 2023 to align the survey with the survey for initial approval of new ASN and master's Entry programs.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>5.2.1 North Dakota State College of Science, ASN and ADN Programs: NCLEX Pass Rate Progress Report.</p>	<p>The NDSCS ADN Program NCLEX-RN pass rate for FY 2021 was 69.05%; for 2019-2020 was 75%, requiring an action plan and progress reports to be submitted quarterly FY 2022. The end of FY 2022 report revealed a program pass rate of 81.48%, and the program in compliance with NDAC. The Board requested continued close monitoring through FY 2023. End of FY 2023 report revealed a program pass rate of 80.43%, in compliance with NDAC.</p>	<p>Nursing Education Committee motioned; Johnston seconded to:</p> <p>Find the progress report submitted by the Nurse Administrator for the North Dakota State College of Science, associate degree Registered Nurse Education Program regarding compliance with</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>

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		<p>NDAC 54-03.2-07-01. Performance of Graduates on Licensing Exam meets the NDBON reporting requirements.</p>	
<p>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.</p>	<p>January 2021 the Board approved the application for an Innovative Educational Model/Approach by DNPC, LRSC PN and AD Nursing Programs to implement the PN Nurse Apprenticeship Program fall 2021 and the RN Apprenticeship Program fall 2022.</p> <p>The Board granted initial approval of the Innovative Model, and continued approval through January 2024. Bi-annual reports are required. The progress report described the continued work accomplished to secure facility partners and affiliation agreements, as well as an update on student progress and enrollment in the apprenticeship programs.</p>	<p>Nursing Education Committee motioned; Johnston seconded to:</p> <p>1. Find the progress report submitted by the Dakota Nursing Program Consortium, Lake Region State College, Nurse Apprenticeship Program, PN Certificate and AAS in Nursing Programs nurse administrator utilizing NDAC 54-03.2-10 Innovation in Nursing Education meets the NDBON reporting requirements as outlined in NDAC 54-03.2-10-06. Periodic Evaluation; and</p> <p>2. Require the nurse administrator to submit a progress report December 22, 2023, and June 28, 2024, providing evidence of outcomes being met and public protection not compromised for consideration of continued approval of the innovative approach as required in NDAC 54-03.2-10-07. Requesting Continuation of the Innovative Approach.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>5.3.1 Dakota Nursing Program Consortium, Bismarck State College, PN Certificate and AAS in Nursing Programs: Request for Approval of Innovative Model/Approach-PN & RN Nurse Apprenticeship Programs.</p>	<p>The BSC Polytechnic Division and nursing department developed an apprenticeship program for Practical and AAS nursing students. The first apprenticeship programs for nursing students in ND were developed by a DNPC partner, LRSC and are currently approved as an innovative project. The DNPC nurse administrator requests approval of a nurse apprenticeship program at BSC using the NDAC Innovative Educational Model/Approach.</p> <p>The DNPC, BSC PN and RN program curriculum, requirements, and credits will not change. The apprenticeship program will utilize NDAC 54-07-02-01.2. Unlicensed assistive person registration for students to provide a means to monitor nursing students enrolled in the apprenticeship program.</p>	<p>Nursing Education Committee motioned; Krank seconded to:</p> <p>1. Approve the Application for Innovative Educational Model/Approach of a Nurse Apprenticeship Program for the Dakota Nursing Program Consortium, Bismarck State College, Practical Nursing Certificate and Associate of Applied Science in Nursing Programs through July 2024; and</p> <p>2. Require the program to submit a progress report bi-annually to the</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>

