

## North Dakota Board of Nursing Meeting Minutes – January 19, 2017

Call to Order:	January 19, 2017 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7 <sup>th</sup> Street, Suite 504, Bismarck, ND	
Roll Call:	Eight members present as follows:	
	Jane Christianson, RN Member, President Michael Hammer, RN Member, Vice-President Paula Schmalz, APRN Member, Treasurer Jamie Hammer, RN Member	Mary Beth Johnson, RN Member Janelle Holth, RN Member Wendi Johnston, LPN Member Clara Sue Price, Public Member
	Absent: Bonny Mayer, LPN Member	
	Staff Present:	
	Stacey Pfenning, APRN, Executive Director Tammy Buchholz, RN, Associate Director for Education Julie Schwan, Administrative Services Coordinator	Melissa Hanson, RN, Associate Director for Discipline Patricia Hill, RN, Assistant Director for Practice & Discipline
Other individuals were present as indicated on the Board Meeting Attendance Roster.		
AGENDA	DISCUSSION & ACTION	
1.1 Consent Agenda	<p><i>Discussion:</i> The consent agenda was reviewed with no items identified for discussion.</p> <p><i>Motion:</i> Price, seconded by M. Hammer to: <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed. No additions were identified.</p> <p><i>Motion:</i> Johnson, seconded by Holth to: <b>APPROVE AGENDA AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	
1.3 Public Forum 9:00 a.m.	No one was present for the open forum.	
2.1 November 17, 2016 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the November 17, 2016 meeting were reviewed. No changes were identified.</p> <p><i>Motion:</i> M. Hammer, seconded by Schmalz to: <b>APPROVE THE MINUTES OF THE NOVEMBER 17, 2016 MEETING AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	
3.1 Financial Statements	The financial statements through December 31, 2016 were reviewed. Income is at 78% and expenses at 57% of budgeted. A comparison of this fiscal year to last fiscal year was reviewed. The board discussed the decrease in disciplinary penalty fees from last year to this year. Attorney fees for contested cases and other issues were 75% of budgeted. Board members recommend review of current disciplinary fee guidelines and review the possibility of fees assessed with Emergency Suspensions. The Board directed staff to prepare background information for review with the Finance Committee at their Spring 2017 Budget review meeting.	
3.2 Strategic Plan Progress Report	<p><i>Discussion:</i> The 2014-2018 strategic plan progress from July 1 through December 31, 2016 was reviewed.</p> <p><i>Motion:</i> Johnson, seconded by Schmalz to: <b>ACCEPT THE STRATEGIC PLAN PROGRESS REPORT FOR JULY 1 THROUGH DECEMBER 31 2016.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	

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AGENDA	DISCUSSION & ACTION
3.3 2015-2016 Annual Report Draft	<p><i>Discussion:</i> The draft 2015-2016 Annual Report was reviewed by the board. The approved report will be submitted to the governor's office as required by law as a report of board activities for previous fiscal year.</p> <p><i>Motion:</i> Johnson, seconded by Holth to: <b>ACCEPT THE DRAFT 2015-2016 ANNUAL REPORT.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.1.1 Request for Reinstatement – Teresa Leer, R27305, APRN	<p><i>Discussion:</i> Teresa Leer, APRN was present to request reinstatement of her surrendered RN &amp; APRN license with prescriptive authority. Ms. Leer 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 compliance panel recommendation to reinstate her license to encumbered status for two years.</p> <p><i>Motion:</i> M. Hammer, seconded by Schmalz to: <b>GRANT TERESA LEER'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED RN AND APRN (WITH PRESCRIPTIVE AUTHORITY) LICENSES TO ENCUMBERED STATUS FOR TWO YEARS WITH THE TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND SET OUT IN THE BOARD ORDER.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, recuse; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.1.2 Request for Reinstatement – Laura Brown, L11139	<p><i>Discussion:</i> Laura Brown, LPN was present via video to request reinstatement of her surrendered LPN license. Ms. Brown 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 compliance panel recommendation to reinstate her license to encumbered status for two years.