

North Dakota Board of Nursing Meeting Minutes – January 16-17, 2013

Call to Order:	January 16, 2013 at 1:00 p.m. – NDBON Board Conference Room – 919 S 7 th Street, Suite 504, Bismarck ND																							
Roll Call:	<p>Nine board members present as follows:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Julie Traynor, RN, President</td> <td style="width: 33%;">Clara Sue Price, Public Member, Treasurer</td> <td style="width: 33%;"></td> </tr> <tr> <td>Daniel Rustvang, RN, Vice President</td> <td>Nelson (Buzz) Benson, RN</td> <td></td> </tr> <tr> <td>Charlene Christianson, RN</td> <td>Melisa Frank, LPN</td> <td></td> </tr> <tr> <td>Angela Levi, LPN</td> <td>Bonny Mayer, LPN</td> <td></td> </tr> <tr> <td>Deborah Smith, RN</td> <td></td> <td></td> </tr> </table> <p>Staff Present:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Constance Kalanek, RN, Executive Director</td> <td style="width: 50%;">Karla Bitz, RN, Associate Director</td> </tr> <tr> <td>Patricia Hill, RN, Asst. Director for Practice & Discipline</td> <td>Julie Schwan, Administrative Services Coordinator</td> </tr> <tr> <td>Stacey Pfenning, RN, Associate Director for Education</td> <td></td> </tr> </table>			Julie Traynor, RN, President	Clara Sue Price, Public Member, Treasurer		Daniel Rustvang, RN, Vice President	Nelson (Buzz) Benson, RN		Charlene Christianson, RN	Melisa Frank, LPN		Angela Levi, LPN	Bonny Mayer, LPN		Deborah Smith, RN			Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director	Patricia Hill, RN, Asst. Director for Practice & Discipline	Julie Schwan, Administrative Services Coordinator	Stacey Pfenning, RN, Associate Director for Education	
Julie Traynor, RN, President	Clara Sue Price, Public Member, Treasurer																							
Daniel Rustvang, RN, Vice President	Nelson (Buzz) Benson, RN																							
Charlene Christianson, RN	Melisa Frank, LPN																							
Angela Levi, LPN	Bonny Mayer, LPN																							
Deborah Smith, RN																								
Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director																							
Patricia Hill, RN, Asst. Director for Practice & Discipline	Julie Schwan, Administrative Services Coordinator																							
Stacey Pfenning, RN, Associate Director for Education																								
The meeting was broadcast through IVN network with numerous schools in attendance as attached. .																								

	ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda.</p> <p><i>Motion:</i> Benson, seconded by Levi to: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. It was requested to change the appointment for the legislative report from 4:00 p.m. on January 16th to 9:30 a.m. on January 17th and to add an appointment for ND State College of Science at 10:30 a.m. on January 17th.</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to: APPROVE THE AGENDA AS DISTRIBUTED WITH APPOINTMENT CHANGES/ADDITIONS.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
1.3 Public Forum 1:30 p.m.	No one was present to address the board during public forum.
2.1 November 15, 2012 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the November 15, 2012 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Levi, seconded by Frank to: APPROVE THE MINUTES OF THE NOVEMBER 15, 2012 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
3.1 Financial Statements	Financial Statements through December 31, 2012 were reviewed. The board reviewed the comparison in actual income expenditures to date from last year to this year. Income is at 84% and expenses at 58% of budgeted.
3.2 Strategic Plan Progress Report July 1- December 31, 2012	<p><i>Discussion:</i> The board reviewed the strategic plan progress report for the first half of the 12-13 Fiscal Year. Many of the charges are related to Nurse Practice Act revisions which are currently moving through the legislative process. The Atkinson & Atkinson audit report recommendations were reviewed and discussed as part of the process in revising the Nurse Practice Act. Other highlights were the completion of the Electronic Education Annual Report, website security and compliance, administrative rules related to fee increases designated for the Center for Nursing took effect October 1, 2012, online applications for reapplication and Initial APRN are in progress and the technology committee will be recommending some enhancements to the board website related to CE presentations and web streaming. Board members also attended a legislative hearing this morning, and members have been attending national and statewide conferences and conventions.</p> <p><i>Motion:</i> Rustvang, seconded by Price to: ACCEPT THE JULY 1 – DECEMBER 31, 2012 SIX MONTH STRATEGIC PLAN PROGRESS REPORT.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
3.3 Application for Appointment to Technology Committee	<p><i>Discussion:</i> Cindy Brown has applied for the position of external member on the technology committee. The board reviewed her application and noted with her background and experience she would be an asset to the committee.</p> <p><i>Motion:</i> Christianson, seconded by Levi to: APPROVE THE APPOINTMENT OF CINDY BROWN AS AN EXTERNAL MEMBER TO THE TECHNOLOGY COMMITTEE FOR 2012-2014.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