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	<p>The BSC apprenticeship is an opportunity for students to “earn while they learn” and has U.S. Department of Labor rules woven into agreements with employers for structured wage, set step increases, and opportunity for continued employment at the completion of the apprenticeship.</p> <p>The program is seeking approval for the apprenticeship programs as an innovative model, and then will request approval from the U.S. Department of Labor as required. The BSC program anticipates a fall 2023 start for the first apprenticeship cohorts.</p>	<p>NDBON for continued approval of the innovative approach providing evidence that desired outcomes are being met, and public protection was not compromised. Progress reports must conform to the criteria set forth in the evaluation plan for the Nurse Apprenticeship Program with the first report due December 22, 2023, and second due June 28, 2024. If a progress report indicates that students were adversely impacted by the innovation, the program will provide documentation of corrective measures undertaken and their effectiveness.</p>	
<p>5.3.2 North Dakota State University, BSN Program: Request for change to degree offered, addition of Accelerated (ABSN) track, request for addition of four courses.</p>	<p>The NDSU Nurse Administrator requests approval of the addition of a second-bachelor’s degree, Accelerated BSN (ABSN) track to the BSN program. The first cohort will be admitted fall 2023 pending NDBON approval.</p> <p>Enrollment for the ABSN track will be 24 annually, program length is 15 months, and total credits for program completion is 53. Two additional faculty positions have been approved. Healthcare partner Sanford Health was awarded a U.S. DOL grant which will support two faculty positions for the program at the Bismarck location. The NDSU at Sanford Health Director will serve as the Director for the ABSN track.</p> <p>The BSN program curriculum review revealed some areas where new courses were needed for the ABSN student. Approval of four new courses is requested to add to the current BSN program curriculum: NURS 303 Introduction to the Nursing Profession, NURS 323 Skills and Concepts for Nursing, NURS 430 Comprehensive Adult Health, and NURS 463 Leadership & Interprofessional Health Care Practice.</p>	<p>Nursing Education Committee motioned; Seamands seconded to:</p> <p>Approve the request for change to a degree offered, addition of Accelerated (ABSN) track and the addition of courses NURS 303, NURS 323, NURS 463, and NURS 430 for the North Dakota State University, School of Nursing, BSN Program, as the program has full approval, and the changes comply with NDAC 54-03.2-06-02. Programmatic Changes.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>5.4.1 South Dakota State University, College of Nursing, Brookings, SD request for initial approval of</p>	<p>The South Dakota State University, Continuing Nursing Education Department, Brookings, SD, is requesting initial approval of the Independent Study RN Refresher Course.</p>	<p>Nursing Education Committee motioned; Johnston seconded to:</p> <p>1. Find the South Dakota State University, RN Refresher Course in</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent</p>

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<p>the Independent Study Refresher Course for the RN, survey report.</p>	<p>The committee reviewed the initial survey report findings and recommendations by staff. Buchholz provided an overview of the course and key findings from the survey. The staff recommends initial full approval of the course for four years. This course is offered in an online, self-paced format for the theory portion, with 120 hours of precepted clinical practice experience completed within a healthcare facility identified by the student.</p>	<p>full compliance with Board Guideline requirements for the Nurse Refresher Courses as set forth by ND Administrative Title 54, Article 54-02 Nurse Licensure, Chapter 54-02-05 Relicensure, Section 54-02-05-05 Non-practicing Nurses; and</p> <p>2. Grant Initial Full Approval of the South Dakota State University, RN Refresher Course through July 2027; and</p> <p>3. Require a paper survey in May 2027 for continued approval.</p>	<p>Motion carried</p>
<p>5.5.1 Recognized Distance Program: Concordia College, BAN Program Update - Progress with Meeting NDAC Employment of Academically Unqualified Faculty.</p>	<p>The Concordia College, BSN Program, Nurse Administrator submitted a progress report as required by the Board providing updates regarding progress that has been made toward full compliance with NDAC 54-03.2-04-04. and NDAC 54-03.2-04-08 during the 2022-2023 academic year.</p> <p>As of summer 2023, the program has achieved compliance with NDAC and is fully staffed with academically qualified faculty. The program has hired an academically qualified clinical coordinator which has contributed to the program's success with NDAC compliance and all faculty being academically qualified.</p>	<p>Nursing Education Committee motioned; Froelich seconded to:</p> <p>Find the progress report submitted by the Concordia College Baccalaureate Degree Nursing Program nurse administrator meets the NDBON reporting requirements and provides evidence of compliance with 54-03.2-04-04. Baccalaureate or master's degree nurse education program faculty qualifications and 54-03.2-04-08. Employment of academically unqualified faculty.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>5.5.2 Consideration of Nursing Education Loan Award Disbursements for Fiscal Year 2024.</p>	<p>Buchholz thanked nurse educators for their assistance in spreading the word about the NEL and providing support to students who applied. A record-breaking number of nursing students applied for funding this year. Full funding awards for all applicants totaled over the available funds (\$207,790.50) and NEL utilized past years' proposed disbursement patterns.</p>	<p>Nursing Education Committee motioned; Johnston seconded to:</p> <p>Approve the 58 eligible individuals for the Nursing Education Loan for a Total Amount Awarded of \$110,002.38 according to NDAC 54-04.1 Nursing Education Loans.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
<p>6.1 Credentials evaluators update</p>	<p>Bentz noted eight credential evaluators existed however two were unable to provide a course-by-course evaluation and were removed off list.</p>	<p>Johnston motioned; Krank seconded to:</p> <p>Approve the updated list of credentials evaluators.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>

