

North Dakota Board of Nursing Meeting Minutes – January 21, 2016

Call to Order:	January 21, 2016 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7 th Street, Suite 504, Bismarck ND		
Roll Call:	Nine members present as follows:		
	Daniel Rustvang, RN, President	Michael Hammer, RN	
	Jane Christianson, RN, Vice President	Janelle Holth, RN	
	Clara Sue Price, Public Member, Treasurer	Mary Beth Johnson, RN	
	Wendi Johnston, LPN	Bonny Mayer, LPN	
	Paula Schmalz, APRN		
	Staff Present:		
	Stacey Pfenning, APRN, Executive Director	Melissa Hanson, RN, Associate Director for Discipline	
	Tammy Buchholz, RN, Associate Director for Education	Patricia Hill, RN, Assistant Director for Practice & Discipline	
	Julie Schwan, Administrative Services Coordinator		
This meeting was web-streamed and viewed by students throughout the state. Other individuals were present as indicated on the Board Meeting Attendance Roster.			
AGENDA			
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> Christianson, seconded by Schmalz to: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed. No additions were identified.</p> <p><i>Motion:</i> Schmalz, seconded by Price to: APPROVE AGENDA AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 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 November 19, 2015 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the November 19, 2015 meeting were reviewed. Staff noted a correction to a motion for agenda item 7.4-1 Prescription Drug Monitoring Program Proposed Rules for the time of the public hearing. The motion indicates a 1:00 p.m. public hearing, but the hearing has been noticed in publications and on the website as being at 1:30 p.m. Staff requests changing the incorrect time in the motion from 1:00 to 1:30 p.m.</p> <p><i>Motion:</i> Christianson, seconded by Schmalz to: APPROVE THE MINUTES OF THE NOVEMBER 19, 2015 MEETING AS AMENDED WITH CORRECTED TIME FOR ADMINISTRATIVE RULES PUBLIC HEARING.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
3.1 Financial Statements	The financial statements through December 31, 2015 were reviewed. Income is at 81% and expenses at 58% of budgeted. The board reviewed categories that were significantly below or above budget. A comparison from last fiscal year to this fiscal year to date was reviewed with no issues identified.		
3.2 2015-2016 Strategic Plan Progress Report	<p><i>Discussion:</i> The progress report of the 2014-2018 Strategic Plan was reviewed. The Report encompasses the period of July 1, 2015 through December 31, 2015. Staff reviewed highlights and indicated the progress reports would be posted on the website.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: ACCEPT THE JULY 1, 2015 TO DECEMBER 31, 2015 STRATEGIC PLAN PROGRESS REPORT.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		
3.3 2014-2015 Annual Report	<p><i>Discussion:</i> The 2014-2015 Annual Report was reviewed and discussed. The report provides a summary of activities during the 2014-2015 Fiscal Year and is submitted to the governor's office upon approval. The report will also be posted on the Board website.</p> <p><i>Motion:</i> Christianson, seconded by Schmalz to: ACCEPT THE 2014-2015 ANNUAL REPORT AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>		

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AGENDA	ACTION								
4.1 Surrender	<p><i>Discussion:</i> One individual has signed and submitted a surrender, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the surrender.</p> <p><i>Motion:</i> Christianson, seconded by Schmalz to: APPROVE AND ACCEPT THE TERMS OF THE PROPOSED SURRENDER AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: center;">Name</th> <th style="text-align: center;">Lic/Reg #</th> <th style="text-align: center;">City, State</th> <th style="text-align: center;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Olson, Tina</td> <td style="text-align: center;">L9135</td> <td style="text-align: center;">Bottineau, ND</td> <td style="text-align: center;">\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Penalty Fee	Olson, Tina	L9135	Bottineau, ND	\$200
Name	Lic/Reg #	City, State	Penalty Fee						
Olson, Tina	L9135	Bottineau, ND	\$200						
