

## North Dakota Board of Nursing Meeting Minutes – May 22, 2015

Call to Order:	May 22, 2015 at 9:30 a.m. – NDBON Board Conference Room – 919 S 7 <sup>th</sup> Street, Suite 504, Bismarck ND																
Roll Call:	<p>Nine members present as follows:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Daniel Rustvang, RN, President</td> <td style="width: 50%;">Paula Schmalz, APRN</td> </tr> <tr> <td>Jane Christianson, RN, Vice President</td> <td>Janelle Holth, RN (arrived at 10:00 a.m.)</td> </tr> <tr> <td>Clara Sue Price, Public Member, Treasurer</td> <td>Char Christianson, RN</td> </tr> <tr> <td>Melissa Hanson, RN</td> <td>Bonny Mayer, LPN</td> </tr> <tr> <td>Diane Gravely, LPN</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%;">Stacey Pfenning, APRN, Associate Director</td> </tr> <tr> <td>Patricia Hill, RN, Assistant Director for Practice &amp; Discipline</td> <td>Julie Schwan, Administrative Services Coordinator</td> </tr> </table> <p>Other individuals were present as indicated on the Board Meeting Attendance Roster.</p>			Daniel Rustvang, RN, President	Paula Schmalz, APRN	Jane Christianson, RN, Vice President	Janelle Holth, RN (arrived at 10:00 a.m.)	Clara Sue Price, Public Member, Treasurer	Char Christianson, RN	Melissa Hanson, RN	Bonny Mayer, LPN	Diane Gravely, LPN		Constance Kalanek, RN, Executive Director	Stacey Pfenning, APRN, Associate Director	Patricia Hill, RN, Assistant Director for Practice & Discipline	Julie Schwan, Administrative Services Coordinator
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AGENDA	ACTION																
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. No items were identified for discussion.</p> <p><i>Motion:</i> J. Christianson, seconded by P. Schmalz: <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, absent; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed. No changes were identified.</p> <p><i>Motion:</i> Hanson, seconded by Mayer to: <b>APPROVE AGENDA AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, absent; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, 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 the public forum.																
2.1 March 26, 2015 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the March 26, 2015 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Schmalz, seconded by Gravely to: <b>APPROVE THE MINUTES OF THE MARCH 26, 2015 MEETING AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, absent; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																
3.1 Financial Statements	The financial statements through April 30, 2015 were reviewed. Income is at 93% and expenses at 85% of budgeted. A comparison of this year to last year income and expenses was reviewed with no major issues identified.																
3.2 Strategic Plan Report	None																
3.3 Management of Savings & Checking Accounts	<p><i>Discussion:</i> Each year annually the board must approve the management of the board accounts and signatures needed for each. Kalanek will be removed from the accounts and Pfenning added within the next month.</p> <p><i>Motion:</i> C. Christianson, seconded by Price to: <b>APPROVE THE MANAGEMENT OF THE FOLLOWING ACCOUNTS:</b>  <b>KIRKWOOD BANK - MAIN CHECKING, PFENNING, HILL, HANSON, AND BOARD TREASURER</b>  <b>KIRKWOOD SAVINGS: PFENNING AND BOARD TREASURER</b>  <b>BANK OF NORTH DAKOTA - NEL CHECKING &amp; SAVINGS: PFENNING AND BOARD TREASURER</b>  <b>BANK OF NORTH DAKOTA – MERCHANT ACCOUNT – PFENNING AND BOARD TREASURER</b>  <b>DAKOTA COMMUNITY BANK, BND, BNC, AND KIRKWOOD BANK - INVESTMENT/RESERVE FUNDS – PFENNING</b>  <b>ON-LINE BANKING TRANSFERS - SCHWAN</b>  <b>KBT SAFETY DEPOSIT BOX – PFENNING, SCHWAN, ROSSMAN</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, absent; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																

