

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

Call to Order:	July 18, 2013 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7 th Street, Suite 504, Bismarck ND		
Roll Call:	Nine board members present as follows:		
	Julie Traynor, RN, President	Clara Sue Price, Public Member, Treasurer	
	Daniel Rustvang, RN, Vice President	Charlene Christianson, RN	
	Bonny Mayer, LPN	Melisa Frank, LPN	
	Paula Schmalz, APRN	Janelle Holth, RN	
Absent:	Deb Smith, RN		
Staff Present:			
	Constance Kalanek, RN, Executive Director	Patricia Hill, RN, Asst. Director for Practice & Discipline	
	Karla Bitz, RN, Associate Director	Stacey Pfenning, RN, Associate Director for Education	
	Julie Schwan, Administrative Services Coordinator		

AGENDA	ACTION
Welcome New Board Members	Board members welcomed Paula Schmalz, ARPN from Fargo and Janelle Holth, RN from Grand Forks who were recently appointed by the governor to the board for a four year term.
Demonstration of Web Streaming	Representatives from North Star Audio were present to demonstrate web streaming capabilities utilized for Board meetings and other presentations. The system was not live but the board was able to view themselves through a test site.
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. The Nursing Education Committee had requested additional information for agenda item 8.9-2 Out of State Students. It was requested to move that item from the consent agenda to the regular agenda for discussion.</p> <p><i>Motion:</i> Rustvang, seconded by Frank to: ADOPT THE CONSENT AGENDA WITH THE EXCEPTION OF AGENDA ITEM 8.9-2.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. No changes were identified.</p> <p><i>Motion:</i> Christianson, seconded by Mayer to: APPROVE AGENDA AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
1.3 Public Forum 11:00 a.m.	Shana Wiley RN was present to address the board during public forum. Ms. Wiley signed an administrative settlement for practice without a license as a result of missing the renewal deadline. She had moved and failed to notify the board of her address change, which resulted in her license expiring in December of 2011. Ms. Wiley accepts responsibility for the error and requests the board consider that future renewal notices be sent via e-mail in addition to the mailed postcard, and she also requests the board review its policy of automatically classifying inadvertent lapsed renewal deadlines as "disciplinary action" requiring a mark against an otherwise unencumbered RN license for five years. Board staff clarified that the disciplinary action for practice without a license was not in policy. It is in North Dakota Administrative Rule and would require a rule revision to be changed.
2.1 May 16, 2013 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the May 16, 2013 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Frank, seconded by Christianson to: APPROVE THE MINUTES OF THE MAY 16, 2013 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
3.1 Financial Statements	The financial Statements through June 30, 2013 were reviewed. The final year end reports with adjusted entries were not available, but actual to budget was reviewed. Income is at 105% and expenses at 80% of budgeted.
3.2 Strategic Plan – July 1, 2012 – June 20, 2013 Report	<p><i>Discussion:</i> Staff reviewed the 2012-2013 strategic plan goals and progress of each section. Staff highlighted the most recent activities toward achieving the goals of each area.</p> <p><i>Motion:</i> Price, seconded by Rustvang to: ACCEPT THE 2012-2013 STRATEGIC PLAN REPORT.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