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6.2 APRN applicant consideration – O’Neal	Discussed APRN with prescriptive authority applicant, O’Neal, including NCC Neonatal certification, current APRN licensure in Texas, and materials related to a non-degree NNP educational program completed in 1995. Reviewed SAAG Bergeson memo reviewing law, rules, and the “Grandfather Provision” per NDCC 54-05-03.1-02.	Johnston motioned; Hammer seconded to: Accept the evidence of education and certification as Neonatal Nurse Practitioner to qualify for APRN with prescriptive authority licensure in North Dakota for applicant O’Neal.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
6.3 Board recognized UAP certification expiration dates policy review	Martin provided a summary, noting the NDBON website is programmed to accept certification dates no sooner than July 1 of the current year of renewal and noted this was an opportunity to provide further clarification for registrants on when their certifications should expire.	Froelich motioned; Johnston seconded to: Approve the recommended change to the UAP, Technicians and MA III Registry Renewal policy as distributed.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
6.4 Additional applicant questions for nurses and programs review	Buchholz provided an overview of issues related to fraudulent nursing education programs and overview of Operation Nightengale, noting applicant questions would be used on a case-by-case basis for applicants with concerning academic credentials.	Hammer motioned; Seamands seconded to: Approve the additional applicant questions for nurses and programs to be used for verification of consistency with NDCC and NDAC licensure requirements as distributed.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
7.1.1 NDAC 54-10 Nurse Alternative to Discipline draft rules 7.1.2 NDAC 54-01-03-01 Definitions 7.1.3 NDAC 54-02-01 Licensure by Exam 7.1.4 NDAC 54-02-06 License by Endorsement	Proposed addition of NDAC Chapter 54-10 Alternative to Discipline creates a section based upon Senate Bill 2114 enacted during the 68th Legislative Assembly providing for the creation of an alternative to discipline program for nurses. Rules drafted by the NDBON ATD Committee. Simonson SAAG and Bergeson SAAG reviewed proposed rules for legality. No fiscal impact anticipated for this addition. Revisions were made to Section 54-01-03.01 Definitions to include definitions relating to the ATD. Revisions to 54-02-01 Licensure by Examination which included the repeal of 54-02-01-09 Internationally educated applicants; and revisions to 54-02-06 License by Endorsement were approved in April with direction to align rule public notice and hearing with the ATD rules on October 26 th .	Johnston motioned; Krank seconded to: Approve the following NDAC Title 54 draft rules related to the nurse alternative to discipline and to definitions: • Revisions: Section 54-01-03-01 Definitions; and • Addition: Section 54-10 Nurse Alternative to Discipline And approve the following draft revisions to NDAC title 54 for public hearing on October 26, 2023 which propose the following: • Revisions: 54-01-03-01 Definitions; 54-02-01 Licensure by Examination; 54-02-06 License by Endorsement • Repeal: Article 54-02-01-09 Internationally Educated Applicants	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried

