

## North Dakota Board of Nursing Meeting Minutes – April 5, 2018

Call to Order:	April 5, 2018 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7 <sup>th</sup> Street, Suite 504, Bismarck, ND	
Roll Call:	Six members present as follows:	
	Jane Christianson, RN Member, President Michael Hammer, RN Member, Vice-President Kevin Buettner, APRN Member	Mary Beth Johnson, RN Member Wendi Johnston, LPN Member Tanya Spilovoy, Public Member
Absent:	Jamie Hammer, RN Member, Treasurer Janelle Holth, RN Member 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 Compliance Patricia Hill, RN, Assistant Director for Practice & Compliance	
Other individuals were present as indicated on the Board Meeting Attendance Roster.		
<b>DISCUSSION &amp; ACTION</b>		
1.1 Consent Agenda	<i>Discussion:</i> The consent agenda was reviewed with no items identified for discussion.	
	<i>Motion:</i> Johnson, seconded by Buettner: <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b>	
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.	
1.2 Agenda	<i>Discussion:</i> The agenda was reviewed. No additions were identified.	
	<i>Motion:</i> M. Hammer, seconded by Johnson to: <b>APPROVE THE AGENDA AS DISTRIBUTED.</b>	
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes absent. Motion carried.	
1.3 Public Forum 9:00 a.m.	The following were present and provided testimony to the board related to role of the RN in aesthetic nursing (SAAG present during public forum): Veseda Hoff, RN, Vice-President of the ND Medical Spa Association, owner of Image Medi-Spa; Tana Shereck, RN, Rejuv Medical Aesthetic Clinic; Shelly Botsford, FNP, Pure Skin Aesthetic and Laser Center. This topic will be on agenda for the May meeting for discussion and direction.	
	The board reviewed written public comment submitted by Ronald Beare, CRNA, per his request, addressing the ketamine clinics in ND and the role of CRNA's in independent settings.	
2.1 January 18, 2018 Meeting Minutes & Public Notice	<i>Discussion:</i> The minutes of the January 18, 2018 meeting were reviewed. No changes or corrections were identified.	
	<i>Motion:</i> M. Hammer, seconded by Johnson to: <b>APPROVE THE MINUTES OF THE JANUARY 18, 2018 MEETING AS DISTRIBUTED.</b>	
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.	
3.1 Financial Statements	The financial statements through February 28, 2018 were reviewed. Income is at 88% and expenses at 73% of budgeted. The comparison from this year to last year was also reviewed with income 12% higher and expenses 4% higher than last year through February 28th.	
3.2 Albertson Expenses – Technology Upgrade	<i>Discussion:</i> The budgeted amount for Program Enhancements is currently at 114% with continued expenses expected. The initial budget amount of 50 hours for forms security upgrades has been also used for unanticipated costs for eNLC implementation and other technical issues. Staff request the board allocate the amounts from two categories that were budgeted for but will not be used: NCSBN Annual Fee of \$6000 not billed due to eNLC implementation; and Rules Revision Expense of \$3000 not required for repeal of obsolete NLC rules. The Board reviewed a breakdown of expenses related to program upgrades spent to date: \$3575 on forms, \$2175 for eNLC and \$3800 on other issues.	
	<i>Motion:</i> M. Hammer, seconded by Buettner to: <b>APPROVE CONTINUATION OF THE ALBERTSON PROJECT USING THE UNUSED BUDGETED FUNDS FOR THE REMAINDER OF THE FISCAL YEAR.</b>	
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.	