**North Dakota Board of Nursing
Meeting Minutes – January 16-17, 2013**

AGENDA	ACTION																									
4.1 Administrative Settlement – Practice	<p><i>Discussion:</i> Four 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> Levi seconded by Smith to:</p> <p>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>Anderson, Gregory</td> <td>R16567</td> <td>Minot, ND</td> <td>Reprimand</td> <td>\$1000</td> </tr> <tr> <td>Brandos, Melissa</td> <td>R35868</td> <td>Minot, ND</td> <td>Reprimand</td> <td>\$1000</td> </tr> <tr> <td>Seljevold, Karen</td> <td>R18885</td> <td>Moorhead, MN</td> <td>Reprimand</td> <td>\$1000</td> </tr> <tr> <td>Wayne, Elizabeth</td> <td>L13139</td> <td>Fargo, ND</td> <td>Reprimand</td> <td>\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Anderson, Gregory	R16567	Minot, ND	Reprimand	\$1000	Brandos, Melissa	R35868	Minot, ND	Reprimand	\$1000	Seljevold, Karen	R18885	Moorhead, MN	Reprimand	\$1000	Wayne, Elizabeth	L13139	Fargo, ND	Reprimand	\$200
NAME	Lic/Reg #	City, State	Sanction	Penalty Fee																						
Anderson, Gregory	R16567	Minot, ND	Reprimand	\$1000																						
Brandos, Melissa	R35868	Minot, ND	Reprimand	\$1000																						
Seljevold, Karen	R18885	Moorhead, MN	Reprimand	\$1000																						
Wayne, Elizabeth	L13139	Fargo, ND	Reprimand	\$200																						
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> Smith, seconded by Mayer to:</p> <p>APPROVE AND ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDER AS FINAL ORDER OF THE BOARD FOR THE FOLLOWING INDIVIDUAL:</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>Skov, Ann</td> <td>R23611</td> <td>Fairview, MT</td> <td>\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	NAME	LIC/REG#	CITY, STATE	PENALTY FEE	Skov, Ann	R23611	Fairview, MT	\$200																	
NAME	LIC/REG#	CITY, STATE	PENALTY FEE																							
Skov, Ann	R23611	Fairview, MT	\$200																							
4.4.1 Stipulation for Settlement – Brenda Brandt, R21317	<p><i>Discussion:</i> A Stipulation for Settlement was received from Brenda Brandt, 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)(8).</p> <p><i>Motion:</i> Rustvang, seconded by Levi to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BRENDA BRANDT, 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> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, recuse; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>																									
4.4.2 Stipulation for Settlement – Karon Garrett, R20837	<p><i>Discussion:</i> A Stipulation for Settlement was received from Karon Garrett, 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 (4)(5)(6).</p> <p><i>Motion:</i> Smith, seconded by Benson to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KARON GARRETT, 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> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>																									
4.4.3 Stipulation for Settlement – Amber Stortroen, L12352	<p><i>Discussion:</i> A Stipulation for Settlement was received from Amber Stortroen, 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)(6) and NDAC 54-02-07-01.1 (12)(19).</p> <p><i>Motion:</i> Christianson, seconded by Smith to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR AMBER STORTROEN, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$900 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>																									

