

North Dakota Board of Nursing Meeting Minutes – May 15, 2008

Call to Order: May 15, 2008 at 8:30 a.m. – ND Board of Nursing Conference Room, 919 S 7th St, Suite 504, Bismarck, ND.

Roll Call: Nine board members present as follows:

JoAnn Sund, RN, President	Metta Schell, LPN
Mary Tello-Pool, LPN, Treasurer	Nelson (Buzz) Benson, RN, Vice-President
Charlene Christianson, RN	Julie Traynor, RN
Elizabeth Anderson, LPN	Roxane Case, Public Member
Donna Hegle, RN	

Staff Present:

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

Observers were present as indicated on the attached sign in roster.

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

AGENDA ITEM	ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda.</p> <p><i>Motion:</i> Case, seconded by Schell to: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. Staff requested reordering agenda item 7.5 for discussion after agenda item 3.5.</p> <p><i>Motion:</i> Hegle, seconded by Traynor to: APPROVE THE AGENDA AS REORDERED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
1.3 Open Forum 9:00 a.m.	Open forum was called at 9:00 a.m. No one was present to address the board.
2.1 March 19-20, 2008 Meeting Minutes	<p><i>Discussion:</i> The minutes of the March 19-20, 2008 meeting were reviewed.</p> <p><i>Motion:</i> Benson, seconded by Anderson to: APPROVE THE MINUTES OF THE MARCH 19-20, 2008 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
3.1 Financial Statements	Financial Statements through April 30, 2008 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Income is at 100% and expenses were at 83% of budgeted. Tello-Pool reviewed the report.
3.3 ND Board of Nursing Contingency Plan	<p><i>Discussion:</i> The board reviewed minor revisions to the Board's Contingency Plan for continued and return to operations in the event of a disaster.</p> <p><i>Motion:</i> Anderson, seconded by Christianson to: APPROVE THE REVISED "CONTINGENCY PLAN" FOR THE ND BOARD OF NURSING.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
3.4 Proposed Budget 2008-2009	<p><i>Discussion:</i> The Finance Committee met April 24, 2008 to review and prepare the proposed budget for 2008-2009. Tello-Pool reported that the committee reviewed the current budget and the fund balance overview. The committee reviewed projected income and expenses. It was noted that there will be a part time administrative staff position in the next budget to assist with administrative workload and director support staff. There were no fixed asset purchases in the budget with the exception of a computer and desk for the additional staff person. A letter from Bergeson, SAAG, regarding retainer and hourly rates was reviewed. The proposed budget includes \$35,000 funding for the nursing needs study.</p> <p><i>Motion from the Finance Committee to:</i> RECOMMEND APPROVAL OF THE PROPOSED 2008-2009 BUDGET OF \$894,285 PROJECTED INCOME AND \$893,587 PROJECTED EXPENSES, WHICH INCLUDES \$62,000 DESIGNATED FOR NURSING EDUCATION LOANS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
3.5 Proposed Revision to Bylaws	Kalanek reviewed proposed changes to the bylaws recommended by the Executive Committee. The proposed revisions will be voted on at the next meeting as required by Robert's Rules of Order.

