

North Dakota Board of Nursing Meeting Minutes – September 15, 2011

Call to Order: September 15, 2011 at 8:40 a.m. – NDBON Board Conference Room – 919 S 7th Street, Suite 504, Bismarck ND

Roll Call: Nine board members present as follows:
 Nelson (Buzz) Benson, RN, President
 Charlene Christianson, RN, Treasurer
 Daniel Rustvang, RN
 Angela Levi, LPN
 Julie Traynor, RN, Vice-President
 Deborah Smith, RN
 Elizabeth Anderson, LPN
 Melisa Frank, LPN

Absent: Clara Sue Price, Public Member

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

Other individuals were present as indicated on the roster. .

AGENDA	ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. It was noted that agenda item 8.71 has two documents. Staff requested the agenda item 8.92 be pulled from the consent agenda and discussed with 5.0 Education items.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to: ADOPT THE CONSENT AGENDA WITH THE EXCEPTION OF AGENDA ITEM 8.92 AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, 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> Traynor, seconded by Frank to: APPROVE THE AGENDA AS DISTRIBUTED WITH THE ADDITION OF AGENDA ITEM 8.92.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 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 July 14, 2011 Meeting Minutes	<p><i>Discussion:</i> The minutes of the July 14, 2011 meeting were reviewed. Staff indicated that the motion for Agenda Item 4.46 Stephanie Fischer Stipulation for Settlement included an incorrect penalty fee amount of \$600 instead of the correct \$500 fee assessed per the board order. Staff requests correction of the motion and the July minutes.</p> <p><i>Motion:</i> Frank, seconded by Smith to: APPROVE CORRECTION OF THE AMOUNT OF THE PENALTY FEE FOR AGENDA ITEM 4.46 STEPHANIE FISHER AS A \$500.00 PENALTY FEE AS STATED IN THE STIPULATION FOR SETTLEMENT AND REFLECT THAT CORRECTION IN THE JULY 14, 2011 MINUTES.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Motion:</i> Traynor, seconded by Levi to: APPROVE THE MINUTES OF THE JULY 14, 2011 MEETING AS AMENDED.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
3.1-1 2010-2011 Year End Financial Statements	The FY 2010-2011 Financial Statements were reviewed. The income was 108% of budgeted and expenses at 101% of budgeted. EideBailly will be conducting the 2010-2011 FY Audit September 21 – 23 rd .
3.1-2 Financial Statements	Financial Statements through August 31, 2011 were reviewed. The board reviewed the comparison in actual income expenditures to date from last year to this year. Income is at 7% and expenses at 15% of budgeted. Fixed Asset projects are nearly completed with funds from reserve funds.
3.2 Strategic Plan –	No report
3.3 State rates for hotels and travel	<p><i>Discussion:</i> Staff are planning an on-site survey to Dickinson State University in October and have found that with the current oil activity in the area they are unable to secure rooms for state rates. Bergeson suggested that the board consider a request to pay the full amount of the room rates for the two nights.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to: APPROVE EXPENDITURE OF HOTEL ROOMS (NON-STATE) FOR THE BON SURVEYORS TO COMPLETE THE DICKINSON STATE UNIVERSITY NURSING PROGRAM SURVEY ON OCTOBER 4-5, 2011.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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3.4 Request for Funding for Non-disciplinary and Disciplinary Audit – NCSBN	The board reviewed a request for funding from the National Council of State Boards of Nursing for the ND Board of Nursing Disciplinary and Non-Disciplinary Program Audit Funding. Staff indicated that funding may be a portion of the cost of the study rather than the full amount. The board will be informed when any information is received regarding the request.															
4.0 FY PVR Resolution Summary & Positive Response Resolution Summary	The board reviewed PVR Case Resolution Summary for FY 10-11 for RNs and LPNs. According to the five year history, the number of cases has increased slightly, but the number of days from receipt to resolution has decreased from 77 days to 58 for RN/LPN and from 30 to 22 for UAP. The Positive Response Resolution Summary for RN/LPN and UAP shows a decrease in the number of positive responses, most likely due to a change in the questions from requesting all criminal history to requesting only felony information. The number for days from receipt to resolution has increased.															
4.1 Administrative Settlement – Practice	<p><i>Discussion:</i> Two individuals have signed and submitted administrative settlements for practice without a license/registration since the last meeting. The settlements were reviewed and considered by the board.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to:</p> <p>ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</p> <table border="1" 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>Atkins, Joseph</td> <td>Initial UAP/Surg Tech</td> <td>Salude, NC</td> <td>Reprimand</td> <td>\$300</td> </tr> <tr> <td>Hedquist, Kaitlin</td> <td>106410 UAP/MAIII</td> <td>Arville, ND</td> <td>Reprimand</td> <td>\$200</td> </tr> </tbody> </table> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Atkins, Joseph	Initial UAP/Surg Tech	Salude, NC	Reprimand	\$300	Hedquist, Kaitlin	106410 UAP/MAIII	Arville, ND	Reprimand	\$200
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4.3 Voluntary Surrender	<p><i>Discussion:</i> Two individuals have submitted a voluntary surrender, 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> Rustvang, seconded by Traynor to:</p> <p>APPROVE AND ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDERS AS FINAL ORDERS OF THE BOARD FOR THE FOLLOWING INDIVIDUALS:</p> <table border="1" 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;">PENALTY FEE</th> </tr> </thead> <tbody> <tr> <td>Ertelt, Laura</td> <td>R33139</td> <td>West Fargo, ND</td> <td>\$200</td> </tr> <tr> <td>Michael, Heather</td> <td>L12397</td> <td>Glyndon, MN</td> <td>\$200</td> </tr> </tbody> </table>	NAME	LIC/REG#	CITY, STATE	PENALTY FEE	Ertelt, Laura	R33139	West Fargo, ND	\$200	Michael, Heather	L12397	Glyndon, MN	\$200			
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4.41 Stipulation for Settlement – Paul Teunissen, R29763	<p><i>Discussion:</i> A Stipulation for Settlement was received from Paul Teunissen, 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 Levi to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR PAUL TEUNISSEN, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS A \$500.00 PENALTY FEE PLUS COSTS & DISBURSEMENTS; • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>															
4.42 Stipulation for Settlement – Matthew Spivey, R27666 (CRNA)	<p><i>Discussion:</i> A Stipulation for Settlement was received from Matthew Spivey, RN, CRNA, 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)(12).</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to:</p> <p>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MATTHEW SPIVEY, RN, CRNA, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE RN, CRNA LICENSE FOR THREE YEARS; HOWEVER THE SUSPENSION SHALL BE STAYED FOR THREE YEARS, DURING WHICH STAY THE LICENSE SHALL BE ENCUMBERED FOR THREE YEARS WITH REQUIRED PARTICIPATION IN THE WORKPLACE IMPAIRMENT PROGRAM DURING THE PERIOD OF ENCUMBRANCE; AND ◆ ASSESS A \$1,500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, recuse; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>															

