

**North Dakota Board of Nursing  
Meeting Minutes – January 19-20, 2006**

Call to Order: January 19, 2006 at 8:30 a.m. – State Water Commission Bldg Meeting Room, 900 E Blvd, Bismarck, ND.

Roll Call: Eight board members present as follows:  
 Claudia Dietrich, RN, President  
 JoAnn Sund, RN, Vice-President  
 Roxane Case, Public Member, Treasurer  
 Metta Schell, LPN  
 Helen Melland, RN  
 Donna Hegle, RN  
 Renee Olson, LPN  
 Mary Tello-Pool, LPN

Staff Present:  
 Constance Kalanek, RN, Executive Director  
 Patricia Hill, RN, Asst. Director for Practice & Discipline  
 Julie Schwan, Admin Services Coordinator  
 Karla Bitz, RN, Associate Director  
 Linda Shanta, RN, Associate Director for Education

Absent: Nelson (Buzz) Benson, RN Board Member

Other observers present are indicated on the meeting roster. Students from UTTC and MSU.

**MINUTES REFLECT ACTIVE AGENDA ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.**

AGENDA ITEM	ACTION										
Environmental Scan	Omitted due to time constraints.										
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda.</p> <p><i>Motion:</i> Olson, seconded by Schell to:  <b>ADOPT THE CONSENT AGENDA.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.                      8 yes, 0 no, 1 absent. Motion carried.</p>										
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. No changes were identified.</p> <p><i>Motion:</i> Case, seconded by Sund to:  <b>ADOPT THE AGENDA AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.                      8 yes, 0 no, 1 absent. Motion carried.</p>										
1.3 Open Forum (9:00 a.m.)	No one appeared for the forum. Closed at 9:15.										
2.1 November 17-18, 2005 Meeting Minutes	<p><i>Discussion:</i> The minutes of the November 17-18, 2005 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Tello-Pool, seconded by Schell to:  <b>APPROVE THE MINUTES OF THE NOVEMBER 17-18, 2005 MEETING AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.                      8 yes, 0 no, 1 absent. Motion carried.</p>										
3.1 Financial Statements	Financial Statements through December 31, 2005 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Income is at 88% of budgeted and expenses at 54% of budgeted.										
3.2 Strategic Planning for 2006-2009	Board members and staff met with Joey Ridenour RN, Executive Director of the AZ Board of Nursing on January 18, 2006 to prepare for the strategic planning. Dr. Jon Martinson will again consult with the board on developing the plan. The first session is scheduled for January 20 from 9:00 to 12:00.										
3.3 2004-2005 Annual Report	The final copy of the 2004-2005 annual report is available and was distributed to board members. It will be sent to a list of organizations, governors office and be available on the website.										
4.1 Administrative Settlements - Practice	<p><i>Discussion:</i> One individual has submitted an administrative settlement for practice without a license/registration since the last meeting.</p> <p><i>Motion:</i> Case, seconded by Hegle to:  <b>ACCEPT THE ADMINISTRATIVE SETTLEMENT FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR:</b></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Name</th> <th style="text-align: left;">Lic/Reg #</th> <th style="text-align: left;">City, State</th> <th style="text-align: left;">Sanction</th> <th style="text-align: left;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td>Wilke, Wendy</td> <td>R17921</td> <td>East Grand Forks, MN</td> <td>Reprimand</td> <td>\$1500</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, recuse; Schell, yes; Sund, yes; Tello-Pool, yes.                      7 yes, 0 no, 1 absent, 1 recuse. Motion carried.</p>	Name	Lic/Reg #	City, State	Sanction	Penalty Fee	Wilke, Wendy	R17921	East Grand Forks, MN	Reprimand	\$1500
