

North Dakota Board of Nursing Meeting Minutes – July 19, 2018

Call to Order:	July 19, 2018 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:		
	Jane Christianson, RN Member, President	Jamie Hammer, RN Member, Treasurer	
	Michael Hammer, RN Member, Vice-President	Mary Beth Johnson, RN Member (left at 12:00 p.m.)	
	Kevin Buettner, APRN Member	Bonny Mayer, LPN Member	
	Janelle Holth, RN Member (left at 3:00 p.m.)	Tanya Spilovoy, Public Member	
	Wendi Johnston, LPN Member		
	Staff Present:		
	Stacey Pfenning, APRN, Executive Director	Melissa Hanson, RN, Associate Director for Compliance	
	Tammy Buchholz, RN, Associate Director for Education	Patricia Hill, RN, Assistant Director for Practice & Compliance	
	Julie Schwan, Administrative Services Coordinator	Chris Becker, Accounting/Licensure Specialist	
	Other individuals were present as indicated on the Board Meeting Attendance Roster.		

AGENDA ITEM	DISCUSSION & ACTION
Annual Retreat and recommendation for Change in Roll Coll Vote	The board held their annual retreat on Wednesday, July 18, 2018 at the Board office conference room. As part of the retreat, the board discussed options for improving the board meetings. It was decided that the Board office will accept agenda items up to 10 business days prior to meetings and the final agenda will be posted 5 business days before meetings, any additions to the final agenda will be formally added and approved at the beginning of each meeting, as needed. It was also decided to use a voice vote rather than roll call vote for Board motions beginning with this meeting.
1.1 Consent Agenda	<p><i>Discussion:</i> The consent agenda was reviewed with no items identified for discussion.</p> <p><i>Motion:</i> Buettner, seconded by Johnson: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed with no changes identified.</p> <p><i>Motion:</i> M. Hammer, seconded by J. Hammer: APPROVE THE AGENDA AS DISTRIBUTED</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
1.3 Public Forum 9:00 a.m.	Dr, Amanda Braaten, an anesthesiologist with CHI/St Alexius, was present to discuss issues related to the board's Practice Guidance "Role of the Nurse in Sedation/Analgesia" in their practice with use of ketamine in non-sedative situations. Dr. Braaten shared a document which provides recommended dosage amounts for Ketamine for pain control.
2.1 May 17,2018 Meeting Minutes & Public Notice	<p><i>Discussion:</i> The minutes of the May 17, 2018 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Johnson, seconded by J. Hammer to: APPROVE THE MINUTES OF THE MAY 17, 2018 MEETING AS DISTRIBUTED.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
3.1 Financial Statements	The financial statements through April 30, 2018 were reviewed. Income is at 103% and expenses at 99% of budgeted. Financial statements with adjusting entries will be available for the October meeting.
3.2 Strategic Plan 2018-2022	<p><i>Discussion:</i> The board reviewed the Strategic Plan Progress Report for the past six months. Goals and documented progress were reviewed and discussed. The board discussed the possibility of a program for nurses with chemical dependency. The board did have a Workplace Impairment Program which was repealed from rules in 2014. The board discussed options of peer assistance support programs, alternative to discipline programs, and programs available throughout the community that work with impaired professionals. The board discussed a desire for a program to be separate from the board of nursing. An assistance program in the state of WA was noted as a possible model, as well as a peer assistance program currently available in the Bismarck area that is for physicians. Potential funding sources were also discussed.</p> <p><i>Motion:</i> Johnson, seconded by J. Hammer to: ACCEPT THE JANUARY THROUGH JUNE 30, 2018 STRATEGIC PLAN PROGRESS REPORT.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
3.3 2018-2019 Fee Schedule Ratification	<p><i>Discussion:</i> The 2018-2019 Fee Schedule was reviewed for ratification. No fee changes were made from 2017-2018.</p> <p><i>Motion:</i> Buettner, seconded by Johnston to: RATIFY THE 2018-2019 FEE SCHEDULE.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>

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3.4 Bank Account Ratifications	<p><i>Discussion:</i> The board is required to annually approve management of the bank accounts used for the operation of the board. Buchholz has taken the position of Associate Director.</p> <p><i>Motion:</i> M. Hammer, seconded by J. Hammer to: APPROVE THE MANAGEMENT OF THE FOLLOWING ACCOUNTS: KIRKWOOD BANK - MAIN CHECKING, PFENNING, BUCHHOLZ, HILL, HANSON, AND BOARD TREASURER KIRKWOOD SAVINGS: PFENNING AND BOARD TREASURER BANK OF NORTH DAKOTA - NEL CHECKING & SAVINGS: PFENNING AND BOARD TREASURER BANK OF NORTH DAKOTA – MERCHANT ACCOUNT – PFENNING AND BOARD TREASURER DAKOTA COMMUNITY BANK, BND, BNC, AND KIRKWOOD BANK – INVESTMENT/RESERVE FUNDS – PFENNING ON-LINE BANKING TRANSFERS – BECKER KBT SAFETY DEPOSIT BOX – PFENNING, BECKER, ROSSMAN</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>																