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AGENDA	ACTION
4.43 Stipulation for Settlement – Stacy Miller, L10642	<p><i>Discussion:</i> A Stipulation for Settlement was received from Stacy Miller, 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 (6)(7).</p> <p><i>Motion:</i> Rustvang, seconded by Smith: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR STACY MILLER, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • ISSUE A REPRIMAND; • ASSESS A \$400 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND • OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.71 Request for Reinstatement – Shawn Jacob, RN	<p><i>Discussion:</i> Shawn Jacob was present and requested reinstatement of his suspended RN license. The board reviewed his current order and discussed the Disciplinary Review Panel recommendation to reinstate his RN license to encumbered status with participation in WIP during the period of encumbrance. The board discussed Mr. Jacob's recovery progress and current and future employment plans.</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to: GRANT SHAWN JACOB'S REQUEST FOR REINSTATEMENT OF THE RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS, WITH PARTICIPATION IN THE WORKPLACE IMPAIRMENT PROGRAM DURING THE PERIOD OF ENCUMBRANCE AND ACCORDING TO THE TERMS SET OUT IN THE BOARD ORDER AND WORKPLACE IMPAIRMENT PROGRAM AGREEMENT.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.10.1 – Other Suzanne Daniels NNAAP App	<p><i>Discussion:</i> Suzanne Daniels submitted a NNAAP Application in July and failed to identify prior investigation and disciplinary action by MO BON against her RN License. The board reviewed and discussed the disciplinary review panel recommendation to deny the application.</p> <p><i>Motion:</i> Christianson, seconded by Traynor to: DENY THE NNAAP APPLICATION FOR SUZANNE DANIELS BASED ON NDCC 43-12.1-14 (2) (4).</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.10.2 Other – Diana Brandenburg, R25275	<p><i>Discussion:</i> Diana Brandenburg submitted an application for RN Reactivation in April 2011. She answered yes to the chemical dependency and mental health questions. Insufficient information has been received in the board office to determine her ability to safely practice nursing. She was also charged with a felony offense on June 30, 2011 with the matter pending before the District Court. Staff read a letter from Ms. Brandenburg explaining the circumstances surrounding the charges and her request for that the board to table any action on her application for a couple of months. The disciplinary review panel had concerns regarding the length of time the application has been pending. The board discussed that Ms. Brandenburg can reapply when she has demonstrated sufficient rehabilitation and has the ability to safely practice nursing.</p> <p><i>Motion:</i> Traynor, seconded by Smith to: DENY THE 2011-2012 RN REACTIVATION APPLICATION FOR DIANA BRANDENBURG BASED ON NDCC 43-12.1-14 (1) AND NDAC 54-02-07-04.1.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.11 – Miscellaneous	<p>Notice of Emergency Suspension issued to Wendy Stiegel, R36277, Detroit Lakes, MN on August 11, 2011. Respondent's license is SUSPENDED for 2 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent.</p> <p>Cease and Desist Order sent to Tammy Holmes, LPN, licensed in Mississippi and practicing under the privilege to practice according to the Nurse Licensure Compact, Minot AFB, ND on August 11, 2011 until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.</p> <p>Notice of Emergency Suspension sent to Howard Lemere, R32895, Minot, ND on September 2, 2011. Respondent's license is SUSPENDED for 2 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent.</p> <p>Notice of Suspension sent to Ann Larson, L6321, Devils Lake, ND on August 23, 2011 for violating terms and conditions of Workplace Impairment Program and Order for Reinstatement dated March 19, 2009. Respondent's license is automatically SUSPENDED for a period of three (3) years.</p>
5.21 Faculty Development Program: template	<p>The board reviewed the two components of the reporting mechanism for the Faculty Developmental Program, NDAC 54-03.2-04-08.1, which is a newly-adopted rule as of April 1, 2011. This tracking program monitors the progress of academically unqualified faculty toward completion of graduate education. For future board meetings, this information will be located within the Consent Agenda, but was presented to the Board for their initial review at this meeting to provide an opportunity for Board Members to ask questions or obtain further clarification if necessary.</p>