4.2.1 Stipulation for Settlement – Jenna Maag, R37043	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jenna Maag, 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)(7).</p> <p><i>Motion:</i> Christianson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JENNA MAAG, RN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS \$300 PENALTY FEE PLUS COSTS & DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, recuse; Johnston, 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 – Nicole Kramer, L13941	<p><i>Discussion:</i> A Stipulation for Settlement was received from Nicole Kramer, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Mayer, seconded by Christianson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR NICOLE KRAMER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>								
4.2.3 Stipulation for Settlement – Brittany Smith, MS RN PTP R892118	<p><i>Discussion:</i> A Stipulation for Settlement was received from Brittney Smith, RN, Mississippi Compact license Privilege to Practice (PTP), 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)(7).</p> <p><i>Motion:</i> Christianson, seconded by Holth to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BRITTNEY SMITH, RN, MS PTP, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND ON HER MS PRIVILEGE TO PRACTICE; ◆ ASSESS A \$300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>								
4.2.4 Stipulation for Settlement – Breanna Wurgler, L13846	<p><i>Discussion:</i> A Stipulation for Settlement was received from Breanna Wurgler, 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) & NDAC 54-02-07-01.1 (8)(12).</p> <p><i>Motion:</i> Johnson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BREANNA WURGLER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$500 PENALTY FEE PLUS COSTS & DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>								

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AGENDA	ACTION
4.2.5 Stipulation for Settlement – Melissa Hoffman, R34134 & L12022	<p><i>Discussion:</i> A Stipulation for Settlement was received from Melissa Hoffman, RN & 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) & NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Christianson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MELISSA HOFFMAN, RN & LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 PENALTY FEE PLUS COSTS & DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Hammer, recuse; Holth, yes; Johnson, yes; Johnston, recuse; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 7 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>
4.2.6 Stipulation for Settlement – Kristy Brewster, R38266	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kristy Brewster, 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 violations of NDCC 43-12.1-14 (6) and NDAC 54-02-07-01.1 (5)(6)(8)(9).</p> <p><i>Motion:</i> Christianson, seconded by Schmalz to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KRISTY BREWSTER, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$300 PENALTY FEE PLUS COSTS & DISBURSMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, recuse; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.5.1 Request for Reinstatement – Dana Banken, L13271	<p><i>Discussion:</i> Dana Banken, LPN has requested reinstatement of her suspended LPN license. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation for reinstatement to unrestricted licensure status, but the license would remain inactive until she meets the licensure requirements. Ms. Banken did not follow terms and conditions of her board order dated March 26, 2015 and was automatically suspended on August 10, 2015. Ms. Banken has now complied with the board order requirements and has in inactive ND license with no current plans to reactivate as she will be working in MN.</p> <p><i>Motion:</i> Schmalz, seconded by Holth to: GRANT DANA BANKEN'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED LPN LICENSE TO UNRESTRICTED LICENSURE STATUS WITH LICENSE TO REMAIN INACTIVE UNTIL ALL LICENSURE REQUIREMENTS ARE MET.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.5.2 Request for Reinstatement – Shari Lawrence, R25262 - 9:15 a.m.	<p><i>Discussion:</i> Shari Lawrence, RN, was present for this agenda item to request reinstatement of her suspended RN license. Ms. Lawrence signed a statement in which she acknowledged the board is authorized to hold an executive session to discuss exempt or closed records, and agreed to discuss her request for licensure during the regular board meeting, which is open to the public, and may include personal health information. Ms. Lawrence does not have the required practice hours in the preceding four years so will need to take a refresher course to be eligible for reinstatement to active status. She discussed her recovery and support system with the board. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation for reinstatement to encumbered status for three years.</p> <p><i>Motion:</i> Holth, seconded by Christianson to: GRANT SHARI LAWRENCE'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS WITH THE TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND AS SET OUT IN THE BOARD ORDER AND UPON MEETING LICENSURE REQUIREMENTS.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, recuse; Johnston, yes; Mayer, no; Price, yes; Rustvang, yes; Schmalz, yes. 7 yes, 1 no, 1 recuse, 0 absent. Motion carried.</p>