</p> <p><i>Motion:</i> Holth, seconded by M. Hammer to: <b>GRANT LAURA BROWN'S REQUEST FOR REINSTATEMENT OF HER SURRENDERED LPN LICENSE TO ENCUMBERED STATUS FOR TWO YEARS WITH THE TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND SET OUT IN THE BOARD ORDER.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.1.3 Request for Reinstatement – Deborah Gapinski, L7366	<p><i>Discussion:</i> Deborah Gapinski, LPN was present to request reinstatement of her suspended LPN license. Deborah 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 compliance panel recommendation to reinstate her license to encumbered status for two years.</p> <p><i>Motion:</i> Price, seconded by M. Hammer to: <b>GRANT DEBORAH GAPINSKI'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED LPN LICENSE TO ENCUMBERED STATUS FOR TWO YEARS WITH THE TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND SET OUT IN THE BOARD ORDER.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.2.1 Request for Reissuance – Melissa Green-Heck, R36741	<p><i>Discussion:</i> Melissa Green-Heck, RN is requesting reissuance of her RN license from encumbered status to full licensure status. The board reviewed the current order and discussed the compliance panel recommendation to reissue her license to full licensure status. The terms and conditions of the board order dated July 16, 2015 have been completed as reported by staff.</p> <p><i>Motion:</i> M. Hammer, seconded by Holth to: <b>GRANT MELISSA GREEN-HECK'S REQUEST FOR REISSUANCE OF HER RN LICENSE TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF THE STIPULATION FOR SETTLEMENT DATED JULY 16, 2015.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.2.2 Request for Reissuance – Nicole Heitkamp, L13344	<p><i>Discussion:</i> Nicole Heitkamp, LPN is requesting reissuance of her LPN license from encumbered status to full licensure status. The board reviewed the current order and discussed the compliance panel recommendation to reissue her license to full licensure status. The terms and conditions of the board order dated January 15, 2015 have been completed as reported by staff.</p> <p><i>Motion:</i> Johnson, seconded by Johnston to: <b>GRANT NICOLE HTEIKAMP'S REQUEST FOR REISSUANCE OF HER LPN LICENSE TO UNRESTRICTED PRACTICE AND FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF THE ORDER FOR REINSTATEMENT DATED JANUARY 15, 2015.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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4.4.1 Default Hearing – Karla Decoteau, L8182	<p><i>Discussion:</i> Brian Bergeson, SAAG was present for a default hearing for Karla Decoteau, LPN. A complaint was filed against Ms. Decoteau for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (6)(12). Bergeson explained that the respondent failed to respond or appear to answer to the allegations of 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 complaint and the lack of any answer or response by the Respondent. Board staff provided testimony supporting the factual allegations of the complaint. The compliance panel presented the board with a recommendation of disciplinary sanctions. The board reviewed and discussed the facts and conclusions of law applicable to the case.</p> <p><i>Motion:</i> Johnson, seconded by M. Hammer:  <b>THAT THE BOARD ADOPT THE PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND DEFAULT ORDER FOR KARLA DECOTEAU AS PRESENTED BY LEGAL COUNSEL AND ENTER IT'S ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND HER LPN LICENSE FOR TWO YEARS;</b></li> <li>◆ <b>ASSESS A PENALTY FEE OF \$1600 PLUS COSTS AND DISBURSEMENTS;</b></li> <li>◆ <b>OTHER TERMS AS OUTLINED IN THE PROPOSED BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>								
4.5 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>  <b>APPROVE AND ACCEPT THE TERMS OF THE PROPOSED SURRENDER AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING:</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <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;">Leier, Brian</td> <td style="text-align: center;">R36434</td> <td style="text-align: center;">Fargo, ND</td> <td style="text-align: center;">\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Penalty Fee	Leier, Brian	R36434	Fargo, ND	\$200
Name	Lic/Reg #	City, State	Penalty Fee						
Leier, Brian	R36434	Fargo, ND	\$200						
