

## North Dakota Board of Nursing Meeting Minutes – January 14, 2010

Call to Order: January 14, 2010 – National Energy Center of Excellence, Room 335. Bismarck State College Campus at 8:40 a.m.

Roll Call: Eight board members present as follows:

Nelson (Buzz) Benson, RN, President	Julie Traynor, RN, Vice-President
Charlene Christianson, RN, Treasurer	JoAnn Sund, RN
Daniel Rustvang, RN	Elizabeth Anderson, LPN
Melissa Frank, LPN	Karen LaLonde, Public Member

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	

The meeting was broadcast to various sites throughout the IVN network.

AGENDA	ACTION																				
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. No items were identified for discussion.</p> <p><i>Motion:</i> Anderson, seconded by Traynor to: <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																				
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. The agenda was reordered to allow Bergeson to be available for items 5.53, 5.54, 6.2, 6.4, 7.55.</p> <p><i>Motion:</i> Traynor, seconded by Sund to: <b>APPROVE THE AGENDA AS DISTRIBUTED AND REORDERED.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																				
1.3 Open Forum 9:00 a.m.	No one was present to address the board during open forum.																				
2.1 November 19-20, 2009 Meeting Minutes	<p><i>Discussion:</i> The minutes of the November 19-20, 2009 meeting were reviewed. No changes were identified.</p> <p><i>Motion:</i> Traynor, seconded by Anderson to: <b>APPROVE THE MINUTES OF THE NOVEMBER 19-20, 2009 MEETING AS DISTRIBUTED.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																				
3.1 Financial Statements	Financial Statements through December 31, 2009 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Actual Income is at 82% and actual expenses were at 53% of budgeted.																				
3.2 Strategic Plan	In November the strategic plan was approved for 2010 – 2013. The board reviewed a summary of the strategic planning session.																				
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> Sund, seconded by Christianson to: <b>ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 30%;">NAME</th> <th style="width: 20%;">Lic/Reg #</th> <th style="width: 20%;">City, State</th> <th style="width: 20%;">Sanction</th> <th style="width: 10%;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td>Clark, Amber</td> <td>UAP/Surg Tech App</td> <td>Grand Forks, ND</td> <td>Reprimand</td> <td>\$200</td> </tr> <tr> <td>Poitra, Shanda</td> <td>UAP/Surg Tech App</td> <td>Grand Forks, ND</td> <td>Reprimand</td> <td>\$100</td> </tr> <tr> <td>Tegtmeier, Stephanie</td> <td>104762UAP</td> <td>Kindred, ND</td> <td>Reprimand</td> <td>\$100</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Clark, Amber	UAP/Surg Tech App	Grand Forks, ND	Reprimand	\$200	Poitra, Shanda	UAP/Surg Tech App	Grand Forks, ND	Reprimand	\$100	Tegtmeier, Stephanie	104762UAP	Kindred, ND	Reprimand	\$100