**North Dakota Board of Nursing
Meeting Minutes – January 16-17, 2013**

AGENDA	ACTION
4.4.4 Stipulation for Settlement – Jana Everitt, R25103	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jana Everitt, 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 (5)(6)(7).</p> <p><i>Motion:</i> Rustvang, seconded by Mayer to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JANA EVERITT, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, recuse; Traynor, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.4.5 Stipulation for Settlement – Kristine Restemayer, L10475	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kristine Restemayer, 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 (7).</p> <p><i>Motion:</i> Benson, seconded by Levi to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KRISTINE RESTEMAYER, LPN, AND ENTER ITS ORDER TO</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.4.6 Stipulation for Settlement – Michele Boyer, L13273	<p><i>Discussion:</i> A Stipulation for Settlement was received from Michele Boyer, 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).</p> <p><i>Motion:</i> Rustvang, seconded by Smith to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MICHELE BOYER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ENCUMBER THE LICENSE FOR ONE YEAR; ◆ ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER.. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.6.1 Default Hearing – Stacy Kippen, R34289, January 16 @ 2:00 PM	<p><i>Discussion:</i> Brian Bergeson, SAAG, was present for a default hearing for Stacy Kippen, RN. A complaint was filed against Stacy Kippen for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7). Bergeson explained that the respondent failed to respond or appear to answer to the allegations for the complaint. Respondent was notified of the hearing, but was not present for the hearing and was not represented by counsel. The Board was presented with the procedural background of the case, including the date of service of the complaint and the lack of any answer or response by the Respondent. Board staff provided testimony supporting the factual allegations of the complaint. The disciplinary review panel presented to the Board a recommendation of disciplinary sanctions. The board reviewed and discussed the facts and conclusion of law applicable to the case.</p> <p><i>Motion:</i> Benson, seconded by Levi to: MOVE THAT</p> <ul style="list-style-type: none"> ◆ THE RESPONDENT HAS DEFAULTED, ◆ THAT THE FACTS IN THE CASE AGAINST STACY KIPPEN, RN HAVE BEEN PROVEN BY A PREPONDERANCE OF EVIDENCE, ◆ THAT THE ALLEGATIONS OF THE COMPLAINT DULY REFLECT VIOLATIONS OF NDCC 43-12.1-14 (3)(5) AND NDAC 54-02-07-01.1 (5)(6)(7); AND ◆ THAT THE BOARD ENTER ITS ORDER TO: <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR A PERIOD OF TWO YEARS, ◆ ASSESS A \$1600 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; ◆ OTHER TERMS AS PROPOSED IN THE DEFAULT HEARING ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.7.1 Request for Reinstatement – Carla Renner, R27353 Jan 16 th @ 1:45 p.m.	<p><i>Discussion:</i> Carla Renner, RN, was present to request reinstatement of her RN license. The board reviewed and discussed the requirements of her board order. The board reviewed and discussed the Disciplinary Review Panel recommendation to reinstate the RN license to encumbered status for three years. The board went into executive session to discuss Ms. Renner's health issues.</p> <p><i>Motion:</i> Christianson, seconded by Price to: HOLD AN EXECUTIVE SESSION TO CONSIDER THE FOLLOWING ACCORDING TO NDCC SECTION 44-04-18.1;</p> <ul style="list-style-type: none"> • AGENDA ITEM 4.7.1 CARLA RENNER, TO DISCUSS HEALTH INFORMATION.