4.5.3 Request for Reinstatement – Lindsay Krabbenhoft, R36734 - 9:00 a.m.	<p><i>Discussion:</i> Lindsay Krabbenhoft, RN, was present for this agenda item to request reinstatement of her suspended RN license. Ms. Krabbenhoft signed a statement in which she acknowledged the board is authorized to hold an executive session to discuss exempt or closed records, and agreed to discuss her request for licensure during the regular board meeting, which is open to the public, and may include personal health information. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation for reinstatement to encumbered status for three years. Board members discussed her recovery and support system with her.</p> <p><i>Motion:</i> Price, seconded by Mayer to: GRANT LINDSAY KRABBENHOFT'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS WITH THE TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND AS SET OUT IN THE BOARD ORDER.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>

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AGENDA	ACTION
4.6.1 Request for Reissuance – Marcia Ketterling, R17917 (APRN)	<p><i>Discussion:</i> Marcia Ketterling, RN, APRN, is requesting reissuance of her APRN license from encumbered status to full licensure status. The board reviewed the current order and discussed the disciplinary review panel recommendation to reissue her license to full licensure status. The terms and conditions of the board order dated May 16, 2014 have been completed as reported by staff.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: GRANT MARCIA KETTEERLING'S REQUEST FOR REISSUANCE OF HER APRN LICENSE TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF STIPULATION FOR SETTLEMENT DATED MAY 16, 2014.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.6.2 Request for Reissuance – Wanda Etzel, R27326 & L8953	<p><i>Discussion:</i> Wanda Etzel, RN & LPN is requesting reissuance of her RN & LPN (inactive) licenses from encumbered status to full licensure status. The board reviewed the current order and discussed the disciplinary review panel recommendation to reissue her license to full licensure status. The terms and conditions of the board order dated January 16, 2014 have been completed as reported by staff.</p> <p><i>Motion:</i> Johnson, seconded by Johnston to: GRANT WANDA ETZEL'S REQUEST FOR REISSUANCE OF HER RN & LPN LICENSE TO UNRESTRICTED AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF STIPULATION FOR SETTLEMENT DATED JANUARY 16, 2014.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.8.1 Other – Sukanlaya Hughes, APRN Applicant	<p><i>Discussion:</i> Sukanlaya Hughes submitted and APRN licensure application and answered negatively to all of the regulatory questions, including the question asking if she has been subject of disciplinary action in another jurisdiction, which proved to be false information. Ms. Hughes was under investigation by the AZ Board of Nursing at the time of the application and was later disciplined by the AZ Board of Nursing, which entered Findings of Public Emergency and Order of Summery Suspension against her AZ nursing license.</p> <p><i>Motion:</i> Christianson, seconded by Priced to: DENY SUKANLAYA HUGHE'S APPLICATION FOR INITIAL APRN LICENSURE BASED ON NDCC 43-12.1-14 (3)(4)(5).</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
4.9.1 Christine Cruz-Gorski, R40425	<p>EMERGENCY SUSPENSION issued to Christine Cruz-Gorski, RN, Eureka, CA on December 29, 2015. NURSUS speed memo received 12/21/2015 related to action taken on RN license in MN – revocation of license related to conduct evidencing ethical unfitness, unable to practice safely by reason of psychological impairment or mental disorder, substandard or inadequate skill level. In addition, answers on initial application for endorsement for ND in 2014, and also subsequent licensure renewal in 2015 were determined to be false. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.</p>