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4.3 Voluntary Surrender	<p><i>Discussion:</i> Three individuals have signed and submitted voluntary surrenders, seeking the Board's consideration and approval of its terms. The board reviewed and discussed the facts and terms of the Voluntary Surrenders.</p> <p><i>Motion:</i> Traynor, seconded by Frank to:  <b>APPROVE AND ACCEPT THE PROPOSED VOLUNTARY SURRENDERS AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING INDIVIDUALS.</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Name</th> <th style="text-align: center;">Lic/Reg #</th> <th style="text-align: center;">City, State</th> <th style="text-align: center;">Penalty Fee</th> </tr> </thead> <tbody> <tr> <td>Freitag, Leandra</td> <td>R21877</td> <td>West Fargo, ND</td> <td style="text-align: center;">\$200</td> </tr> <tr> <td>Johnson, Cindy</td> <td>105598UAP</td> <td>Jamestown, ND</td> <td style="text-align: center;">\$100</td> </tr> <tr> <td>Utter, Karen</td> <td>L9170</td> <td>Bismarck, ND</td> <td style="text-align: center;">\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Penalty Fee	Freitag, Leandra	R21877	West Fargo, ND	\$200	Johnson, Cindy	105598UAP	Jamestown, ND	\$100	Utter, Karen	L9170	Bismarck, ND	\$200
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Utter, Karen	L9170	Bismarck, ND	\$200														
4.41 Stipulation for Settlement – Amy Shilling, L11078 & R33694	<p><i>Discussion:</i> A Stipulation for Settlement was received from Amy Shilling, RN &amp; 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) NDAC 54-02-07-01.1 (5)(6)(8).</p> <p><i>Motion:</i> Rustvang, seconded by LaLonde to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR AMY SHILLING, RN &amp; LPN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A STAYED SUSPENSION WITH ENCUMBRANCE FOR ONE YEAR;</b></li> <li>◆ <b>ASSESS A \$900 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> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																
4.42 Stipulation for Settlement – Francine Demery, UAP, MA Applicant	<p><i>Discussion:</i> A Stipulation for Settlement was received from Francine Demery, UAP, MA Applicant, 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 Traynor to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR FRANCINE DEMERY, UAP, MA APPLICANT, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>• <b>ISSUE A REPRIMAND;</b></li> <li>• <b>ASSESS A \$200 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> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																
4.43 Stipulation for Settlement – Whitney Dahl, L12502	<p><i>Discussion:</i> A Stipulation for Settlement was received from Whitney Dahl, 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).</p> <p><i>Motion:</i> Anderson, seconded by LaLonde to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR WHITNEY DAHL, 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> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																
4.44 Stipulation for Settlement – Marlene Frei, R15607	<p><i>Discussion:</i> A Stipulation for Settlement was received from Marlene Frei, 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) NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MARLENE FREI, 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 \$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> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>																