4.6.1 Stipulation for Settlement – Haley Deitz, L14537	<p><i>Discussion:</i> A Stipulation for Settlement was received from Haley Deitz, 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 (5) and NDAC 54-02-07-01.1 (18).</p> <p><i>Motion:</i> M. Hammer, seconded by Johnston to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR HALEY DEITZ, 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 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> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, recuse; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>								
4.6.2 Stipulation for Settlement – Suzette McCall, R20941	<p><i>Discussion:</i> A Stipulation for Settlement was received from Suzette McCall, 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 (5) and NDAC 54-02-07.01-1 (8)(12). Ms. McCall denies the allegations of the complaint but has signed the stipulation for settlement.</p> <p><i>Motion:</i> Holth, seconded by Price to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SUZETTE MCCALL, RN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ENCUMBER THE LICENSE FOR TWO YEARS;</b></li> <li>◆ <b>ASSESS A \$400 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> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>								
4.6.3 Consent Order - Paula Grosinger, R27288	<p><i>Discussion:</i> A Consent Order was received from Paula Grosinger, RN seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Consent Order for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07.01-1 (5)(6)(8).</p> <p><i>Motion:</i> Holth, seconded by Schmalz to:  <b>ACCEPT THE TERMS OF THE PROPOSED CONSENT OTDER FOR PAULA GROSINGER, 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 \$400 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> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>								

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AGENDA	DISCUSSION & ACTION
4.9.1 Tera Emter, R29421	<b>ORDER OF EMERGENCY SUSPENSION</b> issued to Tera Emter, RN, Bismarck, ND on December 12, 2016. PVR received from Mid Dakota Clinic, Bismarck, ND with allegations of diverting pain medication and administering a substitution; disregarding physician orders; overmedicating patients, and falsifying records. Employment was terminated. Respondent's license is <b>SUSPENDED</b> for 5 years or until retracted, modified, or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.2 Karen Escalante, L12722	<b>ORDER OF EMERGENCY SUSPENSION</b> issued to Karen Escalante, LPN, Stanley, ND on December 13, 2016. PVR received from Mountrail Bethel Home of Stanley, ND with allegations relating to administration of narcotics, signing out narcotics but not documenting administration. Employment was terminated. Nine charges were subsequently filed with the Mountrail County District Court for Acquiring a Controlled Substance by Misrepresentation (Felony C). Respondent's license is <b>SUSPENDED</b> for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.3 Eden Wanzek, R39319	<b>ORDER OF EMERGENCY SUSPENSION</b> issued to Eden Wanzek, RN, Fargo, ND on December 16, 2016. PVR received from Essentia Health, Fargo, ND with allegations of a patient complaint that this nurse took medication out of her PCA and accessing of patient's charts without a business reason to do so. Employment was terminated. Respondent's license is <b>SUSPENDED</b> for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.4 Heather Michael, L12397	<b>NOTICE OF SUSPENSION</b> issued to Heather Michael, LPN, Bemidji, MN on December 14, 2016 for violation of terms and conditions of her board order dated March 26, 2015. Respondent's license is automatically <b>SUSPENDED</b> for a period of two years.
4.9.5 Paul Overton, PTP, RN TX R806228	<b>CEASE AND DESIST ORDER</b> issued to Paul Overton, TX PTP, RN, Alvin, TX on December 22, 2016. PVR received from Sanford Health, Bismarck, ND with allegations related to documenting that he gave 3 doses of hydromorphone to a patient without a physician order and after the medication was discontinued, not scanning the hydromorphone or the patient's wristband, documented the administration of narcotics hours after he had removed them from the medication room, and on two instances was seen on video concealing medication in his clothing. Employment was terminated.