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AGENDA ITEM	DISCUSSION & ACTION														
4.1.1 Request for Reinstatement – Kim Hartje, R26477 & L8251 (inactive) – Executive Session (11:30 a.m.)	<i>Discussion:</i> Kim Hartje, RN & LPN was present to request reinstatement of her surrendered RN license. The board went into Executive Session to discuss her case which included personal health information.														
	<i>Motion:</i> Johnston, seconded by M. Hammer to: <b>MOVE THAT THE BOARD HOLD AN EXECUTIVE SESSION TO CONSIDER THE FOLLOWING ACCORDING TO NDCC SECTION 44-04-18.1: AGENDA ITEM 4.1.1 KIM HARTJE TO DISCUSS HEALTH INFORMATION.</b>														
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.														
	<i>Discussion:</i> The board convened in open meeting to consider Kim Hartje's request for reinstatement. The Compliance Advisory Council (CAC) recommendation of reinstatement to a two-year encumbrance was reviewed.														
	<i>Motion:</i> M. Hammer, seconded by Spilovoy to: <b>GRANT KIM HARTJE'S REQUEST FOR REINSTATEMENT OF HER SURRENDERED RN 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>														
	<i>Roll call vote:</i> Buettner, recuse; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 5 yes, 0 no, 1 recuse, 3 absent. Motion carried.														
4.2.1 Request for Reissuance – Bethany Glick, R41093	<i>Discussion:</i> Bethany Glick, RN is requesting reissuance of her RN license from encumbered status to full licensure status. The board reviewed the current order and staff reported she has complied with the terms and conditions of the Stipulation for Settlement dated March 23, 2017.														
	<i>Motion:</i> M. Hammer, seconded by Buettner: <b>GRANT BETHANY GLICK'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 HIS ORDER FOR REINSTATEMENT DATED MARCH 23, 2017.</b>														
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.														
4.2.2 Request for Reissuance – Ruth Quanbeck, R22039	<i>Discussion:</i> Ruth Quanbeck, RN is requesting reissuance of her RN license from encumbered status to full licensure status. The board reviewed the current order and staff reported she has complied with the terms and conditions of the Stipulation for Settlement dated March 23, 2017.														
	<i>Motion:</i> Johnson, seconded by Johnston to: <b>GRANT RUTH QUANBECK'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 HIS ORDER FOR REINSTATEMENT DATED MARCH 23, 2017.</b>														
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.														
4.6.1 Stipulation for Settlement – Applicants - Falsification of Application	<i>Discussion:</i> Falsification sanctions result from an applicant response to one or more of the regulatory questions not aligning with evidence required/reviewed during the application process. Two applicants have signed and submitted Stipulations for Settlement for falsification on application.														
	<i>Motion:</i> M. Hammer, seconded by Spilovoy to: <b>ACCEPT THE STIPULATION FOR SETTLEMENT FOR FALSIFICATION OF AN APPLICATION FOR THE FOLLOWING:</b>														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Name</th> <th style="text-align: center;">Application</th> <th style="text-align: center;">Violation of NDCC</th> <th style="text-align: center;">Sanction</th> <th style="text-align: center;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td rowspan="2" style="text-align: center;">Hiltz, Denora</td> <td style="text-align: center;">Initial UAP Applicant</td> <td style="text-align: center;">NDCC 43-12.1-14 (4) NCAC 54-02-07-01.1 (7)</td> <td style="text-align: center;">Reprimand</td> <td style="text-align: center;">\$200</td> </tr> <tr> <td style="text-align: center;">Initial UAP Applicant/MA III</td> <td style="text-align: center;">NDCC 43-12.1-14 (4) NCAC 54-02-07-01.1 (7)</td> <td style="text-align: center;">Reprimand</td> <td style="text-align: center;">\$200</td> </tr> </tbody> </table>	Name	Application	Violation of NDCC	Sanction	Penalty Fee	Hiltz, Denora	Initial UAP Applicant	NDCC 43-12.1-14 (4) NCAC 54-02-07-01.1 (7)	Reprimand	\$200	Initial UAP Applicant/MA III	NDCC 43-12.1-14 (4) NCAC 54-02-07-01.1 (7)	Reprimand	\$200
	Name	Application	Violation of NDCC	Sanction	Penalty Fee										
Hiltz, Denora	Initial UAP Applicant	NDCC 43-12.1-14 (4) NCAC 54-02-07-01.1 (7)	Reprimand	\$200											
	Initial UAP Applicant/MA III	NDCC 43-12.1-14 (4) NCAC 54-02-07-01.1 (7)	Reprimand	\$200											
<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.															
4.7.1 Stipulation for Settlement – Clifford Klimpel, R40613 & L14284 (lapsed)	<i>Discussion:</i> A Stipulation for Settlement was received from Clifford Klimpel, 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 (5) and NDAC 54-02-07-01-1 (8)(12).														
	<i>Motion:</i> M. Hammer, seconded by Johnson to: <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CLIFFORD KLIMPEL, RN &amp; LPN, AND ENTER ITS ORDER TO:</b>														
	<ul style="list-style-type: none"> <li>• SUSPEND THE LICENSE; HOWEVER THE SUSPENSION SHALL BE STAYED FOR TWO YEARS, DURING WHICH STAY THE LICENSE SHALL BE ENCUMBERED;</li> <li>• ASSESS \$600 PENALTY PLUS COSTS AND DISBURSEMENTS; AND</li> <li>• OTHER TERMS AS SET OUT IN BOARD ORDER.</li> </ul>														
	<i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.														

