

## North Dakota Board of Nursing Meeting Minutes – March 21, 2013

Call to Order:	March 21, 2013 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7 <sup>th</sup> Street, Suite 504, Bismarck ND		
Roll Call:	Eight board members present as follows:		
	Julie Traynor, RN, President	Clara Sue Price, Public Member, Treasurer	
	Daniel Rustvang, RN, Vice President	Nelson (Buzz) Benson, RN	
	Charlene Christianson, RN	Angela Levi, LPN	
	Deborah Smith, RN	Bonny Mayer, LPN	
Absent:	Melisa Frank, LPN		
Staff Present:			
	Constance Kalanek, RN, Executive Director	Patricia Hill, RN, Asst. Director for Practice & Discipline	
	Stacey Pfenning, RN, Associate Director for Education	Julie Schwan, Administrative Services Coordinator	
Absent:	Karla Bitz, RN, Associate Director		

AGENDA	ACTION
Environmental Scan	The meeting started with an environmental scan for updates on board members and staff. Bitz is on medical leave and her job responsibilities are being split between the Directors.
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. Staff noted that there were two items not available for this meeting for the consent agenda- Items 8.4-1 WIP Statistics and 8.7-1 Disciplinary Statistics/Case Log.</p> <p><i>Motion:</i> Smith, seconded by Benson to: <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed.</p> <p><i>Motion:</i> Benson, seconded by Christianson to: <b>APPROVE THE AGENDA AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
1.3 Public Forum 11:00 a.m.	No one was present to address the board during public forum.
2.1 January 16-17, 2013 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the January 16-17, 2013 meeting were reviewed. It was noted that under agenda item 4.7.2 LICENSE is spelled incorrectly. No other corrections were identified.</p> <p><i>Motion:</i> Levi, seconded by Rustvang to: <b>APPROVE THE MINUTES OF THE JANUARY 16-17, 2013 MEETING AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
3.1 Financial Statements	The financial Statements through February 28, 2013 were reviewed. The board reviewed the comparison in actual income expenditures to date from last year to this year. Income is at 90% and expenses at 56% of budgeted.
3.3 Nurse Practice Committee Membership	<p><i>Discussion:</i> Derek Martin has submitted his resignation from the Nurse Practice Committee.</p> <p><i>Motion:</i> Price, seconded by Mayer to: <b>ACCEPT THE RESIGNATION OF DEREK MARTIN FROM THE NURSE PRACTICE COMMITTEE EFFECTIVE IMMEDIATELY.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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4.1 Administrative Settlement – Practice	<p><i>Discussion:</i> Six 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.</p> <p><i>Motion:</i> Rustvang, seconded by Smith to:</p> <p><b>ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</b></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>Keeble, Amber</td> <td>L13867</td> <td>Fargo, ND</td> <td>Reprimand</td> <td>\$400</td> </tr> <tr> <td>Klemisch, Nicole</td> <td>R17354</td> <td>Mandan, ND</td> <td>Reprimand</td> <td>\$400</td> </tr> <tr> <td>Lund, Brittney</td> <td>L13726</td> <td>Langdon, ND</td> <td>Reprimand</td> <td>\$400</td> </tr> <tr> <td>Motschenbacher, Andrea</td> <td>L10603</td> <td>Fargo, ND</td> <td>Reprimand</td> <td>\$400</td> </tr> <tr> <td>Sander, Lillian</td> <td>L8521</td> <td>Mandan, ND</td> <td>Reprimand</td> <td>\$400</td> </tr> <tr> <td>Stenstrom, Scott</td> <td>R37433</td> <td>Grand Forks, ND</td> <td>Reprimand</td> <td>\$400</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Keeble, Amber	L13867	Fargo, ND	Reprimand	\$400	Klemisch, Nicole	R17354	Mandan, ND	Reprimand	\$400	Lund, Brittney	L13726	Langdon, ND	Reprimand	\$400	Motschenbacher, Andrea	L10603	Fargo, ND	Reprimand	\$400	Sander, Lillian	L8521	Mandan, ND	Reprimand	\$400	Stenstrom, Scott	R37433	Grand Forks, ND	Reprimand	\$400
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4.3 Voluntary Surrender	<p><i>Discussion:</i> One individual has submitted a voluntary surrender, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Voluntary Surrender.</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to:</p> <p><b>APPROVE AND ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDER AS FINAL ORDER OF THE BOARD FOR THE FOLLOWING INDIVIDUAL:</b></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;">PENALTY FEE</th> </tr> </thead> <tbody> <tr> <td>Martin, Derek</td> <td>R35247</td> <td>Fargo, ND</td> <td>\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	LIC/REG#	CITY, STATE	PENALTY FEE	Martin, Derek	R35247	Fargo, ND	\$200																											
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4.4.1 Stipulation for Settlement – Paula Gaber, RN Applicant	<p><i>Discussion:</i> A Stipulation for Settlement was received from Paula Gaber, RN applicant seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4).</p> <p><i>Motion:</i> Benson, seconded by Smith to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR PAULA GABER, RN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																																			
4.4.2 Stipulation for Settlement – Tamie Gerntholz, R25804	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tamie Gerntholz, 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), NDCC 43-12.1-16, NDCC 43-12.1-04 (9)(13) and NDAC 54-02-07-01.1 (3)(4)(5)(6).</p> <p><i>Motion:</i> Smith, seconded by Levi to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TAMIE GERNTHOLZ, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																																			
4.4.3 Stipulation for Settlement – Rick Hofferber, R26278 (APRN)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Rick Hofferber, 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) and NDAC 54-02-07-01.1 (5)(6).</p> <p><i>Motion:</i> Benson, seconded by Christianson to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR RICK HOFFERBER, RN, APRN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, recuse; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>																																			