4.9.2 Kaitlyne Morris, RN application for Endorsement from MI	<p>CEASE AND DESIST ORDER issued to Kaitlyne Morris, RN applicant for license by endorsement, Fenton, MI on December 29, 2015. PVR received from Vibra Hospital in Mandan for allegations of suspected diversion. Employment terminated from facility and travel agency and reported to local police and DEA. Admitted to improperly wasting the hydromorphone, denies diverting or using the hydromorphone for personal use. Chemical Dependency evaluation received 12/21/2015 indicates continued practice would constitute a continuing and imminent threat to the public welfare.</p>
4.9.3 Lisa Herda, L11750	<p>EMERGENCY SUSPENSION issued to Lisa Herda, LPN, Grand Forks, ND on December 14, 2015. PVR received from Valley Memorial Homes in Grand Forks, ND related to allegations of suspicion of falsification of records, theft, and diversion. Positive UDS for fentanyl and morphine. Terminated from facility, denies diverting drugs for personal use but does admit to using without a prescription. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.</p>
4.9.4 Heather Harp, L12109	<p>NOTICE OF SUSPENSION issued to Heather Harp, LPN, Aneta, ND on January 20, 2015 for violation of terms and conditions of Stipulation for Settlement dated September 11, 2014. Respondent's license is automatically SUSPENDED for a period of two years.</p>
4.9.5 Amanda Gerszewski, R38303 & L13052	<p>NOTICE OF SUSPENSION issued to Amanda Gerszewski, RN & LPN, Grand Forks, ND on January 20, 2015 for violation of terms and conditions of Stipulation for Settlement dated September 10, 2015. Respondent's license is automatically SUSPENDED for a period of three years.</p>
4.10.1 ReGROUP Recovery Program	<p>Staff shared that information was received from a ReGROUP, a peer support recovery organization for professionals with substance abuse issues. The organization is contacting all professional boards to let them know of the organization and offer an invitation for referrals. Staff does not make referrals but can provide information of services that are available. Board members suggested directing them to the ND Center for Nursing for possible referral or advertising information. The Board of Medical Examiners has set up an assistance program for physicians and may expand to others in the health care field.</p>

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AGENDA	DISCUSSION
5.2-1 University of Mary Programmatic Change Request	<p><i>Discussion:</i> Glenda Reemts, Chair of the University of Mary was present for this agenda item. The University of Mary LPN to BSN Program submitted a request for programmatic change to delete NUR 215 Nutrition & Diet Therapy (3 credit course) and utilize NUR 216 Nutrition to meet the nutrition content. Implementation of a revised LPN to BSN curriculum has revealed there is no longer a need for the course.</p> <p><i>Motion:</i> Holth, seconded by Christianson to: ACCEPT THE UNIVERSITY OF MARY NOTIFICATION OF MAJOR PROGRAMMATIC CHANGES FOR THE LPN TO 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. PROGRAMMATIC CHANGES.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, abstain; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 8 yes, 0 no, 1 abstain, 0 absent. Motion carried.</p>
5.2-2 Dakota College DNP Programmatic Change Request	<p><i>Discussion:</i> Dakota College at Bottineau (DCB), a partner in the Dakota Nursing Program submitted a request for approval of distance delivery of the practical nurse program to the Quentin Burdick Job Corps Center (BJCC) in Minot, ND beginning in Fall 2016 with plans to enroll up to 24 students. DCB had provided the PN program at the BJCC in the past between 2009 and 2011. There is currently a high level of interest in a nursing program at BJCC. Staff discussed delivery methods, resources, qualified faculty, and fiscal support.</p> <p><i>Motion:</i> Christianson, seconded by Price to: ACCEPT THE DAKOTA COLLEGE AT BOTTINEAU, DAKOTA NURSING PROGRAM REQUEST FOR ADDITION OF A DISTANCE SITE FOR THE PRACTICAL NURSING PROGRAM AT THE QUENTIN BURDICK JOB CORPS CENTER IN MINOT ND BEGINNING FALL 2016 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. PROGRAMMATIC CHANGES.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.2-3 TMCC AASPN Program NCLEX Plan Review	<p><i>Discussion:</i> Aleta Delorme, Director of the Nursing Program at Turtle Mountain Community College (TMCC) was present for the next three agenda items. During the last meeting TMCC was cited for violation of NDAC 54-03.2-02-05 Performance of Graduates on licensing examination for two years of pass rates below 80% in the FY 12-13 and FY 13-14. The board directed TMCC to provide a plan addressing the deficiency to the board. Staff have reviewed & discussed the plan with the program and the program director and indicates the program must submit a progress report on the effectiveness of the plan.</p> <p><i>Motion:</i> Christianson, seconded by Hammer to: ACCEPT THE TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM PLAN ADDRESSING THE DEFICIENCY OF NON-COMPLIANCE WITH NDAC 54-03.2-07-01.1 PERFORMANCE OF GRADUATES ON LICENSING EXAM AND REQUIRE THE PROGRAM ADMINISTRATOR TO SUBMIT A PROGRESS REPORT WITH PRE-SURVEY REPORT FOR UPCOMING ON-SITE SURVEY.</p> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>