Executive Session – Agenda Item 4.1	<p><i>Discussion:</i> The board went into Executive Session for the agenda items 4.1-1 and 4.1-2. These items required discussion of personal health information which requires an Executive Session.</p> <p><i>Motion:</i> Johnson, seconded by Rost to: HOLD AN EXECUTIVE SESSION TO CONSIDER THE FOLLOWING ACCORDING TO NDCC SECTION 44-04-18.1: AGENDA ITEM 4.1-1 ROXANNE MONTGOMERY & 4.1.2 CARLA ROST.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>																
4.1.1 Request for Reinstatement – Roxanne Montgomery, R27860 & L7964 (lapsed) Executive Session (11:30 a.m.)	<p><i>Discussion:</i> The board convened in open meeting to consider Roxanne Montgomery's request for reinstatement. The Compliance Advisory Council (CAC) recommendation of reinstatement to a two-year encumbrance was reviewed.</p> <p><i>Motion:</i> Holth, seconded by J. Hammer to: GRANT ROXANNE MONTGOMERY'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED RN & LPN LICENSE TO ENCUMBERED STATUS FOR TWO YEARS WITH TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND AS SET OUT IN THE BOARD ORDER.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>																
4.1.2 Request for Reinstatement – Carla Rost, R32626 & L4986 (lapsed) Executive Session – (11:45 a.m.)	<p><i>Discussion:</i> The board convened in open meeting to consider Carla Rost's request for reinstatement. The Compliance Advisory Council (CAC) recommendation of reinstatement to a three-year encumbrance was reviewed.</p> <p><i>Motion:</i> M. Hammer, seconded by Johnson to: GRANT CARLA ROST'S REQUEST FOR REINSTATEMENT OF HER SUSPENDED RN & LPN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS WITH TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND AS SET OUT IN THE BOARD ORDER.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>																
4.1-3 Request for Reinstatement - Amanda Erickson – L11010	<p><i>Discussion:</i> Amanda Erickson was issued an Order for Reinstatement on May 18, 2017. Due to financial hardship and lack of nursing employment, Ms. Erickson could not meet the requirements of the Board order and her license was suspended September 21, 2017. Ms. Erickson has now found nursing employment and is able to meet the requirements of her order for reinstatement. Her license was reinstated to encumbered status on June 4, 2018.</p> <p><i>Motion:</i> J. Hammer, seconded by Johnston to: RATIFY AMANDA ERICKSON'S ORDER FOR REINSTATEMENT DATED JUNE 4, 2018 FOR REINSTATEMENT OF HER SUSPENDED LPN LICENSE TO ENCUMBERED STATUS WITH TERMS AND CONDITIONS OF THE ENCUMBRANCE AS ESTABLISHED BY THE BOARD AND AS SET OUT IN THE BOARD ORDER.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>																
4.5.1 Surrender	<p><i>Discussion:</i> Three individuals have 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> Holth, seconded by J. Hammer 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: auto; margin-right: auto;"> <thead> <tr> <th>Name</th> <th>Lic/Reg #</th> <th>City, State</th> <th>Penalty Fee</th> </tr> </thead> <tbody> <tr> <td>Beske, Jessica</td> <td>R34909 & L12704</td> <td>Fergus Falls, MN</td> <td>\$600</td> </tr> <tr> <td>Evans, Amanda</td> <td>R42288 & L13684</td> <td>Williston, ND</td> <td>\$600</td> </tr> <tr> <td>Doppler, Melissa</td> <td>R39129</td> <td>Detroit Lakes, MN</td> <td>\$600</td> </tr> </tbody> </table> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Penalty Fee	Beske, Jessica	R34909 & L12704	Fergus Falls, MN	\$600	Evans, Amanda	R42288 & L13684	Williston, ND	\$600	Doppler, Melissa	R39129	Detroit Lakes, MN	\$600
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AGENDA ITEM	DISCUSSION & ACTION
4.7.1 Stipulation for Settlement – Kevin Bro, R40366 & L13881	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kevin Bro, 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) and NDAC 54-02-07-01-1 (8).</p> <p><i>Motion:</i> J. Hammer, seconded by M. Hammer to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KEVIN BRO, RN & LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS \$600 PENALTY PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
4.7.2 Stipulation for Settlement – Kelsey, Harlan, L15158	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kelsey Harlan, 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)..</p> <p><i>Motion:</i> Buettner, seconded by Holth to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KELSEY HARLAN, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS \$500 PENALTY PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
4.7.3 Stipulation for Settlement – Lisa Watkins, APRN, R29418 Attorney General Consumer Protection Status regarding complaint.	<p><i>Discussion:</i> A Stipulation for Settlement was received from Lisa Watkins, APRN, 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)(7).</p> <p>Status of the AG investigation related to this case was discussed. This complaint had been submitted to the board from the Attorney General's (AG) office as a result of an investigation into consumer complaints related to West2North Clinic in Bismarck, ND. The clinic had been offering stem cell injections by Nurse Practitioners using a non-FDA approved stem cell product. The clinic has revised operating procedures and is considering aspirating and injecting the client's stem cells. The board received inquiries as to whether this procedure falls within the scope of practice of an APRN. The board noted bone marrow aspiration is not part of the family nurse practitioner curriculum or certification.</p> <p>The board recommends APRNs and facilities use the NCSBN scope of practice decision-making framework adopted by the board to determine if they have the knowledge skills and abilities to perform specific procedures. Board requested item to be placed on agenda as an update at next meeting.</p> <p><i>Motion:</i> M. Hammer, seconded by J. Hammer to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LISA WATKINS, APRN, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS \$1400 PENALTY PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