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4.3 Voluntary Surrenders	<p><i>Discussion:</i> Voluntary Surrenders were received from three individuals, seeking the Board's consideration and approval of its terms.</p> <p><i>Motion:</i> Olson, seconded by Tello-Pool to:  <b>APPROVE AND ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDER AND ENTER AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING:</b></p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>NAME</th> <th>LIC/REG #</th> <th>CITY, STATE</th> <th>PENALTY FEE</th> </tr> </thead> <tbody> <tr> <td>BOCK, TWILA</td> <td>CNA827</td> <td>ENDERLIN, ND</td> <td>\$100</td> </tr> <tr> <td>OLSON, JOANN</td> <td>L9336</td> <td>MINOT, ND</td> <td>\$200</td> </tr> <tr> <td>ROHMAN, RENEE</td> <td>97985UAP</td> <td>WAHPETON, ND</td> <td>\$50</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	LIC/REG #	CITY, STATE	PENALTY FEE	BOCK, TWILA	CNA827	ENDERLIN, ND	\$100	OLSON, JOANN	L9336	MINOT, ND	\$200	ROHMAN, RENEE	97985UAP	WAHPETON, ND	\$50
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ROHMAN, RENEE	97985UAP	WAHPETON, ND	\$50														
4.41 Stipulation for Settlement – Yvonne Mauch, L7583	<p><i>Discussion:</i> A Stipulation for Settlement was received from Yvonne Mauch, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (5) (6) (7).</p> <p><i>Motion:</i> Tello-Pool, seconded by Melland to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR YVONNE MAUCH, LPN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ENCUMBER HER LICENSE FOR TWO YEARS;</b></li> <li>• <b>ASSESS A \$800.00 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> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																
4.42 Stipulation for Settlement – Sharyn Raveling, 96781UAP and 2574CNA Medication Aide II	<p><i>Discussion:</i> A Stipulation for Settlement was received from Sharyn Raveling, UAP &amp; CNA, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) (5) and NDAC 54-02-07-01.1 (5) (6) (7) (10).</p> <p><i>Motion:</i> Olson, seconded by Case to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SHARYN RAVELING UAP &amp; CNA, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ISSUE A REPRIMAND;</b></li> <li>• <b>ASSESS A \$400.00 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> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, no; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 7 yes, 1 no, 1 absent. Motion carried.</p>																
4.43 Notice of Suspension – Tami Coenen, L6871	<p>Hill reviewed the terms of the Board Order dated July 21, 2005 for Tami Coenen. Ms. Coenen has violated her order. Per the board order her LPN license has been suspended effective of January 6, 2006.</p>																
4.44 Stipulation for Settlement – Lola Kouba, 103287UAP & CNA 30490	<p><i>Discussion:</i> A Stipulation for Settlement was received from Lola Kouba, UAP &amp; CNA, 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 (1).</p> <p><i>Motion:</i> Sund, seconded by Melland to:  <b>APPROVE THE PROPOSED STIPULATION FOR SETTLEMENT FOR LOLA KOUBA, UAP &amp; CNA, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ENCUMBER HER REGISTRATION FOR EIGHTEEN MONTHS;</b></li> <li>• <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																
4.45 Stipulation for Settlement - Rebecca LaFavor – R28953	<p><i>Discussion:</i> A Stipulation for Settlement was received from Rebecca LaFavor, 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 (4).</p> <p><i>Motion:</i> Sund, seconded by Case to:  <b>ACCEPT THE TERMS OF THE TERMS OF THE STIPULATION FOR SETTLEMENT FOR REBECCA LAFAVOR, 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 \$300.00 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> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>																