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		• Addition: Article 54-10 Nurse Alternative to Discipline	
7.1.5 Letter of Support from Alaska and NLC	Discussed NLC request to member states to submit letters of support for the compact to assist with legislative advocacy in non-compact states. SAAG Simonson provided guidance and recommended adhering to NDCC rules and regulations governing lobbying and recommended an educational letter. NDBON reviewed draft letter.	Johnston motioned; Seamands seconded to: Approve the letter of support titled, “North Dakota Embraces the Nurse Licensure Compact” as distributed and submit to the NLC Executive Director to be utilized for legislative education.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
7.2.1 Nurse scope of practice and pronouncing death	Lund provided overview of pronouncement of death opinion issued in 1995 and request from stakeholders to verify the board’s position. NDBON reviewed a 2020 NCSBN survey related to RNs pronounce death or reporting a nursing assessment for lack of vital signs of life. In ND, no changes noted in statute or rules related to this position.	Krank motioned; Pazdernik seconded to: Reaffirm the opinion adopted in 1995 related to pronouncing death and the nurses’ scope of practice. The Board’s 1995 opinion deferred the use of standing orders related to pronouncing of death to the facility and recommended that facilities adhere to rules established by the organization which accredits and/or licenses the facility; facility legal counsel; and corporate by-laws. The facility should adhere to the Nurse Practice Act in the ND Century Code and Administrative Code and utilize the ND Board of Nursing adopted Scope of Practice Decision Making Framework to assist licensees, employers, and legal counsel in evaluating scope of practice questions not addressed specifically in law, rules, or practice statements.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
7.2.2 Fluoroscopy candidate – Amy Bakke – request for re-review	Reviewed additional documentation provided by APRN Bakke seeking recommendation change for completion of ARRT Fluoroscopy Examination. NDMIRTB Executive Director present during discussion and added comments. Bakke was present via Zoom for questions from the Board. Discussion ensued that Ms. Bakke’s portfolio closely aligned	Seamands motioned; Johnston seconded to: Accept the additional documents provided as meeting the requirements for supervision/performance of fluoroscopy for candidate, Amy	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried

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	with the previous applicant who was recommended, but not required, to complete the ARRT exam.	Bakke, CRNA and recommend she complete the ARRT Examination.	
8.1 NDBON member terms	Pfenning provided an overview of Board member terms. Board member position open for LPN and the governor's office is seeking applications.	Information only-no motion or Board action required.	
8.2 FY 2024 Meeting dates, annual retreat, Professional Licensing Board Training October 25, 2023	Board discussed options to attend Attorney General's Board Training Seminar on October 25 followed by an afternoon/evening of team building for the annual retreat.	Johnston motioned; Krank seconded to: Support the members and staff in attending the Professional Licensing Board Training on October 25; and accept the FY 2024 regular meeting dates and annual retreat as follows: <ul style="list-style-type: none"> • Regular Board meetings: October 26; January 25; April 25; July 25 • Board Retreat: October 25 • Committees: as scheduled by respective committees 	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
8.3 Election of officers-Current President, Vice-President, Treasurer terms FY 22-24	No elections in 2023 this annual meeting. No further discussion.	Information only-no motion or Board action required.	
8.4 FY 2024 Committee charges and appointments	Reviewed FY 2024 committee charges and appointments of committee members. Discussed Bentz's nomination and appointment to the ND Center for Nursing (CFN) in May 2023 as Vice President which requires Board approval. SAAG Nicholas was informed of the appointment and was present during the agenda item to answer questions.	Krank motioned; Seamands seconded to: Approve committee charges as listed and the following committee appointments: <ul style="list-style-type: none"> • Finance Committee: Dr. J. Hammer (Chair), Dr. Buettner, Pazdernik • ATD Committee: Dr. Buettner (Chair), Seamands, Johnston, Dr. Mary Beth Johnson (external) • Risk Management: Vetter • NDCFN Representative: Bentz (staff); Alternate: Johnston 	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
8.4.1 External NEC member appointment; Reappointment of NEC external member Deborah Cave for second two-year term	The NEC requires the reappointment of external member Dr. Deb Cave who has agreed to serve a second two-year term. Her first term ended in October 2022. Her second term will end October 2024.	Seamands motioned; Froelich seconded to: Approve the following External Member Nursing Education Committee Appointments:	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried