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AGENDA	ACTION
4.4.4 Stipulation for Settlement – Stacy Jaeger, L11355	<p><i>Discussion:</i> A Stipulation for Settlement was received from Stacy Jaeger, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(8)(9)(12)(19).</p> <p><i>Motion:</i> Levi, seconded by Mayer to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR STACY JAEGER, LPN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND THE LICENSE FOR THREE YEARS;</b></li> <li>◆ <b>ASSESS A \$1500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.4.5 Stipulation for Settlement – Albert Jones, R33831 & L11766	<p><i>Discussion:</i> A Stipulation for Settlement was received from Albert Jones, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (1)(3)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(8)(9). Mr. Jones wrote a letter requesting his suspension to begin at the time of his emergency suspension, which was May 2012. It was indicated that the Disciplinary Review Panel (DRP) considered the current time of suspension when offering the one year suspension. The one year suspension will begin with the signing of the board order. DRP is also aware that he is not on supervised probation so will not have probation reports.</p> <p><i>Motion:</i> Benson, seconded by Levi to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ALBERT JONES, RN, AND ENTER ITS ORDER TO</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND THE LICENSE FOR ONE YEAR;</b></li> <li>◆ <b>ASSESS A \$1800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, recuse; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.4.6 Stipulation for Settlement – DeAnn Skalsky, R34547	<p><i>Discussion:</i> Traynor recused herself and Rustvang chaired this agenda item. A Stipulation for Settlement was received from DeAnn Skalsky, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (8).</p> <p><i>Motion:</i> Smith, seconded by Benson to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DEANN SKALSKY, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER..</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, recuse; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, recuse. 6 yes, 0 no, 2 recuse, 1 absent. Motion carried.</p>
4.4.7 Stipulation for Settlement – Virginia Schanz, R25303 & L4860	<p><i>Discussion:</i> A Stipulation for Settlement was received from Virginia Schanz, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (6).</p> <p><i>Motion:</i> Rustvang, seconded by Smith to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR VIRGINIA SCHANZ, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER..</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, recuse; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.4.8 Stipulation for Settlement – Doreen Duttenhefer, L13783	<p><i>Discussion:</i> A Stipulation for Settlement was received from Doreen Duttenhefer, 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).</p> <p><i>Motion:</i> Benson, seconded by Smith to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DOREEN DUTTENHEFFER, LPN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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AGENDA	ACTION
4.7.1 Request for Reinstatement – Vickie Weathers, R28599 (APRN)	<p><i>Discussion:</i> Vickie Weathers, RN, APRN, has requested reinstatement of her APRN with Prescriptive Authority license from encumbered status to full licensure status. The board reviewed the current order and discussed the disciplinary review panel recommendation to reinstate the license to full licensure status. The terms and conditions of the board order dated January 20, 2011 have been completed as reported by staff.</p> <p><i>Motion:</i> Rustvang, seconded by Smith to: <b>GRANT VICKIE WEATHER'S REQUEST FOR REINSTATEMENT OF HER APRN WITH PRESCRIPTIVE AUTHORITY TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF STIPULATION FOR SETTLEMENT DATED JANUARY 20, 2011 CONTINGENT ON CLEAR CHRC RESULTS.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, recuse; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.11.1 Nancy Conmy, R24238	<p><b>NOTICE OF SUSPENSION</b> issued to Nancy Conmy, RN, Mandan, ND on February 11, 2013 until Respondent submits to a mental health evaluation and pan management evaluation and causes the evaluations to be submitted to the Board. .</p>