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AGENDA ITEM	ACTION
4.46 Stipulation for Settlement – Eva Herr, R31349	<p><i>Discussion:</i> A Stipulation for Settlement was received from Eva Herr, 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) (5) (6) and NDAC 54-02-07-01.1 (5) (7) (9) (12).</p> <p><i>Motion:</i> Melland, seconded by Olson to:  <b>ACCEPT THE TERMS OF THE TERMS OF THE STIPULATION FOR SETTLEMENT FOR EVA HERR, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ENCUMBER HER LICENSE FOR THREE YEARS WITH REFERRAL TO WIP;</b></li> <li>• <b>ASSESS A \$1200.00 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> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.47 Stipulation for Settlement – Rebecca Marden, L10528	<p><i>Discussion:</i> A Stipulation for Settlement was received from Rebecca Marden, 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 (3) (5) (6) (7).</p> <p><i>Motion:</i> Schell, seconded by Tello-Pool to:  <b>ACCEPT THE TERMS OF THE TERMS OF THE STIPULATION FOR SETTLEMENT FOR REBECCA MARDEN, 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 \$600.00 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> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.71 Request for Reinstatement – Linda Nelson, L8656	<p><i>Discussion:</i> Linda Nelson has requested reinstatement of her LPN license from encumbered to full status. The board reviewed her order dated January 21, 2005, and Hill indicates all of the terms and conditions of the order have been met.</p> <p><i>Motion:</i> Olson, seconded by Schell to:  <b>ACCEPT LINDA NELSON'S REQUEST FOR REINSTATEMENT OF HER LPN LICENSE TO FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER BOARD ORDER DATED JANUARY 21, 2005.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, recuse; Tello-Pool, yes. 7 yes, 0 no, 1 absent, 1 recuse. Motion carried.</p>
4.72 Request for Reinstatement – Noreen Wollan, L9291	<p><i>Discussion:</i> Noreen Wollan was present via teleconference to request reinstatement of her LPN license from encumbered to full status. The board reviewed her order dated January 16, 2003, and Hill indicates all of the terms and conditions of the order have been met.</p> <p><i>Motion:</i> Tello-Pool, seconded by Case to:  <b>ACCEPT NOREEN WOLLAN'S REQUEST FOR REINSTATEMENT OF HER LPN LICENSE TO FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER BOARD ORDER DATED JANUARY 16, 2003.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.73 Request for Reinstatement – Christopher Holden, R26365	<p><i>Discussion:</i> Christopher Holden has requested reinstatement of his suspended status RN license to encumbered status. The board reviewed and discussed the Disciplinary Review Panel recommendation to encumber his license for three years with participation in the WIP program during the encumbrance.</p> <p><i>Motion:</i> Melland, seconded by Hegle to:  <b>ACCEPT CHRISTOPHER HOLDEN'S REQUEST FOR REINSTATEMENT OF HIS SUSPENDED RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS WITH PARTICIPATION IN WIP DURING THE PERIOD OF ENCUMBRANCE.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.91 Other – Melissa Miller- NNAAP Applicant	<p><i>Discussion:</i> Melissa Miller submitted a NNAAP application with a positive response to the criminal history question.</p> <p><i>Motion:</i> Melland, seconded by Olson to:  <b>DENY MELISSA MILLER'S APPLICATION FOR NNAAP TESTING BASED ON NDCC 43-12.1-14 (1).</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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4.92 Other – Jon Grenz, 101974UAP	<p><i>Discussion:</i> Jon Grenz submitted a NNAAP application with a positive response to the criminal history question and termination from a nursing related job due to conduct that may be grounds for disciplinary action.</p> <p><i>Motion:</i> Olson, seconded by Sund to:  <b>APPROVE JON GRENZ'S APPLICATION FOR NNAAP TESTING AFTER MARCH 23, 2006 PROVIDED MR. GRENZ PROVIDES VERIFICATION OF NO FURTHER CRIMINAL CHARGES, A LETTER OF SUPPORT FROM HIS TREATMENT PROFESSIONAL, AND A LETTER FROM MR GRENZ WHICH DOCUMENTS CONTINUED REHABILITATION.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