5.2-4 TMCC AASPN Program Compliance Report	<p><i>Discussion:</i> In May 2015, the board required Turtle Mountain Community College (TMCC) to submit a compliance report related to a partially met requirement NDAC 54-03.2-02-05 Nursing Education Program Evaluation with the 2014-2015 Education Annual Report. The Program submitted a narrative of the evaluation process November 9, 2015, with no evidence of an ongoing, comprehensive evaluation plan was received as required for this standard. After review, surveyors determine this standard is not met. Staff met with representatives of TMCC on January 13, 2015 to assist with understanding of what is required to meet the standard. It was noted there was a leadership change in the Program Director in 2013, and also a change in oversight at the college by moving the nursing program to the Career & Technical Education Summer 2015.</p> <p><i>Motion:</i> Holth, seconded by Christianson to: MOVE THAT THE BOARD:</p> <ol style="list-style-type: none"> 1. FIND THE COMPLIANCE REPORT SUBMITTED BY TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM NURSE ADMINISTRATOR ADDRESSING THE DEFICIENCY OF PARTIAL COMPLIANCE WITH NDAC 54-03.2-02-05. NURSING EDUCATION PROGRAM EVALUATION DOES NOT MEET THE STANDARD; AND 2. FIND TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM TO BE IN PARTIAL COMPLIANCE WITH ND ADMINISTRATIVE CODE 54-03.2; AND 3. REQUIRE TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM ADMINISTRATOR TO SUBMIT A COMPLIANCE REPORT WITH PRE-SURVEY REPORT FOR UPCOMING ON-SITE SURVEY, ADDRESSING NON-COMPLIANCE WITH NDAC 54-03.2-02-05. NURSING EDUCATION PROGRAM EVALUATION. <ol style="list-style-type: none"> A) REPORT TO PROVIDE AN EVALUATION PLAN DOCUMENT THAT INCLUDES TIMELINES, METHODS, EXPECTED LEVELS OF ACHIEVEMENT, MAINTENANCE AND REVISION OF THE PROGRAM. THE PLAN MUST INCLUDE PROGRAM AND STUDENT LEARNING OUTCOMES, MULTIPLE MEASURES OF STUDENT SUCCESS AFTER GRADUATION, LICENSING EXAMINATION PASS RATES, AND EVALUATION OF PROGRAM RESOURCES.

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AGENDA	DISCUSSION
5.2-4 TMCC AASPN Program Compliance Report (continued)	<i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.
5.2-5 TMCC AASPN Program Approval & Survey	<i>Discussion:</i> Buchholz reviewed a timeline of partial and non-compliance items indicating the Nursing Program Evaluation has not been met since May 2013. New leadership and latest document submissions indicate the program has the ability to provide the necessary documents to meet the standard. It is recommended that the program be put on conditional status until the deficiencies are met and to perform an on-site survey this fall. Board members discussed moving the site visit to late spring or early fall or limiting the number of students the program can admit in the fall. Currently the program is limited to 12 students. After much discussion, it was decided to conduct the site visit in late summer early fall as planned to allow the program enough time to address the deficiencies. It was decided not to limit the number of students admitted below the current number of 12. <i>Motion:</i> Holth, seconded by Christianson to: ACCEPT PLACEMENT OF TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM ON CONDITIONAL APPROVAL STATUS UNTIL SEPTEMBER 2016, AT WHICH TIME THE ND BOARD OF NURSING WILL DETERMINE WHETHER STATED DEFICIENCIES HAVE BEEN SUFFICIENTLY CORRECTED. <i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried. <i>Motion:</i> Holth, seconded by Christianson to: THE BOARD REQUIRE A FULL ON-SITE SURVEY OF THE TURTLE MOUNTAIN COMMUNITY COLLEGE AASPN PROGRAM IN FALL 2016 TO ALLOW PROGRAM TIME TO WORK TOWARD COMPLIANCE OF <u>54-03.2-02-05. NURSING EDUCATION PROGRAM EVALUATION AND 54-03.2-07-01.1 PERFORMANCE OF GRADUATES ON LICENSING EXAM.</u> THE PROGRAM ADMINISTRATOR MUST SUBMIT THE PRE-SURVEY REPORT BY JULY 15, 2016 <i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.