4.7.4 Stipulation for Settlement – Amber Stortroen, L12352	<p><i>Discussion:</i> A Stipulation for Settlement was received from Amber Stortroen, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01-1 (19).</p> <p><i>Motion:</i> J. Hammer, seconded by Holth to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR AMBER STORTROEN, LPN AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ENCUMBER THE LICENSE FOR TWO YEARS; • ASSESS \$1000 PENALTY PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Vote:</i> 8 yes, 0 no, 1 recuse (M. Hammer), 0 absent. Motion carried.</p>
4.7.5 Stipulation for Settlement – Chenoa Peterson, R39600	<p><i>Discussion:</i> A Stipulation for Settlement was received from Chenoa Peterson, 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 (8)(19).</p> <p><i>Motion:</i> J. Hammer, seconded by Johnson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CHENOA PETERSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ENCUMBER THE LICENSE FOR TWO YEARS; • ASSESS \$600 PENALTY PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
4.9.1 Carmen Doney, R31521	<p>NOTICE OF REVOCATION OF RESINTATEMENT OF LICENSE issued to Carmen Doney, RN, Mandan, ND on July 3, 2018. Failure to complete refresher course. Issued revocation of limited reinstatement of her nursing license and reinstated the Surrender of her nursing license.</p>

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AGENDA ITEM	DISCUSSION & ACTION
4.9.2 Kim Hartje, R26477 & L8251 (lapsed)	NOTICE OF SUSPENSION issued to Kim Hartje, RN & LPN, St. Thomas, ND for failure to comply with board order dated April 5, 2018. Notice of Suspension issued for an indefinite period of time.
5.1-1 Rasmussen College – A-BSN Program – Onsite Survey for Continued Initial Approval (NEC)	<p><i>Discussion:</i> In January 2017 Rasmussen College, SON applied for initial approval to the NDBON for a proposed prelicensure Bachelor of Science in Nursing (BSN) program at the College's Fargo, North Dakota (ND) campus. In June 2017 NDBON surveyors completed an onsite survey of the proposed traditional baccalaureate program with two prelicensure entrance options collectively referred to as the Accelerated BSN or A-BSN program. The NDBON granted Initial Approval to the BSN Program in July 2017 with an onsite survey required in June 2018. As required by NDAC and the NDBON, surveyors completed an onsite survey of the BSN Program May 30, 2018. Upon conclusion of the onsite survey and review of all submitted evidence, surveyors were able to validate all components in NDAC 54-03.2-01 General Provisions as listed. Eighteen of the NDAC, Article 54-03.2 Standards for Nursing Education Programs were examined. Of the 18 standards, 14 standards were Met (77%) and 4 standards were Met Progressing (22%). No issues of non-compliance with NDAC 54-03.2 Standards for Nursing Education Programs were identified. Four issues of Met Progressing with NDAC, Article 54-03.2 Standards for Nursing Education Programs were identified:</p> <p>Section 54-03.2-02-05. Nursing education program evaluation. Section 54-03.2-04-01. Faculty responsibilities. Section 54-03.2-04-02. Faculty policies. Section 54-03.2-05-01. Student policies.</p> <p>The key points for findings of Met Progressing include: 1) Concerns related to lack of representation from students and the community of interest through an advisory board and no evidence of involvement in curriculum development, evaluation, and continuous improvement by the community of interest 2) Concerns related to the absence of nursing faculty responsibility information in written form to ensure transparency and consistency of the College's SON expectations and alignment with state regulations. The Nursing Education Committee reviewed the report in detail.</p> <p><i>Motion from NEC:</i> THE NURSING EDUCATION COMMITTEE RECOMMEND THE BOARD:</p> <ol style="list-style-type: none"> 1. 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 2. GRANT CONTINUED INITIAL APPROVAL OF THE RASMUSSEN COLLEGE BACCALAUREATE DEGREE NURSING EDUCATION PROGRAM UNTIL JULY 2019; AND REQUIRE AN ONSITE SURVEY IN MAY 2019; AND 3. REQUIRE THE RASMUSSEN COLLEGE BACCALAUREATE DEGREE NURSING EDUCATION PROGRAM NURSE ADMINISTRATOR TO SUBMIT A PROGRESS REPORT TO THE BOARD OFFICE DECEMBER 21, 2018 DEMONSTRATING CONTINUED ALIGNMENT OF NDBON APPROVED PROGRAM IMPLEMENTATION PLANS INCLUDING PROGRAM UPDATES RELATED TO FOUR NDAC STANDARDS FOUND TO BE MET PROGRESSING DURING THE MAY 2018 SURVEY: SECTION 54-03.2-02-05. NURSING EDUCATION PROGRAM EVALUATION. SECTION 54-03.2-04-01. FACULTY RESPONSIBILITIES. SECTION 54-03.2-04-02. FACULTY POLICIES. SECTION 54-03.2-05-01. STUDENT POLICIES. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