**North Dakota Board of Nursing
Meeting Minutes – January 16-17, 2013**

AGENDA	ACTION
4.7.1 Request for Reinstatement – Carla Renner, R27353 (continued)	<p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p> <p>The executive session was closed and the board continued discussion regarding the reinstatement request for Carla Renner.</p> <p><i>Motion:</i> Smith, seconded by Levi that: UPON MEETING LICENSURE REQUIREMENTS, THE BOARD GRANT CARLA RENNER'S REQUEST FOR REINSTATEMENT OF HER RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.7.2 Request for Reinstatement – Jason Decker, R33198	<p><i>Discussion:</i> Jason Decker, RN has submitted an application for reinstatement of his stayed suspended RN license to full licensure status. The board reviewed and discussed the Disciplinary Review Panel recommendation for full reinstatement.</p> <p><i>Motion:</i> Benson, seconded by Price to: GRANT JASON DECKER'S REQUEST FOR REINSTATEMENT OF HIS RN LICENSE TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AS HE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HIS BOARD ORDER DATED NOVEMBER 18, 2011.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.7.2 Request for Reinstatement – Robyn Berge, R38304 and L9540	<p><i>Discussion:</i> Robyn Berge, RN and LPN has submitted an application for reinstatement of her encumbered RN & LPN licenses to full licensure status. The board reviewed and discussed the Disciplinary Review Panel recommendation for full reinstatement.</p> <p><i>Motion:</i> Rustvang, seconded by Levi to: GRANT ROBYN BERGE'S REQUEST FOR REINSTATEMENT OF HER RN & LPN LICENSES TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AND DISCHARGE SUCCESSFULLY FROM THE WORKPLACE IMPAIRMENT PROGRAM AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER BOARD ORDER AND WORKPLACE IMPAIRMENT PROGRAM AGREEMENT DATED NOVEMBER 18, 2010.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.11.1 Audra Jones, R36026	NOTICE OF EMERGENCY SUSPENSION issued to Audra Jones, RN, Mason, OH on December 26, 2012 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 Donna Steen, L11703	NOTICE OF SUSPENSION issued to Donna Steen, LPN, Grand Forks, ND on December 28, 2012 for violation of terms and conditions of Board Order dated March 22, 2012 and Workplace Impairment Program agreement dated April 1, 2012. Respondent's license is automatically SUSPENDED for a period of three (3) years.
4.11.3 Stacy Jaeger, L11355	NOTICE OF EMERGENCY SUSPENSION issued to Stacy Jaeger, LPN, Rugby, ND on January 2, 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.
4.11.4 Graig Wells, L13182	NOTICE OF SUSPENSION issued to Graig Wells, LPN, West Fargo, ND on January 14, 2013 for violation of terms and conditions of Board Order dated January 20, 2011. Respondent's license is automatically SUSPENDED for a period of one (1) year.
5.2-1 Employment of Unqualified Faculty – SAAG Response – January 17 th @ 8:30 a.m.	<p><i>Discussion:</i> Brian Bergeson, SAAG, was present for this agenda item. At their November meeting, the board moved to make an exception to administrative rule NDAC 54-03.2-04-08 to allow UND College of Nursing to employ a Graduate Teaching Assistant to supervise a clinical group of undergraduate students in a Psychiatric/Mental Health Course. The Assistant will be entering her final semester of an RN to MS program and has completed coursework that is beyond that required for a baccalaureate nursing program. However, the Assistant does not actually have a baccalaureate degree in nursing. The board had approved the exemption pending legal review. Bergeson indicates that in reviewing the administrative code, it is not possible for the board to make an exception to the rules as they specifically indicate the board cannot approve a program that employs faculty without a baccalaureate degree. Bergeson indicated the only possible solution would be for the program to award the Assistant a baccalaureate degree. The staff at UND College of Nursing have been informed of Bergeson's opinion and recommendation. The board discussed the need for this issue to be addressed through administrative rule as this issue will continue to arise with mobility programs.</p> <p><i>Motion:</i> Rustvang, seconded by Benson to: ACCEPT THE REPORT FROM BRIAN BERGESON AND REFER THE TOPIC OF EMPLOYMENT OF UNQUALIFIED FACULTY (NDAC 54-03.2-03-05 AND 54-03.2-04-08) TO THE NURSING EDUCATION COMMITTEE FOR FURTHER DISCUSSION TO INCLUDE A RECOMMENDATION FOR A RULE CHANGE TO THE BOARD AT THE MARCH 2013 MEETING.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