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3.4 2015-2016 FY Budget Proposal	<p><i>Discussion:</i> The Finance Committee met May 7, 2015 to review a proposed budget for the 2015-2016 fiscal year that begins July 1, 2015. Price reviewed the minutes of the meeting with the board. The committee reviewed the current year income and expenses and comparison with the last fiscal year. Price reviewed the current reserve funds with the board, indicating that the reserve funds have been used for onetime expenses such as fixed assets and special projects. The committee felt the reserve fund is at a level that should be preserved or increased slightly. A history of the past five years fund balance was reviewed. The Finance Committee reviewed each line item category for income and expense and a five year history for each category. Brian Bergeson, Special Assistant Attorney General, has proposed his retainer fee remain the same for the upcoming year, and has requested a \$10 per hour increase for matters that are billed hourly. The committee also agreed to begin minor revisions necessary for the new licensure compact in the upcoming fiscal year. No fixed assets or special projects are proposed for the upcoming year due to time commitments for training new staff. Schmalz requested direction from the board regarding two technology projects that the technology committee have briefly discussed with no cost estimates. It was suggested that those projects be studied and prepared for the next fiscal year budget or amend this year's budget if necessary.</p> <p><i>Motion from the Finance Committee:</i>  <b>THE FINANCE COMMITTEE RECOMMENDS THE BOARD CONTINUE BRIAN BERGESON'S \$3000 RETAINER FEE PER MONTH AND ACCEPT BERGESON'S PROPOSAL FOR AN INCREASE IN HOULY FEE RATES FOR OTHER MATTERS WHEN CHARGED FROM \$130 TO \$140 EFFECTIVE 7/1/2015.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p> <p><i>Motion from the Finance Committee:</i>  <b>THE FINANCE COMMITTEE RECOMMENDS THE BOARD INCLUDE FUNDING FOR REVISIONS TO AND ADOPTION OF THE NURSE LICENSURE COMPACT AND ADVANCED PRACTICE LICENSURE COMPACT.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p> <p><i>Motion from the Finance Committee:</i>  <b>THE FINANCE COMMITTEE RECOMMENDS THE BOARD APPROVE THE PROPOSED 2015-2016 BUDGET OF \$1,448,865 PROJECTED INCOME AND \$1,455,400 BUDGETED EXPENSES, WHICH INCLUDES \$82,500 DESIGNATED FOR NURSING EDUCATION LOANS AND \$277,050 DESIGNATED FOR THE ND CENTER FOR NURSING.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.0 Discipline	Hanson participated in the disciplinary review panel meetings and recused from all discipline agenda items.
4.2.1 Stipulation for Settlement – Tara Cooper, R39724	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tara Cooper, 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)(7).</p> <p><i>Motion:</i> J. Christianson, seconded by Gravely to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TARA COOPER, 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> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.2.2 Stipulation for Settlement – Debra Hanson, R36453	<p><i>Discussion:</i> A Stipulation for Settlement was received from Debra Hanson, 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> Mayer, seconded by Gravely to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DEBRA HANSON, 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> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>

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4.2.3 Stipulation for Settlement – Kerry Seidler, L9190	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kerry Seidler, 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) &amp; NDAC 54-02-07-01.1. (5)(6)(7).</p> <p><i>Motion:</i> Mayer, seconded by Price to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KERRY SEIDLER, 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> C. Christianson, yes; J. Christianson, recuse; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 7 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>
4.2.4 Stipulation for Settlement – Loretta Porter, R24907	<p><i>Discussion:</i> A Stipulation for Settlement was received from Loretta Porter, 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) &amp; NDAC 54-02-07-01.1 (5)(8).</p> <p><i>Motion:</i> C. Christianson, seconded by Price to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LORETTA PORTER, 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; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.2.5 Stipulation for Settlement – Damon Deans, L14828	<p><i>Discussion:</i> A Stipulation for Settlement was received from Damon Deans, 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 (2).</p> <p><i>Motion:</i> Holth, seconded by Schmalz to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DAMON DEANS, 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; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.2.6 Stipulation for Settlement – Diana Peterson, R35728 & L12080	<p><i>Discussion:</i> A Stipulation for Settlement was received from Diana Peterson, RN &amp; 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) &amp; NDAC 54-02-07-01.1 (12)(19).</p> <p><i>Motion:</i> Schmalz, seconded by Mayer to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DIANA PETERSON, RN &amp; LPN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ENCUMBER THE LICENSE FOR THREE YEARS;</b></li> <li>◆ <b>ASSESS A \$300 PENALTY FEE; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, recuse; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 7 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>
4.2.7 Stipulation for Settlement – Jaunine Nelson, PTP under NLC MS LPN License P327027	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jaunine Nelson, LPN PTP from MS 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) &amp; NDAC 54-02-07-01.1 (5)(6).</p> <p><i>Motion:</i> J. Christianson, seconded by Gravely to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JAUNINE NELSON, PTP UNDER NLC MS 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 \$500 PENALTY FEE; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>