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AGENDA ITEM	ACTION
4.45 Stipulation for Settlement – Tamara Bogo, R19790	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tamara Bogo, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (2).</p> <p><i>Motion:</i> Traynor, seconded by LaLonde to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TAMARA BOGO, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ENCUMBER THE LICENSE TO RUN CONCURRENT WITH THE ALABAMA BOARD OF NURSING TERMS OF PROBATION CONSENT ORDER;</b></li> <li>◆ <b>ASSESS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>
4.46 Stipulation for Settlement – Ashley Hargrave, R33657	<p><i>Discussion:</i> A Stipulation for Settlement was received from Ashley Hargrave, 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> Traynor, seconded by Christianson to:  <b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ASHLEY HARGRAVE, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ENCUMBER THE LICENSE FOR TWO YEARS;</b></li> <li>◆ <b>ASSESS A PENALTY FEE OF \$600 PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, recuse; Traynor, yes; 7 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
4.71 Request for Reinstatement - Katie Jaster, L10601	<p><i>Discussion:</i> Katie Jaster, LPN had requested reinstatement of her suspended LPN license at the November meeting, and the board had requested she return with additional information for consideration in January. Ms. Jaster has since withdrawn her request for reinstatement.</p>
4.91 Other – Kelly Miller	<p><i>Discussion:</i> Kelly Miller submitted a NNAAP Admission Application with a positive response to the criminal history question. The board discussed the disciplinary review panel recommendation to deny the NNAAP application.</p> <p><i>Motion:</i> Sund, seconded by Traynor to:  <b>DENY THE NNAAP APPLICATION FOR KELLY MILLER BASED ON NDCC 43-12.1-14(1).</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>
4.10.1 Miscellaneous – Jodi Richter	<p>The board reviewed the following licensure status:</p> <ul style="list-style-type: none"> <li>• Jodi Richter, R30600 – Notice of Suspension issued December 30, 2009 and license automatically SUSPENDED for a period of three years for violating terms and conditions of Workplace Impairment Program and Order for Reinstatement of License dated November 15, 2007.</li> </ul>
5.21 Dakota Nursing Program request for expansion of ADN program into Valley City, ND (1:15 pm)	<p><i>Discussion:</i> Julie Traynor recused herself from this agenda item and represented Dakota Nursing Program as their director for the next two agenda items. Christianson also recused as she is an instructor of the program. The Nursing Education Committee did not meet this January, so the next two requests were reviewed by Shanta and Kalanek. It was indicated that in addition to the materials in the board agenda packet, there were numerous letters of support from legislators and the communities of Valley City and Mayville. The board reviewed the first request from Dakota Nursing Program to expand their RN program to Valley City from the MSU-Bottineau campus. Also available offering comment to the board were Diane Sjol RN, Site Coordinator for the program, Larry Brooks, Associate Dean for Academic Affairs at Dakota College-Bottineau; Senator Larry Robinson from Valley City, ND, and Keith Heuser Administrator of Mercy Hospital in Valley City. They discussed broad community support, the low faculty to student ratio, and the need for nurses in the area due to future retirements. The board reviewed the request from Dakota College along with a summary of questions and responses for the program. Staff reviewed strengths and challenges for the proposal. Strengths included full program approval, community support, commitment to addressing differences in RN &amp; LPN scope, and two faculty members nearing completion of required MSN in spring 2010. Challenges identified related to limited clinical opportunities in the area and the need for travel to obtain all required clinical, unqualified faculty, and the concern related to the low pass rate. Traynor indicated Dakota Nursing Program is committed to quality nursing education, and plans to hire other faculty members to assist with clinical instruction. She reported they have stable leadership in Sjol as the site coordinator. She noted that there will be three qualified faculty members at the end of 2011. Traynor discussed how the low pass rate is being addressed, and they hope to see the results of those changes in future pass rates, and that as a program the DNP pass rate is comparable to other programs in the state.</p> <p><i>Motion:</i> Sund, seconded by Anderson to:  <b>APPROVE THE REQUEST FROM DAKOTA NURSING PROGRAM-DAKOTA COLLEGE AT BOTTINEAU TO EXTEND THE RN ADN PROGRAM TO CURRENT PN SITE IN VALLEY CITY, ND AS THE PROGRAM HAS MET THE REQUIREMENTS ACCORDING TO NDAC 54-03.2-07-03.1 PROGRAM DELIVERY.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, recuse; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 6 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>