4.9.6 Cristie Mitzel, R31424 & L10354 (lapsed)	<b>ORDER OF EMERGENCY SUSPENSION</b> issued to Cristie Mitzel, RN & LPN (lapsed), East Grand Forks, MN, on December 23, 2016. PVR received from Altru Health System, Grand Forks, ND with allegations related patient family survey indicated that she removed narcotic medications from the home upon the death of the patient. She did not follow the proper disposal procedure. She had the patient's significant other sign the hospice medication disposal log without the significant other observing the disposal. Employment was terminated. Respondent's license is <b>SUSPENDED</b> for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.7 Elton Branch, L10919	<b>NOTICE OF SUSPENSION</b> issued to Elton Branch, LPN, Hettinger, ND on December 16, 2016. He failed to submit a chemical dependency evaluation as required, NDAC 54-02-07-04.21 authorizes the Board to suspend Respondent's license until the required evaluation is submitted by Respondent.
4.9.8 Bethany Glick, R41093	<b>ORDER OF EMERGENCY SUSPENSION</b> issued to Bethany Glick, RN, Minot, ND on January 5, 2017. PVR received from Trinity Health, Minot, ND with allegations of respondent exhibited suspicious behaviors during shift, specifically, erratic behavior, pupils pinpoint and crying hysterically in a patient room; sweating beads of sweat and face flushed. Respondent sought to change physician orders so patients could receive Dilaudid more frequently and asked a physician to switch a morphine IV order to Dilaudid. Submitted to a reasonable suspicion drug screen with a positive result for marijuana. Respondent's license is <b>SUSPENDED</b> for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.9.9 Lisa Rheault, L10529	<b>ORDER OF EMERGENCY SUSPENSION</b> issued to Lisa Rheault, LPN, Fargo, ND on December 16, 2016. PVR received from Fargo Cass Public Health, Fargo, ND with allegations related to being under the influence of alcohol at work. Resigned from employment October 9, 2016. Respondent's license is <b>SUSPENDED</b> for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.10.1 Discipline Trend	The board reviewed disciplinary trends for the past five years. Potential Violation Reports have remained relatively stable, but the number of contested cases, where an attorney is involved had increased. Active cases have increased, as has emergency suspensions and cease and desist orders. The number of nurses under an encumbrance that are monitored has also increased. Pfenning indicated that director workload has been reassigned to help with discipline investigations and monitoring, and positions will continue to be evaluated related to workload concerns and necessary FTE adjustments.

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AGENDA	DISCUSSION & ACTION
5.1-1 University of Mary – BSN & DNP Program – Paper/Interim Survey	<p><i>Discussion:</i> Glenda Reemts, Chair of the University of Mary Nursing Program was present for this agenda item. An interim/paper survey was submitted to the board for continued approval of the University of Mary BSN &amp; DNP programs. Twenty-five of the NDAC 54-03-02 were examined for the survey and the board reviewed the staff determination and rationale for each standard. There was one issue of non-compliance for NDAC 54-03.2-04-04.1 Doctoral degree nursing education program faculty qualifications, and one issue of partial compliance for NDAC 54-03.2-04-02 Faculty Policies. Post survey evidence was submitted for one standard.</p> <p><i>Motion:</i> Holth, seconded by Schmalz to: <b>MOVE THAT THE BOARD:</b></p> <ol style="list-style-type: none"> <li>1. <b>FIND THE UNIVERSITY OF MARY NURSING EDUCATION PROGRAMS IN SUBSTANTIAL COMPLIANCE WITH ND ADMINISTRATIVE CODE 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAMS; AND</b></li> <li>2. <b>GRANT FULL APPROVAL OF THE UNIVERSITY OF MARY BACCALAUREATE AND GRADUATE DEGREE NURSING EDUCATION PROGRAMS UNTIL JANUARY 2022, AND REQUIRE AN ONSITE SURVEY IN 2022; AND</b></li> <li>3. <b>REQUIRE THE UNIVERSITY OF MARY NURSING EDUCATION PROGRAM'S NURSE ADMINISTRATOR TO SUBMIT A COMPLIANCE REPORT BY MARCH 1, 2017 TO ADDRESS THE ISSUES OF PARTIAL COMPLIANCE WITH NORTH DAKOTA ADMINISTRATIVE CODE 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAMS: 54-03.2-04-04.1 DOCTORAL DEGREE NURSE EDUCATION PROGRAM FACULTY QUALIFICATIONS.