5.11 University of ND – BSN and graduate programs (January 19 @ 9:15 - NEC	<p><i>Discussion:</i> Dr. Chandice Covington, Dean UND College of Nursing was present for this agenda item. Shanta reviewed the report and indicated there were no areas of non-compliance and two items of partial compliance related to program organizational structure and unqualified faculty.</p> <p><i>Motion from Nursing Education Committee:</i>  <b>THE NURSING EDUCATION COMMITTEE RECOMMENDS TO THE BOARD THAT</b></p> <ol style="list-style-type: none"> <li>1) <b>THE UNIVERSITY OF ND IS IN SUBSTANTIAL COMPLIANCE WITH NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAM; AND</b></li> <li>2) <b>GRANT CONTINUED FULL APPROVAL OF THE BACCALAUREATE AND GRADUATE PROGRAMS THROUGH JANUARY 2011.</b></li> </ol> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, recuse; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            7 yes, 0 no, 1 absent, 1 recuse. Motion carried.</p>
5.21 Appointment of Chandice Covington – UND Dean	<p>The board reviewed a letter from UND informing the board that their new dean is Dr. Chandice Covington, and welcomed Dr. Covington.</p>
5.31 Hi-Acres Manor Medication Assistant II Program	<p><i>Discussion:</i> Hi-Acres Manor in Jamestown has submitted a Medication Assistant II course for continued approval. Hill indicated the course meets the board's guidelines for Medication Assistant II courses.</p> <p><i>Motion:</i> Olson, seconded by Hegle:  <b>THAT HI-ACRES MANOR MEDICATION ASSISTANT PROGRAM II MEETS THE REQUIREMENTS FOR MEDICATION ASSISTANT PROGRAM II AS SET BY NDAC CHAPTER 54-07-07 AND THAT THE BOARD GRANT CONTINUED APPROVAL FOR THIS COURSE TO BE OFFERED BY HI-ACRES MANOR OF JAMESTOWN FROM JANUARY 2006 THROUGH JANUARY 2010.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
5.41 Requirements for Renewal – FAQ's revision	<p><i>Discussion:</i> Shanta reviewed the "Requirements for Licensure Frequently Asked Questions" document with the proposed changes.</p> <p><i>Motion:</i> Hegle, seconded by Schell to:  <b>APPROVE THE REVISED "REQUIREMENTS FOR LICENSURE RENEWAL FAQ".</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
5.42 Ratification of approval of workshop etc for contact hours	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of January 18, 2006 for ratification.</p> <p><i>Motion:</i> Olson, seconded by Sund to:  <b>RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSE #572 THROUGH #576.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
5.51 Nursing Education Annual Report – Fiscal Year 2004-2005 - NEC	<p><i>Discussion:</i> The 2004-2005 Nursing Education Annual Report was shared with the board. Shanta reviewed the executive summary of the report.</p> <p><i>Motion from the Nursing Education Committee to recommend:</i>  <b>THAT THE BOARD ACCEPT THE FISCAL YEAR 2004-2005 NURSING EDUCATION ANNUAL REPORT WITH EDITORIAL CHANGES.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Discussion:</i> Melland reviewed the 25% unqualified faculty at MSU that was discussed by the Nursing Education Committee.</p> <p><i>Motion by the Nursing Education Committee:</i>  <b>RECOMMENDS TO THE BOARD THAT ACCORDING TO THE ANNUAL NURSING EDUCATION REPORT OF FY 2004-2005, MINOT STATE UNIVERSITY BSN PROGRAM DID NOT MEET NDAC 54-03.2-04-08 UNQUALIFIED FACULTY. THE PROGRAM MUST PRESENT EVIDENCE OF COMPLIANCE TO THE BOARD ON OR BEFORE SEPTEMBER 1, 2006.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>