**North Dakota Board of Nursing
Meeting Minutes – January 16-17, 2013**

AGENDA	ACTION
5.2-2 Proposed programmatic changes for NDSCS AASPN Program	<p><i>Discussion:</i> Barb Dietrich, Chair of the ND State College of Science AASPN program was present via phone for this agenda item. The NDSCS AASPN program has submitted programmatic changes for the board's review. The following is an overview of the changes being submitted for review/approval:</p> <ul style="list-style-type: none"> • Reduction in number of required clinical hours in NURS 246 Maternal Child Nursing Clinical from 144 hours to 96 hours • Reduction of Nurs 246 from 3 credits to 2 credits • Addition of 1 credit NURS 251 NCLEX-PN Review course • Increase credits of Pharm 205 from 2 credits to 3 credits <p>Overall programmatic changes will increase credits of program from 65 to 66 for AASPN program and the proposed changes would take effect in Fall 2013. The board reviewed the rationale for the requested changes.</p> <p><i>Motion:</i> Christianson, seconded by Levi to: APPROVE THE PROGRAMMATIC CHANGES FOR THE ND STATE COLLEGE OF SCIENCE AASPN PROGRAM 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> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.4-1 NCSBN Board of Director's raise in passing standard for NCLEX-RN	<p>The board reviewed and discussed a press release from NCSBN regarding the decision to raise the passing standard for the NCLEX-RN examination beginning April 1, 2013 with the implementation of the 2013 NCLEX-RN Test Plan. The passing standard was increased in response to changes in US health care delivery and nursing that have resulted in the greater acuity of clients seen by entry-level RNs. The new passing standard will remain in effect through March 31, 2016.</p>
6.1 Requirement for Registration as an Unlicensed Assistive Person/Technician during clinical experience for the student in the medical assistant and surgical technician programs.	<p><i>Discussion:</i> Brian Bergeson, SAAG was present for this agenda item. Since approximately 2005, the Board has required the Medical Assistant to be on the UAP/Technician registry during their programs clinical experience, since there is no exemption specific for these students. Since 2009, the Surgical Technician students have also applied to the registry as students for clinical experience. The board does not review or approve these programs. Bergeson reviewed the Board authority and statutes related to this issue, and staff request the board's direction and feedback on this issue. Trudy Riehl, Associate Professor & Program Director and Vanessa Taylor, Assistant Professor from BSC Surgical Technology Program addressed the board related to concerns of the numerous background checks required, both by the clinical site, and then also by the board as part of the registry application. Another issue discussed was that of facilities hiring students in the role of a mentee that have not been through clinical experience in the program. It was also noted that many students/programs are not aware of the registry requirement for students. The Board has periodically notified facilities of this requirement through a variety of mechanisms. Nursing students are exempt from licensure by the Nurse Practices Act. An exemption for students in these programs is also a consideration. After much discussion, the board decided the issue needs to be reviewed and recommends the Nurse Practice Committee review the issue for a recommendation to the board.</p> <p><i>Motion:</i> Christianson, seconded by Price that: THE BOARD REFER THE ISSUE OF THE REQUIREMENT FOR REGISTRATION AS AN UNLICENSED ASSISTIVE PERSON/TECHNICIAN DURING CLINICAL EXPERIENCE FOR STUDENTS IN A PROGRAM TO THE NURSE PRACTICE COMMITTEE.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
6.2 Ratification of Nursing Practice Hours	<p><i>Discussion:</i> Four individuals have submitted journals for review of volunteer practice hours for caring for family members. The board reviewed the nursing process for each individual and the number of practice hours for each.</p> <p><i>Motion:</i> Rustvang, seconded by Price to: RATIFY PRACTICE HOURS FOR THE FOLLOWING: HANSEN, BARBARA R11627 - 160.5 HOURS FOR 2012 ROOD, JULIE R29548 – 57 HOURS FOR 2012 SELID, VEANNA R20248 – 122.5 HOURS FOR 2012 SMITH, MAUREEN L12338 = 140 HOURS FOR 2012</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
7.1-1 Nursys e-notify Resource	<p>An e-mail has been sent to all facilities throughout the state regarding the new e-notify system available through NURSYS. A number of organizations have signed up for the service. For a nominal fee, an organization can sign up and enter a list of nurses to be tracked and e-notify will send subscribers notification of any changes in a nurses status, renewals, actions taken against the license.</p>
7.1-2 FAQ – Medication Reconciliation	<p>The board reviewed an updated FAQ developed to address medication reconciliation. The answer addresses the question "What is the role and responsibility of the licensed nurse for medication reconciliation?" This question and answer will be posted on the website.</p>