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(October 2022-October 2024)	The NEC also requires the appointment of one external member due to an unexpected vacancy. Each of the applicant's information was reviewed by the Board and one external member was selected through ranking using two rounds of secret ballot voting. Buchholz compiled results.	Reappoint Deborah Cave, RN to a second two-year term October 2022-2024 and appoint Gail Raasakka, RN to a first two-year term July 2023-2025.	
9.1 Staff Update	Pfenning provided update. No current concerns. Staff continue to meet regularly and adjust duties to maximize efficiencies within the office.	Information only-no motion or Board action required	
9.2 Operations Update	Martin noted the launch of the NDBON Facebook page, recent IT and security upgrades in the office, and provided a progress summary on transition to ORBS. NDHSS Data Share Collaborative project is now requiring only physician and dentist data.	Information only-no motion or Board action required	
10.3 Executive Session 1:07 pm	Agenda items 10.3.1 and 10.3.2 include personal health information which requires an executive session. The executive session began at 1:07 pm and was attended by Board Members as indicated on roll call attendance, Board staff (Pfenning, Hanson, Bentz, Lund, and Martin), and the licensee (individually for an assigned period during the respective agenda item discussion).	Krank motioned; Pazdernik seconded to: Hold an Executive Session to consider the following agenda items according to NDCC Section 44-04-18.1: 10.3.1 DEANNA VAN BRUGGEN; 10.3.2 AMY SORN SIN	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.3.1 Request for Reinstatement – Deanna Van Bruggen, RN R39083	Convened in open meeting to consider Deanna Van Bruggen's request for reinstatement. NDBON entered an Executive Session, according to NDCC Section 44-04-18.1, to discuss any closed, confidential, or exempt information. Ms. Van Bruggen 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.	Krank motioned; Johnston seconded to: Grant reinstatement of Deanna Van Bruggen'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; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.3.2 Request for Reinstatement – Amy Sornsin, RN R31414	Convened in open meeting to consider Amy Sornsin'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. Sornsin 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.	Johnston motioned; Krank seconded to: Grant reinstatement of Amy Sornsin'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; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.3 Executive Session Adjourn	Adjourned executive session at 1:31 pm and meeting opened to public onsite and videoconference.	Johnston motioned; Krank seconded to:	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes;

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		Adjourn the Executive Session and open the meeting to the public at 1:31 pm	Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.4.1 Request for Reissuance- Jessica Ness, LPN	Jessica Ness is requesting reissuance of her LPN license from encumbered status to full licensure status. NDBON reviewed the Order for Reinstatement of License dated July 16, 2020, Ms. Ness' compliance with this order and the Compliance Advisory Council recommendation to reissue the LPN license to unrestricted and full licensure status. Per report by staff, she has completed the terms and conditions of the Order for Reinstatement dated July 16, 2020.	Krank motioned; Froelich seconded to: Ratify the Order for Reissuance of License for Jessica Ness' LPN 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 July 16, 2020. The Order for Reissuance of License was approved by the Executive Director on June 14, 2023.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.4.2 Request for Reissuance- Shawn Perez- LPN	Shawn Perez is requesting reissuance of her LPN license from encumbered status to full licensure status. NDBON reviewed the Order for Reinstatement of License dated January 21, 2021. Ms. Perez's compliance with this order and the Compliance Advisory Council recommendation to reissue the LPN license to unrestricted and full licensure status. Per report by staff, she has completed the terms and conditions of the Order for Reinstatement dated January 21, 2021.	Johnston motioned; Pazdernik seconded to: Ratify the Order for Reissuance of License for Shawn Perez's LPN 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 July 21, 2021. The Order for Reissuance of License was approved by the Executive Director on June 14, 2023.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.6 Surrender 10.6.1 Craig Spradlin, LPN L9488	Craig Spradlin signed and submitted a surrender, seeking the NDBON's consideration and approval of the terms of his surrender. Executive Director Pfenning approved and signed the Surrender on July 3, 2023. NDBON reviewed and discussed the facts and terms of the surrender.	Krank motioned; Seamands seconded to: Ratify the acceptance of the terms of the surrender as a final order of the Board for the following individual: Spradlin, Craig, L9488, East Grand Forks, MN, \$700 penalty fee.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.7.1 Stipulation for Settlement – Brett Jordan, RN Endorsement Applicant	A Stipulation for Settlement was received from Brett Jordan, RN Endorsement Applicant, seeking the NDBON's consideration and approval of its terms. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (2) and NDAC 54-02-07-01.1 (8).	Hammer motioned; Krank seconded to: Accept the terms of the proposed Stipulation for Settlement for Brett Jordan, RN and enter its order to:	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried