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AGENDA ITEM	DISCUSSION & ACTION
4.7.2 Stipulation for Settlement – Amber Guseman, R36986	<p><i>Discussion:</i> A Stipulation for Settlement was received from Amber Tuseman, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6).</p> <p><i>Motion:</i> M. Hammer, seconded by Johnson to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR AMBER GUSEMAN, 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 PENALTY FEE OF \$600 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> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.7.3 Stipulation for Settlement – Angela Rock, L12377	<p><i>Discussion:</i> A Stipulation for Settlement was received from Angela Rock, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(7)(8).</p> <p><i>Motion:</i> M. Hammer, seconded by Johnston to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ANGELA ROCKWELL, LPN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ISSUE A REPREMAND;</b></li> <li>• <b>ASSESS A PENALTY FEE OF \$500 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> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.7.4 Stipulation for Settlement – Amy Stepp, R44322	<p><i>Discussion:</i> A Stipulation for Settlement was received from Amy Stepp, 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 (2) and NDAC 54-02-07-01.1 (5)(6)(8)(12).</p> <p><i>Motion:</i> M. Hammer, seconded by Buettner to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR AMY STEPP, RN AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ENCUMBER THE LICENSE FOR FIVE YEARS TO RUN CONCURRENT WITH THE MO PROBATION;</b></li> <li>• <b>ASSESS 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> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
4.9.1 Tracy Gamble, R37524	<b>NOTICE OF SUSPENSION</b> issued to Tracy Gamble, RN, Berthold, ND on February 7, 2018 for failure to comply with board order dated July 20, 2017. Notice of Suspension issued for an indefinite period of time.
4.9.2 Stacy Kippen, R34289	<b>NOTICE OF SUSPENSION</b> issued to Stacy Kippen, RN, West Fargo, ND on February 7, 2018 for failure to comply with board order dated March 10, 2016. License suspended for a period of three years.
4.9.3 Paul Porter, R43600	<b>NOTICE OF REINSTATEMENT OF LICENSE</b> issued to Paul Porter, RN, Boaz, AL on February 7, 2018. Respondent has submitted required documentation and his license is reinstated to full licensure status. RN license in ND is currently inactive.
4.9.4 Scott Bezold, L12901	<b>NOTICE OF SUSPENSION</b> issued to Scott Bezold, LPN, Shelley, ID on March 6, 2018 for failure to comply with board order dated July 21, 2016 and amended May 18, 2017. Notice of Suspension issued for an indefinite period of time.
4.9.5 Paigelyn Leingang, L15503	<b>NOTICE OF EMERGENCY SUSPENSION</b> issued to Paigelyn Leingang, LPN, Fort Yates, ND on March 5, 2018. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board of upon agreement between Respondent and the Board.
4.9.6 Audra Willis, R37611	<b>NOTICE OF SUSPENSION</b> issued to Audra Willis, RN, Mandan, ND on April 4, 2018 for failure to comply with board order dated May 18, 2017. License suspended for a period of two years.
4.10.1 Kristine Monet, RN Applicant for Endorsement	<p><i>Discussion:</i> Kristine Monet submitted an application for license by endorsement on 11/21/2017. She answered "no" to all regulatory questions, and contrary to her answers it was discovered this information to be false. A proposed Stipulation for Settlement was offered, but applicant instead chooses to proceed with Denial of Application.</p> <p><i>Motion:</i> M. Hammer, seconded by Johnson to:  <b>DENY THE RN APPLICATION FOR LICENSE BY ENDORSEMENT FOR KRISTINE MONET.</b></p> <p><i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>