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3.3 2013-2014 Committee Charges	<p><i>Discussion:</i> Staff reviewed the proposed committee charges for each committee for the upcoming fiscal year. It was recommended the web-streaming project be added the charges for the technology committee.</p> <p><i>Motion:</i> Price, seconded by Christianson to: APPROVE THE 2013-2014 PROPOSED COMMITTEE CHARGES AS AMENDED TO INCLUDE WEBSTREAMING AS A CHARGE OF THE TECHNOLOGY COMMITTEE.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																				
3.4 Management of Savings & Checking Accounts	<p><i>Discussion:</i> On an annual basis, it is required that the board review management of cash and investment accounts.</p> <p><i>Motion:</i> Christianson, seconded by Mayer to: APPROVE THE MANAGEMENT OF THE FOLLOWING ACCOUNTS: KIRKWOOD BANK - MAIN CHECKING, KALANEK, HILL, BITZ, AND BOARD TREASURER KIRKWOOD SAVINGS: KALANEK AND BOARD TREASURER BANK OF NORTH DAKOTA - NEL CHECKING: KALANEK AND BOARD TREASURER BANK OF NORTH DAKOTA – MERCHANT ACCOUNT – KALANEK AND BOARD TREASURER DAKOTA COMMUNITY BANK, BND, BNC, AND KIRKWOOD BANK - INVESTMENT/RESERVE FUNDS – KALANEK</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																				
3.5 Conflict of Interest Disclosure Statement & Verification of Employment for Board Members	Each year all board members and staff must complete a conflict of interest disclosure statement and nurse board members are required to have their employer complete a "Verification of Employment" to comply with employment requirements to meet the qualifications of board members of the NDCC Section 43-12.1-06 Qualifications of board members.																				
3.6 2013-2014 Fee Schedule	The board reviewed the 2013-2014 fee schedule. There were no changes in fees since October 2012 with the increase in renewal and endorsement fees.																				
3.7 Technology Survey	The technology committee will be conducting a survey and all board members are encouraged to provide feedback.																				
4.1 Administrative Settlement – Practice	<p><i>Discussion:</i> Three individuals have signed and submitted administrative settlements for practice without a license/registration since the last meeting. The settlements were reviewed and considered by the board in addition to attached documentation from Ms. Bull.</p> <p><i>Motion:</i> Rustvang, seconded by Frank to: ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">NAME</th> <th style="text-align: left;">Lic/Reg #</th> <th style="text-align: left;">City, State</th> <th style="text-align: left;">Sanction</th> <th style="text-align: left;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td>Bull, Barbara</td> <td>LPN Endorsement App</td> <td>Bemidji, MN</td> <td>Reprimand</td> <td>\$200</td> </tr> <tr> <td>Noehring, Joseph</td> <td>LPN Endorsement App</td> <td>Lakeville, MN</td> <td>Reprimand</td> <td>\$200</td> </tr> <tr> <td>Welin, Stephanie</td> <td>LPN Endorsement App</td> <td>Grand Forks, ND</td> <td>Reprimand</td> <td>\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Bull, Barbara	LPN Endorsement App	Bemidji, MN	Reprimand	\$200	Noehring, Joseph	LPN Endorsement App	Lakeville, MN	Reprimand	\$200	Welin, Stephanie	LPN Endorsement App	Grand Forks, ND	Reprimand	\$200
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4.1 Administrative Settlement – Practice	<p><i>Discussion:</i> Shana Wiley signed and submitted an administrative settlement for practice without a license/registration. Ms. Wiley also submitted a letter and appeared during the open forum to request the board's consideration of revision of sanctions and of renewal notification procedures. Staff indicated steps are being taken for e-mail notification during the renewal cycle in addition to the postcards, but noted that many e-mail addresses are out of date as well as the mailing addresses. The sanction issue would require a rule change and the ND Administrative Rules Title 54 will be reviewed during the upcoming year.</p> <p><i>Motion:</i> Mayer, seconded by Schmalz to: ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">NAME</th> <th style="text-align: left;">Lic/Reg #</th> <th style="text-align: left;">City, State</th> <th style="text-align: left;">Sanction</th> <th style="text-align: left;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td>Wiley, Shana</td> <td>R36015</td> <td>Grand Forks, ND</td> <td>Reprimand</td> <td>\$1500</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Wiley, Shana	R36015	Grand Forks, ND	Reprimand	\$1500										
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Wiley, Shana	R36015	Grand Forks, ND	Reprimand	\$1500																	
4.4.1 Stipulation for Settlement – Katherine Foret, R33697 & L10847 (inactive)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Katherine Foret, RN and LPN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Rustvang, seconded by Frank to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KATHERINE FORET, RN & LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																				