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AGENDA ITEM	ACTION
5.22 Dakota Nursing Program request for expansion of PN program to Mayville, ND (1:15 pm)	<p><i>Discussion:</i> The board reviewed a second request from DNP- LRSC to deliver the practical nurse program to Mayville. Doug Darling, Academic Officer at LRSC and Nancy Greywater, LRSC site coordinator were also present via IVN for this agenda item. The program plans to have two off-site programs next year, one in Carrington, and one in Mayville. The Northwood site will be completed. The board reviewed the request and reviewed strengths and challenges of the proposed site. Strengths included full approval, community support, identified clinical experience appropriate for PN scope, two potential faculty members with MSN, and consistent program pass rate above 90%. The challenge identified was that the LRSC site currently has no qualified faculty. The coordinator of the site plans to complete MSN by 2011. Traynor discussed the plans to hire two MSN clinical instructors in the Mayville area. Mr. Darling indicated there is much community support for the program, and that in working with Mayville State, they have identified a need for the program in the area.</p> <p><i>Motion:</i> Anderson, seconded by LaLonde to:  <b>APPROVE THE REQUEST FROM DAKOTA NURSING PROGRAM-LRSC PN PROGRAM TO EXTEND THE PROGRAM TO A NEW DISTANCE SITE IN MAYVILLE, ND AS THE PROGRAM HAS MET THE REQUIREMENTS ACCORDING TO NDAC 54-03.2-07-03.1 PROGRAM DELIVERY.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, recuse; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 6 yes, 0 no, 2 recuse, 0 absent. Motion carried.</p>
5.31 Hi-Acres Manor Medication Assistant Program II	<p><i>Discussion:</i> Hi-Acres Manor has submitted their Medication Assistant Program II course for continued approval. The course was reviewed and meets the board's guidelines. A new course coordinator has been identified, but otherwise there have been no changes.</p> <p><i>Motion:</i> Sund, seconded by Traynor to:</p> <ol style="list-style-type: none"> <li>1. <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</b></li> <li>2. <b>THE BOARD OF NURSING GRANT CONTINUED APPROVAL FOR THIS COURSE TO BE OFFERED BY HI ACRES MANOR OF JAMESTOWN, ND FROM JANUARY 2010 THROUGH JANUARY 2014.</b></li> </ol> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>
5.51 Nurse Faculty Intern Pilot Study	<p><i>Discussion:</i> Three applications for the Nurse Faculty Intern Pilot Study have been received since the last meeting that meet the requirements for participation.</p> <p><i>Motion:</i> Sund, seconded by Anderson to:  <b>RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERNS:</b>  <b>Gail Olafson</b>  <b>Paula Fogarty</b>  <b>Charys Kunkel</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 7 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
5.53 Findet Interagency Cooperative – Follow-up Information on ND Education & Training	<p>Findet (Follow-up Information on North Dakota Education And Training) is a consortium of several state agencies established to provide answers to questions regarding education and employment outcomes. The board had requested a seat on the steering committee and an interagency agreement. The steering committee denied the request to have a board representative and denied signing an interagency agreement, as they did not interpret that the board is a state agency. Staff have been in contact with the staff of Findet, and indicated that the purpose of the board's desire for participation is specific to data sharing so that the outcomes of the studies would be more accurate in using data from the board. A data sharing agreement has since been received that will be reviewed and brought to the next meeting.</p>
5.54 Career & Technical Education Communication	<p>Staff discussed the dialogue between board staff and staff of the Board of Career &amp; Technical Education. Both agencies have authority to evaluate nursing education programs, and the two entities are discussing ways to share survey information and/or perform site visits together. A formal agreement is being developed between the two entities for the sharing of data.</p>
6.11 CHRC Policy Revisions	<p>The CHRC Policy has been revised as the board has been notified that BCI will be collecting some fingerprints electronically, which changes the board of nursing processes. The changes address the procedure when electronic prints are done. Money order will be required to BCI due to the large number of NSF checks. Fingerprint cards will only be sent to applicants upon request, as most fingerprints will be sent to BCI electronically. There was also clarification added to the policy regarding temporary permit for UAP for those that have exceeded the four month grace period that still allows a permit to be issued if the only item missing is the CHRC results.</p> <p><i>Motion:</i> Christianson, seconded by LaLonde to:  <b>ACCEPT THE PROPOSED REVISIONS TO THE CHRC POLICY TO ADDRESS THE CHANGES IN PROCESSING AT BUREAU OF CRIMINAL INVESTIGATION AND TO CLARIFY THE ISSUANCE OF A TEMPORARY PERMIT FOR UAP APPLICANTS.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>