4.11.2 Theresa Myers, LPN PTP VA #LPN 0002063197	<p><b>NOTICE OF SUSPENSION</b> issued to Theresa Myers, LPN, and PTP from VA LPN 0002063197, Minot, ND on December 15, 2013 for violation of terms and conditions of Stipulation for Settlement dated November 15, 2012. Respondent's privilege to practice nursing in North Dakota is automatically <b>SUSPENDED</b> for a period of two (2) years.</p>
4.12.1 Investigative Plan Policy Revision	<p><i>Discussion:</i> The board reviewed proposed revisions to the Investigative Plan Policy. The revisions added or clarified procedures that are being done as part of the investigative process. A statement was added to clarify the procedure taken when a PVR with a concern for imminent threat to patient safety is received and three statements were added to address procedures for entering information into NDBON &amp; NURSYS databases by staff.</p> <p><i>Motion:</i> Price, seconded by Levi to: <b>APPROVE THE PROPOSED REVISIONS TO THE INVESTIGATIVE PLAN POLICY.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.12.2 Case Disposition by Board Staff/DRP Policy Revision	<p><i>Discussion:</i> The Case Disposition by Board Staff/DRP Policy was revised to reflect actual procedures. All references to disposition by Board Staff were removed as all case disposition is done through the Disciplinary Review Panel. It was recommended to use the full term instead of the acronym for the Disciplinary Review Panel in the title of the document.</p> <p><i>Motion:</i> Christianson, seconded by Rustvang to: <b>APPROVE THE PROPOSED REVISIONS TO THE CASE DISPOSITION BY BOARD STAFF/DRP POLICY REVISION.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.2-2 Proposed programmatic changes for Sanford College of Nursing BSN Program	<p><i>Discussion:</i> Dr. Karen Latham, Dean of the Sanford College of Nursing was present for this agenda item. The Nursing Education Committee reviewed the programmatic changes and program restructure submitted by Sanford College of Nursing. The program is adding a Capstone Clinical 6 credit course which resulted in the changes and reallocation of other clinical courses. It was noted the enrollment has increased and the program will admit 40 students twice per year for a total enrollment of 80 students and the number of faculty will increase as well. The proposed changes would take effect Fall 2013.</p> <p><i>Motion by Nursing Education Committee to:</i> <b>RECOMMEND TO THE BOARD TO APPROVE THE PROGRAMMATIC CHANGE FOR THE SANFORD COLLEGE OF NURSING BSN PROGRAM, AS THE SANFORD COLLEGE OF NURSING HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-02.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.3-1 Audit Compliance	<p><i>Discussion:</i> Miriam Skilbred, RN, was selected for audit during the 2013-2014 renewal cycle. Ms. Skilbred indicates she has done the 12 CE as required but is homebound and has been unable to retrieve the documentation that has been requested. Her health does not allow her to practice at this time.</p> <p><i>Motion:</i> Rustvang, seconded by Price to: <b>WAIVE THE REQUIREMENT FOR 12 CONTACT HOUR VERIFICATION FOR MIRIAM R. SKILBRED, RN DUE TO EXTENUATING CIRCUMSTANCES. (NDAC 54-02-05-08. CONTINUING EDUCATION REQUIREMENT FOR LICENSE RENEWAL.)</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.4-1 NEL Request for Deferment – Natalie Telken	<p><i>Discussion:</i> Julie Traynor recused herself from this agenda item and Rustvang chaired. Natalie Telken was enrolled in the Dakota College DNP RN program until December 2012. She is currently on medical leave and intends to return in the Fall of 2013.</p> <p><i>Motion:</i> Price, seconded by Christianson to: <b>ACCEPT NATALIE TELKEN'S REQUEST FOR DEFERMENT OF HER NURSING EDUCATION LOAN REPAYMENT UNTIL MAY 2014 OR UNTIL SHE HAS COMPLETED THE DNP ASSOCIATE DEGREE RN PROGRAM.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, recuse. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>