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4.7.1 Request for Reconsideration - Dawn Tweten, R23718	Dawn Tweten was present to request reconsideration of the board's decision in March to deny reinstatement of her license. Brian Bergeson, SAAG was present for this agenda item and has discussed the request for reconsideration of denial with Ms. Tweten. Ms. Tweten has agreed to not ask the board to rule on a motion for reconsideration at the present time. The board also agreed to not take any action on the Petition.
4.8.1 Other – Merry Foyt, 35400RN Neb	<p><i>Discussion</i> Merry Foyt is an RN who holds a NE license that is encumbered and must according to compact policies obtain permission to practice in other compact states under the NE Board order. She is currently employed with an insurance brokerage company doing telephonic practice. All appropriate compact policies have been followed for her to meet the requirements to serve ND clients as allowed for in the compact.</p> <p><i>Motion:</i> C. Christianson, seconded by Schmalz to:  <b>RATIFY MERRY FOYT'S REQUEST FOR PERMISSION TO PRACTICE IN ND UNDER THE NURSE LICENSURE COMPACT PRIVILEGE WHILE UNDER AN ENCUMBERED LICENSE IN NE.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.8.2 Other – David Peterson UAP/Tech Applicant	<p><i>Discussion:</i> David Peterson submitted an application for UAP/Surg Tech in which he failed to answer yes to the criminal history question, and the criminal history record check revealed two felony charges. While working under the ND UAP Temp permit, Mr. Peterson assisted in the practice of nursing while under the influence of alcohol or unauthorized drugs exhibiting impaired behavior in December 2014. The disciplinary review panel recommends denial of his application. Mr. Peterson has not responded to requests from board staff.</p> <p><i>Motion:</i> C. Christianson, seconded by J. Christianson to:  <b>DENY THE UAP/SURG TECH APPLICATION FOR DAVID PETERSON BASED ON NDCC 43-12.1-14 (1)(4)(5); AND NDAC 54-02-07-01.1(12).</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, recuse; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.9.1 Tristan Rood, AZ RN 114875 PTP	<b>CEASE AND DESIST ORDER</b> issued to Tristan Rood, Dickinson ND, privilege to practice under AZ compact license on April 30, 2015. Potential Violation report received from CHI St Joseph's Hospital, Dickinson, ND. Allegations related to falsification of patient records and practicing beyond scope of practice.
4.9.2 Ned Edwards, WI 159494 RN PTP	<b>CEASE AND DESIST ORDER</b> issued to Ned Edwards, Fargo, ND, privilege to practice under WI compact license on April 30, 2015. Potential Violation Report forwarded from MN Board of Nursing for allegations of patient care safety issues and mishandling of narcotics at Sanford Health in Fargo, ND.
4.10.1 2015 TERCAP 10 Years after IOM	The board reviewed a TERCAP summary "Ten Years after the Institute of Medicine (IOM) Recommendation to NCSBN: Highlights of the Findings from the NCSBN National Nursing Adverse Event Reporting System – TERCAP". TERCAP (Taxonomy of Error Root Cause Analysis of Practice-Responsibility) is a database developed in 2007 by NCSBN designed for boards of nursing to collect standardized, comprehensive and consistent information regarding nursing practice breakdown during investigations and report practice breakdown cases to NCSBN for analysis of error trends. ND has been submitting data since 2007. The board reviewed the number of participating states, summary and future plans which includes development of national strategies to prevent and reduce practice breakdown.
5.2-1 University of Mary BSN programmatic change (NEC)	<p><i>Discussion:</i> Dr. Glenda Reemts, RN, Chair of the University of Mary Department of Nursing was present for this agenda item. The Nursing Education Committee (NEC) reviewed the request from University of Mary BSN program for a programmatic change which involves revising and redistribution of three nursing courses into two courses to eliminate duplicate content in their new curriculum. Overall nursing credits decrease from 72 to 70 and the revision will be implemented Fall of 2015.</p> <p><i>Motion from Nursing Education Committee:</i>  <b>THE NURSING EDUCATION COMMITTEE RECOMMENDS THE BOARD ACCEPT THE UNIVERSITY OF MARY'S NOTIFICATION OF MAJOR PROGRAMMATIC CHANGES FOR THE BSN PROGRAM AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN COMPLIANCE WITH NDAC 54-03.2-06-02.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