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AGENDA ITEM	ACTION
6.2 License by Endorsement application, NDCC 43-12.1-09 2 b (5) – Gabriella Decicco	<p><i>Discussion:</i> Gabriella Decicco submitted an application for license by endorsement. Ms. Decicco was available via phone. Upon receipt of her transcript it was discovered that she had not completed a nursing program. Ms. Decicco had partially completed an RN program and took the LPN examination in the state of Florida in 2004. ND Practices Act allows for licensure of someone as an LPN with RN program completion, but not without the program completion. Bergeson indicated that the board could evaluate her transcript to see if there is an equivalency to the program requirements. The board discussed the issue and the concern with the fact that the law does not allow licensure in this scenario. The board discussed Ms. Decicco future plans with her, and she indicated she does plan to complete an RN program and has considered DNP-LRSC. It was also noted that a curriculum review would require only courses of C or higher to be allowed. After much discussion, the board considered the option to direct staff to contact the FL Board of Nursing for their requirements for licensure in this situation. It was also noted that Ms. Decicco indicated a program completion date for a vocational program on her application for license by endorsement. Based on the information on the application, she was issued a temporary permit, which expires today.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to:  <b>DIRECT STAFF TO REVIEW GABRIELLA DECICCO'S APPLICATION FOR LICENSE BY ENDORSEMENT AND THE FLORIDA STATUTE ON PARTIAL PROGRAM COMPLETION TO DETERMINE IF THERE IS EQUIVALENCE OF THE PROGRAM TO PN LICENSURE AND REVIEW AT THE MARCH MEETING. MOTION WITHDRAWN AFTER DISCUSSION.</b></p> <p>The board continued discussion and decided it would be best to deny the application and Ms. Decicco could request reconsideration to involve additional review.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to:  <b>DENY GABRIELLA DECICCO'S APPLICATION FOR LICENSE BY ENDORSEMENT ACCORDING TO NDCC 43-12.1-09-2b (5).</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 7 yes, 0 no, 1 recuse, 0 absent. Motion carried.</p>
6.3 NCLEX Review dates for Board Members & Staff	<p>Board and staff are requested to participate in review of NCLEX examination questions. Traynor, Sund, and Anderson volunteered. The morning of April 9<sup>th</sup> in Fargo was selected for the review. Staff will notify NCSBN.</p>
6.4 NDCC 43-51-05 Limited practice without a license – policy & procedure	<p><i>Discussion:</i> NDCC Title 43 deals with all occupational licenses. Chapter 43-51-05 is a provision in the occupational code that allows a person from another state to practice in this state without a license or compact license for thirty full or partial days within a single year period. Requirements are to be licensed in good standing in their home state. At the direction of the board, guidelines for an application have been developed to allow use of this code. The training for BioLife Plasma services that have been discussed in the past few meetings could fall under this section. The board discussed that BioLife Plasma Services should be notified of this new provision with a letter from the board.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to:  <b>APPROVE THE PROPOSED GUIDELINES NDCC 43-51 PROFESSIONAL AND OCCUPATIONAL LICENSING ACCORDING TO NDCC 43-51-05 LIMITED PRACTICE WITHOUT A LICENSE.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>
6.5 NURSIS Integrity Funding Project	<p>The board has received a NCSBN Data Integrity funding request of \$11,000 to correct data in the board's database identified as incorrect by NURSIS. The funding will be used to pay staff for time outside of the regular 40 hours workweek and will be worked on throughout the next year.</p>
6.6 License Reactivation NDAC 54-02-05-05 (3c) Non-Practicing Nurse – Catherine Chatelain	<p><i>Discussion:</i> Catherine Chatelain submitted an application for RN reactivation and has completed a refresher course from Austin College. Staff reviewed the refresher course for compliance with the ND refresher course guidelines and indicate this course meets the requirements.</p> <p><i>Motion:</i> Traynor, seconded by Sund to:  <b>APPROVE CATHERINE CHATELAIN FOR LICENSE REACTIVATION AS SHE HAS SUCCESSFULLY COMPLETED A REFRESHER COURSE THAT IS SUBSTANTIALLY EQUIVALENT TO THE BOARD APPROVED COURSES ACCORDING TO NDAC 54-02-05-05-3(D) NON-PRACTICING NURSES.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>
6.7 Ratification of nursing practice hours	<p><i>Discussion:</i> Three individuals have submitted requests for practice hours for care of a family member. The practice act allows individuals that cannot work outside the home due to care of family members.</p> <p><i>Motion:</i> Sund, seconded by LaLonde that:  <b>THE BOARD RATIFY PRACTICE HOURS FOR THE FOLLOWING:</b></p> <ul style="list-style-type: none"> <li>• BARBARA HANSEN – 14 HOURS FOR 2008; 276 HOURS FOR 2009</li> <li>• TONIA OLSON – 1533 HOURS FOR 2009</li> <li>• JEANNE KREIN – 730 HOURS FOR 2009</li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>