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AGENDA ITEM	DISCUSSION & ACTION
<p>5.1-1 Rasmussen College – A-BSN Program Progress Report</p>	<p><i>Discussion:</i> The Program submitted a progress report as required March 1, 2018. The report provided evidence of continued alignment with implementation of approved plans as presented to the NDBON during the June 2017 survey. Evidence provided of adequate resources to meet program needs, including qualified nursing faculty.</p> <p><i>Motion:</i> M. Hammer, seconded by Spilovoy to:</p> <p><b>MOVE THAT THE BOARD:</b></p> <ol style="list-style-type: none"> <li>1. <b>FIND THE PROGRESS REPORT SUBMITTED BY THE RASMUSSEN COLLEGE, SCHOOL OF NURSING, BACCALAUREATE DEGREE NURSING EDUCATION PROGRAM NURSE ADMINISTRATOR DEMONSTRATES ALIGNMENT WITH APPROVED PLANS FOR PROGRAM IMPLEMENTATION PROPOSED WITH THE JUNE 2017 NDBON SURVEY; AND</b></li> <li>2. <b>FIND THE RASMUSSEN COLLEGE BACCALAUREATE DEGREE NURSING EDUCATION PROGRAM IN SUBSTANTIAL COMPLIANCE WITH ND ADMINISTRATIVE CODE 54-03.2. STANDARDS FOR NURSING EDUCATION PROGRAMS; AND</b></li> <li>3. <b>CONTINUE INITIAL APPROVAL OF THE RASMUSSEN COLLEGE BACCALAUREATE DEGREE NURSING EDUCATION PROGRAM UNTIL JULY 2018; AND REQUIRE AN ONSITE SURVEY IN JUNE 2018.</b></li> </ol> <p><i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
<p>5.3-1 Northland Community &amp; Tech College – Initial Approval of IV Therapy Course</p>	<p><i>Discussion:</i> A request for initial approval of the Northland Community &amp; Technical College, LPN IV Therapy Course was received by the NDBON. Qualified Northland Community &amp; Technical College nursing faculty will provide supervision of clinical lab and theory content instruction and skill validation to ensure quality delivery. The course utilizes a hybrid design that includes online and in-person learning. Student limit per online course initiated is 30; student to faculty ratio in clinical lab setting maintained at 15:1. Northland Community &amp; Technical College Practical Nursing Program is partnering with Altru Health System, Grand Forks, ND to assist in providing the clinical practice experience and preceptors required for course completion. It is commendable that this course is the result of a collaboration between Northland Community &amp; Technical College in MN and Altru Health System in ND to provide the required IV Therapy course that allows ND licensed practical nurses to include IV therapy in their nursing practice. This IV Therapy Course fills a need and enables certificate practical nurse program graduates who successfully achieve ND nurse licensure to meet the NDBON requirement and incorporate IV Therapy into their nursing practice.</p> <p><i>Motion:</i> M. Hammer, seconded by Johnston to:</p> <p><b>MOVE THAT THE BOARD:</b></p> <ol style="list-style-type: none"> <li>1. <b>FIND THE NORTHLAND COMMUNITY &amp; TECHNICAL COLLEGE, LPN INTRAVENOUS THERAPY COURSE IN FULL COMPLIANCE WITH REQUIREMENTS FOR THE LPN INTRAVENOUS THERAPY COURSE ACCORDING TO NDBON GUIDELINES FOR LICENSED PRACTICAL NURSE INTRAVENOUS THERAPY COURSE, NDAC 54-05-01. STANDARDS OF PRACTICE FOR LICENSED PRACTICAL NURSES AND NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAMS; AND</b></li> <li>2. <b>GRANT INITIAL FULL APPROVAL OF THE NORTHLAND COMMUNITY &amp; TECHNICAL COLLEGE, LPN INTRAVENOUS THERAPY COURSE UNTIL APRIL 2022; AND REQUIRE A PAPER SURVEY IN 2022 FOR CONTINUED APPROVAL.</b></li> </ol> <p><i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
<p>5.4-1 Update regarding NDBON petition for Renewal of Recognition – United States Dept of Education</p>	<p>At their February 7-8, 2018 meeting the US DOE National Advisory Committee on Institutional Quality renewed the recognition of the ND Board of Nursing for a period of four years. ND is one of five states currently hold national recognition status from the US DOE.</p>
<p>6.1 54-02-05-05 Nonpracticing Nurses – Tufte request for consideration</p>	<p><i>Discussion:</i> The board reviewed a request from Mylynn Tufte to retake the NCLEX-RN to meet requirements for reactivation in lieu of a refresher course as authorized under NDAC 54-02-05-05 (3) d. Many states do allow for retesting as to prove competence. The board discussed and confirmed that the initial pass result would not be negated should there be a subsequent fail result with an NCLEX retake for the purpose of continued competence.</p> <p><i>Motion:</i></p> <p><b>ACCEPT/DENY) THE REQUEST FROM NONPRACTICING NURSE MYLYNN TUFTE TO RETAKE THE NCLEX-RN AND ALLOW SUCCESSFUL PASSING OF THE EXAMINATION TO SERVE AS PROOF OF NURSE COMPETENCE FOR REACTIVATION ACCORDING TO NDAC 54-02-05-05 (3) D.</b></p> <p><i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>