5.2-6 Mount Marty Nurse Anesthesia Program – Letter of Concern	In July 2015, Mount Marty College of Sioux Falls, SD submitted the out of state program recognition fee. No request for recognition status was received from the program so no formal recognition was granted. In January 2016, the Nurse Anesthesia program clinical director contacted the board office regarding Spring 2016 clinical practicum experiences in ND. Staff determined that the program and students in clinical practicum experiences in Fall 2015 without meeting requirements of NDBON Distanced Education Recognition. It was discovered there was a leadership change that led to the unintentional oversight of not submitting all of the required documents. The program has submitted all required documents and is now in compliance. The program received a letter of concern from ND Board of Nursing for failure to obtain out of state program recognition prior to placing clinical students in ND.
5.4-1 2014-2015 Nursing Education Annual Report - Draft	<i>Discussion:</i> The board reviewed the Fiscal Year 2014-2015 Nursing Education Annual Report. The board discussed the combining of NDSU Nursing at Sanford in Bismarck with NDSU in Fargo, which accounts for the large change in numbers for that program. It was noted that ND continues to have the highest NCLEX-RN pass rate in the nation. The board discussed the difference in approval process for nursing programs throughout the nation and staff expressed support and rationale for the current process. The board agreed they would like to see the clinical sites for in-state programs that are being utilized in future annual reports. <i>Motion:</i> Christianson, seconded by Schmalz to: APPROVE THE 2014-2015 EDUCATION ANNUAL REPORT PENDING REVIEW BY PROGRAM DIRECTORS. <i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.
5.4-2 Thesis Research Project- MN State University student request for e-mails	The board reviewed a request from a Minnesota State University Moorhead student requesting a list of e-mails from the board of nursing database. Staff reviewed that personal information is exempt information, which means the board decides whether or not the information can be distributed. Current policy does not allow distribution of e-mails. When requests are made under the opens records law, agencies are allowed by statute to charge a fee for staff time and preparation of the information requested. The board does not "sell" licensees information. The policy on the Process for Use of Board of Nursing Data Base for Research Proposals was reviewed, and board members agreed not to release licensee's e-mails. Staff suggested adding a check box on the renewal giving permission to share e-mail and/or address and the board supported that idea. Staff will review and revise the current policy for review at the March meeting. <i>Motion:</i> Price, seconded by Christianson to: DENY THE REQUEST FOR DISTRIBUTION OF E-MAIL ADDRESSES FROM THE LICENSURE DATABASE FROM THE MINNESOTA STATE UNIVERSITY MOORHEAD STUDENT FOR THESIS RESEARCH PROJECT PENDING REVIEW OF FINAL DOCUMENTS BY BOARD STAFF AND INCLUDING REQUIRING SUBMISSION OF THE COMPLETED THESIS. <i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.

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AGENDA	DISCUSSION												
6.1 Ratification of Nursing Practice Hours	<p><i>Discussion:</i> Barbara Gero, R18813 has submitted a practice journal for care of an ill family members (parents) in order to receive practice hours for that care. Although a nurse is exempt from needing a license to care for a family member, the board allows licensed nurses who are not able to work because they are caring for ill family members to use a portion of that care as practice hours if they document the required nursing plans and submit them to the board for review.</p> <p><i>Motion:</i> Christianson, seconded by Johnston to: BOARD RATIFY NURSING PRACTICE HOURS FOR CARE OF FAMILY MEMBERS FOR THE FOLLOWING:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>NAME</th> <th>LICENSE #</th> <th>2015 HOURS</th> <th>2014 HOURS</th> <th>2013 HOURS</th> <th>2012 HOURS</th> </tr> </thead> <tbody> <tr> <td>GERO, BARBARA</td> <td>R18813</td> <td>200</td> <td>212</td> <td>56</td> <td>88</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Christianson, yes; Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes. 9 yes, 0 no, 0 absent. Motion carried.</p>	NAME	LICENSE #	2015 HOURS	2014 HOURS	2013 HOURS	2012 HOURS	GERO, BARBARA	R18813	200	212	56	88
NAME	LICENSE #	2015 HOURS	2014 HOURS	2013 HOURS	2012 HOURS								
GERO, BARBARA	R18813	200	212	56	88								
7.4-1 Prescription Drug Monitoring Program Proposed Rules – Public Hearing at 1:30 p.m.	The noticed Public Hearing for revisions to NDAC 54-05-03.1 Advanced Practice Registered Nurse Section 54-05-03.1-10 Authority to Prescribe as mandated by HB 1149 was held at 1:30 p.m. No individuals were present at the public hearing.												