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5.52 Nursing Education Loan Applicant – Linda Vetter	<p><i>Discussion:</i> Shanta reviewed the NEL application for refresher course from Linda Vetter and letter from staff to Ms. Vetter. According to the board's database, Ms. Vetter is currently licensed and does not need the refresher course for licensure. No further information was received from Ms. Vetter prior to the January Board Meeting.</p> <p><i>Motion:</i> Schell, seconded by Case to: <b>DENY THE APPLICATION OF LINDA VETTER FOR A NURSING EDUCATION LOAN REFRESHER COURSE LOAN.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
6.1 Withdraw of request for opinion on SSN Requirement of NDCC 43-50-02.	<p><i>Discussion :</i> The Board had directed Brian Bergeson, Special Assistant Attorney General to request an opinion on the Social Security Number requirement for Canadian applicants for license by examination. The Attorney General sent correspondence indicating an opinion on this matter is no longer required after review of the Board's procedure for processing the applications.</p> <p><i>Motion:</i> Sund, seconded by Hegle that: <b>THE BOARD WITHDRAW THE REQUEST FOR AN ATTORNEY GENERAL'S OPINION ON INTERPRETATION OF NDCC 43-50-02 SOCIAL SECURITY NUMBER REQUIREMENT.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
6.2 Approval of Canadian applicants prior to receipt of SSN – Policy & Procedure	<p><i>Discussion:</i> The board reviewed a draft Policy and Procedure related to Canadian Applicants prior to Receipt of US SSN to follow as recommended by the Attorney General's office.</p> <p><i>Motion:</i> Olson, seconded by Schell to: <b>APPROVE THE POLICY AND PROCEDURE RELATED TO "CANADIAN APPLICANTS PRIOR TO RECEIPT OF SOCIAL SECURITY NUMBER".</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
6.3 Renewals for 2006-2007	<p>The board reviewed the non-renewals for 2006-2007 which indicates 84% renewed on-line, and 770 did not renew. The non-renewals are comparable with the past seven years.</p>
6.4 Ratification of Nursing practice hours	<p><i>Discussion:</i> Three individuals have submitted journals for receipt of practice hours for the care of family members.</p> <p><i>Motion:</i> Melland, seconded by Tello-Pool to: <b>RATIFY THE APPROVAL OF NURSING PRACTICE HOURS FOR THE FOLLOWING:</b></p> <ul style="list-style-type: none"> <li>○ <b>KAY STEWART: 912.5 HOURS FOR 2004 AND 265 HOURS FOR 2005</b></li> <li>○ <b>BARBARA BRAUN: 500 HOURS FOR 2005</b></li> <li>○ <b>KIMBERLIE HARPER: 336 HOURS FOR 2004</b></li> </ul> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
7.11 AG Opinion – nurse licensed in ND and the practice of massage – 2005 L-41 Letter Opinion	<p>Brian Bergeson, Special Assistant Attorney General was present for this item. Bergeson reviewed the history of this opinion relative to BON. The board had issued a statement in January 04 that it is within the scope of practice for the licensed nurse to perform complimentary and alternative therapies. The Board had also determined that the bona fide SOP for a specific nurse would depend on the individual facts and circumstances. Bergeson stated this AG Opinion (1/1/05) bans nurses from practicing in Spas' determining this is not a bona fide site (pg 3- footnote). Bergeson stated that unless overturned in the court it must be followed by the Board. Board Members expressed concern that the setting may be the only determination whether nursing or massage therapy occurring. Integrated types of setting were also discussed. The Board discussed the context or environment does not determine whether it is nursing but rather the nurse's practice. Discussed requesting the AG to reconsider some of the issues discussed in the opinion. The Board's position was discussed as well as the responsibility of the facility and individual nurse to make sure the nurse is not holding themselves out as something for which they are not licensed. The Board directed Mr. Bergeson to draft a letter to the Attorney General's Office for review at the March Board Meeting.</p>
7.13 Medical Assistant Students in Clinical Sites – Sandra Sund, MSU Bottinua – 1/19/06 @ 1:30 pm	<p><i>Discussion:</i> Sandra Sund RN, Family Nurse Practitioner and faculty for the MA Program was on telephone conference for this agenda item. There currently is not an exemption in the NDCC 43-12.1 Nurse Practices Act for medical assistant students during their internships for them to gain experience giving medications including injections. After completion of the MA Program and if the MA meets the requirements for the medication assistant III registry they may give injections. Ms. Sund expressed concern the students learn a skill and do not practice it under nurse supervision. The Board discussed the availability of the instructor and need for clinical supervision. Ms. Sund stated that neither the clinical instructor, nor the faculty is available on site. The internship process provides for the director of clinic to assign a nurse in the clinic to precept the student. The clinical skill checklist is completed on all students prior to clinical. Staff is recommending the MA Students be placed on UAP registry, and then they would be under specific delegation as long as they are under the supervision of the nurse.</p> <p><i>Motion:</i> Sund, seconded by Olson to: <b>ADOPT A POSITION STATEMENT THAT ALLOWS MEDICAL ASSISTANT STUDENTS TO GIVE INJECTIONS DURING THEIR CLINICAL ROTATIONS PROVIDED THEY ARE ON THE UNLICENSED ASSISTIVE PERSON REGISTRY AND ARE FUNCTIONING UNDER NDAC CHAPTER 54-05-04 STANDARDS FOR ASSIGNMENT AND DELEGATION AND ARE DIRECTLY SUPERVISED BY A LICENSED NURSE.</b></p>