</b></li> </ol> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, recuse; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.2-1 DNP Dakota College at Bottineau PN Program Change in Delivery Format- Programmatic Change	<p><i>Discussion:</i> Dakota College at Bottineau (DCB) certificate PN program, a partner in Dakota Nursing Program (DNP) submitted a request for change in delivery format of the program for students residing at a distance from Bottineau. The program admitted eight students who had formerly been accepted into the Turtle Mountain Community College (TMCC) AASPN Program prior to the program voluntarily closing. Six of these students will continue into the spring semester. The students from TMCC traveled a distance of 80 miles roundtrip four times per week. DCB proposes using IVN two days a week at TMCC, since the College has the ability to accommodate these efforts with equipment and adequate seating for the students. The students will still commute to Bottineau for lab and clinical program components. The board discussed the TMCC collaboration with DNP for placement of the remaining students. They continue to research the feasibility of consortium versus a stand-alone program.</p> <p><i>Motion:</i> M. Hammer, seconded by Price to: <b>APPROVE THE DNP DAKOTA COLLEGE AT BOTTINEAU PROGRAM REQUEST FOR CHANGE IN DELIVERY FORMAT AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN COMPLIANCE WITH <u>NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES.</u></b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.2-2 United Tribes Technical College AASPN Program Change in Course Description – Programmatic Change	<p><i>Discussion:</i> United Tribes Technical College AASPN Program has submitted a programmatic change for board approval. The change is in response to recommendations given by NDBON surveyors in October 2016 Paper/Interim survey. FND 209 Career Success for Nurses had a course number change to NUR 298 which will cause it to be moved from General Education Courses to Courses in Major. The change will reduce the number of general education credits from 31 to 29 credits and will increase the number of courses in major from 23 to 34 credits. Overall program credits remain at 63 credits, and the change will go into effect Fall 2017.</p> <p><i>Motion:</i> M. Hammer, seconded by Johnson to: <b>APPROVE THE PROGRAMMATIC CHANGE SUBMITTED BY UNITED TRIBES TECHNICAL COLLEGE AASPN PROGRAM WHICH WAS RECOMMENDED BY THE BOARD AS THE PROGRAMMATIC CHANGE IS IN COMPLIANCE WITH <u>NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES.</u></b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.4-1 Letters of Concern	<p>Letters of concern will continue to be reported to the board for informational purposes. Directors will revise the Discipline Statistics/Case Activity document presented in the consent agenda to further describe Letters of Concern issued by the Compliance Panel.</p>
5.4-2 2015-2016 Nursing Education Annual Draft Report	<p><i>Discussion:</i> The board reviewed a draft of the 2015-2016 Nursing Education Annual Draft report. Highlights of the report were reviewed with the board. The report has been distributed to nurse administrators for review and will be available on the website after final review.</p> <p><i>Motion:</i> Schmalz, seconded by Johnston to: <b>ACCEPT THE DRAFT 2015-2016 NURSING EDUCATION ANNUAL REPORT AFTER REVIEW BY PROGRAM NURSE ADMINISTRATORS.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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5.4-3 NEL – Military Forgiveness Consideration	<p><i>Discussion:</i> Joseph Vetter received a Nursing Education Loan in 2014 &amp; 2015. Mr. Vetter has been deployed to active duty, and the rules allow forgiveness in the case of a military deployment. The remaining balance of the loan after applying credit from prior employment is \$1871.</p> <p><i>Motion:</i> Holth, seconded by Johnston to:  <b>FORGIVE THE REMAINING BALANCE OF THE NURSING EDUCATION LOAN FOR JOSEPH VETTER DUE TO ACTIVE DUTY MILITARY DEPLOYMENT AS ALLOWED BY NDAC 54-04-1-04-06. LOAN FORGIVENESS FOR MILITARY DEPLOYMENT.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>										
5.4-4 Notification of Change of Date for NDBON Accreditation Survey and Visit scheduled with the DOE	The board reviewed notification from the Department of Education of notification of change of date for review of the application for renewal of listing by the Secretary as a nationally recognized accrediting agency from Spring 2017 to Fall 2017.										