**North Dakota Board of Nursing  
Meeting Minutes – January 14, 2010**

AGENDA ITEM	ACTION
7.11 Report from Nurse Practice Committee/Task Force related to Medication Administration	A task force of the Nurse Practice Committee met December 10, 2009 regarding the Medicaid waiver program and QSPs and assisting with self administration of medication to clients. The group reviewed the QSP Handbook in conjunction with administrative code and definitions. QSP providers group will update their handbook to reflect current law. A small group will review the handbook and then bring back to the full task force.
7.12 NDHD Work Group – Medical Screening Examination	<p><i>Discussion:</i> ND Health Department Work Group has been convened to discuss the issue of medical screening exams. The board withdrew the practice statement on Medical Screening Exams as a result of an attorney general's opinion that RNs could not do medical screening exams. Many questions have surfaced, so the Department of Health has formed a work group to discuss the issue.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to:  <b>APPROVE STAFF PARTICIPATION IN THE ND DEPARTMENT OF HEALTH WORK GROUP RELATED TO MEDICAL SCREENING EXAMINATION.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;            8 yes, 0 no, 0 absent. Motion carried.</p>
7.13 Interchangeable scope of practice by employer	The board reviewed a letter from an RN concerned about an advertisement for a "Medical Office Assistant- OB/GYN CLINIC" that listed the qualifications as an RN, LPN, or CMA. She indicated that the advertisement is a slap in the face to every professional nurse and yet nothing is being done about it. The board discussed that the issue belongs with NDNA as a professional organization. Dr. Kalanek discussed the letter with Becky Graner RN, from NDNA. NDNA indicated the letter from the president in the next Prairie Rose will address the concern.
7.31 Scope of Practice – APRN working in the role of RN First Assistants	<p><i>Discussion:</i> At the board's direction, staff obtained more information on the role of the RNFA for the issue of APRNs also working as an RNFA. Survey results from other boards of nursing and how they are regulated were reviewed. It was noted that the Specialty Practice Registered Nurse was developed at the request of RNFAs, but is not well used. The board discussed the role of the APRN and felt that if they have the knowledge to practice in that setting it was within their scope.</p> <p><i>Motion:</i> Anderson, seconded by Rustvang to:  <b>ALLOW APRN'S TO ACT IN THE ROLE OF RNFA IF THE PRACTITIONER MEETS THE FOLLOWING AND IS INCLUDED IN THE SCOPE OF PRACTICE SUBMITTED TO THE BOARD:</b></p> <ul style="list-style-type: none"> <li>• <b>PRACTICES AS AN APRN AND THE SKILLS ARE BASED ON KNOWLEDGE, SKILLS AND ABILITIES UTILIZING THE NDBON DECISION-MAKING MODEL.</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;            8 yes, 0 no, 0 absent. Motion carried.</p>
7.32 Discussion – APRN purchase of prescription drugs and controlled substance drugs	<p>At the last meeting, staff was directed to obtain more information on whether on APRN can purchase medications to keep in clinics to provide to clients. Staff have been interpreting NDAC 54-05-02.1-10 to be for purchase of samples only, while Howard Anderson of Board of Pharmacy has indicated that they have always interpreted that section more broadly to include all medications. The board discussed that this provision would most likely be used in rural areas where pharmaceuticals are not readily available.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor that:  <b>THE BOARD INTERPRET NDAC 54-05-03.1-10 AUTHORITY TO PRESCRIBE TO INCLUDE THE PURCHASE OF PRESCRIPTION DRUGS AND CONTROLLED SUBSTANCES BY APRNS AND INCLUDE CLARIFYING LANGUAGE IN THE NEXT RULE REVISION.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;            8 yes, 0 no, 0 absent. Motion carried.</p>
7.33 NDCC 50-24.1-32 Medical Assistance – Services provided by APRNs	In developing rules for NDAC 50-24.1-32 Medical assistance – Services provided by advanced registered nurse practitioners, there has been discussion whether the term "advanced registered nurse practitioners" includes only nurse practitioners or all advanced practice nurses. The legal title for advanced practice is "advanced practice registered nurse". The questions arose whether the Clinical Nurse Specialists are included in this provision or if it is restricted to nurse practitioners. Staff is continuing research on this issue and will report back to the board at the March meeting.
7.34 Retire the Clinical Nurse Specialist Core Exam – July 10, 2010	The American Nurses Credentialing Center (ANCC) will retire the Clinical Nurse Specialist Core certification examination on July 1, 2010 due to the low candidate volume during the examination pilot window. The ND Board of Nursing had tabled a request for approval of this exam until further information was available from NCSBN.
7.35 CRNA Scope of Practice – renewal requirements	<p><i>Discussion:</i> During the past renewal cycle, CRNAs needing to submit a scope of practice for renewal have submitted a generic scope of practice document developed by AANA. The board rules require more specifics in a scope of practice, such as location, type of client, etc. There are examples provided on the website for all advanced practice registered nurses. The board discussed that a nationally approved scope should meet the requirements. The board discussed the need for a scope of practice every renewal cycle if the scope has not changed after approval of the initial application and scope of practice. The board discussed a proposed rule revision.</p> <p><i>Motion:</i> Sund, seconded by Christianson to:  <b>APPROVE THE SUBMISSION OF AANA SCOPE AND STANDARDS FOR NURSE ANESTHESIA PRACTICE AS MEETING THE REQUIREMENT FOR RENEWAL OF LICENSE.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;            8 yes, 0 no, 0 absent. Motion carried.</p>

