

North Dakota Board of Nursing Special Meeting Minutes – September 12, 2019

Call to Order:	September 12, 2019 at 4:00p.m. – NDBON Board Conference Room – 919 S 7 th Street, Suite 504, Bismarck, ND		
Roll Call:	Seven members present as follows:		
	Jane Christianson, RN Member, President	Mary Beth Johnson, RN Member (web-conference)	
	Wendi Johnston, LPN Member	Jamie Hammer, RN Member (web-conference)	
	Michael Hammer, RN Member, Vice-President (web-conference)	Cheryl Froelich, Public Member (web-conference)	
	Janelle Holth, RN Member (web-conference)		
	Absent: Kevin Buettner APRN Member and Julie Dragseth LPN Member		
	Staff Present:		
	Stacey Pfenning, APRN, Executive Director	Melissa Hanson, RN, Associate Director for Compliance	
	Tammy Buchholz, RN, Associate Director for Education	Corrie Lund, RN, Compliance Investigator	
	Maureen Bentz, Associate Director for Practice	Andrew Askew, SAAG	
	Other individuals were present in person and via web-conference as indicated on the Board Meeting Attendance Roster.		

	DISCUSSION & ACTION
2.0 Approval of Minutes – July 18, 2019 Meeting	<p><i>Discussion:</i> The minutes of July 18, 2019 meeting were reviewed. Amended changes were identified based on input from agencies and facilities working with international/foreign applicants. Board approved amendments to Agenda Item 7.1 Nursing Licensure/Registration to provide clarification of the content related to the international/foreign applicant.</p> <p>Amend Item 7.1 Nursing Licensure/Registration second paragraph of motion to read: <i>International/foreign educated nurse applicants must submit a credentials evaluation service report of the transcript along with the official transcript for issuance of a single state license. If the international/foreign educated applicant also submits a copy of the CGFNS certificate program verification letter or CGFNS visa screen verification letter a multistate license may be issued. The board may accept verification of these reports from another jurisdiction if North Dakota qualifications are met.</i></p> <p><i>Motion:</i> W. Johnston seconded by J. Hammer: Move the Board approve the minutes of the July 18, 2019 meeting as amended.</p> <p><i>Roll Call Vote:</i> Buettner, absent; Christianson, yes; Dragseth, absent; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; 7 yes. 0 no 2 absent.</p> <p>Motion carried.</p>
3.1 Title X RN Dispensing Exemption	<p><i>Discussion:</i> Proposed addition of 54-05-02-08 Dispensing in Title X Clinic creates a section based upon Senate Bill 2155 enacted during the 66th Legislative Assembly providing exemption from the practice of pharmacy for registered nurses dispensing in title X clinics. Brian Bergeson, SAAG, reviewed proposed rule for legality. No fiscal impact anticipated for this addition.</p> <p><i>Motion:</i> W. Johnston seconded by J. Hammer: Move the Board approve the draft amendment to the NDAC Title 54 for public hearing which proposes addition of 54-05-02-08 Dispensing in Title X Clinic.</p> <p><i>Roll Call Vote:</i> Buettner, absent; Christianson, yes; Dragseth, absent; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; 7 yes. 0 no 2 absent.</p> <p>Motion carried.</p>

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<p>3.2 Licensure/Registration Fees</p>	<p><i>Discussion:</i> W. Johnston provided an overview of the Finance Committee August 29, 2019 meeting discussion and deliberation regarding the proposed rule revisions related to NDAC 54-02-05-04 Late Renewal Fee and multiple sections throughout Article 54 related to licensure/registration fees. N.D.C.C 43-12.1-10 mandates licensure renewal and reactivations. NDAC 54-02-07-09 Practice Without a License provides rules related to the nurse practicing on an expired license. NDAC 54-02-05-04 Late renewal fees is duplicative, and repeal is proposed. Andrew Askew, SAAG reviewed for legality and provided counsel during discussion. Materials reviewed included National Council of State Boards of Nursing surveys of nurse licensure fees nationally, Board survey of ND licensees related to fees and project funding, articles related to fees and professional licensing, and financial impact of fee adjustments and budget needs for 2020-2025.</p> <p>Motion from the Finance Committee, W. Johnston; seconded by M. Johnson: Move the Board approve the draft revisions of the NDAC Title 54 for public hearing which propose repeal of 54-02-05-04 late renewal fee and amendments to licensure and registration fees as follows:</p> <ul style="list-style-type: none"> o Addition of \$40 for APRN renewal; o Addition of \$30 for SPRN renewal; o Addition of \$25 for each: APRN and SPRN initial; Prescriptive authority (RX) initial; RX renewal; o Addition of \$20 for each: LPN and RN renewal; APRN, SPRN, and LPN/RN reactivations; o Addition of \$15 for each: LPN and RN by exam; o Addition of \$10 for each: UAP initial; LPN/RN endorsements; and UAP renewals. <p><i>Roll Call Vote:</i> Buettner, absent; Christianson, yes; Dragseth, absent; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; 7 yes. 0 no 2 absent. Motion carried.</p>
<p>3.2 ND Center for Nursing Funding</p>	<p><i>Discussion:</i> W. Johnston provided an overview of the Finance Committee (FC) August 29, 2019 meeting discussion and deliberation regarding the proposal brought forward from ND Center for Nursing (CFN) for funding through rule promulgation. Johnston noted that Dr. Patricia Moulton, CFN, Executive Director presented the rule proposal and supporting documents to the FC. Andrew Askew, NDBON SAAG, provided the FC a review of research related to the rules and law and shared his legal opinion related to the proposed CFN rules. Staff provided an overview of the results of a survey conducted of all licensed nurses in the state regarding awareness of NDBON funding for the CFN through nurse licensure renewal and endorsement fees since 2012. The Board reviewed several letters from CFN Board of Director members supporting continued funding of the CFN with licensure fees. Andrew Askew, SAAG was present to provide his research and legal counsel to the Board and answered questions pertaining to his exploration of proposed CFN rules and legality. SAAG noted that statutory authority to create a CFN in rules is not clear or intentional. In addition, SAAG noted rule promulgation that included a specific funding amount for the CFN would diminish the Board's ability to utilize funds to support core office operations required to meet N.D.C.C. mandates. The CFN Executive Director was available via web conferencing for questions.</p> <p>Motion from the Finance Committee, W. Johnston; seconded by J. Hammer: Move the Board reject the proposed addition of NDAC Article 54-10 North Dakota Center for Nursing, concluding rule drafting pertaining to the NDCFN.</p> <p><i>Roll Call Vote:</i> Buettner, absent; Christianson, yes; Dragseth, absent; Froelich, yes; J. Hammer, yes; M. Hammer, yes; Holth, yes; Johnson, yes; Johnston, yes; 7 yes. 0 no 2 absent. Motion carried</p>
<p>Adjourn Meeting</p>	<p><i>Discussion:</i> Adjourn special meeting.</p> <p><i>Motion:</i> W. Johnston seconded by M. Hammer: Move the Board adjourn the September 12, 2019 special meeting.</p> <p><i>Unanimous consensus, Christianson declared meeting adjourned</i></p>

The meeting adjourned on 4:58 p.m. on September 12, 2019.

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Stacey Pfenning

Stacey Pfenning, DNP, APRN, FNP, FAANP
Executive Director
Approved by NDBON 07/18/2019