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AGENDA	ACTION
5.4-2 NEC Recommendations for updates to Guidelines for Refresher Courses Policy	<p><i>Discussion:</i> The Nursing Education Committee discussed revisions to the Guidelines for the Nurse Refresher Courses that had been suggested by a refresher course coordinator. The recommendation is to revise the statement 9. b that says “two-thirds of the student’s total clinical practice time must be in direct patient care”. The recommendation is to replace “direct patient care” to “must be consistent with NDCC 43.12-1-02 (5) Nurse Practices Act” which is the definition of nursing. This change would allow for clinical experience in all areas of nursing.</p> <p><i>Motion from Nursing Education Committee:</i>  <b>THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT THE BOARD APPROVE THE PROPOSED REVISIONS TO THE GUIDELINES FOR THE NURSE REFRESHER COURSES #9B TO REFLECT NDCC 43-12.1-02 (5).</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
5.4-3 NDBON Petition for recognition by US Dept of Education	Staff reported that the application for continued recognition for the ND Board of Nursing by the US Department of Education was submitted on 2/15/2013. Staff will keep the board apprised of the progress of the approval.
5.4-4 Employment of unqualified faculty – update for UND Request	Traynor reported that the Nursing Education Committee discussed the administrative rule NDAC 54-03.2-04-08 Employment of academically unqualified faculty. The rule requires a minimum of a baccalaureate degree in nursing for all faculty in order for the program to be approved. The committee discussed the situation of a person enrolled in an RN to MSN program that will not receive a baccalaureate degree and whether the board should consider a rule change that would allow employment. CUNEA discussed the rule and requests that the board not revise the current rule. Their rationale is that most RN to MSN programs are not education programs but are nursing administration programs. The committee agreed not to make any recommendations for rule changes at this time.
6.1 Renewal of License Report 2013	The board reviewed a table summarizing the 2013-2014 renewal cycle. 8085 RNs renewed and 1204 LPNs renewed which is an increase from last year. There were 49 renewals done over the phone and 61 late renewals in the month of January. The board discussed the new NCSBN e-notify system that allows employers to track employee’s licensure status. Kalanek has requested NCSBN to run a list of facilities that have signed up for the service so those that have not signed up can be notified with information about the E-Notify service.
6.2 Ratification of Nursing Practice Hours	<p><i>Discussion:</i> One individual has submitted a journal for review of volunteer practice hours for care for a family member. The board reviewed the nursing process for that individual and the number of practice hours.</p> <p><i>Motion:</i> Rustvang, seconded by Mayer to:  <b>RATIFY PRACTICE HOURS FOR THE FOLLOWING:            TAMMY ANDERSON, L11278 2009 = 750 HOURS</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
7.1-2 ND Board of Nursing, ND Board of Pharmacy & ND Dept of Health Minutes from Meeting re: med admin	The board reviewed the minutes of a February 27 <sup>th</sup> meeting between the ND Dept of Health, Board of Pharmacy and Board of Nursing to address questions regarding medication administration and what can and cannot be delegated. The board reviewed different scenarios outlined in the document and staff indicated that some parts of the explanation will be put on the website.
7.1-3 RN Role in Telepharmacy	<p><i>Discussion:</i> The board office has received calls from nurses employed at the ND Dept of Human Services regarding the requirement for the nurses to attend training and become certified as pharmacy technicians as part of their job requirements. This requirement has come about in remote areas where pharmacy technicians are not available and nurses would be required to set up medications. The nurses were questioning why the Board of Nursing was not involved in the discussions to require the additional regulation through the Board of Pharmacy. The board discussed this requirement and the issue of having these nurses regulated by two different professions and maintaining two separate licenses and the fact the board was not involved in this regulatory decision. The board questioned if this was happening in any other states and how it was being handled.</p> <p><i>Motion:</i> Benson, seconded by Price to:  <b>SEND A LETTER FROM THE BOARD TO THE NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES REQUESTING TO BE PART OF FUTURE DISCUSSIONS REGARDING THE EDUCATION OF NURSES REQUIRED TO BECOME PHARMACY TECHNICIANS AND DIRECT STAFF TO FUTHER INVESTIGATE THE ISSUE.</b></p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
Article – Prairie Business – Never Enough Nurses 2013	The board reviewed an article in the Prairie Business Publication titled “ <i>Never Enough Nurses</i> ”. The article quoted statistics from the Board of Nursing and from the ND Center for Nursing. It was suggested that the article be republished in the Dakota Nurse Connection.
7.3-1 Nurse Midwifery Article – Fargo Forum	The board discussed an article published in the Fargo Forum on February 27, 2013 titled “ <i>More women opting for midwife childbirth</i> ”.
7.4-1 Nurse Licensure Compact Administrators EC Meeting Summary	The board reviewed the Executive Summary of the Nurse Licensure Compact Administrators Meeting. The group discussed the possibility of national licensure and the impact that would have on states. The compact administrators plan to market itself as an alternative to national licensure. The group also discussed focusing recruitment efforts on states that have expressed a willingness to enter the compact rather than those that may never enter. The board discussed the need for nursing regulation to stay on a state level.
7.4-2 Duplicate License Report	The board reviewed the most recent Compact duplicate license report. States are improving their rate of inactivating licenses in a timely manner.