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AGENDA ITEM	ACTION								
7.35 CRNA Scope of Practice – renewal requirements (continued)	<p><i>Motion:</i> Traynor, seconded by Anderson to: <b>DIRECT STAFF TO REVIEW SUBMISSION OF SCOPE OF PRACTICE REQUIREMENTS FOR RENEWAL FOR APRN LICENSURE FOR NEXT RULE REVISION.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>								
7.36 Survey: permission to access Nursys Data for ARN study	<p>NCSBN is conducting a study examining the practice safety of advanced practice registered nurses. The study will examine if adverse actions are affected by the degree of the APRN's autonomy. NCSBN proposes to use data submitted to NURSUS for the study.</p> <p><i>Motion:</i> Anderson, seconded by LaLonde to: <b>APPROVE NCSBN'S REQUEST FOR PERMISSION TO ACCESS NURSUS DATA FOR ARN STUDY</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>								
7.42 Compact State Discipline, Compliance and Issues Call – 12/4/2009	Bitz reported on a conference call of board's participating in the NLC compact to establish a forum to identify communication strategies for disciplinary staff.								
7.43 NLCA updated list	The board reviewed a list of executive directors for the twenty-four states that are in the compact.								
7.44 Revised Model Rules Implementation Grid and Related Information	NLCA is tracking how compact states are doing in conforming to the model uniform licensure rules. Staff have identified one minor change that will need to be made in the compact rules, but otherwise our rules are in compliance with the model rules. The board also reviewed a quarterly report listing that is obtained that identifies individuals with more than one compact license. In over half of the issues for the ND duplicates, the individuals were also licensed in one other state that is relatively new to the compact and has not been inactivating the licensed in a timely manner. Kalanek will discuss this issue with the compact administrator in that state.								
7.52.1 Long Term Care Committee – Study of Registration of HCP	The committee will meet on February 2, 2010. Bartz and Kalanek will provide information about the two different registries.								
7.55 Discussion of draft legislation related to establishment of a Center for Nursing	<p><i>Discussion:</i> The board reviewed proposed legislation drafted by the Nursing Education Capacity Summit Team related to establishment of a Center for Nursing. The proposed bill would house the center of nursing at the board of nursing, and the board needs to establish whether this is the direction they wish to go. One of the major goals of the Nursing Education Capacity Summit was creation of a Center for Nursing. Patricia Moulton and Jackie Mangnall have been co-chairs of the group. Shanta has been a part of the subgroup for grant writing for the center. There has been a center for nursing bill before the legislature numerous times, and the summit group chose to rewrite the legislation. The board reviewed the bill, which also designates the board of nursing as the fiscal agent for the center for nursing. In reviewing the draft legislation, the group decided that a currently operating entity that has the expertise would have a better chance for success. There is also a need for a fiscal agent to obtain grants, and the deadline for one grant is approaching, so a need to identify a fiscal agent is important to allow submission of the grant. When initially reviewing the draft legislation, the three entities considered by the Team for housing the Center of Nursing were the Dept of Commerce, the ND Leadership Council, and the Board of Nursing. The summit team felt the Board of Nursing currently had the necessary infrastructure. The board reviewed a survey of other boards and whether they had a center for nursing and where it was housed and funding mechanisms.</p> <p><i>Motion:</i> Anderson, seconded by Sund to: <b>SUPPORT THE PROPOSED LEGISLATION FOR THE ESTABLISHMENT OF A CENTER FOR NURSING AS A MEMBER OF THE ND NURSING EDUCATION CAPACITY SUMMIT TEAM AND THE ND NURSE LEADERSHIP COUNCIL AND SERVE AS THE FISCAL AGENT.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>								
7.71. Renewal Report	Preliminary information as of 1/12/2010 indicates 1669 LPNs and 5087 RNs for a total of 6756 have renewed. APRN total was 382 and 201 with prescriptive authority. There were a total of 786 that did not renew as of 1/12/2010. Final data will be provided at the March Board Meeting.								
8.32 Prescriptive Authority Applicants ratified on consent agenda	<p>The following applicants have submitted applications for prescriptive authority since the last meeting:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>PAMELA MERRIFIELD, FNP</b></td> <td style="width: 50%;"><b>CP: JONATHON BERG, MD</b></td> </tr> <tr> <td><b>THOMAS COOPER, FNP</b></td> <td><b>CP: MARK BOLTON, MD</b></td> </tr> <tr> <td><b>KATHRYN COOPER, FNP</b></td> <td><b>CP: MARK BOLTON, MD</b></td> </tr> <tr> <td><b>CYNTHIA LONG, FNP</b></td> <td><b>CP: JAMES WILLIAMS, MD</b></td> </tr> </table>	<b>PAMELA MERRIFIELD, FNP</b>	<b>CP: JONATHON BERG, MD</b>	<b>THOMAS COOPER, FNP</b>	<b>CP: MARK BOLTON, MD</b>	<b>KATHRYN COOPER, FNP</b>	<b>CP: MARK BOLTON, MD</b>	<b>CYNTHIA LONG, FNP</b>	<b>CP: JAMES WILLIAMS, MD</b>
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<b>CYNTHIA LONG, FNP</b>	<b>CP: JAMES WILLIAMS, MD</b>								
12.11 Resignation of Hilary Kaisershot, LPN, Board Member	<p>A letter of resignation was received from Hilary Kaisershot, LPN as board member.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to: <b>ACCEPT THE RESIGNATION OF MS HILARY KAISERSHOT AND DIRECT PRESIDENT BENSON TO REQUEST THE GOVERNOR TO APPOINT A REPLACEMENT. NDCC 43-12.1-05.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>								