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4.1 Administrative Settlements - Practice	<p><i>Discussion:</i> Three individuals have signed and submitted an administrative settlement for practice without a license/registration since the last meeting. Each was reviewed and considered by the Board</p> <p><i>Motion:</i> Hegle, seconded by Case to: ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING INDIVIDUALS:</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>Hochhalter, Sheri</td> <td>102875UAP</td> <td>Bismarck, ND</td> <td>Reprimand</td> <td>\$500</td> </tr> <tr> <td>Merseth, Lynn</td> <td>R32267</td> <td>East Grand Forks, MN</td> <td>Reprimand</td> <td>\$800</td> </tr> <tr> <td>Swartz, Sheila</td> <td>98136UAP</td> <td>Edgeley, ND</td> <td>Reprimand</td> <td>\$300</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Sanction	Penalty Fee	Hochhalter, Sheri	102875UAP	Bismarck, ND	Reprimand	\$500	Merseth, Lynn	R32267	East Grand Forks, MN	Reprimand	\$800	Swartz, Sheila	98136UAP	Edgeley, ND	Reprimand	\$300
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4.2 Administrative Settlement – Continuing Education	<p><i>Discussion:</i> One individual has signed and submitted an administrative settlement for failure to comply with the CE audit requirements for the 2008-2009 renewal. The administrative settlement was reviewed and considered by the board.</p> <p><i>Motion:</i> Schell, seconded by Anderson to: ACCEPT THE ADMINISTRATIVE SETTLEMENT FOR FAILURE TO COMPLY WITH CE REQUIREMENTS FOR THE FOLLOWING:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px auto;"> <thead> <tr> <th style="text-align: center;">NAME</th> <th style="text-align: center;">LICENSE/REG#</th> <th style="text-align: center;">CITY, STATE</th> <th style="text-align: center;">SANCTION</th> <th style="text-align: center;">PENALTY FEE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">RENBARGER, MARGARET</td> <td style="text-align: center;">L6139</td> <td style="text-align: center;">WATFORD CITY, ND</td> <td style="text-align: center;">REPRIMAND & STAYED SUSPENSION</td> <td style="text-align: center;">\$900</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>	NAME	LICENSE/REG#	CITY, STATE	SANCTION	PENALTY FEE	RENBARGER, MARGARET	L6139	WATFORD CITY, ND	REPRIMAND & STAYED SUSPENSION	\$900										
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4.3 Voluntary Surrender	<p><i>Discussion:</i> A Voluntary Surrender was received from one individual, seeking the Board's consideration and approval of its terms.</p> <p><i>Motion:</i> Case, seconded by Anderson to: APPROVE AND ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDER AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING: Debra Meuchel, R27819, Valley City, ND, Penalty Fee of \$200.00</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>																				
4.41 Stipulation for Settlement – Theresa Neset, 101257UAP/MA	<p><i>Discussion:</i> A Stipulation for Settlement was received from Theresa Neset, UAP/MA, 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> Benson, seconded by Case to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR THERESA NESET, UAP/MA AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$300.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>																				
4.42 Stipulation for Settlement – Howard Lemere, R32895	<p><i>Discussion:</i> A Stipulation for Settlement was received from Howard Lemere, 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)(6)(7)(9).</p> <p><i>Motion:</i> Benson, seconded by Traynor to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR HOWARD LEMERE, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$1000.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>																				