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7.13 Medical Assistant Students in Clinical Sites – Sandra Sund, MSU Bottinua – 1/19/06 @ 1:30 pm (continued)	<i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.
7.14 Request for opinion on Administration of Propofol by the RN	<p><i>Discussion:</i> Jerry Maddock, CRNA, from St Alexius was present to assist with this discussion. A Request for opinion on the “Role of the RN in the Management of Patients Receiving Moderate Sedation/Analgesia for Therapeutic, Diagnostic, or Surgical Procedures” was received from Phillip Iero, MD. Several options were reviewed. The Board discussed the Oklahoma BON statement specifically and that most boards of nursing have issued an opinion or are dealing with this issue at some level. The question was posed: If the mission of the BON is safety, can the board go contrary to FDA recommendations? The statement on propofol medication information states “For use only by persons trained in the administration of general anesthesia and not involved in the conduct of the surgical or diagnostic procedure”. Propofol can very easily be over administered, and can only be reversed by time which were factors used in issuing the current opinion. The previous Task Force provided input for the two current opinions, one is for procedures and the other is for use in a controlled environment. If the warning is removed by the FDA the Board would reconsider its decision. The literature states some specialties support the use of RN administering propofol during diagnostic and surgical procedures. All formal Board Opinions are available on the website.</p> <p><i>Motion:</i> Hegle, seconded by Sund to: <b>APPROVED THE PROPOSED REVISIONS TO THE CURRENT OPINION ON “ROLE OF THE REGISTERED NURSE (RN) IN THE MANAGEMENT OF PATIENTS RECEIVING MODERATE SEDATION/ANALGESIA FOR THERAPEUTIC, DIAGNOSTIC, OR SURGICAL PROCEDURES” AND “ADMINISTRATION OF ANESTHETIC AGENTS BY THE RN” and “ADMINISTRATION OF ANESTHETIC AGENTS BY THE RN”..</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
7.15 Role of the LPN in Ambulance Service – 1/19/06 @ 1:00 p.m.	<p><i>Discussion:</i> Tim Meyer was present from ND Division of Emergency Services. Mr. Meyer has requested the Board’s opinion on Section 33-11-02-02 Training Standards for Primary Care Provider. The question in need of clarification is: Can the LPN who does not have an EMT license act as the primary care provider in the ambulance? Mr. Meyer stated the requirements put forth that an LPN who is not an EMT has been in place for a number of years. There are ten LPNs on ambulance services that are not EMTs. A number of hospitals and LPN have expressed concern that the LPNs are not prepared. Discussion included the scope of practice of an LPN, differences between basic and advanced life support and pre-hospital training as an additional knowledge base. Nurses would need EMT training, but perhaps not the entire EMT course. The First Responder designed for police would not be sufficient training. Mr. Meyer explained the medical director for the ambulance service establishes protocols and is in charge. He also stated an abbreviated course was taught for registered nurses – Bridge course from RN to EMT which was 40 hours, normally 120 hours. The course was restricted to RNs only. The Board discussed the pre-hospital care environment and the availability of reimbursement for training. The LPN scope of practice describes the patient as stable and predictable (Chapter 54-05-01.1 Licensed practical nurses’ contribution to, and responsibility for the nursing process). Also, discussed the role of the LPN working in ER or ICU and that the First Responder course does not qualify them to be primary care provider.</p> <p><i>Motion:</i> Sund, seconded by Olson that: <b>THE BOARD OPINE IT IS NOT WITHIN THE SCOPE OF PRACTICE OF AN LPN PERFORMING IN THE ROLE OF THE PRIMARY CARE PROVIDER IN AN AMBULANCE .</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