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AGENDA ITEM	ACTION
12.3 Committee Appointments	<p><i>Discussion:</i> The board chose replacements for Kaisershot's committee appointments. Christianson will serve on the Risk Management Committee and LaLonde on the Nursing Education Committee.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to:  <b>APPROVE THE APPOINTMENT TO THE 2009-2010 NURSING EDUCATION AND RISK MANAGEMENT COMMITTEE.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 0 absent. Motion carried.</p>

### CONSENT AGENDA:

8.1 NCSBN
8.11 Continued Competence
8.12 Factors Affecting Remediation Outcomes
8.13 NCSBN raises the passing standard for NCLEX-RN examinations
8.14 Notification of transfer of Advanced Diabetes Management certification
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Prescriptive Authority Applications
8.33 Report of ANA
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 UAP Statistics
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Academic and Continuing Education
8.91 Ratification of Approval of Continuing Education for Contact Hours #822 - #828
8.92 Northland Community & Technical College notification of 29 ADN nursing students participating in clinical experience in ND.
8.93 MSU-M notification of 1 CNS student and 100 BSN students participating in clinical experience in ND.
8.94 MSCTC notification of 37 AD students and 60 AASPN students participating in clinical experience in ND.
8.95 University of MN notification of 4 APRN students participating in clinical experience in ND.

### BOARD COMMITTEES:

9.0 Program Monitoring Committee	
9.1 Nursing Education Committee	March 10, 2010
9.2 Finance Committee	April 2010
9.3 Executive Committee	
9.4 Prescriptive Authority Committee	March 10, 2010
9.5 Nursing Practice Committee	December 10, 2009
9.6 Prescription Drug Monitoring Program Committee	

## North Dakota Board of Nursing Meeting Minutes – January 14, 2010

### UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 National Council of State Boards of Nursing Annual Meeting, August 10-13, 2010
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 Policy Call -
10.2-2 Education Consultant Network – January 6, Feb 11
10.2-3 Discipline Networking Call – February 9
10.2-4 EO Network – December 21, February 22
10.2-5 NLCA Meeting – March 7, 2010
10.2 – 5a Compact State Discipline, Compliance and Issues Call – December 4, 2009
10.2-6 Mid-Year Meeting – March 7-10, 2010 – March 13-16, 2011
10.2-7 NCSBN Executive Officers Leadership Seminar – June 22-23
10.2-8 Annual Institute of Regulatory Excellence – January 19-22, 2010
10.2-9 IRE Committee – December 9-10
10.2-10 Board Investigator & Attorney Workshop – May 24-26
10.2-11 NCLEX Invitational – September 13
10.2-12 Practice Consultant – January 8
10.2-13 NCLEX Examination Committee – January 19-21, 2010
10.2-14 Workshop on Regulation of Unlicensed Assisted Personal (UAP) – June 29-30, 2010
10.2-15 TERCAP User Conference Call
10.2-16 Uniform Core Licensure Requirements – February 17-18
10.2-17 Executive Exam Council & NCSBN Meeting – September 28-29, 2009
10.2-18 Unlicensed Assistive Personnel Workshop – June 29-30
10.2-19 IT Summit – May 11-12, 2010
10.3 ND Nurse Leadership Council, December 3 – Had discussed Center for Nursing, but no other issues.
10.4 ND Organization of Nurse Executives
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference – April 13-15, 2010
10.7 ND LTCA Conference
10.8 ND Health Care Association Annual Meeting
10.9 Center Champion Nursing America Capacity Summit Team
10.10 ND Hospital Tele-Pharmacy Project Report
10.11 Caregiver Services Advisory Committee
10.12 Executive Exam Council & NCSBN Meeting – September 28-29, 2009 Provinces have requested NCSBN to partner with a licensing examination. Reviewed the summary of the meeting.
10.13 RX Drug Abuse Conference – Bismarck & Fargo – December 8-9, 2009
10.14 CNA & UAP Registry Meeting – Feb 2
10.15 Stakeholders Meeting on MSE

### Staff Presentations:

- 11.1 Nurse Delegating Effectively, NADONA, Grand Forks, February 11, 2010
- 11.2 DSW Resource Center Nurse Delegation Webinar – February 17, 1:30 – 3:00

The meeting recessed for lunch from 11:50 a.m. to 1:00 p.m. on January 14, 2010.  
The meeting adjourned at 3:50 p.m. on January 14, 2010.

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Constance B. Kalanek, RN, PhD  
Executive Director  
Draft 1/21/2010