5.4-5 Notification of receipt of application submission for approval of Rasmussen College A-BSN program	The board has received an application from Rasmussen College, Fargo for initial approval of an accelerated BSN (A-BSN) program in ND. The A-BSN program has two entrance options; traditional and second degree.										
5.4-6 Notification of scheduled date for UTTC AASPN program On-site Survey	Staff indicated they are working with United Tribes Technical College for scheduling a date for the on-site survey. Dr. Loretta Heuer will be consulting with the program to help meet the standards of NDAC 54-03-02 Nursing Education Programs. Onsite survey is scheduled for April 12-13, 2017.										
6.1-1 Ratification of Nursing Practice Hours	<p><i>Discussion:</i> The board reviewed nursing practice hours for care of the family by a nurse who is otherwise not employed. Care of a family member is allowed by submitting a nursing journal detailing nursing practice while caring for an ill family member. One individual has submitted this information for consideration of practice hours.</p> <p><i>Motion:</i> M. Hammer, seconded by Holth to:  <b>RATIFY NURSING PRACTICE HOURS FOR CARE OF FAMILY MEMBERS FOR THE FOLLOWING:</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">NAME</th> <th style="text-align: center;">LICENSE #</th> <th style="text-align: center;">2016 HOURS</th> <th style="text-align: center;">2015 HOURS</th> <th style="text-align: center;">2014 HOURS</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">SCHAFFER, CHERI</td> <td style="text-align: center;">R24032</td> <td style="text-align: center;">505</td> <td style="text-align: center;">365</td> <td style="text-align: center;">591</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	LICENSE #	2016 HOURS	2015 HOURS	2014 HOURS	SCHAFFER, CHERI	R24032	505	365	591
NAME	LICENSE #	2016 HOURS	2015 HOURS	2014 HOURS							
SCHAFFER, CHERI	R24032	505	365	591							
7.1-1 Family Planning Clinics DoH Standing Orders Update	The board reviewed an update on the Family Planning Clinics and Standing Orders as discussed at the November board meeting. The Board of Medicine met November 17 <sup>th</sup> and made the same determination as the board of nursing that the standing orders by Dr. Dwelle were acceptable in the treatment of chlamydia and gonorrhea. Pfenning and Dr. Dwelle discussed APRNs potentially signing DOH standing Orders. After review of NPA, directors indicated the APRN signing standing orders without evaluating the client is NOT recommended. Future considerations for the board will be discussion of telehealth options and the upcoming change in State Health Officer position if that position is not filled by a physician.										
7.2-1 Veterans Affairs Final Rule for VA employed VA APRNs	The board reviewed final rules from the Dept of Veterans Affairs (VA) to permit full practice authority of three roles of VA APRNs (NP, CNM, CNS) when acting within the scope of their VA employment. CRNAs will not be included in VA's full practicing authority under this final rule, but comment is requested on whether there are access issues or other unconsidered circumstances that might warrant their inclusion of future rulemaking.										