7.16 Request for an Opinion on RN to perform the AmniSure Test for PROM	<p><i>Discussion:</i> The board office received a number of calls from hospitals around the state regarding the board’s opinion on use of the AmniSure for use to test for ruptured membranes in a pregnant woman. Facilities are stating that it is a JACHO requirement that the Board approve the use of the test by RNs. The research indicates its use is consistent with the RN Standards of Practice.</p> <p><i>Motion:</i> Olson, seconded by Tello-Pool to: <b>APPROVE THE FOLLOWING OPINION:</b> <b>IT IS WITHIN THE SCOPE OF PRACTICE OF AN RN TO PERFORM AN AMNISURE TEST FOR RUPTURE OF MEMBRANES FOR THE OB PATIENT WHO PRESENTS WITH SYMPTOMS OF LEAKING OR RUPTURED MEMBRANES IF THE FOLLOWING REQUIREMENTS ARE MET:</b></p> <ol style="list-style-type: none"> <li>1) <b>SATISFACTORY COMPLETION OF TRAINING IN THE PERFORMANCE OF THE TEST;</b></li> <li>2) <b>DOCUMENTATION OF SATISFACTORY COMPLETION OF THE COURSE OF INSTRUCTION IS ON FILE WITH THE EMPLOYER;</b></li> <li>3) <b>THE REGISTERED NURSE HAS THE KNOWLEDGE, SKILLS AND JUDGMENT FOR THE TASK;</b></li> <li>4) <b>QUALIFIED BACKUP IS AVAILABLE; AND</b></li> <li>5) <b>IT IS WITHIN THE AGENCY’S POLICIES.</b></li> </ol> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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7.31 Prescriptive Authority Applications	<p><i>Discussion:</i> Three individuals have submitted an application for prescriptive authority since the last meeting.</p> <p><i>Motion:</i> Sund, seconded by Hegle to:  <b>RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING:</b>  <b>Rebecca Elbert, CNS, Fargo, ND</b>  <b>Joyce Williams, Psych/Mental Health NP, Dickinson, ND</b>  <b>Rose Bergquist, CNS, Hettinger, ND</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
7.32 Report from Prescriptive Authority Committee	The prescriptive authority committee met January 19 at 5:00 p.m. and the meeting went well. The Board of Pharmacy reported that they are applying for a grant for a Prescription Drug Monitoring program. The committee reviewed prescriptive authority applicants for the past year, and draft position statements that the Nurse Practice Committee is preparing. There was concern expressed regarding the prescription protocol position statement, and the committee asked for a precautionary statement to be added, and requested additional input for the final draft.
7.33 Approval of Palliative Care Clinical Nurse Specialist Examination – Nancy Joyner	<p><i>Discussion:</i> Nancy Joyner, RN, was present via teleconference for this agenda item. Also present was Gayla Drenghson, RN, Altru Health System. Ms Joyner was well into her program when the board revised the requirements for recognition for an APRN certification examination. She indicates when she was hired into her position she had checked with the board that she would be able to take the Palliative Care Clinical Nurse Specialist Examination. She was in the last semester of her program when she learned she would not be able to use this certification examination. The board discussed her present position with her, and discussed the nature of the CNS specialization.</p> <p><i>Motion:</i> Tello-Pool, seconded by Melland to:  <b>APPROVE THE USE OF PALLIATIVE CARE CLINICAL NURSE SPECIALIST EXAMINATION TO MEET THE REQUIREMENTS FOR APRN LICENSURE FOR NANCY JOYNER, RN.</b></p> <p><i>Roll call vote:</i> Benson, absent; Case, yes; Dietrich, yes; Hegle, yes; Melland, yes; Olson, yes; Schell, yes; Sund, yes; Tello-Pool, yes.            8 yes, 0 no, 1 absent. Motion carried.</p>
7.4 Nurse Licensure Compact Update	Kalanek reported that New Hampshire and South Carolina are joining in January and February, and Michigan approved going forward with the compact.
7.52 Communication Policy and report form	The Communication Policy was approved at last meeting with revisions. The board discussed assignments for legislative contacts. Staff will request input from Benson, and a completed list will be sent out. Staff will distribute a list of talking points to be used.
7.53 Report of Budget Committee on Health Care	The board reviewed a report from Ken Tupa of ATP on the Interim Budget Committee on Health Care meeting held in Devils Lake. The board reviewed three potential bills that may be drafted related to boards and commissions. They also reviewed list of ND Health Professions Boards and Commissions.