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AGENDA ITEM	ACTION
4.43 Stipulation for Settlement – Sheila Swartz, 98136UAP	<p><i>Discussion:</i> A Stipulation for Settlement was received from Sheila Swartz, UAP, 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> Case, seconded by Schell to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SHEILA SWARTZ, UAP, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$100.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
4.44 Stipulation for Settlement – Cynthia Hagen, R31494	<p><i>Discussion:</i> A Stipulation for Settlement was received from Cynthia Hagen, 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) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Benson, seconded by Traynor to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CYNTHIA HAGEN, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ENCUMBER HER LICENE FOR ONE YEAR; ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
4.45 Stipulation for Settlement – Tylah Bonaime, L11358	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tylah Bonaime, 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)(8).</p> <p><i>Motion:</i> Schell, seconded by Hegle to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TYLAH BONAIME, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
4.71 Request for Reinstatement – Roxane Cahill, L7512	<p><i>Discussion:</i> Sund and Anderson recused themselves and left the room for this agenda item. Roxane Cahill has requested reinstatement of her LPN license to full status and was present for this agenda item. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation to reinstate the license to full licensure status and successful discharge from the Workplace Impairment Program. Ms Cahill reviewed her recovery process with the board.</p> <p><i>Motion:</i> Tello-Pool, seconded by Christianson to: GRANT ROXANE CAHILL'S REQUEST FOR REINSTATEMENT OF HER ENCUMBERED LPN LICENSE TO FULL LICENSURE STATUS AS SHE HAS COMPLIED WITH TERMS AND CONDITIONS OF ORDER FOR REINSTATEMENT OF NURSING LICENSE TO ENCUMBERED STATUS DATED JANUARY 16, 2003 AND CONSENT OF ENTRY INTO NURSE ADVOCACY PROGRAM AND WAIVER DATED JANUARY 31, 2003.</p> <p><i>Roll call vote:</i> Anderson, recuse; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, recuse; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>
4.10.1 Miscellaneous Discipline Issues	<p>Bitz reported that the following individuals have been issued a notice of suspension:</p> <ul style="list-style-type: none"> • Laura Brown, L11139, Dickinson, ND Temporarily suspended until submission of required evaluations. • Carla Renner, R27353, Beulah, ND Suspended for a period of two years.
5.12 Dakota Nursing Program PN (NEC) 5/15 @ 10:00 a.m.	<p><i>Discussion:</i> Traynor recused herself as a board member for the agenda items related to the Dakota Nursing Program and represented the program as their Director. Also present was Sr. Sharon Houle, MSU-Bottineau site Coordinator, and Patty Johnson (via phone), LRSC Site Coordinator. Shanta and Kalanek conducted an onsite survey of the Dakota Nursing PN and RN programs from March 31 to April 15, 2008. The Nursing Education Committee reviewed the PN survey report in detail, and Tello-Pool reported that there were no issues of non-compliance, and one issue of partial compliance related to faculty qualifications. It was reported that the program has improved substantially under Traynor's leadership.</p>