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AGENDA ITEM	DISCUSSION & ACTION
7.1-1 Certified Surgical First Assistant	The board reviewed an overview of the Certified Surgical First Assistant (CSFA) meeting held February 2018. The meeting called by the ND Board of Medicine (NDBOM) included representatives from the Board of Nursing and Dept of Health. CSFA's are nationally certified individuals working under the direct supervision of a surgeon. The NDBON and NDBOM have received several requests over the past several years by CSFA's and facilities for registration/licensure. However, in ND there is no current registry or licensure for CSFA. The ND Board of Nursing does license RN CSFA as a Specialty Practice RN, however the non-RN CSFA does not have a nursing education or background. The final recommendation from the representation at the meeting included referring CSFA and facilities to consider legislation for addition of CSFA to the Integrative Health Care CH 43-57 or request NDBOM add registry/licensure. The board agreed with this recommendation.
7.1-2 Lay Midwife (non-nurse)	The board office has received an inquiry from ND Dept of Career and Technical Education regarding an inquiry that their office received from a distance education midwifery (lay) program interested in offering the program to ND residents. The board discussed the difference in the education for a certified nurse midwife, which is and APRN licensure in ND, versus a lay midwife program that is not regulated in the state of ND. No regulatory board has oversight of lay midwives, nor is there a place for complaints to be filed against a lay midwife. In 2011 a workgroup was convened to work toward the aim of having lay midwives under the jurisdiction of the NDBON through legislation (SB2315). The legislation was defeated. The board discussed and supported the feasibility of the Board of Integrative Health Care having jurisdiction over lay midwives and directing interested individuals to introduce legislation to add to Chapter 43-57 Board of Integrative Health Care.
7.1-3 Sedation/Analgesia Practice Guidance	The board reviewed a summary of the NDBON Advisory Panel work addressing the inquiries related to the RN role in administration/monitoring of low-dose ketamine. The Advisory Panel also reviewed the following previously developed practice statements: <i>"Role of RN in Administration of Anesthetic Agents"</i> and <i>"Role of RN in the Management of Patients Receiving Sedation/Analgesia for Therapeutic, Diagnostic, or Surgical Procedures"</i> . Based on the Advisory Panel feedback, research conducted by directors, review of prior statements, and SAAG input, the directors completed a draft practice guidance, <i>"Role of the Nurse in Sedation/Analgesia"</i> , in March 2018. The board discussed disseminating the draft practice guidance to stakeholders throughout the state for public comment, including but not limited to ND Center for Nursing, ND Nurse Practitioners Association, ND Association of Nurse Anesthetists, ND Nurses Association prior to reviewing for approval.
7.3-1 Update on eNLC	Pfenning reported on the continued progress of eNLC implementation. The first tier of rules were adopted December 12, 2017. The second tier of rules is being developed for review during the NCSBN Annual Meeting in August with potential adoption in January 2019. Twenty-nine states have adopted eNLC with 11 states pending. MN has a bill introduced for joining eNLC and staff will watch progress of that bill due to financial implications for the NDBON if MN joins the eNLC.
7.4-1 Request to repeal NDAC 54-02-10 RN & LPN License Compact Rules	NDAC 54-02-10 RN & LPN License Compact Rules are obsolete with the implantation of the eNLC which is in law. The ND Legislative Rules Committee has been notified of the intent to delete and the committee will discuss at their June 2018 meeting.
7.4-2 Temporary Licensure Compact	The Western Governor's Conference has been working on workforce issues in their states and has developed a Temporary Licensure Compact/Workforce Development Compact for consideration between western states. A bill has been introduced in three states that are members for the eNLC. The board reviewed a memorandum from Rick Masters, Special Counsel to the NCSBN Interstate Commission of Nurse Licensure Compact Administrators, indicating that this compact if passed would be in direct violation of eNLC. MO, SD, and AZ are three states that have introduced bills, and information received is that ND also is planning to introduce a bill in the 2019 session.
9.4-2.4 ND Center for Nursing 2018-2019 Strategic Plan Overview	Patricia Moulton, Executive Director of the ND Center for Nursing presented and annual overview to the board of the ND Center for Nursing Strategic Plan and financial report.
10.0 Staff Reports – Succession Planning	Staff have been training for upcoming retirement of Administrative Services Coordinator and preparing job position for advertising in the near future.