5.2-1 Sitting Bull College – ASPN program – Survey Compliance Report – July 2018	<p><i>Discussion:</i> Since the last NDBON survey of the SBC ASPN Program in November 2015 the need for additional support staff and faculty have been identified as a critical need and NDBON surveyors have consistently found NDAC 54-03.2-02-06. <i>Financial Support.</i> to be Partially Met through compliance reports required at least yearly. With the May 2017 compliance report the nurse administrator submitted a succession plan that detailed personnel needs and mentorship requirements in anticipation of retirement of the nurse administrator and current faculty by fall 2019. The College continues to advertise for three positions including a Director, faculty, and clinical lab technician, however since advertising began in fall 2016 there have been no completed applications submitted. The current nurse administrator and faculty member have committed to return fall 2018 ensuring the program has adequate qualified faculty for the academic year. The nurse administrator has indicated that if the College is unsuccessful in securing adequate qualified faculty for the 2019-2020 academic year, she will request NDBON approval for an enrollment decrease to 0 students for one year. This will allow the College to continue in their efforts to recruit and hire sufficient qualified faculty, with plans to resume the previously approved annual fall second year enrollment of 10 for academic year 2020-2021. Surveyors continue to find this standard as Partially Met due to the continued need for additional program personnel and continue to recommend the program and College aggressively recruit for current open staff positions as well as anticipated director and faculty retirements planned at the completion of the 2018-2019 academic year. The board discussed possibilities of on-line delivery for certain courses and the possibility of a tribal college consortium.</p>

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AGENDA ITEM	DISCUSSION & ACTION
<p>5.2-1 Sitting Bull College – ASPN program – Survey Compliance Report – July 2018</p>	<p><i>Motion:</i> Holth, seconded by Johnson to: MOVE THE BOARD</p> <ol style="list-style-type: none"> 1. FIND THE COMPLIANCE REPORT SUBMITTED BY THE SITTING BULL COLLEGE ASSOCIATE DEGREE PRACTICAL NURSE PROGRAM NURSE ADMINISTRATOR ADDRESSING THE ISSUE OF PARTIAL COMPLIANCE WITH <u>54-03.2-02-06. FINANCIAL SUPPORT</u>. PARTIALLY MEETS THE STANDARD; AND 2. FIND THE SITTING BULL COLLEGE ASSOCIATE DEGREE PRACTICAL NURSE PROGRAM IN SUBSTANTIAL COMPLIANCE WITH <u>ND ADMINISTRATIVE CODE 54-03.2</u>; AND 3. CONTINUE FULL APPROVAL OF THE SITTING BULL COLLEGE, ASSOCIATE DEGREE PRACTICAL NURSE PROGRAM UNTIL NOVEMBER 2020 AS GRANTED NOVEMBER 19, 2015 AND REQUIRE AND ONSITE SURVEY IN FALL 2020; AND 4. REQUIRE THE SITTING BULL COLLEGE ASSOCIATE DEGREE PRACTICAL NURSE PROGRAM NURSE ADMINISTRATOR TO SUBMIT A COMPLIANCE REPORT BY JULY 10, 2019 TO ADDRESS THE ISSUE OF PARTIAL-COMPLIANCE WITH NORTH DAKOTA ADMINISTRATIVE CODE 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAMS: <u>54-03.2-02-06. FINANCIAL SUPPORT</u>. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
<p>5.3.1 Request for IV Therapy Course Approval - MN State Comm & Tech College – Moorhead MN (NEC)</p>	<p><i>Discussion:</i> MN State Community & Technical College (M State) is requesting initial approval of a LPN IV Therapy Course. This course was developed in response to the M State PN Program moving from a two-year associate degree to a one-year certificate program a two years ago. One-year certificate PN program graduates may not incorporate IV therapy into their practice until they are licensed and complete a Board approved IV therapy course according to NDAC. ND border city facilities were often requiring LPNs to have completed an IV therapy course prior to employment, thus creating a need. Qualified MSCTC nursing faculty provide theory content instruction via online format and supervision and evaluation of onsite clinical skills lab and skill validations to ensure quality delivery. The clinical practicum component of the course requires the student to identify an approved agency for the practice experience that follows completion of the didactic component and skill validation onsite during clinical lab component. Students have 3 months to complete the theory, skills lab, and clinical practice experience components of the course. Student limit per course initiated is 6; student to faculty ratio in clinical lab setting maintained at 6:1. 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. The Nursing Education Committee reviewed the report in detail.</p> <p><i>Motion from NEC:</i> THE NURSING EDUCATION COMMITTEE RECOMMENDS THE BOARD:</p> <ol style="list-style-type: none"> 1. FIND THE MINNESOTA STATE COMMUNITY & 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, <u>NDAC 54-05-01. STANDARDS OF PRACTICE FOR LICENSED PRACTICAL NURSES</u> AND <u>NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAMS</u>; AND 2. GRANT INITIAL FULL APPROVAL OF THE MINNESOTA STATE COMMUNITY & TECHNICAL COLLEGE, LPN INTRAVENOUS THERAPY COURSE UNTIL JULY 2022; AND 3. REQUIRE A PAPER SURVEY IN MAY 2022 FOR CONTINUED APPROVAL. <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