North Dakota Board of Nursing Meeting Minutes – January 16-17, 2013

7.1 -3 Practice Statement "Safety to Practice"	<i>Discussion:</i> The Nurse Practice Committee reviewed the <i>Safety to Practice</i> Practice Statement for any necessary revisions. The committee reviewed the proposed changes. The NPC questioned whether the statement "Licensed Nurse has the responsibility to inform the employer" should be added to the statement. The board decided this should be facility policy and should not be added to the practice statement.
AGENDA	ACTION
7.1 -3 Practice Statement "Safety to Practice" (continued)	<i>Motion:</i> Christianson, seconded by Smith to: ACCEPT THE RECOMMENDATION FROM THE NURSE PRACTICE COMMITTEE TO APPROVE THE PRACTICE STATEMENT: SAFETY TO PRACTICE AS REVISED.
	<i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
7.2-1 Projections Report – Dr. Moulton – January 17, 9:00 a.m.	Dr. Patricia Moulton of the ND Center of Nursing reviewed a projections report with the Board. The report can be found on the Center for Nursing website at www.ndcenterfornursing.org .
7.3-1 Final Application of Grandfather Provision 12-6-12 (3)	The board reviewed the final draft Model Act for Advanced Practice Licensure pertaining to grandfathering of currently licensed APRNs.
7.5 Discussion of Proposed Exemptions to NDCC 43-12.1- Nurse Practices Act	<i>Discussion:</i> The board discussed HB1276, a proposed exemption to the Nurse Practices Act for medication administration in the schools. Brian Bergeson, SAAG was present for this agenda item. Currently school staff is administering medication based on parental consent. The board reviewed the proposed legislation and discussed whether the exemptions to medication administration should continue to be a "list" or collapsed into a broader statement to include all areas in the current exemptions. It was discussed that the broader statement could cause more confusion as it is not as specific to certain agencies. Board members by consensus agreed to not make any changes/revisions to the exemption section in NDCC 43-12.1 Nurse Practices Act.
	<i>Motion:</i> Rustvang, seconded by Levi to: SUPPORT THE HB 1276 LEGISLATION.
	<i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
7.5-1 BON legislation – Report from Legislative Monitor	Tony Richards was available to address the board regarding legislation of potential interest to the board. HB 1091, the Nurse Practices Act Revisions, has been referred to subcommittee for review.
7.5-2 Legislative Bills Affecting State Agencies – Support of Legislation	The board discussed numerous bills affecting state agencies: HB 1246 Occupational and professional licensure of military spouses - clarification requested that endorsement application fee could be reduced for military spouses HB 1071 Registration under the Uniform Controlled Substance Act HB 1108 Medication administration in correctional facilities oversight to ND Dept of Health HB 2089 Relating to NDBOP Prescription Monitoring Program HB 1276 Liability for administration of medication in schools A Representative from the North Dakota Nurses Association offered comments during the Board's discussion.
7.5-3 Legislative Committees	The board attended the House Human Services Committee the morning of January 16 th as they heard HB 1091, the proposed revisions to the ND Nurse Practices Act.
7.5.4 Communication with Senators & Representatives	Board Members met with a variety of legislators on January 16 th while at the legislature.
9.0 Program Monitoring Committee	No report.
9.1 Nursing Education Committee	No report – March meeting will be held the morning of March 20, 2013 in the AM.
9.2 Finance Committee	No report.
9.3 Executive Committee	No report.
9.4 Nursing Practice Committee	Items were discussed in prior agenda items. Need a meeting for CST /MA Student issue and a date will be set in February.
9.5 Technology Committee	<i>Discussion:</i> The board reviewed the minutes of the Technology Committee meetings December 12, 2012 and January 9, 2012. The committee reviewed a proposal from North Star Audio for web streaming and web casting capabilities utilizing the current Polycom equipment.
	<i>Motion from the Technology Committee to:</i> TECHNOLOGY COMMITTEE RECOMMENDS TO THE BOARD TO ACCEPT THE BID PROPOSAL FOR WEB-CASTING/WEB-STREAMING FROM NORTH STAR AUDIO CONSULTING.
	<i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, yes; Rustvang, yes; Smith, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.