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5.22 Request for approval of programmatic changes: Concordia College	<p><i>Discussion:</i> The board reviewed a request for a programmatic change from Concordia College BA in Nursing program. The change involves the combining of a 2-credit theory course (Role Development I) and a 2-credit clinical course (Role Development II) into one 4-credit course titled “Roles and Issues of Professional Nursing in a Global Society.” This change did not affect the overall credits in the major, and the newly-designated course retains previous course content and the 400-level course designation. The need to merge the two previous courses stems from a revision in the campus-wide core liberal arts curriculum, which now requires that all capstone courses are four credits and include a global component.</p> <p><i>Motion:</i> Smith, seconded by Traynor to: APPROVE THE PROGRAMMATIC CHANGES AS PRESENTED AND REQUESTED FOR CONCORDIA COLLEGE BACHELOR OF ARTS IN NURSING PROGRAM, AS THE CONCORDIA COLLEGE BAN PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-02.</p> <p><i>Roll call vote:</i> Benson, yes; Christianson, yes; Frank, yes; Levi, yes; Mayer, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
5.41 ANCC Policy Change regarding Renewal Courses: update/informational	The board reviewed information from staff related to the policy change in May 2011 related to continuing education and recertification courses. The motion was as follows: “Effective June 1, 2011, the ND Board of Nursing Policy be reviewed to be in congruence with that of the American Nurses Credentialing Center (ANCC), and that contact hours no longer be awarded for recertification courses.” After dissemination of this information, the office received a large volume of calls with concerns/questions, especially in regard to ACLS courses, as to how the new policy would affect nurses who either chose to or were mandated to take the full course every two years. According to Board policy, the Staff’s initial response was to that this requirement is to help assure that nurses avoid the pitfall of redundant material as “continuing education”. After review of all board’s present policy, it was determined that repetition of the full initial certification course would still meet the requirements for continuing education hours. The board discussed that this issue is most prevalent in rural areas, even though numerous on-line CE courses are available. It was also noted that concerns related to the information not being communicated on a broad enough basis. The information was on the website under “News and Hot Topics” and also published as an article in the Dakota Nurse. Staff indicated that there is a group of executives of critical access hospitals that can be used for dissemination of information.
5.51 Minot State University: New Nursing Department Chair	Minot State University has hired Nicola Roed, RN, MSN to serve as Chair of the Nursing Department. Ms. Roed has applied to a PhD program and plans to begin the program in the next couple of months.
5.52 North Dakota State University – New Nursing Department Chair (Chief Nurse Administrator	ND State University has hired Carla Gross, RN, MSN, as the permanent Nursing Department Chair (Chief Nurse Administrator). Ms. Gross is a PhD candidate and plans to graduate in December 2011.
8.92 Out of State Students: Fall 2011	The board reviewed a chart of out of state students completing clinical experience in the state of ND. Staff reported there are fewer students this year than last year, although not all programs have begun yet and the numbers may still change. There have been eleven out of state programs that applied for recognition to place students in ND. Some of the programs do not have students in the North Dakota yet, but have applied for the annual academic year recognition.
6.1 FBI Audit	The ND Board of Nursing was audited in September 2010 by the Federal Bureau of Investigation (FBI) for the Criminal History Record Check process. The board has reviewed the initial report. The final audit report was received in the board office in September 2011 with no substantial changes. The Board of Nursing is in full compliance with the CHRC process.
6.2 Update on Transition from UAP/Technician	Staff indicated that there are no changes in the plan, and updated the board on the progress. The Board office has continued to work with the ND Department of Health, and the transition has gone smoothly on the Board of Nursing side. The Board has assisted the Department when possible, and provided the Department of Health staff access the registry portion of the ND Board of Nursing database to be sure that the Department of Health received the information they needed. The Department of Health was given all prior UAP/MA I & II disciplinary data via paper or access to the database. As the board transitioned to electronic records and renewal in the past few years, most data is electronic and paper format no longer exists. Apparently, this has caused some concern from the Department of Health as to whether they are receiving all the documents that in many cases don’t exist in hard copy format. Concerns about delegation, supervision, and reporting were discussed, and how a nurse can delegate to a Nurse Aide/MA that is no longer regulated by the board. It was indicated all of those issues will need to be reviewed and resolved as the new rules take effect. The Standards for Delegation are contained in the Board’s rules in NDAC 54-05-04.
7.31 Medicaid Enrollment	The board reviewed a letter from Carol Olson, Executive Director of the ND Department of Human Services to Howard Anderson, Executive Director of the ND Board of Pharmacy regarding the provider enrollment policies of ND Medicaid in relation to using a supervising physician’s number rather than the actual prescriber number of the physician assistant. Ms. Olson indicates that currently Nurse Practitioners can enroll and receive and individual provider number with the ND Medicaid, and that the Medical Services Division is also working on modifying the existing Medicaid Management Information System to allow Physicians Assistants and clinical nurse specialists to enroll as Medicaid providers. The Department has requested IT programming changes to accommodate this and is waiting for the programming changes to be done. The Board also reviewed a letter from Kalanek indicating the need to include Nurse Midwives and Clinical Nurse Specialists to the system in addition to the Nurse Practitioners.
7.32 Organizations requirement for continuing collaborative agreements	The board office has received information from APRNs employed with Sanford Health Systems, that even though the law requiring a collaborative physician agreement has been repealed, the organization is continuing to require a collaborative agreement. The board agreed that employers can choose to require things above and beyond what is required by law and the board does not get involved in employer/employee issues.