7.4-3 Legislative Committee – legislative updates & tracking teams through CFN	Staff reported that the ND Center for Nursing continues tracking teams. A sign-up sheet was sent around in November for board members to volunteer, and the Center for Nursing can also be contacted. Staff attend Friday legislative calls when possible. A link to the ND Center for Nursing Legislative Page was provided to the board.												
7.4-4 Interim Committee assignment	Interim Committee assigned Dept. of Human Services to work the Dept. of Health and stakeholders to study statutory references to “mental health professionals”, as it relates to DHS provisions of services or licensing. Pfenning will represent the Board of Nursing on the committee and will continue to report progress of the committee to the board.												
9.1 Program Monitoring Committee	No meeting												
9.2 Nursing Education Committee	No meeting												
9.3 Finance Committee	No meeting												
9.4 Executive Committee	No meeting												
9.5 Nurse Practice Committee	No meeting												
9.6 Technology Committee	No meeting												
9.7-1 Prescription Drug Monitoring Program Committee (Board Rep)	Pfenning reported that the PDMP continues to see an increase in accounts. It was also reported that the number of drugs prescribed had been dropping but is now showing a slight increase. The board discussed the positive impacts of the program.												
9.7-2 ND Center for Nursing	Schmalz attended the ND Center for Nursing meeting on January 7. The annual conference will be held on March 31 st – April 1 st in Fargo, and information for registering can be found on the ND Center for Nursing website. The group also reviewed policies, procedures and by-laws.												
9.7-3 Community Paramedic Subcommittee	No meeting												
9.7-4 DH Study Task Force	Reported with Agenda Item 7.4-4.												
9.7-4 Reducing Pharmaceutical Narcotics in our Community	Pfenning, Hill & Hanson have been attending meetings held by the Reducing Pharmaceutical Narcotics in Our Community Task Force. It is a multi-disciplinary task force that is very active in advancing efforts to reduce narcotic abuse issues in the community. Pfenning reported on highlights of the meeting.												
10.1 Renewal Statistics	A total of 8,446 licensees renewed for 2016-2017. A total of 1626 licenses expired that were not renewed, with 77 of those indicating they would not be renewing.												
11.1 Board Governance & Board Member Role	The board reviewed the Code of Conduct for Board members as a review for three new board members and refresher for all members.												
11.2 Dakota Nurse Connection	The latest edition of the Dakota Nurse Connection was published in January.												
11.3 Board Meeting Evaluation	Board members asked to complete the board meeting evaluation.												
11.4 NCSBN Knowledge Networks	The board discussed NCSBN Knowledge networks, that are specific to certain areas of regulation. Schmalz participates in the APRN Committee and encouraged other members to participate in an area of interest to them and indicates it is interesting to hear what other states are doing. The knowledge networks encompass APRN, Education, Practice, & Discipline.												
Discussion on Presentations	The board discussed different topics and options for speakers including, Nurse Licensure Compact and legalizing marijuana and the impacts on regulation.												

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CONSENT AGENDA:

8.1 NCSBN
8.2 Office Management
8.3 Nursing Practice
8.4 Legal Counsel
8.5 Unlicensed Assistive Person/Medication Assistant
8.5-1 NNAAP Testing Summary
8.5-2 NNAAP Testing Statistics
8.6 Licensure
8.6-1 NCLEX-RN Quarterly Reports – none
8.6-2 NCLEX-PN Quarterly Reports – none
8.6-3 Nursys Duplicate License Report
8.6-4 Credentialing Survey Report 2014
8.7 Discipline
8.7-1 Discipline Statistics/Case Activity Report
8.7-2 NLC Case Log
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 Meetings Attended:
12.1-1 NCSBN Annual Meeting – Chicago – August 19-21, 2015 – Christianson, Rustvang, Pfenning, Holth attended.
12.1-2 NLCA Meeting – Chicago – August 18, 2015 – Pfenning, & Rustvang attended.