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5.2-2 ND State College of Science programmatic change (NEC)	<p><i>Discussion:</i> Barb Diederick, MS, RN, Chair of the Department of Nursing at NDSCS was present via phone for this agenda item. NEC reviewed the request from NDSCS for addition of a program site in the Fargo Moorhead area. The AASPN Program would be offered Fall of 2015 through December 2017. The program has offered seven outreach programs in this area in the past fifteen years. Letters of support from area employers were provided.</p> <p><i>Motion from the Nursing Education Committee:</i>  <b>THE NURSING EDUCATION COMMITTEE RECOMMENDS THE BOARD ACCEPT THE ND STATE COLLEGE OF SCIENCE'S NOTIFICATION OF MAJOR PROGRAMMATIC CHANGE TO OFFER THEIR PRACTICAL NURSE PROGRAM IN THE FARGO AREA AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN COMPLIANCE WITH NDAC 54-03.2-06-02.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.2-3 TMCC compliance report – NEC	<p><i>Discussion:</i> Turtle Mountain Community College representatives were present at the NEC meeting for discussion of their compliance report required by the board in May 2014. NEC reviewed the compliance report addressing deficiencies of non-compliance for NDAC 54-03.2-02-05 Nursing Program Evaluation and partial compliance of NDAC 54-03.2-04-01 Faculty Responsibilities. Staff analysis of NDAC 54-03.2-02-05 Nursing Program Evaluation has determined the rule as partially met. Staff analysis of NDAC 54-03.2-04-01 Faculty Responsibilities has determined the rule as fully met.</p> <p><i>Motion the Nursing Education Committee:</i>  <b>THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT THE BOARD APPROVE THE COMPLIANCE REPORT FROM TMCC AASPN PROGRAM AND REQUIRE A COMPLIANCE REPORT WITH THE 2014-2015 ANNUAL NURSING EDUCATION REPORT ADDRESSING PARTIAL COMPLIANCE WITH NDAC 54-03.2-02-05. NURSING PROGRAM EVALUATION.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.3-1 Report of CE Audit	<p><i>Discussion:</i> The final report of the CE Audit for 2013-2014 CE courses required for 2015-2016 renewal was reviewed. A total of 185 licensees were audited during the October 2014–December 2014 renewal period and 184 have met the requirements. One individual will be turned over to the disciplinary review panel for non-compliance.</p> <p><i>Motion:</i> Schmalz, seconded by Holth to:  <b>ACCEPT THE 2013-2014 CE AUDIT REPORT AS PRESENTED.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.4-1 French NCLEX – Informational	The board reviewed communication from NCSBN confirming that the NCLEX will only be given in French in the French Canadian provinces and not at any of the U.S. sites.
6.1 E-notify Reports	E-notify is a system in NURSYS that allows employers of nurses to receive automated license and discipline notifications of enrolled RNs, LPNs, and Advanced Practice nurses from the state boards of nursing. As of May 1, 2015, 41 institutions have enrolled 6646 nurses in e-notify. The board discussed communication efforts to increase usage of the system.
7.1-1 Administration of Immunization & parental refusal	<p><i>Discussion:</i> The Nursing Practice Committee reviewed a document prepared by the NDDoH titled “Responding to Parental Refusals of Immunization of Children” that is in accordance with the American Academy of Pediatrics. There had been reports made by parents to the ND Department of Health of discharging those patients who refuse to vaccinate. The preferred practice is for providers to continue an ongoing relationship with the family and not discharge patients who delay or refuse vaccinations.</p> <p><i>Motion from the Nursing Practice Committee:</i>  <b>THE NURSING PRACTICE COMMITTEE RECOMMENDS THE BOARD SUPPORT THE RECOMMENDATIONS FROM THE ND DEPARTMENT OF HEALTH'S GUIDANCE ON ADMINISTRATION OF IMMUNIZATION ENTITLED “RESPONDING TO PARENTAL REFUSALS OR DELAYS OF IMMUNIZATION OF CHILDREN.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
7.1-2 National Nursing Workforce Data – Patricia Moulton - 10:00 a.m.	Patricia Moulton, Executive Director of the ND Center for Nursing gave a presentation to the board regarding National Nursing Workforce Data. The Forum of State Nursing Workforce Centers has developed National Nursing Workforce Minimum Datasets in the areas of nursing supply, nursing demand, and nursing education programs. Upcoming surveys were discussed.
7.3-1 NCSBN Delegate Assembly Adopts Revised NLC	Pfenning and Hanson attended the NCSBN Special Delegate Assembly May 4 <sup>th</sup> and the states present voted in favor of the revised nurse licensure compact and the new proposed APRN compact.
7.3-2 Duplicate License Report	None
7.4-1 Administrative Rules Promulgation	None
7.4-2 Legislative Bills Affecting State Agencies	None
7.4-3 Legislative Committees	None