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

AGENDA	ACTION
4.4.2 Stipulation for Settlement – Lynn Lee, R23941	<p><i>Discussion:</i> A Stipulation for Settlement was received from Lynn Lee, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6).</p> <p><i>Motion:</i> Rustvang, seconded by Mayer to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LYNN LEE, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$600 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.4.3 Stipulation for Settlement – Kaycee Johnson, L12750	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kaycee Johnson, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Frank, seconded by Holth to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KAYCEE JOHNSON, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ENCUMBER THE LICENSE FOR ONE YEAR; ◆ ASSESS A \$600 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN THE BOARD ORDER. <p><i>Roll call vote:</i> Christianson, recuse; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.4.4 Stipulation for Settlement – Lisa Johnson, R33976 & L10699 (inactive)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Lisa Johnson, RN and LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(9). In the Stipulation for Settlement, Ms. Johnson denies the allegations but agrees to the sanction and penalties.</p> <p><i>Motion:</i> Rustvang, seconded by Holth to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LISA JOHNSON, RN & LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR ONE YEAR; ◆ ASSESS A \$900 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, recuse; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.4.5 Stipulation for Settlement – Beverly Greenwald, R22718 (APRN)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Beverly Greenwald, RN, APRN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BEVERLY GREENWALD, RN, APRN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.4.6 Stipulation for Settlement – Derek Stoneburg, L11557	<p><i>Discussion:</i> A Stipulation for Settlement was received from Derek Stoneburg, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(9)(12)(19).</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DEREK STONEBURG, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR THREE YEARS; ◆ ASSESS A \$1500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER.. <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

AGENDA	ACTION
4.7.1 Request for Reinstatement – LouCindia Koch, R30200	<p><i>Discussion:</i> LouCindia Koch, RN has requested reinstatement of her encumbered RN license to full status. The board reviewed a history of her progress during the period of her encumbrance.</p> <p><i>Motion:</i> Christianson, seconded by Holth to: GRANT LOU CINIA KOCH'S REQUEST FOR REINSTATEMENT OF HER RN LICENSE TO UNRESTRICTED AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH TERMS AND CONDITIONS OF HER STIPULATION FOR SETTLEMENT DATED JULY 15, 2010.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.72 Request for Reinstatement – Brent Larsen, R30509	<p><i>Discussion:</i> Brent Larsen, RN, has requested reinstatement of his encumbered RN license to full licensure status. The board reviewed a history of his progress during the period of his encumbrance.</p> <p><i>Motion:</i> Rustvang, seconded by Mayer to: GRANT BRENT LARSEN'S REQUEST FOR SUCCESSFUL DISCHARGE FROM THE WORKPLACE IMPAIRMENT PROGRAM AND REINSTATEMENT OF 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 AND WORKPLACE IMPAIRMENT PROGRAM AGREEMENT DATED SEPTEMBER 16, 2010.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.11.1 Tracy Gamble, R37524	NOTICE OF EMERGENCY SUSPENSION issued to Tracy Gamble, RN, Minot, ND on June 27, 2013 for five years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.11.2 Elizabeth Kilfoyl, R37294	NOTICE OF EMERGENCY SUSPENSION issued to Elizabeth Kilfoyl, RN, Frazee, MN on July 3, 2013 for five years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.11.3 Zella Silveria, L10076	NOTICE OF SUSPENSION issued to Zella Silveria, LPN, Crosby, ND on July 14, 2013 for violation of terms and conditions of Board Order dated July 14, 2011. Respondent's license is automatically SUSPENDED for a period of two (2) years.