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AGENDA	ACTION
7.5-1 Administrative Rule Promulgation	The board discussed a previous request from Ken Bemis, Manager of Govt Relations for the Christian Science Committee on Publication. The group had requested the board consider amending the ND Nurse Practice Act to include language related to religious exceptions. NCSBN has included such language in the NCSBN Model Act to assist boards that wished to include such a provision. The board agreed that they do not support adding an amendment to the ND Practice Act at this time.
7.5-2 Legislative Bills Affecting State Agencies	The board discussed testimony and the status of the following bills: HB 1091 – Revisions to ND Nurse Practice Act HB 1246 - Occupational and professional licensure of military spouses - HB 1276 - Liability for administration of medication in schools
7.5-3 Legislative Committees	HB1091 testimony was reviewed and discussed.
7.5.4 Communication with Senators & Representatives	Board members were at the afternoon legislative session on Wednesday March 20 <sup>th</sup> and met with or attended the floor session with their legislators.
7.5-5 Legislative Monitor Information	<i>Discussion:</i> Tony Richards was present to brief the board in updates with current legislation that is being monitored and the current status of bills. Mr. Richards apologized to the board for lack of contact and indicated that he is in a position to do a better job of keeping board staff informed. The board and Mr. Richards agreed to end the monitoring contract effective March 31, 2013. <i>Motion:</i> Benson, seconded by Rustvang to: <b>DISCONTINUE THE CONTRACT WITH TONY RICHARDS, LEGISLATIVE MONITOR, EFFECTIVE MARCH 31, 2013.</b> <i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
9.0 Program Monitoring Committee	No report.
9.1 Nursing Education Committee	Most items from the March 20 <sup>th</sup> NEC meeting were already discussed. Traynor indicated the other topic of discussion was whether or not a maximum number of clinical hours using simulation should be mandated. It was noted that states that do have regulations indicate no more than 25% of hours can be simulation, and program representatives at the meeting indicated they are not near using that many hours for simulation. No recommendations for mandates are recommended as it is not an issue in ND. NCLEX issues/changes were also discussed with the committee.
9.2 Finance Committee	No report. May 1 <sup>st</sup> at 1:00
9.3 Executive Committee	No report. May 16 <sup>th</sup>
9.4 Nursing Practice Committee	<i>Discussion:</i> The Nurse Practice Committee met February 12 <sup>th</sup> with the primary agenda item being discussion of the Century Code and Administrative Code requirement for students in a medical assistant or surgical technician program to register on the board registry as a technician. <i>Motion from the Nurse Practice Committee to:</i> <b>RECOMMEND TO THE BOARD TO CONTINUE TO REQUIRE THAT STUDENTS IN PROGRAMS LEADING TO A DEGREE AS A MEDICAL ASSISTANT OR SURGICAL TECHNICIAN BE REQUIRED TO REGISTER ON THE BON UAP/TECHNICIAN REGISTRY AS REQUIRED ACCORDING TO NDCC 43-12.102 AND NDAC STANDARDS FOR DELEGATION 54-05-04-04.</b> <i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, absent; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
9.5 Technology Committee	No meeting – North Star Audio is working on the web-streaming function approved by the board.
9.6-1 Board Representative Prescription Drug Monitoring Program	No report.
9.6-2 ND Center for Nursing	Mayer reported that Patricia Moulton of the Center for Nursing has assisted in setting up meetings for a local group of LPNs in the Minot area.
10.1 Update from Staff	Christianson is attending Disciplinary Review Panel meetings during Bitz's absence so that there continues to be the same number of members on the panel. Hoerner will be contracting with the Board to perform the TMCC site visit this spring with Pfенning.