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5.12 Dakota Nursing Program PN (NEC) 5/15 @ 10:00 a.m. (continued)	<p><i>Motion by the Nursing Education Committee to:</i></p> <p>THE NURSING EDUCATION COMMITTEE RECOMMENDS TO THE BOARD THAT:</p> <ul style="list-style-type: none"> • THE DAKOTA NURSING PROGRAM IS IN SUBSTANTIAL COMPLIANCE WITH NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAM; AND • GRANT FULL APPROVAL OF THE CERTIFICATE PROGRAM THROUGH MAY 2011; AND • REQUIRE AN ADDENDUM WITH EVERY ANNUAL REPORT DURING THE APPROVAL TIME PERIOD DESCRIBING THE ROLE OF CLINICAL FACULTY, PARTICULARLY THOSE TEACHING AT OFF-SITE DELIVERY OF THE DNP PN PROGRAM. <ul style="list-style-type: none"> A) THIS REPORT MUST ALSO DESCRIBE HOW THE CLINICAL FACULTY ARE BEING SUPERVISED AND DIRECTED BY MASTER'S PREPARED FACULTY. B) ACADEMIC QUALIFICATIONS OF ALL SITE MANAGERS, INSTRUCTORS, CLINICAL INSTRUCTORS AND LEARNING FACILITATORS. • THE PROGRAM MAY REQUEST AN ADDITIONAL TWO YEAR APPROVAL BY PROVIDING A DETAILED REPORT TO THE BOARD IN THE SPRING OF 2011 DETAILING THE FOLLOWING: <ul style="list-style-type: none"> A) LEADERSHIP STABILITY AT ALL LEVELS OF THE PROGRAM B) FACULTY QUALIFICATIONS • STUDENT SATISFACTION BASED UPON STUDENT EVALUATIONS <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse; 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
5.13 Dakota Nursing Program – ADN (NEC) 5/15 @ 10:00 a.m.	<p><i>Discussion:</i> The Nursing Education Committee reviewed the RN program survey report in detail. Tello-Pool indicated there was one issue of non-compliance and three issues of partial compliance that related to unqualified faculty and curriculum.</p> <p><i>Motion by the Nursing Education Committee to:</i></p> <p>THE NURSING EDUCATION COMMITTEE RECOMMENDS TO THE BOARD THAT:</p> <ol style="list-style-type: none"> 1. THE DAKOTA NURSING PROGRAM ADN IS MAKING SIGNIFICANT PROGRESS TOWARD FULL COMPLIANCE WITH NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAM; AND 2. GRANT CONTINUED INITIAL APPROVAL OF THE ADN PROGRAM THROUGH MAY 2009; AND 3. REQUIRE AN ON-SITE FOCUSED SURVEY PRIOR TO MAY 1, 2009 <ol style="list-style-type: none"> A. THE FOCUSED AREAS OF THE SURVEY INCLUDE: <ol style="list-style-type: none"> 1. CURRICULAR DEVELOPMENT 2. CLINICAL EDUCATION 3. STUDENT SATISFACTION 4. NUMBERS OF QUALIFIED FACULTY <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
5.14 Turtle Mountain Community College Practical Nursing Program – unscheduled survey 5/15 @ 1:00 p.m.	<p><i>Discussion:</i> Kalanek provided a brief summary of the findings of the unannounced survey of TMCC as directed by the Board at the March meeting. The unscheduled survey of clinical sites for TMCC was held on April 9, 2008. Surveyors found the clinical schedule provided to the board at the March meeting could not be substantiated during the survey.. The Executive Committee met April 11th to review the findings of the survey and make a recommendation to the board. Dr. Jim Davis, President of Turtle Mountain Community College spoke to the board regarding the findings of the onsite surveys. TMCC has hired a consultant, Chris Burd, PhD, RN to assist the program with a corrective action plan. Dr. Burd was available via phone and participated in the discussion. TMCC has graduated their first class of 23 students; all have completed clinical experience and coursework. The concerns addressed by the board at the last meeting related to lack of clinical experience for the current students was discussed. Dr. Davis reviewed the corrective action plan in detail with the board. Faculty recruitment was identified as an issue numerous times in the corrective action plan. Dr. Davis indicated that TMCC is committed to meet and exceed the recommended requirements of the board rules. After discussion of the corrective action plan, the board considered the Executive Committee recommendation.</p>