5.2-1 Turtle Mountain Community College AASPN Program – update to April onsite Survey -	<p><i>Discussion:</i> The representatives from Turtle Mountain Community College that were present for this agenda item were Dr. Jim Davis, President of TMCC, Larry Henry, Academic Dean, Aleta Delorme MSN, Interim Chair of the Nursing Department, Michelle Longie, RN Nursing Faculty of TMCC and D'Arlyn Bauer PhD, RN, Chair of Sitting Bull College Nursing Program and Consultant for TMCC. Brian Bergeson, SAAG was also present via phone. At the May Board Meeting the board placed TMCC AASPN program on conditional approval until January 30, 2014. As part of the conditional approval, the board ordered that TMCC may not admit a new cohort of AASPN students until the program has achieved substantial compliance. Also, as part of the conditional approval, a date for further admission of AASPN students must be mutually agreed upon by the ND Board of Nursing and TMCC. The program has made substantial gains and the materials were submitted to and reviewed by the board. The Board was presented with evidence that the Nursing Program Chair has been replaced by Interim Chair Aleta Delorme, and D'Arlyn Bauer, Chair of the Sitting Bull College has been consulting with the program to assist in correcting the deficiencies. The board reviewed a letter from President Jim Davis addressing progress in attaining compliance with NDAC Article 54-03.2 Standards for Nursing Education Programs since the last meeting. It was noted that the program will lose federal funding if no students are able to be admitted in Fall 2013. Board members considered and discussed the progress toward meeting the deficiencies. Bergeson responded to questions related to legalities in the decision.</p> <p><i>Motion:</i> Frank, seconded by Christianson to: APPROVE THE REQUEST FROM TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM TO ADMIT STUDENTS FOR FALL 2013 (NDAC 54-03.2-07-04).</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.2-2 Request for approval of programmatic change: Dakota Nursing Program – WSC (NEC)	<p><i>Discussion:</i> Julie Traynor recused herself from the next three agenda items. Present via IVN for the next three agenda items was Kari Lesmeister, Site Coordinator of WSC. Williston State College Dakota Nursing Program has submitted proposed programmatic changes for the general education requirements of their program that would take effect Fall 2013. The Nursing Education Committee reviewed the proposal in detail.</p> <p><i>Motion by Nursing Education Committee to:</i> RECOMMEND THE BOARD APPROVE THE PROGRAMMATIC CHANGE FOR THE DAKOTA NURSING PROGRAM – WSC AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-02.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.2-3 Voluntary Closure of Fort Berthold Community College (FBCC) nursing program	<p><i>Discussion:</i> Ft Berthold Community College (FBCC) has requested a temporary voluntary closure of their nursing program. FBCC was recently placed on probationary status through the Higher Learning Commission of the North Central Association of Colleges and Schools. FBCC is one of five partner schools in the Dakota Nursing Program. There are currently two students in the ADN RN program, and six students in the LPN program. The Nursing Education Committee reviewed the request.</p>