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7.4-4 Communication with Senators & Representatives	None
7.4-5 Report from Legislative Monitor – Cory Fong- 1:15 p.m.	Cory Fong was present to summarize bills that were monitored during the past legislative session.
9.1 Program Monitoring Committee	No meeting
9.2 Nursing Education Committee	Met May 20, 2015 and discussed with agenda Item 5.0
9.3 Finance Committee	Met May 7, 2015 and discussed with agenda Item 3.0
9.4 Executive Committee	No meeting
9.5 Nursing Practice Committee	<p><i>Discussion:</i> The Nurse Practice Committee has been studying a request for expansion of the role of the dialysis technician. A subcommittee of experts in the field met in February 2015 and discussed the role. The subcommittee members provided input from their perspective employment site and as a personal perspective.</p> <p><i>Motion from the Nursing Practice Committee:</i>  <b>THE NURSING PRACTICE COMMITTEE RECOMMENDS TO THE BOARD TO NOT SUPPORT THE EXPANSION OF THE DIALYSIS TECHNICIAN ROLE BASED ON “GUIDELINES FOR ROLE OF DIALYSIS TECHNICIAN”.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
9.6 Technology Committee	No meeting
9.7-1 Prescription Drug Monitoring Program Committee (Board Representative)	No meeting
10.1 ADE and ADD positions	Melissa Hanson, MS, RN has been hired as the Associate Director for Discipline and Tammy Buchholz, MS, RN has been hired as the Associate Director for Education. Both will begin with the board on June 1 <sup>st</sup> .
11.1 Board Governance & Board Member Role	<p><i>Discussion:</i> The ND Center for Nursing by-laws require a representative from the ND Board of Nursing on the Board of Directors. Connie Kalanek has been the board representative and Char Christianson has been the alternate. Replacements are needed for both.</p> <p><i>Motion:</i> Price, seconded by Schmalz to:  <b>APPOINT STACEY PFENNING TO NDCFN BOARD OF DIRECTORS.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p> <p><i>Motion:</i> J. Christianson, seconded by Hanson to:  <b>APPOINT PAULA SCHMALZ AS AN ALTERNATE TO NDCFN BOARD OF DIRECTORS.</b></p> <p><i>Roll call vote:</i> C. Christianson, yes; J. Christianson, yes; Gravely, yes; Hanson, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
11.2 Dakota Nurse Connection	There were two showings of the American Nurse in Grand Forks and one in Bismarck. Board members who attended indicated both were well attended.
11.3 100 <sup>th</sup> Year Celebration Agenda	The 100 <sup>th</sup> year celebration was held May 21 <sup>st</sup> at the ND Heritage Center.
11.4 Board Meeting Evaluation	Board members are asked to complete.
FARB Training	FARB will hold a regulatory training in ND on August 28 <sup>th</sup> . The deadline for registration is at the end of May. Discussed paying \$250/individual attendance vs. \$2000 for the entire Board. Members to contact Pfenning by May 30 <sup>th</sup> to allow for appropriate registration dependent on availability.