12.1-3 FARB Training – Bismarck – August 28, 2015 – Pfenning, Buchholz, Hill, Hanson, Rustvang, Christianson, Schmalz Hammer attended.
12.1-4 LTCA Conference – September 15-18, 2015 – Hammer attended.
12.2 NCSBN Knowledge Networks & Conferences/meetings:
12.2-1 President Networking Call – October 19
12.2-2 Education Knowledge Network – Sept 2; Oct 7; Nov 9; Dec 3; Jan 7; Feb 4; Mar 9; Apr 7
12.2-3 Discipline Knowledge Network – Oct 15; Oct 22; Dec 10
12.2-4 APRN Knowledge Network – Sept 24;
12.2-5 Practice Knowledge Network – Sept 10; Nov 5
12.2-6 EO Leadership Council – Oct 19; Dec 14; Feb 22; Apr 18
12.2-7 NLCA Meeting – held August 18 th – Chicago
12.2-8 EO & President's Meetings – held August 20 th , Chicago; next EO Summit June 21-22, 2016
12.2-9 Annual Meeting – Held August 19-21, 2015, Chicago; next meeting August 17-19, 2016, Chicago
12.2-10 MidYear Meeting – held March 16-18, 2015, Chicago; next meeting March 15-16, 2016, Baltimore MD
12.2-11 NCSBN Executive Officers Leadership Seminar – held June 2015 – San Francisco, CA
12.2-12 IT Operation Conference – September 16 Teleconference; May 24, 2016 Chicago
12.2-13 NCLEX Conference – September 21 – full conference - September 12, 2016 – Philadelphia PA
12.2-14 TERCAP – Nov 19 teleconference
12.2-15 Discipline Case Management Conference – June 6-8, 2016 Norfolk VA
12.2-16 APRN Roundtable – April 5, 2016 -
12.2-17 Leadership and Public Policy Conference – October 27-29, 2015 – Westlake Village, CA
12.2-18 NCSBN Annual Institute of Regulatory Excellence Conference – Jan 26-28, Long Beach, CA
12.2-19 New EO Orientation – May 9, 2016 – Chicago
12.2-20 NCSBN APRN Education Committee – Pfenning member –November 29-30, 2015 Upcoming Meetings – January 7-8, 2016; March 25, 2016 0 - Regulation of APRN Programs will be discussed at MidYear Meeting
12.2-21 NCSBN 40 th Anniversary Celebration – Pfenning member – December 11, 2015

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12.2.22 NCSBN LSC – Jane Christianson – member- First meeting was orientation for new members.
12.2.23 National Forum of State Nursing Workforce Centers – April 27-29, Orlando, FL – NDCFN Funding NDBON representative to attend
12.3 STATE MEETINGS
12.3-1 North Dakota Organization of Nurse Executives – TBA
12.3-2 North Dakota Nurses Association – November 6-7, 2015 – Bismarck
12.3-3 North Dakota Rural & Public Health Conference – June 3-5, 2015; May 16-18, 2016 Grand Forks
12.3-4 North Dakota Hospital Association Annual Convention and Trade Show – October 6-8, 2015 - Fargo
12.3-5 North Dakota LTCA Fall Development Conference– September 15-18, 2015, Bismarck
12.3-6 ND Health Care Reform Review Committee – September 29, 2015
12.3-7 Reducing Pharmaceutical Narcotics in our Community – held August 18, next TBA
12.3-8 ND Pilot Community Paramedic Stakeholder Meeting – TBA
12.3-9 NDDHS Developmental Disability HCBS – June 9; July 10;
12.3-10 CLEAR Leadership Program and Annual Conference
12.3-11 ND Interim Health Service Committee – August 19, 2015
12.3-12 ND Nurse Practitioner Association 7 th Annual Pharmacology Conference – September 24-25, 2015
13.0 STAFF PRESENTATIONS
13.1 Social media presentation – May 6, 2016 – Fargo Symposium

The meeting recessed from 11:40 p.m. for lunch and reconvened at 12:45 p.m.

The meeting adjourned at 2:30 p.m. on January 21, 2016.

Stacey Pfenning, DNP, APRN, RN
Executive Director
Draft 01/26/2016