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5.14 Turtle Mountain Community College Practical Nursing Program – unscheduled survey 5/15 @ 1:00 p.m. (continued)	<p><i>Motion from the Executive Committee::</i> THAT THE BOARD:</p> <ol style="list-style-type: none"> 1. WITHDRAW APPROVAL OF THE TMCC PRACTICAL NURSE PROGRAM AT THE MAY MEETING EFFECTIVE JUNE 30, 2008 ACCORDING TO NDAC 54-03.2-09-03. 2. REQUIRE TMCC PRACTICAL NURSE PROGRAM TO PRESENT A PLAN FOR COMPLETION OF CLINICAL EXPERIENCE FOR THE CURRENT STUDENTS ACCORDING TO NDAC 54-03.2-09-03. 3. NDBON WOULD NOT REINSTATE APPROVAL OF THE PROGRAM UNTIL THE PROGRAM SUBMITS EVIDENCE OF THE ABILITY TO MEET THE STANDARDS FOR NURSING EDUCATION ACCORDING TO NDAC ARTICLE 54-03.2. 4. THE NDBON DIRECTIVES FOR THE TMCC PROGRAM FROM THE MARCH 19, 2008 MEETING MUST BE MET. THE BOARD EXPRESSES SERIOUS CONCERN WITH THE COMPETENCY OF THE STUDENTS RELATED TO THE QUALITY OF THE CLINICAL AND DIDACTIC EDUCATION.
	<p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
	<p><i>Discussion:</i> The board discussed accountability for the program and the lack of preparation for the first graduating class as reported by clinical site supervisors and as evidenced by the surveys.</p>
	<p><i>Motion:</i> Benson, seconded by Christianson to: INITIATE AN INVESTIGATION OF THE NURSING PRACTICE OF BARB DAHLEN, DIRECTOR OF TMCC.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, absent; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.21 Dakota Nursing PN Program – request for distance sites	<p><i>Discussion:</i> Traynor recused as a board member for the next two agenda items and represented the DNP as their Chair. The Dakota Nursing PN program requests approval for operating a satellite program from MSU-Bottineau in Valley City. Representatives of Valley City State University, Sheyenne Care Center and Mercy Hospital were present and in support of the proposed site. Students would attend Valley City State University for the required prerequisites, and the didactic portion would be broadcast from MSU-Bottineau through IVN. Clinical experience would be provided at Mercy Hospital and Sheyenne Care Center, both in Valley City.</p>
	<p><i>Motion:</i> Tello-Pool, seconded by Christianson to: APPROVE THE REQUEST FROM DAKOTA NURSING PROGRAM TO DELIVER THE PRACTICAL NURSING PROGRAM TO THE DISTANCE SITE IN VALLEY CITY, ND ACCORDING TO NDAC SECTION 54-03.2-06-07(6).</p>
	<p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse; 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
	<p><i>Discussion:</i> The Dakota Nursing PN program requests approval for operating a satellite program from LRSC in Cooperstown. It was noted that this would be the only distance site from LRSC this coming year, and that LRSC has successfully completed many distance sites. Present for this agenda item were representatives from Cooperstown Medical Center (via phone) as well as representatives from LRSC. The board discussed the clinical experience available at Cooperstown Medical Center. It was noted students would need to travel to other facilities for the full clinical experience.</p>
5.22 University of ND Accelerated BSN Program (NEC)	<p><i>Motion:</i> Tello-Pool, seconded by Anderson to: APPROVE THE REQUEST FROM DAKOTA NURSING PROGRAM TO DELIVER THE PRACTICAL NURSING PROGRAM TO THE DISTANCE SITE IN COOPERSTOWN, ND, ACCORDING TO NDAC SECTION 54-03.2-06-07(6).</p>
	<p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse; 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
	<p><i>Discussion:</i> Helen Melland was present to address the board regarding the request from UND for an accelerated BSN program for students that have a baccalaureate degree in another field. The Nursing Education Committee reviewed and discussed the request at their meeting. Melland indicated that the program is intense, and students will be interviewed prior to being accepted into this program.</p>
5.22 University of ND Accelerated BSN Program (NEC)	<p><i>Motion from the Nursing Education Committee:</i> THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT THE BOARD APPROVE THAT UND COLLEGE OF NURSING PROGRAM HAS MET THE REQUIREMENTS FOR NOTIFICATION OF MAJOR PROGRAMMATIC CHANGES PRIOR TO IMPLEMENTATION ACCORDING TO NDAC 54-03.2-06-02. PROGRAMMATIC CHANGES.</p>
	<p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
5.41 Final CE Audit Report	<p>Kalanek gave the final CE Audit report for 2007. A total of 135 individuals were audited, with 134 in compliance. One individual has signed an administrative settlement, and needs to submit the required evidence of completion of the 12 CE.</p>