<p>5.4.1 Programmatic Change Notification - University of Jamestown, Change in Program Administrator (NEC)</p>	<p>University of Jamestown, Department of Nursing, Baccalaureate Program Nurse Administrator Dr. Jacqueline Mangnall and University of Jamestown Provost Dr. Paul Olson have provided notification of a change in program administration. Dr. Mangnall retired from the position of Nurse Administrator and Ms. Kimberly Ash was appointed to the position on June 1, 2018. Ms. Ash has been accepted to a Doctor of Nursing Practice program and will begin fall 2018.</p>
<p>5.5-1 NEL Policy Revisions (NEC)</p>	<p><i>Discussion:</i> Board staff is requesting two additions to the Nursing Education Loan Program Policies for Applicants/Recipients. The first addition provides an end date of October 1st for the current academic term for applicant cycle consideration. The second addition requires the recipient to provide an <i>Authorization of Release of Information</i> to facilitate verification of employment hours from employer. The Nursing Education Committee reviewed the request.</p> <p><i>Motion from NEC:</i> THE NURSING EDUCATION COMMITTEE RECOMMENDS THE BOARD APPROVE THE PROPOSED ADDITIONS TO THE NURSING EDUCATION LOAN PROGRAM POLICIES FOR APPLICANTS/RECIPIENTS TO PROVIDE GUIDANCE AND CLARITY OF PROCESS.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>

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AGENDA ITEM	DISCUSSION & ACTION
5.5.2 – Nursing Education Loan Awards (NEC)	<p><i>Discussion:</i> Buchholz has recused herself from the NEL Award process as she was an applicant for the awards. The Nursing Education Committee reviewed two options for distribution of awards for the 2018-2019 Academic Year. There were 46 applicants and total funds available to award of \$98,812. Option one was to award all applicants 90% of the possible maximum award allowed, and option 2 allowed for distribution formula based on number of academic years until graduation, with those in final year awarded a higher percentage. The committee agreed to option #1 for awards for the 18-19 academic year. A list of awards is attached to these minutes.</p> <p><i>Motion from NEC:</i> THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT ACCORDING TO NDAC 54-04.1 NURSING EDUCATION LOANS, THE BOARD APPROVE THE ATTACHED INDIVIDUALS FOR THE NURSING EDUCATION LOAN FOR A TOTAL AWARDED OF \$99,010.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
5.5-3 Distance Education Report for Governor's Workforce Shortage Taskforce	<p>The board reviewed a report prepared by Buchholz for the ND Governors' Workforce Taskforce titled "Distance Nursing Education Program Recognition Summary 2018". The NDBON has historically counted clinical placements per fiscal year not actual student numbers of those who completed clinical practice experiences per fiscal year. Placement of a student may be requested. Student placements are not representative of the actual number of out-of-state nursing education program students in ND facilities. In the future reports will represent actual student numbers to more accurately represent the numbers. It was noted that many students from out of state programs obtaining clinical experience in ND are ND residents who are attending out of states programs typically for three reasons: 1) they are unable to get into a ND nursing program due to enrollment limits driven by program resource availability 2) they desire or require the flexibility that on-line learning provides 3) the specialty degree they want to pursue is not offered in ND. ND nursing education programs continue to be at capacity and have responded to the nursing shortage by increasing enrollment for the past few years and growing their programs. But limited resources in the state in recent years has made further growth challenging. Board members discussed concerns of out-of-state program students taking slots from students in ND programs. However, it was noted the majority of students attending out-of-state programs placed in ND facilities are ND residents. Will continue to monitor.</p>
NCLEX Board member review	<p>The Examinations department and Pearson VUE are taking registrations for the fall Board of Nursing Review of NCLEX Items. The review allows member boards the opportunity to review NCLEX-RN and NCLEX-PN items from the current and previous quarters through simulated computerized adaptive examinations. The Review will take place from Monday, October 22 – Friday, November 9, 2018. Board members are to contact Buchholz if interest in participating in the review.</p>
6.1 ND DoH Presentation – NA, MAI & MAII Registries (2:00 p.m.)	<p><i>Discussion:</i> Dr. Darlene Bartz, Bruce Pritschet, Brenda Weisz, and Dirk Wilkie from the ND Department of Health (NDDoH) were present to discuss management of the registries with the board. Shelly Peterson, Executive Director of the ND Long Term Care Association (NDLTCA) was also present for this agenda item. The NDDoH has approached the board regarding return of the registries for Nurse Aides, Home Health Aides and Medication Assistant I & II to the Board of Nursing. They also propose contracting with the NDBON to operate the CMS Certified Nurse Aide Registry. History reviewed that from 1989 to 1992 NDDoH contracted with the ND Board of Nursing for the CNA Registry. In October 1992 the registry was moved to the NDDoH to comply with federal regulations. NDBON developed registries for Unlicensed Assistive Persons (UAP) and Medication Assistants (MA) who were under the direction of a nurse. In 2011, those registries were moved