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AGENDA ITEM	DISCUSSION & ACTION
11.1 Governor's Workforce Action Items for Board	<p><i>Discussion:</i> Patricia Moulton reviewed an update from the Governor's Nursing Shortage Taskforce and action items suggested by the task force. Three action items have been assigned to the ND Board of Nursing and were discussed by the board. The first assignment is to Develop a comparison chart or map to provide the clinical practice hours and required contact hours of ND in comparison with other states. This information is available through NCSBN Member Board profiles which staff will utilize for preparing the report. The second assignment to promote development of remote nursing education program sites to address rural needs, including a comprehensive study to determine which programs possess this capability will be referred to the NDBON Nursing Education Committee in May 2018.</p>
	<p><i>Motion:</i> M. Hammer, seconded by Buettner that:  <b>THE BOARD ACCEPT THE ASSIGNMENTS OF ACTION ITEMS FROM THE GOVERNOR'S NURSING WORKFORCE TASKFORCE AND SUPPORT THE USE OF NECESSARY STAFF RESOURCES TO COMPLETE THE ASSIGNMENTS. ACTION ITEMS INCLUDE:</b></p> <ol style="list-style-type: none"> <li>1) <b>PROVIDE A COMPARISON BETWEEN ND AND OTHER STATES OF REQUIRED PRACTICE AND CONTACT HOURS; AND</b></li> <li>2) <b>PARTICIPATE WITH TEAM ASSIGNED TO PROMOTE DEVELOPMENT OF REMOTE NURSING EDUCATION PROGRAM SITES TO ADDRESS RURAL NEEDS.</b></li> </ol>
	<p><i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
	<p><i>Discussion:</i> The third assignment is to explore the impact and lost revenue to ND Education programs of out-of-state utilization of ND Clinical Sites. This assignment appears to shift focus from program capacity/workforce to impact of lost revenue to ND programs/universities, which does not align with the NDBON mission and is not within authority of the Board. Directors are preparing an informational document on the history and purpose of the NDBON Distance Education Recognition process to submit.</p>
	<p><i>Motion:</i> Spilovoy, seconded by Johnston that:  <b>THE BOARD DOES NOT SUPPORT THE USE OF STAFF RESOURCES FOR THE FOLLOWING ASSIGNMENT AS IT DOES NOT FALL WITHIN THE MISSION OR AUTHORITY OF THE BOARD:</b></p> <ul style="list-style-type: none"> <li>• <b>EXPLORE THE IMPACT AND LOST REVENUE TO ND EDUCATION PROGRAMS OF OUT-OF-STATE UTILIZATION OF ND CLINICAL SITES.</b></li> </ul> <p><i>Roll call vote:</i> Buettner, yes; Christianson, yes; J. Hammer, absent; M. Hammer, yes, Holth, absent; Johnson, yes; Johnston, yes; Mayer, absent; Spilovoy, yes. 6 yes, 0 no, 3 absent. Motion carried.</p>
11.2 Strategic Planning	Staff are in the processing of updating the current strategic plan for the next four years. The framework of the current strategic plan has worked well and director's will update as necessary for approval in July. Board members are encouraged to provide any comments on the plan prior to that time.
11.3 Tri-Regulator Collaborative Joint Statement on Pain Management – Draft	The ND Tri-Regulatory Collaborative has developed a joint Position Statement on Opioid Prescribing/Dispensing for each board (pharmacy, medicine, nursing) to review. The statement includes concerns addressed by the transportation industry. The document will be disseminated to prescribers after approval from all boards.