7.3-1 eNLC and APRN Compact-update	Pfenning indicated the enhanced Nurse Licensure Compact (HB1097) and the Advanced Licensure Compact (HB1096) both received a do pass from House Human Services Committee 14/0. There were concerns related to a "borrowing authority" clause that was noted in a Physical Therapy Compact. Rick Masters, Attorney for NLC provided information to the committee related to the clause which satisfied the concerns. The board also discussed the APRN licensure compact requirement for graduate level preparation for APRNs. It was noted that the compact language ONLY relates to whether an APRN can hold a compact license or single state license and DOES NOT set standards for APRN licensure in ND. A currently licensed APRN with a non-graduate degree can continued to be licensed, but would not qualify for a multistate APRN license when the compact is enacted. Ten states must pass the APRN compact in order for the APRN compact to be enacted.										
7.4-1 Proceedings - Legislative Committees	<a href="http://www.legis.nd.gov/assembly/63-2013/interim/15-0133-01000.pdf">http://www.legis.nd.gov/assembly/63-2013/interim/15-0133-01000.pdf</a>										
7.4-2 Legislative Committee – Legislative Updates & Tracking Teams	The board reviewed the ND Center for Nursing Tracking table for bills that relate or are of interest to nursing and the status of those bills.										
7.4-3 Other Compact Updates	The board reviewed letters of endorsement from the ND Hospital Association Workforce Committee for the Interstate Medical Licensure Compact, the Physical Therapy Licensure Compact (HB1157), the Enhanced Nurse Licensure Compact and Advanced Practice Registered Nurse Compact. Other compacts being enacted in other states include Psychology Compact and EMS Compact.										
7.4-4 Measure 5 update – Deputy Lonnie Grabowska – 2 p.m.	Lonnie Grabowska from ND Bureau of Criminal Investigation (BCI) was present to discuss the ND Dept of Health progress towards implementing Medical Marijuana (Measure 5), known as the Compassionate Care Act. The board reviewed a press release from the Department of Health, and will follow closely the progress as it relates to nursing practice and regulation.										

## North Dakota Board of Nursing Meeting Minutes – January 19, 2017

AGENDA	DISCUSSION & ACTION
7.4-5 ND Association of Naturopathic Doctors scope expansion legislation – Lezlie Link - 9 a.m.	Tonya Mulvaney, Naturopath Doctor, was present via conference call to discuss proposed legislation for Naturopaths which would allow prescriptive authority and low risk labor and delivery. The bill is SB2256 and the board discussed education and training and scope of practice of the Naturopath. They are currently licensed under the ND Board of Integrated Medicine.
7.4-5 Board of Medicine - Telemedicine	The board reviewed a proposed rule change for the ND Board of Medicine Chapter 50-02-15 Telemedicine.
9.1 Nursing Education Committee	Last meeting November 16, 2016
9.2 Finance Committee	Last Meeting May 18, 2016
9.3 Executive Committee	Last Meeting May 19 & June 29
9.4-1 Prescription Drug Monitoring Committee	Last Meeting December 15, 2016 – The board reviewed minutes of the April 14, 2016 Prescription Drug Monitoring Program (PDMP) Advisory Council, results of a PMP AWARE Survey, and the agenda for the December 15, 2016 meeting. Pfenning reviewed highlights of the meeting.
9.4-2.1 ND Center for Nursing Board of Directors Meeting	Pfenning attended the October 21, 2016
9.4-2.2 Legislative Day Planning Committee	The board reviewed upcoming plans for Legislative Day on February 6, 2016.
9.4-2.3 NDCFN Conference Planning	Updated board on conference planning.
9.5-3 Neonatal Taskforce	Taskforce work is completed.
9.5-4 Reducing Pharmaceutical Narcotics in our Community	The committee on Reducing Pharmaceutical Narcotics in our Community met December 7, 2016 and discussed issues related to Measure 5, Compassionate Care Act. Board Directors were present for meeting.
9.9-5 ND Tri-Regulator Collaborative	The ND Tri-Regulator Collaborative made up of the ND Board of Medicine, ND Board of Pharmacy, and ND Board of Nursing has finalized a charter document and plans to meet twice per year.