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		<ul style="list-style-type: none"> • Issue a Stayed Suspension with Encumbrance until the later of (i) three (3) years thereafter, or (ii) successful completion of all terms and conditions set forth in the 2023 Minnesota Consent Order; • Assess costs and disbursements; and; • Other terms as set out in Board order. 	
10.8.1 Stipulation for Settlement – Nicole McCullough, RN R50486, L16922	PVR received on 03/30/2023 from Essentia Health in Fargo, ND. DOE at Essentia Health: Acute care (05/03/2021 to 1/17/2022- resigned) and Ambulatory Care (01/09/2023 to 03/30/2023. Second employment terminated. Allegations r/t errors in administering vaccines and falsification of charting. 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)(7)(8).	<p>Froelich motioned; Pazdernik seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Nicole McCullough, 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; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
10.8.2 Stipulation for Settlement – Katie Wright, RN R53561	Email notification received from the College of Registered Nurses of Saskatchewan regarding a Consensual Complaint Resolution Agreement executed on 3/29/2023, which placed her Saskatchewan RN license under monitoring for nursing practice concerns. She also falsified her application for Licensure by endorsement as an RN in ND regarding this Agreement. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (2) and NDAC 54-02-07-01.1 (5)(6)(7)(8)(11).	<p>Hammer motioned; Froelich seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Katie Wright, RN and enter its order to:</p> <ul style="list-style-type: none"> • Encumber the license for one year; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
10.8.3 Stipulation for Settlement- Tina Erickson, LPN L18098	On application for Licensed Practical Nurse by endorsement from the state of Minnesota, answered all disciplinary questions as “no,” failing to disclose prior disciplinary action received on her Minnesota nursing license. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4) and NDAC 54-02-07-01.1 (7)(8).	<p>Seamands motioned; Johnston seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Tina Erickson, LPN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Reprimand; • Assess \$600 penalty plus costs and disbursements; and 	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>

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		<ul style="list-style-type: none"> • Other terms as set out in Board order. 	
10.8.4 Stipulation for Settlement- Rosalie Warren, RN R53506	On 2/21/2021, the Arizona Board of Nursing issued a Consent Agreement and Order in which disciplinary action in the form of a Stayed Revocation/Suspension and Stayed Revocation/Probation was imposed against her Arizona RN license for failure to report criminal charges and other nursing practice concerns. Ms. Warren wishes to work in ND and transfer her monitoring to NDBON. NDBON reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (2)(3) and NDAC 54-02-07-01.1 (5)(6)(8).	<p>Johnston motioned; Krank seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Rosalie Warren, RN and enter its order to:</p> <ul style="list-style-type: none"> • Issue a Stayed Suspension with Encumbrance until successful completion of her 2021 Arizona Board Order; • Assess costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
10.8.5 Stipulation for Settlement- Meghan Anderson, RN R46430, L15428	PVR received on 03/28/2023 from Ethos Home Health, Fargo, ND. DOE at Ethos: 07/08/2019 to 03/20/2023. Employment terminated. Allegations r/t a pattern of delayed documentation pertaining to home care visits and assessments. 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)(7)(8).	<p>Johnston motioned; Seamands seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Meghan Anderson, RN and enter its order to:</p> <ul style="list-style-type: none"> • Encumber the license for one year; • Assess \$700 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
10.8.6 Stipulation for Settlement- Nicole Kramer, LPN L13941	PVR received on 6/6/2023 from SMP Health-St. Raphael in Valley City, ND. DOE First employed from 11/28/2012 to 09/11/2013. Terminated due to attendance issues. Rehired on 08/25/2015 and then took a personal leave of absence in 02/2019. Returned to work in 08/2019. Terminated on 05/30/2023 after she declined to submit to a witnessed urine drug screen. Allegations r/t suspected diversion of residents' controlled substance medications. 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)(7)(8).	<p>Seamands motioned; Krank seconded to:</p> <p>Accept the terms of the proposed Stipulation for Settlement for Nicole Kramer, LPN and enter its order to:</p> <ul style="list-style-type: none"> • Encumber the license for two years; • Assess \$600 penalty plus costs and disbursements; and; • Other terms as set out in Board order. 	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>
10.9.1 Emergency Actions- No Board Action	<p><u>Cease and Desist Order:</u> Respondent is ordered to CEASE AND DESIST from identifying herself as a nurse or otherwise holding herself out as a nurse in the state of North Dakota, including utilizing any business card that refers to Respondent as being a nurse in any role, until such time as</p>		