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5.42 Ratification of Approval of workshops, etc for Contact Hours	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of May 14, 2008.</p> <p><i>Motion:</i> Case, seconded by Christianson to: RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSES #664 THROUGH #681.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
5.43 CNE-Net Request for extension of approval for the RN Refresher Course	<p><i>Discussion:</i> CNE-Net RN Refresher Course from NDNA is due for renewal in May 2008. The course has been reviewed and the report prepared for submission to the board office in April. The course was informed of a textbook change that will take effect in April, so CNE-Net has requested an extension of the approval until the required textbook revisions can be considered in rewriting the course.</p> <p><i>Motion:</i> Traynor, seconded by Benson to: GRANT THE REQUEST FROM CNE-NET FOR AN EXTENSION OF APPROVAL OF THE RN REFRESHER COURSE THROUGH SEPTEMBER 30, 2008.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
5.51 Nurse Faculty Intern Pilot Study	<p><i>Discussion:</i> Shanta reported that four Nurse Faculty Intern applications have been approved since the last meeting.</p> <p><i>Motion:</i> Case, seconded by Anderson to: RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERN:</p> <ul style="list-style-type: none"> • Jacqueline Reep • Amy Roberts • Diane Sjol • Lisa Jones <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
5.53 Regulatory Education	<p><i>Discussion:</i> The board had directed staff to review Regulatory Day and make recommendations to the board. Staff listed the pros and cons, and noted that the cost is huge for the number of nurses that it serves. The suggested topics for future presentations listed on the surveys from the last regulatory day were not related to regulation. Staff suggested other ways to reach nurses on topics related to regulation.</p> <p><i>Motion:</i> Traynor, seconded by Case to: DIRECT STAFF TO DO THE FOLLOWING:</p> <ol style="list-style-type: none"> 1. RECOMMEND TO NURSES TO ACCESS THE NCSBN LEARNING EXTENSION FOR CE (WWW.LEARNINGEXT.COM) WHICH INCLUDES ND NURSE PRACTICES ACT AND DELEGATING EFFECTIVELY; 2. OFFER THE NDBON ETHICS COURSE ON-LINE ON NDBON WEBSITE IN 2009-2010; 3. PROMOTE AND CONTINUE TO OFFER CE PRESENTATIONS AT ORGANIZATIONS THROUGHOUT THE STATE. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
5.54 US Dept of Education Draft Report	<p>The Board reviewed the draft US Dept of Education Staff Report to the National Advisory Committee on Institutional Quality and Integrity. The Department of Education performed a survey of the ND Board of Nursing during the Dakota Nursing Program survey of the Bismarck State College site. The Staff recommendation is positive for continued approval from the US Department of Education.</p>
5.55 Nursing Education Capacity Summit – ND Selected	<p>North Dakota has a team selected to participate in the AARP Nursing Education Capacity Summit scheduled for June 26-27, 2008 in Arlington, VA. There are ten nurses on the team developed through the ND Nurse Leadership Council. The NDBON will have one member on the team.</p>
6.11 Personnel Policies	<p><i>Discussion:</i> The personnel policies of the board have been revised to include criminal history record checks for employment beginning July 1, 2008.</p> <p><i>Motion:</i> Traynor, seconded by Anderson to: APPROVE THE REVISIONS TO THE NDBON PERSONNEL POLICIES TO REQUIRE CHRC FOR NEW EMPLOYEES</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>
6.2 Non-disciplinary Limited License Policy	<p><i>Discussion:</i> The board reviewed a draft “Non-Disciplinary Limited License Policy” that staff would follow when issuing non-disciplinary limited licenses as provided for in the newly adopted administrative rules.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to: APPROVE THE DRAFT “NON-DISCIPLINARY LIMITED LICENSE POLICY”.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>