to the NDDoH due to the public's confusion between the CNA and UAP Registries. The number of Nurse Aides, Home Health Aides, Medication Assistant I & II and CNAs currently registered was reviewed. It was noted that federal law does not allow charging CNA registrants to be on a registry. The NDDoH obtains federal dollars for managing the CNA registry. NDDoH indicated that since the board has authority to conduct background checks it would provide a level of safety that does not currently exist. The NDDoH request the board consider the following:</p> <ul style="list-style-type: none"> • Legislation to transfer the State Nurse Aide registry of nurse aides, home health aides, and medication assistant I & II back to NDBON. • Work towards development of a contract with NDBON to operate the CNA registry, consistent with federal requirements • Work with Mainstreet Workforce Development Initiative to seek supplemental funding for nurse aid registry. <p>Shelly Peterson polled members of NDLTCA and addressed her organization's opposition to housing the registries with two different entities again and stated a preference for registries remaining with NDDoH as they do not feel a change is warranted. She also expressed concern about the increase in cost that would need to occur should the registrants need to have an FBI and state criminal history record check that is currently required by the board. Peterson indicated long term care facilities do their own extensive background check.</p> <p>The board discussed the request and noted that the numbers of registrants being discussed for transfer would double the current number of licensees/registrants managed by the board. Additional staff and office space would be needed to add that number of registrants to current workload. The board office is currently experiencing workload issues with the current staffing levels and does not have funding for additional staff. The board is reviewing all programs in relation to their mission to streamline operations. The doubling of the number of licensee/registratorations would require an increase in licensure fees to nurses to subsidize the CNA Registry.</p> <p><i>Motion:</i> Spilovoy, seconded by Johnston to: DECLINE THE ND DEPARTMENT OF HEALTH PROPOSALS TO 1) RETURN THE NUSE AIDES, HOME HEALTH AIDES AND MEDICATION ASSISTANT I & II REGISTRIES and 2) CONTRACT WITH THE NDBON TO OPERATE THE CMS CERTIFIED NURSE AIDE REGISTRY.</p> <p><i>Vote:</i> 7 yes, 0 no, 2 absent (Holth, Johnson). Motion carried.</p>

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AGENDA ITEM	DISCUSSION & ACTION
6.2 NNAAP Testing Contract	<p><i>Discussion:</i> At the April 2018 Finance Committee, the NNAAP Testing contract with Pearson Vue was discussed as it relates to workload, budget, and board mission. The finance committee directed staff to extend the contract for one year and research test administration options beyond June 2019. The staff provided the research summary to the board which included overview, history, workload analysis, and budgetary line items related to NNAAP testing contract. The board discussed termination of the current contract effective December 31, 2018 instead of July 2019 due to research summary and consideration of projects not directly related to the board's mission.</p> <p><i>Motion:</i> M. Hammer, seconded by J. Hammer to: THE BOARD TERMINATE THE PEARSONVUE NNAAP TESTING CONTRACT EFFECTIVE DECEMBER 31, 2018.</p> <p><i>Vote:</i> 9 yes, 0 no, 0 absent. Motion carried.</p>
7.1-1 ND Nurse Practitioner Association memo re: NPs and anesthetics Public forum comments: Sedation/Analgesia practice guidance	<p>Board directors met with Adam Hohman, President of the ND Nurse Practitioners Association (NDNPA) and Cheryl Rising, NDNPA lobbyist. Directors recommended the NDNPA consider conducting a study similar to one completed by the ND Association of Nurse Anesthetists (NDANA) related to Dry Needling and Scope of Practice which resulted in a white paper with recommendations to CRNAs. The NDANA then presented the white paper to the board for consideration. The NDNPA reported interest in initiating a work group to explore the option of a study and white paper related to NP scope of practice and anesthetic agents. The NDNPA memo to NPs in ND related to this topic was reviewed by the board.</p> <p>The board discussed Dr. Amanda Braaten's concerns addressed during the public forum and decided to add the issue to the October Board meeting for discussion. A concern is that facilities are choosing to interpret and apply the guidance in different manners. It was noted that no rules or laws have been changed by the board. As noted when the practice guidance was issued, the document will continue to be reviewed and revised as new evidence arises. The board was interested in reviewing the document with the dosage requirements for ketamine in non-sedative situations which was discussed by Dr. Braaten. Dr. Braaten stated that she would send the literature to the office.</p>
7.2-1 Nurse Licensure Compact Update	There are currently 31 states that have enacted the eNLC. MN Legislation to join the compact did not pass. The 2 nd tier of rules for the eNLC has been reviewed and will be presented at delegate assembly in August. The third set of rule-making will address the disciplinary question issues in relation to multi-state licensure.