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<p>Required: Sarah Tvedt, UAP 110111</p>	<p>Respondent holds active licensure as a nurse in North Dakota, including pursuant to any multi-state nursing licensure compact with the Board, 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 May 22, 2023.</p>		
<p>10.9.2 Emergency Actions- No Board Action Required: Alex Mullies, RN R52103</p>	<p>Notice of Suspension: Failure to submit to a chemical dependency evaluation within 30 days from request. License is suspended until a chemical dependency evaluation is submitted and the Board deems the nurse is safe to return to practice. Executive Director Pfenning approved and signed the Notice of Suspension on May 22, 2023.</p>		
<p>10.9.3 Emergency Actions- No Board Action Required: Keifer Pesola, LPN L16453</p>	<p>Notice of Suspension: Failure to submit to a chemical dependency and mental health evaluation within 30 days from request. License is suspended until a chemical dependency and mental health evaluation are submitted and the Board deems the nurse is safe to return to practice. Executive Director Pfenning approved and signed the Notice of Suspension on June 21, 2023.</p>		
<p>10.9.4 Emergency Actions- No Board Action Required: Katie Anderson, RN R43405 L13286 (lapsed)</p>	<p>Notice of Suspension: Failure to maintain compliance with Order for Reinstatement of License, dated October 28, 2021. License is suspended for a period of three years. Executive Director Pfenning approved and signed the Notice of Suspension on June 26, 2023.</p>		
<p>10.9.5 Emergency Actions- No Board Action Required: Mitchell Christopherson, RN R33644 L11945 (lapsed)</p>	<p>Notice of Suspension: Failure to comply with Licensed Addiction Counselor’s treatment recommendations or provide evidence of safety to practice nursing. License is suspended until provides written proof to the Board that he has the ability to safely return to the practice of nursing, including written proof of completion of all treatments and aftercare recommended by the Licensed Addiction Counselor. Executive Director Pfenning approved and signed the Notice of Suspension on July 21, 2023.</p>		
<p>10.11.1 Probation Monitoring Plan policy review/revise</p>	<p>Hanson provided a summary of changes as proposed, most of which were related fees and reference to the Board fee schedule and the nurse’s Board order, instead of listing specific fee values.</p>	<p>Johnston motioned; Krank seconded to: Approve the revised Probation Monitoring Plan.</p>	<p>Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried</p>