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AGENDA ITEM	ACTION								
6.4 ANCC Official Change of Certification Credentials	ANCC has notified the board of the official change of certification credentials. Bergeson was present to address the board regarding the title ARPN, which is a legal title in ND. After much discussion, the board indicated confusion with the letter and exactly what the title change means. Staff will gather more information and report back at the July meeting. .								
7.11 Approval of Registrations for Technicians	<p><i>Discussion:</i> One application for Surgical Technician has been received since the last meeting. Staff indicated that the applicant has not completed formal training, and has no interest in completing a program. The board discussed the 2005 attorney general's opinion related to surgical technicians, and it was noted that this request is outside the parameters of the opinion.</p> <p><i>Motion:</i> Hegle, seconded by Schell to: DENY THE APPLICATION FOR SURGICAL SCRUB TECHNICIAN FOR RONNA HESBY</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>								
7.12 Proposed Guidelines for Role of the Dialysis Technician	<p><i>Discussion:</i> Hill reported that the Dialysis Technician Task Force met April 30th for its third meeting to review a draft document for proposed guidelines. Staff indicated that representatives on the task force were quite knowledgeable, and the task force requested and reviewed feedback from NDONE, NDNLC, American Nephrology Nurses Association, and ND Dept of Health. Revisions were made to the guidelines based on feedback. .</p> <p><i>Motion:</i> Anderson, seconded by Traynor to: APPROVE THE PROPOSED "GUIDELINES FOR THE ROLE OF THE DIALYSIS TECHNICIAN" CONSISTENT WITH NDCC NURSE PRACTICES ACT 43-12.1-02, NDAC 54-05-04, AND FEDERAL REGISTER 42 CFR 405,410, 413, ET AL.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>								
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> Tello-Pool, seconded by Case to: RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">APRN</td> <td style="width: 50%;">Collaborative Physician</td> </tr> <tr> <td>Aaron Lindstrom FNP, Fargo, ND</td> <td>Donald Opgrande, MD</td> </tr> <tr> <td>Jennie Swartz, FNP, Grafton, ND</td> <td>Joshua Omotunde, MD</td> </tr> <tr> <td>Timothy Pearson, FNP, Mandan, ND</td> <td>Joshua Omotunde, MD</td> </tr> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>	APRN	Collaborative Physician	Aaron Lindstrom FNP, Fargo, ND	Donald Opgrande, MD	Jennie Swartz, FNP, Grafton, ND	Joshua Omotunde, MD	Timothy Pearson, FNP, Mandan, ND	Joshua Omotunde, MD
APRN	Collaborative Physician								
Aaron Lindstrom FNP, Fargo, ND	Donald Opgrande, MD								
Jennie Swartz, FNP, Grafton, ND	Joshua Omotunde, MD								
Timothy Pearson, FNP, Mandan, ND	Joshua Omotunde, MD								
7.33-1 ND Nurse Practitioners Fact Sheet	Kalanek updated the board on the status of the Nurse Practitioners being recognized by ND Medicaid rules as primary care providers. Rising reported that no Has been made within the ND Department of Human Services, and the group plans to seek legislative changes. A Fact Sheet related to this issue was reviewed.								
7.33-2 Correspondence from NCSBN	The board reviewed notification from NCSBN on new certification examination created by the newly created American Board of Comprehensive Care. The examination is offered to DNP candidates.								
7.5 Proposed Administrative Rule Revisions	<p><i>Discussion:</i> The attorney general has reviewed the rules for their legality, and has recommended a number of changes that were editorial, and one related to open records in the compact rules. Bergeson, SAAG, has reviewed the changes and indicated all but the open records change was non-substantive. The board reviewed all proposed revisions.</p> <p><i>Motion:</i> Traynor, seconded by Benson to: ADOPT THE REVISED ADMINISTRATIVE RULES NDAC TITLE 54 AS RECOMMENDED BY THE ATTORNEY GENERAL REVIEW AS TO THE LEGALITY.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>								
7.6 Website & Renewal	The board office is in the midst of UAP renewal on-line. 529 UAP and Medication Assistants have renewed, and there are 1796 remaining to renew.								
7.71 Revisions to the position description for the Executive Director	<p><i>Discussion:</i> The board reviewed a revision to the Executive Director Position description that identifies that the Executive Director acts as the Nurse Licensure Compact Administrator. The E.D. has been the compact administrator since joining in 2004.</p> <p><i>Motion:</i> Case, seconded by Traynor to: APPROVE THE PROPOSED REVISION TO THE EXECUTIVE DIRECTOR POSITION DESCRIPTION.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>								