**North Dakota Board of Nursing
Meeting Minutes – July 18, 2013**

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

AGENDA	ACTION
5.2-3 Voluntary Closure of Fort Berthold Community College (FBCC) nursing program (cont.)	<p><i>Motion from the Nursing Education Committee to:</i> RECOMMEND THE BOARD APPROVE THE REQUEST FROM FT BERTHOLD COMMUNITY COLLEGE FOR VOLUNTARY CLOSURE OF THEIR NURSING PROGRAM EFFECTIVE UPON HIGHER LEARNING COMMISSION APPROVAL. (NDAC 54-03-2-09-01).</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.2-4 Change in Program Delivery: WSC assuming FBCC nursing program as satellite status (NEC)	<p><i>Discussion:</i> The Nursing Education Committee reviewed a second request from Ft Berthold Community College for a change in program delivery to become satellite status from Williston State College Dakota Nursing program. Traynor indicates there are sufficient budget and staff in place. FBCC had a successful relationship with WSC as a satellite prior to becoming a partner school.</p> <p><i>Motion from the Nursing Education Committee to:</i> RECOMMEND THE BOARD APPROVE THE REQUEST FOR CHANGE IN DELIVERY OF THE FT BERTHOLD COMMUNITY COLLEGE NURSING PROGRAM TO BECOME A SATELLITE OF DAKOTA NURSING PROGRAM - WSC EFFECTIVE JULY 31, 2013. (NDAC 54-03-2-07-03.1).</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.5-1 Nursing Education Loan Awards (NEC)	<p><i>Discussion:</i> The Nursing Education Committee reviewed applicants for the 2013-2014 academic year. There were a total of 56 applications for consideration of awards and a total of \$100,000 to award. There was one incomplete application. The committee reviewed three possible options for awards: Option #1 – fund at full amount of awards possible for a total of \$125,000; Option #2 to fund 80% of total amount possible for a total of \$100,190; or Option #3 which is a set amount per degree type. The committee chose option #2 to fund all applicants at 80% of amount of award.</p> <p><i>Motion from Nursing Education Committee to:</i> RECOMMEND THE BOARD NOT CONSIDER THE FOLLOWING NEL APPLICANTS DUE TO INCOMPLETE APPLICATIONS: ERICA ELKINS</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Motion from Nursing Education Committee to:</i> RECOMMEND ACCORDING TO NDAC 54-04.1 NURSING EDUCATION LOANS APPROVE THE ATTACHED LIST OF NAMES OF INDIVIDUALS FOR RECEIPT OF THE NURSING EDUCATION LOAN FOR A TOTAL AWARDED OF \$100,190. (SEE ATTACHED DOCUMENT)</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
8.9-2 Out of State Students	The Nursing Education Committee requested additional information to compare the number of out of state students obtaining clinical in ND from last academic year to this academic year. For the 2012-2013 Academic Year the total out of state program students were 709. For the 2011-2012 Academic Year the total was 656 for an increase of 9%. Pfenning will e-mail completed document to board members.
6.1 Update on Philippine Nurses	Trinity Hospital in Minot is in the process of hiring a substantial number of nurses from the Philippines to help alleviate their shortage of nurses. To date 54 nurses have been licensed with a possible 19 additional to apply.
7.1-1 Update of the NDCC 43-12.1 Nurse Practices Act – Kalanek	The board reviewed the updated Nurse Practices Act presentation.
7.1-2 NCSBN & National Forum of State Workforce Centers	Patricia Moulton, Executive Director for the ND Center for Nursing was present via phone and discussed that NCSBN and National Forum of State Workforce Centers announce the publication of the National Workforce Survey of Registered Nurses, a new study that provides a comprehensive snapshot of the US nursing workforce in 2013. Dr. Moulton indicated that the board would get the ND state data collected during the survey.
7.1-3 Use of Medication Planners in Community Health Centers	The board reviewed follow up from the issue of filling medication planners by nurses in community health centers. The Board of Nursing and Board of Pharmacy met and discussed questions from employees of a Human Service Centers. The center is a participant in the Tele-pharmacy project supervised by the ND State Hospital Pharmacy. The Board of Nursing supports the use of medication boxes (or similar name) when utilizing the six rights of medication administration. RNs and LPNs may fill medication boxes for use by clients receiving health service in the community. The nurses would be filling the medication boxes from properly labeled bottles for a specific client to which they are providing care. Unlicensed assistive personnel may not fill a medication planner. This process is consistent with Chapter 54-05-04 Standards for Delegation and Section ND 54-05-04-03 Delegation process for nursing interventions. Board members requested the letter be disseminated statewide to all effected human service centers.
7.2-1 Report on Hospital Survey – Dr. Moulton @ 1:00 p.m. & 2013-2014 Project Summary	Dr. Patricia Moulton reviewed results of a facility survey focusing on hospitals conducted by the ND Center for Nursing. The report is available on the North Dakota Center for Nursing website at http://www.ndcenterfornursing.org/wp-content/uploads/2013/01/2013HospSurvey-10.pdf .
7.3-1 Summary of APRN Compact (draft)	The board reviewed highlights of the Proposed Revisions to the APRN Compact. More updates will be available at the Delegate Assembly in August.
7.4-1 Model Rules Implementation Table 051413	The board reviewed the most recent Model Rules Implementation Table for the Nurse Licensure Compact.