### CONSENT AGENDA:

8.1 NCSBN
8.1-1 Letter from President – Post-Board Meeting Update
8.1-2 2012 NCSBN Environmental Scan
8.2 Office Management
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 (Unavailable)
8.5 Unlicensed Assistive Person/Medication Assistant

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8.5-1 Testing Summary Report
8.5-2 NNAAP Testing
8.6 Licensure
8.6-1
8.6-2 NCLEX-RN
8.6-3 NCLEX-PN
8.7 Discipline
8.7-1 Discipline Statistics/Case Activity Report (unavailable)
8.7-2 NLC Case Log
8.8 Legal Counsel
8.9 Education
8.9-1 Ratification of approval of continuing education for contact hours
8.9-2 Out-of-Students and Recognized Programs
8.9-3 Education Dialogue

### UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

12.1 National Council of State Boards of Nursing Annual Meeting, 35 <sup>th</sup> 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 – February 21;
12.2-3 Discipline Networking Call – February 13;
12.2-4 EO Network Conference Call – January 28;
12.2-5 NLCA Meeting – January 18-19; March 10 Kalanek reported on the Nurse Licensure Compact Administrators meeting.
12.2-6 Mid-Year Meeting – March 11-13, 2013 – Traynor & Kalanek gave highlights of NCSBN Annual Meeting that both attended. It was recommended that board members view NCSBN 101 at <a href="http://www.ncsbn.org">www.ncsbn.org</a> .
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 – January 22;-
12.2-12 2013 NCSBN Long-term Care Conference – April 16-17
12.2-13 Practice Consultants Networking Call – March 19;
12.2-14 APRN Roundtable – April 9, 2013
12.2-15 APRN Committee – January 31 – February 11
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 – April 30 – May 3, 2013
12.8 North Dakota State Health Council
12.9 North Dakota Department of Health & North Dakota Board of Pharmacy – Feb 27

### Staff Presentations:

13.1 North Dakota Center for Nursing – videotape presentation on “How a Bill Becomes a Law”.

The meeting recessed at 11:45 a.m. and reconvened at 12:35 p.m. for lunch.

The meeting adjourned at 1:50 p.m. on March 21<sup>st</sup>, 2013.

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Constance B. Kalanek, RN, PhD, FRE  
Executive Director - Draft 03/29/2013