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10.11.2 Compliance Advisory Council Policy and Procedure review/revise	Hanson provided summary of changes previously brought forward, noting CAC would like the ability to add additional person(s) on council on a case-by-case basis.	Seamands motioned; Krank seconded to: Approve the revised Compliance Advisory Council Policy and Procedure.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.11.3 CHRC policy review/revise	Bentz provided summary of FBI Audit staff meetings, noting link changes on CHRC applications and further clarification on CJIS training based on employee roles.	Seamands motioned; Pazdernik seconded to: Approve the revised Criminal History Record Check Policy.	Buettner, yes; Froelich, yes; Hammer, yes; Johnston, yes; Krank, yes; Pazdernik, yes; Seamands, yes; Vetter, yes. 8 Yes, 0 No, 1 absent Motion carried
10.12.1 Controlled Substance Compliance Letters from Walmart Pharmacy related to 2 APRNs	Reviewed letters received from Walmart Pharmacies. Hanson noted APRNs mentioned in letters do not have prescriptive authority in ND as their prescriptive authority was suspended previously by NDBON.	Information only-no motion or Board action required	Information only-no motion or Board action required
Adjournment	Adjournment at 2:54 p.m.	Krank motioned; Froelich seconded to: Adjourn the meeting	
3.0 Consent Agenda (Ratifications and acknowledgements of requests and notifications to the NDBON)			
<ul style="list-style-type: none"> 3.1 Meetings, conferences, committees-Board representation <ul style="list-style-type: none"> 3.1.1 NLC Commission, Rules Committee-Pfenning 3.1.2 NLC Compliance Committee-Hanson; NLC Research Committee-Buchholz (Chair); NLC Policy Committee-Bentz; NLC Technology Task Force - Martin appointed 5/2023 3.1.3 NCSBN Leadership Succession Committee – Buchholz Chair 2021-2024 3.2 Notifications/Requests to the Board <ul style="list-style-type: none"> 3.2.1 NCSBN Workforce Data for ND 3.2.2 Public request: Accept primary license verification from BONs 3.2.3 Malpractice Reports 3.2.4 CHI BSC Surg tech update 3.3 Legislative Update <ul style="list-style-type: none"> 3.3.1 Rhode Island joins NLC 3.4 Unlicensed Assistive Person /Medication Assistant 3.5 Licensure <ul style="list-style-type: none"> 3.5.1 NCLEX RN Quarterly & EOY Statistics 3.5.2 NCLEX PN Quarterly & EOY Statistics 3.5.3 Emergency Limited License 3.6 Discipline <ul style="list-style-type: none"> 3.6.1 Discipline statistics/case activity report 3.6.2 NLC case log 3.7 Academic and Continuing Nursing Education <ul style="list-style-type: none"> 3.7.1 Ratification of approval for continuing education for contact hours: April 1-June 30, 2023 			

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- 3.7.2 Recognized Distance Nursing Education Programs student placements: FY & Summer 2023
- 3.7.3 Faculty Developmental Program- June 1, 2023, next submissions due October 1, 2023
- 3.7.4 Education Program Survey Schedule Fall 2023-Spring 2024
- 3.7.5 ND State College of Science, ADN Program, ACEN notification of continuing accreditation.
- 3.7.6 ND State College of Science, PN Program, ACEN notification of continuing accreditation.
- 3.7.7 Rasmussen University, BSN Program, Fargo, ND, Notification of a change in nurse administrator, interim appointment of Dr. Beth Sanford, RN effective May 15, 2023.
- 3.7.8 Dakota Nursing Program Consortium (DNPC), Bismarck State College (BSC), Practical Nursing Certificate and Associate of Applied Science in Nursing Programs, Notification of change in director, Annie Paulson, MSN, RN, Resignation effective June 30, 2023.
- 3.7.9 University of Jamestown, BSN Program, CCNE notification of continuing accreditation.
- 3.8 Practice
- 3.9 Board Committees/meetings/staff presentations/DNC/Staff updates
 - 3.9.1 Ratification of position descriptions (PDs)FY 2024: Admin/Licensing staff PDs, Associate Director for Education, Associate Director for Operations (other PDs approved April 2023)
 - 3.9.2 "Scope of Practice, Delegation, & ATD" staff presentation to Essentia/MDC, Bismarck, June 22, 2023: Bentz, Hanson, Lund

Break from 10:01 am to 10:18 am.

Recessed for lunch from 12:19 pm to 1:02 pm

Stacey Pfenning, DNP, APRN, FNP, FAANP
North Dakota Board of Nursing Executive Director
Approved by ND Board of Nursing 07/2023