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

AGENDA	ACTION
7.4-2 Licensure Jurisdiction for Cross-Border Nursing Practice	The board reviewed a document from the American Nurses Association (ANA) entitled "Licensure Jurisdiction for Cross-Border Nursing. The American Nurses Association has two primary issues remaining in opposition to the Nurse Licensure Compact. One is the debate whether it is preferable to regulate nurses based on their state of residence or their state of practice. Secondly, is the lack of uniformity of Criminal History Record Check fingerprint based. The resolution was returned to the ANA Board of Directors for further review.
7.4-3 AMA Welcomes Potential New Interstate Compact Licensure Policy	The American Medical Association is looking at a potential interstate compact licensure policy. As The Robert J. Waters Center for Telehealth and e-Health Law (CTeL) and others have previously reported, the Federation of State Medical Boards (FSMB) recently approved a policy that would investigate the details of a process to allow states to form interstate compacts. These "formal agreements between states" would greatly streamline and simplify the licensure process for physicians, including telemedicine practitioners, seeking to practice in more than one state. FSMB members approved a resolution in support of the new policy examination at the organization's annual meeting, which was held in April 2013.
7.5-1 Administrative Rule Promulgation	Staff indicated they will be preparing to begin rule promulgation this summer to reflect changes in the Nurse Practice Act that will be effective August 1, 2013.
9.0 Program Monitoring Committee	No meeting
9.1 Nursing Education Committee	Discussed with prior agenda items.
9.2 Finance Committee	No meeting
9.3 Executive Committee	Meeting July 18 th after Board Meeting
9.4 Nursing Practice Committee	<p>Rustvang reviewed the June 20, 2013 meeting minutes with the board. The committee reviewed the practice statement "Role of the RN in the Administration of Anesthetic Agents". The board directed the committee to review the statement in light of a situation that arose during treatment of a palliative care client's need for pain management at Trinity Health. Members reviewed several articles and policy statements regarding palliative sedation. The committee also reviewed national guidelines and invited Nancy Joyner, CNS-Palliative Care for this discussion. The committee recommends to the board to add a third exception to the practice statement to state "For relief of refractory symptoms in intractable distress in the dying patient". The board discussed types of medications typically used in palliative care and acknowledged the use of anesthetic agents are not typically used, however the purpose of the statement is to provide direction to a nurse should the situation arise. The board discussed a concern with the title of the current practice statement and a request for the board to consider revising the title to replace the term "Anesthetic Agents". Other board members cautioned that this practice statement is widely used in the practice setting and has been in place for numerous years and expressed concern with changing the title.</p> <p><i>Motion from the Nurse Practice Committee to:</i> RECOMMEND THAT THE BOARD REVISE THE CURRENT PRACTICE STATEMENT: "ROLE OF THE RN IN THE ADMINISTRATION OF ANESTHETIC AGENTS" TO ADD A THIRD EXCEPTION TO STATE: FOR RELIEF OF REFRACTORY SYMPTOMS IN INTRACTABLE DISTRESS IN THE DYING CLIENT.</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Motion:</i> Schmalz, seconded by Rustvang to: DIRECT THE NURSE PRACTICE COMMITTEE TO REEVALUATE THE TITLE OF "RN IN ADMINISTRATION OF ANESTHETIC AGENTS".</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
9.5 Technology Committee	No meeting.
9.6-1 Prescription Drug Monitoring Program Committee	No Meeting
9.6-2 ND Center for Nursing	No meeting
10.1 Update from Staff	Karla Bitz is has increased her work hours from 20 per week to 30 hours per week beginning July 1 st
11.1-1 Strategic Planning Process – 2:00 p.m.	Rose Stoller with the ND Consensus Council addressed the board regarding the Strategic Planning process. Ms. Stoller facilitated the current strategic plan which will end FYJuly1, 2013 – June 30, 2014. A new plan will be developed during the upcoming retreat. Ms. Stoller indicates the board does a very good job of using the strategic plan to guide actions.
11.2 Board Committee Appointments	<p><i>Discussion:</i> The board assigned new committees for the upcoming year.</p> <p><i>Motion:</i> Frank, seconded by Schmalz to: APPROVE THE 2013-2014 COMMITTEE APPOINTMENTS: Executive Committee: Traynor, Rustvang, Price Program Monitoring Committee: Christianson, Frank, Smith Nursing Education Committee: Traynor, Smith, Mayer Finance Committee: Price, Rustvang, Schmalz Nurse Practice Committee: Christianson, Holth, Schmalz Technology Committee: Rustvang, Traynor, Frank Risk Management: Holth</p>