7.3-1 NDAC 54-02-10 RN & LPN NLC repeal testimony – June 14, 2018 ARC	The rules related to the old Nurse Licensure Compact were repealed with no issues identified during the legislative Administrative Rules Committee meeting on June 14, 2018.
7.3-2 RN Dispensing proposed legislation (1:00 p.m.)	Cora Rabenberg, Family Planning Coordinator with the ND Dept of Health, was present to address the board regarding Family Practice Clinics and Title X facilities and dispensing of oral contraceptives. Sarah Scott with the ND Dept of Health and Courtney Koebele, ND Medical Association were also present for this agenda item. Ms. Rabenberg shared draft language of a proposed bill for the upcoming legislative session to allow dispensing of oral contraceptives by a registered nurse. Board of Pharmacy was involved in the discussions. The rationale for the proposed legislation is to allow Title X Family Planning clinics to utilize telemedicine for a provider-patient encounter and provider order for the oral contraceptives, followed by the registered nurse dispensing of the medication at the facility. The language would be included in the Board of Pharmacy section of the ND Century Code. During discussions, the Board of Pharmacy provided other possible options. The board directed staff to explore these options with Board of Pharmacy prior to the next meeting.
7.3-3 Other Potential Upcoming Legislation	none
9.1 Nursing Education Committee – July 11, 2018	The minutes from the July 11, 2018 Nursing Education Committee meeting were available for review.
9.2 Finance Committee Meeting – May 10, 2018	None
9.3 Executive Committee	The minutes of the May 18, 2018 meeting were available for review.
10.1 Succession Planning – Introduce Chris Becker	Chris Becker has been hired as the Accounting/Licensure Specialist to replace Julie Schwan when she retires on October 1 st . Pat Hill, Assistant Director for Practice and Compliance will be retiring during the current fiscal year and has agreed to assist after retirement on a contract basis. With the elimination of the NNAAP Testing, Sally Bohmbach, Administrative Assistant will work .5 FTE until her potential retirement in October 2019.
11.1 Elections	<p><i>Discussion:</i> Jane Christianson was nominated for a second two-year term as president and the vote was unanimous to approve.</p> <p><i>Motion:</i> M. Hammer, seconded by J. Hammer to: APPROVE JANE CHRISTIANSON, RN AS PRESIDENT FOR A TWO-YEAR TERM ENDING JULY 2020.</p> <p><i>Vote:</i> 7 yes, 0 no, 1 recuse (Christianson) 1 absent (Johnson). Motion carried.</p> <p><i>Discussion:</i> Mike Hammer was nominated for a second two-year term as president and the vote was unanimous to approve.</p> <p><i>Motion:</i> J. Hammer, seconded by Holth to: APPROVE MIKE HAMMER, RN AS VICE-PRESIDENT FOR A TWO-YEAR TERM ENDING JULY 2020.</p> <p><i>Vote:</i> 7 yes, 0 no, 1 recuse (M. Hammer) 1 absent (Johnson). Motion carried.</p>

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AGENDA ITEM	DISCUSSION & ACTION
11.2 Committee Charges and Appointments 2018-2019	<p>The board reviewed proposed charges for each committee for the upcoming 18-19 fiscal year. The board discussed the possibility of having a board member on the Compliance Advisory Panel to assist during certain cases. Any board member who is on the CAC would need to recuse on all cases they had knowledge of and could not be involved in discussion or votes. Staff will research how other board's handle committees with board member involvement and voting.</p> <p><i>Motion:</i> Buettner, seconded by M. Hammer to: APPROVE THE PROPOSED 2018-2019 COMMITTEE CHARGES AS DISTRIBUTED.</p> <p><i>Vote:</i> 8 yes, 0 no, 1 absent (Johnson). Motion carried.</p>
11.2-1 Nursing Education Committee – Appointment of External Members	<p><i>Discussion:</i> Two external committee members terms on the Nursing Education Committee have expired. The board reviewed a list of potential external committee members for the Nursing Education Committee and selected two.</p> <p><i>Motion:</i> I MOVE THAT THE BOARD APPROVE THE FOLLOWING APPOINTMENTS FOR EXTERNAL MEMBERS TO THE NURSING EDUCATION COMMITTEE FROM SEPTEMBER 2018-2020.</p> <ol style="list-style-type: none"> 1. DIANE KOSTZEWSKI 2. ERICA EVANS <p><i>Vote:</i> 8 yes, 0 no, 1 absent (Johnson). Motion carried.</p>
11.2-2 Committee Appointments	<p><i>Discussion:</i> The board made committee assignments for the upcoming year.</p> <p><i>Motion:</i> J. Hammer, seconded by M. Hammer to: APPROVE THE FOLLOWING COMMITTEE APPOINTMENTS:</p> <p style="padding-left: 40px;">EXECUTIVE COMMITTEE: CHAIR: PRESIDENT, VICE-PRESIDENT, TREASURER JANE CHRISTIANSON, MIKE HAMMER, JAMIE HAMMER</p> <p style="padding-left: 40px;">NURSING EDUCATION COMMITTEE: CHAIR: JANELLE HOLTH MARY BETH JOHNSON TANYA SPILOVOY</p> <p style="padding-left: 40px;">FINANCE COMMITTEE: CHAIR TREASURER JAMIE HAMMER KEVIN BUETTNER JANE CHRISTIANSON</p> <p style="padding-left: 40px;">RISK MANAGEMENT COMMITTEE: BONNIE MAYER</p> <p style="padding-left: 40px;">BOARD REPRESENTATIVES FOR: PDMP COMMITTEE: PFENNING, CHRISTIANSON</p> <p><i>Vote:</i> 8 yes, 0 no, 1 absent (Johnson). Motion carried.</p>
11.3 Reappointment/Appointments per Governor effective July 1, 2018 – June 30, 2022	Jane Christianson and Mary Beth Johnson have been reappointed as RN Board Members for four-year terms through June 30, 2022.