**North Dakota Board of Nursing
Meeting Minutes – January 16-17, 2013**

9.6 - 1 Board Representative ND Center for Nursing	Presentation by Dr. Patricia Moulton.
9.6 - 2 Board Representative ND Prescription Drug Monitoring Prog	Pfenning reported on the meeting of November 29 th . A summary of the meeting included reports on utilization of the program and the percentages of providers and prescribers that are using the program. It was noted that the sign up process for the program has been streamlined and is much more efficient. Funding for the program continues to be an issue and is being addressed during the legislative session.

North Dakota Board of Nursing Meeting Minutes – January 16-17, 2013

AGENDA	ACTION
10.1 Website & Renewal	Reports on non-renewals of the 2013-2014 renewal cycle will be reported to the board in March. Staff will be working on the US Dept of Recognition application for continued approval. Kalanek reported that Jane Hoerner has been contracted with to continue to do the CE approval with the change in responsibilities for the Associate Director for Education. Applications are being received for a group of Philippine nurses coming to Trinity Health in Minot.
MARCH BOARD MEETING SCHEDULE	The board decided the March Meeting will be held on Thursday March 21 st , 2013. The board will attend the Legislative Session in the afternoon on Wednesday, March 20, 2013.

CONSENT AGENDA:

8.1 NCSBN
8.2 Office Management
8.3 Nursing Practice
8.3-1 Summary of practice calls
8.3-2 Prescriptive Authority Applications
8.3-3 Rural Health Research Center Policy Brief – September 2012
8.3-4 Ready or Not? Protecting the Public's Health from Diseases, etc.
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
8.6 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
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 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 – January 9;
12.2-3 Discipline Networking Call – December 19; February 13;
12.2-4 EO Network Conference Call – January 28;
12.2-5 NLCA Meeting – January 18-19; March 10
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 Attorney/Investigator Conference – June 5-7, 2013
12.2-10 NCLEX Conference – September 9, 2013
12.2-11 APRN Practice Networking Call – November 20; 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

**North Dakota Board of Nursing
Meeting Minutes – January 16-17, 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

Staff Presentations:

13.1 Nurse Practice Act, Kindred Hospital, Mandan – January 15

**The meeting recessed at 4:00 p.m. on January 16th and reconvened at 8:30 a.m. on January 17th.
The meeting adjourned at 11:15 a.m. on January 17th, 2013.**

Constance B. Kalanek, RN, PhD, FRE
Executive Director - Draft 11/26/2012