### CONSENT AGENDA:

8.1 Meetings, Conferences, Committees – Board representation
8.2 Notification to Board
8.2-1 Letter to Board regarding RNs and aesthetics
8.2-2 Essential oils and nursing practice survey
8.3 Nursing Practice
8.3-1 Updated Collaborative Pharmacist Agreement – NDSU Family Healthcare
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
8.6-2 NCLEX-PN Quarterly Reports
8.6-3 Renewal Statistics
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

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8.8-2 Distance Education Programs and Students – Updates
8.8-3 Faculty Development Program
8.9 Staff Presentations
8.9-1 VA Fargo – February 6, 2018 – Scope of Practice and Delegation
8.9-2 Trinity Conference, April 13, 2018 – Emerging Trends

### BOARD COMMITTEES:

9.1 Nursing Education Committee	May 16, 2018
9.2 Finance Committee	May 10, 2018
9.3 Executive Committee	May 17, 2018
9.4 Board Representative	
9.4-1 Prescription Drug Monitoring Program Committee	
9.4-2 ND Center for Nursing	
9.4-2-1 Regulatory Day hosted by CFN	April 18, 2018
9.4-2-2 NDCFN Conference Planning Committee 2018	
9.4-2-3 CFN seeking Nurses Day at Legislature Committee members	
9.4-2-4 CFN annual presentation to Board	1:00 p.m.
9.4-3 Reducing Pharmaceutical Narcotics in our Community	
9.4-4 ND Tri-Regulator Collaborative	June 2017, November 28, 2017
9.4-5 Envision 2030 Health Care Advisory	Pfenning
9.4-6 Governor's Nursing Workforce Taskforce	Pfenning
9.4-7 Senator Heitkamp – Health Care Advisory Group	Buettner
9.4-8 ND Telehealth Domain Workgroup	Requested Board to present on telehealth and NP scope of practice
9.4-9 Governor's State of Emergency: Opioids and Prescribers	Board & association actions
9.4-10	Staff attended a meeting at the ND Attorney General's Office related to four complaints and an open investigation of a local clinic. Two complaints related to APRNs practicing in those clinics were submitted to the Board office for investigation. Neither APRN is currently employed with the clinic, currently. The AG office investigation is continuing of the out-of-state chiropractor-owned clinic, and board staff were directed by the Attorney General to inform any APRN applying for licensure for practicing at the clinic to contact the AG office for information regarding the on-going investigation.

The meeting recessed from 12:00 p.m. to 12:30 p.m. and adjourned at 2:35 p.m. on April 5, 2018.

*Stacey Pfenning*

Stacey Pfenning, DNP, APRN, FNP, FAANP  
Executive Director  
Draft 4/10/2018