11.4 BON Addresses and phone number updates	Board members are requested to update their address and phone numbers.
11.5 Approval of BON and Committee Meeting dates for 2018-2019	<p><i>Discussion:</i> The board reviewed board meeting</p> <p><i>Motion:</i> J. Hammer, seconded by Johnston to: APPROVE THE FOLLOWING MEETING DATES:</p> <p style="padding-left: 40px;"><u>2018-2019 BOARD MEETING DATES</u> JULY 18, 2018 BOARD RETREAT JULY 19, 2018 ANNUAL MEETING OCTOBER 25, 2018 JANUARY 17, 2019 APRIL 25, 2019 JULY 18, 2019</p> <p style="padding-left: 40px;"><u>2018-2019 COMMITTEE MEETING DATES</u> NURSING EDUCATION COMMITTEE & NEL: JULY 11, 2018, OCTOBER 24, 2018, APRIL 24, 2019 & JULY 10, 2019 FINANCE COMMITTEE: APRIL 18, 2019 EXECUTIVE COMMITTEE: APRIL 25, 2019 FOLLOWING BOARD MEETING</p> <p>*OTHER MEETINGS MAY BE ADDED AS NEEDED.</p> <p><i>Vote:</i> 8 yes, 0 no, 1 absent (Johnson). Motion carried.</p>

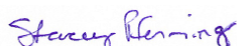
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AGENDA ITEM	DISCUSSION & ACTION
11.6 Verification of practice/Conflict of Interest Disclosures/Worker's Compensation	Verification of Practice and Conflict of Interest Statements are required of each board member annually. Board members are covered by a Worker's Comp Policy while on board business. Sanford Occupational Health is the assigned medical provider for worker's compensation issues unless another provider is selected annually.
11.7 Review and Approval of 2018-2019 Governance Manual	<p><i>Discussion:</i> The board reviewed revisions and updates to the Governance Manual. Meetings were changed to quarterly and the vision moved to the beginning of the document in addition to other edits to clean up language of the document.</p> <p><i>Motion:</i> J. Hammer, seconded by Buettner to: APPROVE THE PROPOSED REVISIONS TO THE GOVERNANCE MANUAL.</p> <p><i>Vote:</i> 8 yes, 0 no, 1 absent (Johnson). Motion carried.</p>

CONSENT AGENDA:

8.1 Meetings, Conferences, Committees – Board representation
8.2 Notification to Board
8.2-1 Governor's National Transportation Safety Board letter – NDBON & NDBON requirements
8.3 Nursing Practice
8.3-1 Improving efficiency in HC; Removing anticompetitive barriers for APRN & PAs. Hamilton Project
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 UAP Renewal Numbers
8.5-4 NNAAP Testing Fiscal Year Summary
8.6 Licensure
8.6-1 NCLEX-RN Quarterly Program Updates
8.6-2 NCLEX-PN Quarterly Program Updates
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 Programs and Students – Spring 2018 Updates
8.8-3 Faculty Development Program – February 2018 Updates
8.8-4 Education Program Survey Schedule Summer Updates
8.9 Board Representation on Committees/Task Forces
8.9-1 Prescription Drug Monitoring Program Committee – Christianson/g – Pfenning – June 14, 2018
8.9-2 North Dakota Center for Nursing (Executive Committee & Task Forces)
8.9.3 Reducing Pharmaceutical Narcotics in our Community – Compliance Division
8.9.4 ND Tri-Regulatory Collaborative – June 2017 – November 28, 2017
8.9.5 Envision 2030 Health Care Advisory Committee – Pfenning
8.9.6 Governor's Nursing Workforce Taskforce – Pfenning/Buchholz –
8.9.7 Senator Heitkamp – Health Care Advisory Group – Buettner/Spilovoy
8.9.8 ND Telehealth Domain Workgroup – April 16 – Report on Telehealth and scope of practice
8.9.9 Governor's State of Emergency: Opioid and Prescribers

The meeting recessed from 12:05 p.m. to 1:00 p.m. and adjourned at 2:43 p.m. on July 19, 2018.



Stacey Pfenning, DNP, APRN, FNP, FAANP
Executive Director
Draft 7/25/2018