Meeting with Chancellor of Higher Education	<p><i>Discussion:</i> Pfenning was requested to attend a meeting related to nursing workforce shortage with ND University Systems Chancellor Hagerott, Chancellor, Vice Chancellor Richard Rothaus, Dr. Lisa Feldner and Lisa Johnson. Buchholz also attended meeting. The meeting was called to discuss Governor Burgum's concerns related to the nursing shortage. Pfenning distributed a table of Issues and Ideas/Solutions for Nursing Education in ND that had been shared with the group and indicated she participated in the ND Hospital Associations Workforce Committee in 2016. The Board of Nursing has been asked to assist the governor's office in solutions for addressing the nursing shortage. Pfenning suggested representation from CUNEA. The board also discussed recent headlines related to the possible closure of Dickinson State University's nursing programs due to potential budget cuts.</p> <p><i>Motion:</i> Price, seconded by Schmalz to:  <b>DIRECT THE EXECUTIVE DIRECTOR TO WORK WITH THE GOVERNOR'S OFFICE AS REQUESTED ON NURSING WORKFORCE ISSUES.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
10.1 Renewal statistics	The board reviewed renewal numbers for 2017-2018 licensure as of 1/12/17. A total of 8059 renewed and 1270 expired. 64 indicated they were not renewing and 20 renewed after 12/31/16.
11.1 Nurses Legislative Day – Feb 6, 2017	<p><i>Discussion:</i> The board discussed plans for hosting a table at Nurses Legislative Day on February 6, 2017 at the state capitol. Board members who are available to help staff the table are to notify Pfenning.</p> <p><i>Motion:</i> Price, seconded by M. Hammer to:  <b>APPROVE REIMBURSEMENT OF BOARD MEMBER EXPENSES WITH PER DIEM FOR NURSES LEGISLATIVE DAY.</b></p> <p><i>Roll call vote:</i> Christianson, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; Mayer, absent; Price, yes; Schmalz, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
11.2 Giving Hearts Day for CFN – Feb 9, 2016	The board reviewed an article on the ND Center for Nursing Nurse Scholarship fund on Giving Hearts Day requesting donations to the fund. Board members discussed the possibility of donating funds and it was noted that board funds could not be used for this purpose, and the Center for Nursing is supported by board funding. Board members are encouraged to distribute the information for individual donations.
12.1 Scope of Practice & Delegation Webinar – Pfenning & Hill	ND Center for Nursing hosted a presentation on Scope of Practice and Delegation by Pfenning & Hill on December 14, 2016.

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**CONSENT AGENDA:**

8.1 NCSBN
8.1-1 New NCSBN 101 on-line – free with 4.8 CE provided
8.2 Office Management
8.3 Nursing Practice
8.3-1 CORE Report – ND Practice – FY 2016
8.3-2 Gov. Burgum & Human Services Official hope to secure federal resources to fight opioid abuse
8.4 Legal Counsel
8.5 Unlicensed Assistive Person/Medication Assistant
8.5-1 NNAAP Testing Summary
8.5-2 NNAAP Testing Statistics
8.5-3 Pearson Vue Letter – security breach
8.6 Licensure
8.6-1 NCLEX-RN Quarterly Reports – 4 <sup>th</sup> Quarter 2016 (if available)
8.6-2 NCLEX-PN Quarterly Reports – 4 <sup>th</sup> Quarter 2016 (if available)
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
8.8-4 Survey Schedule Updates Fall 2016-Spring 2017
8.8-5 CORE Report – ND Education FY 2016
8.8-6 Certification examination annual report for APRN roles

The meeting recessed from 12:00 p.m. to 12:30 p.m. and adjourned at 2:45 p.m. on January 19, 2017.



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Stacey Pfenning, DNP, APRN, RN  
Executive Director  
Draft 11/22/2016