### CONSENT AGENDA:

8.1 NCSBN
8.1-1 2015 National Nursing Workforce Request
8.1-2 NLCA Announces Montana Passes NLCA Legislation
8.2 Office Management
8.2-1
8.3 Nursing Practice
8.3-1 Make Your Mark Campaign - Bismarck & Mandan
8.4 Legal Counsel
8.5 Unlicensed Assistive Person/Medication Assistant
8.5-1 NNAAP Testing Summary
8.5-2 NNAAP Testing Statistics

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8.6 Licensure
8.6-1 NCLEX-RN Quarterly Reports
8.6-2 NCLEX-PN Quarterly Reports
8.7 Discipline
8.7-1 Discipline Statistics/Case Activity Report
8.7-2 NLC Case Log
8.7-3 Case Log MN Board Recognition Law
8.8 Academic and Continuing Education
8.8-1 Ratification of approval of continuing education for contact hours
8.8-2 Distance education students
8.8-3 Faculty Development Program

### UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

12.1 National Council of State Boards of Nursing Annual Meeting, August 19-24, 2015 – Chicago, IL.
12.1-1 Summary of recommendations to the 2015 Delegate Assembly
12.2 NCSBN Monthly Meetings by teleconference calls and onsite:
12.2-1 Policy Call
12.2-2 Education Knowledge Network – May 12, June 9, July 9
12.2-3 Discipline Knowledge Network – April 23
12.2-4 EO Leadership Network – January 31
12.2-5 NLCA Meeting – February 25-26; March 15
12.2-6 EO & President's Day – Mid-Year Meeting – Knoxville, KY – March 16-18, 2015
12.2-7 NCSBN Executive Officers Leadership Seminar - June 2015
12.2-8 IT & Operations Network & NLC Operations – May 13; June 25
12.2-9 NCLEX Conference – September 21
12.2-10 APRN Knowledge Network – May 28
12.2-11 APRN Roundtable-April 15
12.2-12 Practice Knowledge Network – June 25; July 16
12.2-13 TERCAP – April 29
12.2-14 Standards Development Committee – December 8-9, 2014
12.2-15 APRN Distance Education Committee – Feb 25-26, 2015
12.3 North Dakota Organization of Nurse Executives – January 22
12.4 North Dakota Nurses Association
12.5 North Dakota Rural & Public Health Conference – June 3-5, 2015
12.6 North Dakota Hospital Association Annual Convention and Trade Show – October 6-8, 2015 - Fargo
12.7 North Dakota LTCA Professional Development Conference – April 28- May 1, 2015
12.8 Reducing Pharmaceutical Narcotics in our Community –March 26.
12.9 NDDHS Development Disability HCBS – January 5; April 16.
12.10 AANP Health Policy Conference – March 29-April 1
12.11 2015 Tri-Regulator Symposium
12.12 State Health Council – May 15
12.13 Comprehensive Regulatory Training for ND – Federation of Association of Regulatory Boards (FARB)- August 28 <sup>th</sup> .

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### **Staff Presentations:**

**13.1 Essentia Professional Development Series – Fargo – Maintaining Mental Health in Nursing – June 1 – Fargo**

The meeting recessed from 12:10 p.m. for lunch and reconvened at 12:50 p.m.

The meeting adjourned at 2:30 p.m. on May 22, 2015.

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Constance B. Kalanek, RN, PhD, FRE  
Executive Director - Draft 5/25/2015