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12.1-2 Revisions to the Board Orientation Manual	<p><i>Discussion:</i> Staff has made revisions to the Board Member Orientation manual based on feedback from members, revisions to the bylaws, and to add criminal history record check requirement.</p> <p><i>Motion:</i> Tello-Pool, seconded by Case to: APPROVE THE PROPOSED REVISIONS TO THE BOARD MEMBER ORIENTATION MANUAL.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, yes; Hegle, yes; Schell, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p>

CONSENT AGENDA:

8.1 NCSBN
8.11 Research Briefs
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Correspondence related to Doctorate of Nursing Practice
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
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN
8.64 NCLEX-PN
8.65 Late Renewal Summary
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 Letter of support for participation in Nursing Education Summit
8.92 Metropolitan State University notification of 1 grad student
8.93 Texas Wesleyan University Graduate Program of Nurse Anesthesia notification of 6 students practicing in ND facilities
8.94 Clarkson College notification of 1 post-master's degree NP student practice in ND facilities.

BOARD COMMITTEES:

9.1 Program Monitoring Committee	
9.2 Nursing Education Committee	May 15, 2008 @ 2:00 p.m.
9.3 Finance Committee	April 24, 2008 – noon to 2:00 p.m.
9.4 Executive Committee	April 11 @ 11:00 a.m.
9.5 Prescriptive Authority Committee	
9.6 Nursing Practice Committee	
9.7 Bylaws Committee	May 8, 2008

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 NCSBN Annual Meetings – August 7-10, 2008; Chicago
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 National and State Policy – March 27, May 28
10.2-2 Education Consultant Network – April 8
10.2-3 Discipline Consultant – April 8
10.2-4 EO Network –

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10.2-5 NLCA Meeting – August 6, Chicago
10.2-6 Mid-Year Meeting –
10.2-8 NCSBN Executive Officers Leadership Seminar; June 23-24
10.2-9 Annual Institute of Regulatory Excellence – January 12-14, 2009
10.2-11 IRE Committee – May 13
10.2-12 Board Investigator & Attorney Workshop; May 18-21
10.2-13 NCLEX Invitational – September 8
10.2-15 Faculty Shortage: Implications for Regulation, March 26, 2008
10.2-16 TERCAP Task Force – April 22, 2008
10.2-17 Practice Consultant Network – March 25
10.2-18 Member Board Disaster Preparedness Committee – April 10-11 Tello-Pool indicated the committee is working on a comprehensive emergency plan, drafting and prepare a product that was approved on May 2 nd .
10.2-19 Examination Committee – April 15-17, July 23.
10.2-20 Regulation of Unlicensed Personnel – June 13
10.2-21 Faculty Qualifications Committee – February 14-15, 2008
10.2-22 TERCAP Forum – April 7, 2008 Christianson and Bitz attended. Bitz gave a presentation at the forum. Christianson indicated ND is in the forefront with the TERCAP process which requires commitment by staff and BON. Christianson indicated she was very impressed with the process. Nursing in general will benefit by knowing the root cause for errors. Christianson indicated her facility has discussed implementing this process in their organization.
10.3 ND Nurse Leadership Council – March 27. Kalanek reviewed the draft minutes with the board. NDNLC has invited Dean Covington to represent the ND Nursing Education Consortium on the Leadership Council.
10.4 ND Organization of Nurse Executives
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference – March 25-27, 2008 – Fargo
10.7 ND LTCA Conference,
10.8 ND Health Care Association Annual Meeting, September 24-25, 2008
10.9 ND Domestic and Sexual Violence State Prevention Team – May 5, 2008
10.10 Nurse Education Higher Education Work Group
10.11 Prescription Drug Monitoring Program update
10.12 Nursing Education Consortium – SB 2379 – May 1
10.13 PHEVR/MRC Advisory Committee – April 22, May 20 – Short term – reviewing bylaws, policies, and procedure.
10.14 Healthcare Workforce Summit Workgroup Participants – Kalanek
10.15 Criminal History Record Check Meeting: April 22
10.16 NDDOH & NDBON Staff – April 21 – Staff met with Dept of Health to review process for Criminal History Record Checks There will be updating of the UAP/CNA comparisons.
10.17 American Academy of Nurse Practitioners Annual Region 8 Meeting – May 31 – Witzel

Staff Presentation

- 11.1 Faculty Shortage: Implications for Regulation, Chicago, March 26, 2008
- 11.2 TERCAP Forum, Chicago – April 7, 2008
- 11.3 Discipline Presentation, NDLTCA, Bismarck, May 1, 2008
- 11.4 CHRC Presentation, NCSBN Investigator & Attorney Workshop, Savannah, GA – May 20, 2008
- 11.5 CHRC Presentation, NDLTCA, Bismarck – May 1, 2008
- 11.6 A Day in ND without Nurses – UND – Panel Presentations – May 5, 2008
- 11.7 Delegation Presentation – Heartland Care Center – May 21 & 22, 2008
- 11.8 CHRC Presentation – CUNEA & NDONE Joint Meeting – Jamestown

**The meeting recessed for lunch at 12:00 p.m. on May 15, 2008 and reconvened at 1:00 p.m.
The meeting adjourned at 3:05 p.m. on May 15, 2008**

Constance B. Kalanek, RN, PhD
Executive Director
Draft 5/26/2008