**CONSENT AGENDA:**

8.1 NCSBN
8.11 Scope of Practice Partnership
8.2 Office Management
8.21 Government Performance Project
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Notice from Trinity Health – retirement of Corrine Semmen
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.53 Revisions to NNAAP Skills Examination
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN
8.64 NCLEX-PN
8.65 Congress Finalizes Labor – HHS – Education Bill
8.7 Discipline

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8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 Grand Forks Public Health Dept – letter
8.92 AACN Press Release – Faculty Shortage
8.93 USD Notification of out-of-state student clinical experience
8.94 MSCTC Notification of out-of-state student clinical experiences

**BOARD COMMITTEES:**

9.1 Workplace Impairment Program Committee
9.2 Nursing Education Committee - January 17, 2006 @ 3:00 p.m. – The NCLEX Train the Trainer program will be held on February 16, 2006 in Fargo. The committee also discussed the establishment policy for the use of a faculty intern position to help address the unqualified faculty issue in programs that do not have a graduate program. A subcommittee of NEC will work on a proposal to bring to the board's March meeting. CUNEA has been discussing funding options for faculty development to increase numbers of qualified faculty.
9.3 Finance Committee
9.4 Executive Committee
9.5 Prescriptive Authority Committee – January 18, 2006 @ 5:00 p.m.
9.6 Nursing Practice Committee – December 1, 2006 – Met by teleconference – The meeting consisted of presentations and information, and the committee prepared draft position statements on "Use of Prescription Protocols", "Safety to Practice" and "Pain Management."

**UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:**

10.1 NCSBN Annual Meetings – August 1-4, 2006
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.21 National and State Policy
10.22 Education Consultants
10.23 Discipline Networking
10.24 EO Network
10.25 NLCA Meeting, December 12, 2005
10.26 Board of Directors Meeting – December 7-9, 2005; February 8-10, 2006
10.27 Item Review Subcommittee, Olson & Shanta – December 6-9, 2005
10.28 Mid-Year Meeting, March 13-15, 2006
10.29 Commitment to Ongoing Regulatory Excellence – January 30-31, 2006
10.30 NCSBN Practice Breakdown Research Advisory Panel, November 29, 2005 (Webinar); Jan 23-24, 2006
10.31 NCSBN Executive Officers Seminar, June 28-29, 2006
10.32 Annual Institute of Regulatory Excellence, January 9-11, 2006
10.33 Board Investigator & Attorney Workshop, May 21-24, 2006
10.34 NLC Discipline & Legal Counsel Summit, July 10, 2006
10.35 Education Consultant Subgroup – Benchmarking Excellence for Nurse Education Regulators – Shanta
10.36 Bylaws Committee, December 13-14, 2005; Jan 4-5, Jan 18, 2006 – Bitz
10.3 ND Nurse Leadership Council – January 26, 2006 (BtWAN)
10.4 ND Organization of Nurse Executives – February 24, 2006
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference – March 22-24, 2006 – Fargo
10.7 ND LTCA Conference
10.8 ND Health Care Association Annual Meeting
10.9 Consumer Directed Care, ND Dept of Human Service – Medicaid – October 25, 2005; December 19 – Kalanek. Hill, Bergeson; Protection & Advocacy Jan 4, 2006; January 13 Staff continue to meet with this group. The Board's involvement relates to performance of nursing care in the home, as many individuals want to select their own care-givers, that will not qualify for UAP registry.
10.10 Interim Budget Committee on Health Care – November 29, 2005 – Grand Forks – canceled – Rescheduled Jan 4-5
10.11 Prescription Drug Monitoring Program Work Group – December 5, 2005 - Bitz.

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10.12 Medication Administration in Detention Centers – December 21, 2006 – Kalanek & Hill – Course has been provided around the state, some jails still having a problem employing a nurse to provide oversight of the program.

10.13 Bismarck Tribune – Gordon Weixel – January 12 – Kalanek

**Staff Presentations:**

11.1 APRN Standards of Practice – University of Mary – January 3, 2006 – Kalanek

11.2 Criminal Background Checks – Nurse Practice Committee – Bismarck, December 1, 2005 – Bitz

11.3 Emerging Issues – Altru Health – Grand Forks, June 8, 2006

12.0 Board Leadership Development –

**The meeting recessed for lunch from noon to 12:00 p.m. to 12:30 p.m. on January 19<sup>th</sup>.**

**The meeting recessed for the day at 3:50 p.m. and reconvened at 9:00 a.m. on Friday January 20<sup>th</sup>.**

**The meeting adjourned at 12:00 p.m. on January 20<sup>th</sup>.**

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Constance B. Kalanek, RN, PhD

Executive Director

Draft 11/21/05