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

AGENDA	ACTION
11.2 Board Committee Appointments (cont.)	<i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
11.5 Proposed Meeting Dates	<p><i>Discussion:</i> The board usually meets the third Thursday of each odd month. The board reviewed the proposed meeting dates for 2013-2014. The November meeting will include a strategic planning session which will be the following Friday morning. Two members had conflicts with the third Thursday in March so the meeting will be held the following week.</p> <p>BOARD APPROVE THE FOLLOWING 2013-2014 MEETING DATES: JULY 18, 2013 ANNUAL MEETING SEPTEMBER 18, 2013 BOARD RETREAT SEPTEMBER 19, 2013 NOVEMBER 21 & 22, 2013 JANUARY 16, 2014 MARCH 27, 2014 MAY 15, 2014 JULY 17, 2014 ANNUAL MEETING</p> <p><i>Roll call vote:</i> Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Smith, absent, Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

CONSENT AGENDA:

8.1 NCSBN
8.1-1 E-Notify Status
8.2 Office Management
8.2-1
8.3 Nursing Practice
8.3-1 Summary of practice calls
8.3-2 Prescriptive Authority Applications
8.4 Workplace Impairment Program Report
8.4-1 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.5-1 Testing Summary Report
8.5-2 NNAAP Testing
8.5-3 UAP/MA Renewal Numbers
8.6 Licensure
8.6-1
8.6-2 NCLEX-RN (none)
8.6-3 NCLEX-PN (none)
8.7 Discipline
8.7-1 Discipline Statistics/Case Activity Report
8.7-2 NLC Case Log
8.8 Legal Counsel
8.8-1 School Board Held Improper Executive Session – AG Opinion
8.9 Education
8.9-1 Ratification of approval of continuing education for contact hours
8.9-2 Out-of-Students and Recognized Programs (moved to regular agenda)
8.9-3 Education Dialogue
8.9-4 Faculty Development program

North Dakota Board of Nursing Meeting Minutes – July 18, 2013

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

12.1 National Council of State Boards of Nursing Annual Meeting, 35 th Anniversary August 14-16, 2013 – Providence RI.
12.2 NCSBN Monthly Meetings by teleconference calls and onsite:
12.2-1 Policy Call
12.2-2 Education Network – May 15; July 18 – Pfenning reported highlights
12.2-3 Discipline Networking Call – June 26; August 28
12.2-4 EO Network Conference Call – May 20
12.2-5 NLCA Meeting – March 10; May 14; July 1-2; July 9; August 13.
12.2-6 Mid-Year Meeting – March 11-13, 2013
12.2-7 NCSBN Executive Officers Leadership Seminar – June 18-19, 2013
12.2-8 IT Summit – May 23-24, 2013
12.2-9 Discipline Case Management Conference: Anchoring Your Case Strategy– June 5-7, 2013
12.2-10 NCLEX Conference – September 9, 2013
12.2-11 APRN Practice Networking Call – May 21; July 25
12.2-12 2013 NCSBN Long-term Care Conference
12.2-13 Practice Knowledge Network - May 30, 2013
12.2-14 EO Forum – July 15-16
12.2-16 Patient Safety Project – Panel of Experts – June 14
12.3 North Dakota Organization of Nurse Executives –
12.4 North Dakota Nurses Association -
12.5 North Dakota Rural & Public Health Conference – June 5-7, 2013 Seven Seas – Mandan
12.6 North Dakota Hospital Association Annual Convention and Trade Show
12.7 North Dakota LTCA Annual Convention.
12.8 North Dakota State Health Council; Feb 12; April 3
12.9 ND Health Care Reform Review Committee – June 21: July 9 – Kalanek reported on the highlights of the meetings.
12.10 28 th Annual AANP National Conference – Las Vegas, NV – June 19-23, 2013 – Pfenning reported highlights of the conference.

Staff Presentations:

13.1 Update to Nurse Practices Act, Sanford Health, Bismarck, June 27

The meeting recessed at 11:50 a.m. and reconvened at 12:30 p.m. for lunch.

The meeting adjourned at 3:40 p.m. on July 18th, 2013.

Constance B. Kalanek, RN, PhD, FRE
Executive Director - Draft 07/24/2013