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7.51 Legislative Bills Affecting State Agencies	The board reviewed a letter from Brian Bergeson, SAAG to Darlene Bartz, Section Chief of the ND Department of Health related to the new Article 33-43 regarding nurse aide training, competency evaluation and registry. The hearing took place after rules took effect as they were adopted as emergency and had the effect of law immediately. Some issues noted by Bergeson were mainly title issues, using the terms "licensed registered nurse" and "license nurse" interchangeably and that should be clarified throughout the section. The Department of Health has utilized many of the current NDBON rules and tried to adapt them which has resulted in references to nurses that the Department does not have authority to regulate. The board reviewed the recommendations. No other comments were made at the hearing, and the Department is still taking written testimony. When that time is completed, the process is that the Department will take the comments under consideration and make necessary changes and then appear before the Administrative Rules Committee.		
7.51 Repeal of Rules	The board reviewed a letter from Bergeson to John Walstad, of the ND Legislative Council notifying him of some changes in a request for repeal of certain rules the board had determined obsolete. Upon further consideration, the board believes three of the rules are not fully obsolete, and therefore the Board intends to withdraw the request to repeal those three rules or any part of those rules. Bergeson made a verbal request at the hearing to withdraw repeal of those rules. Staff indicated that the repeal process does not require a hearing and only requires approval from the Administrative Rules Committee. The board also reviewed the letter to Representative Kim Koppelman, Chair of the Administrative Rules Committee, requesting the repeal of the rules identified as obsolete resulting from the passage of HB 1041 and SB 2148.		
7.52 Legislative Committees –	Bergeson and Kalanek appeared before the North Dakota Legislature Administrative Rules Committee on September 12, 2011.		
7.53 Communication with Senators and Representatives	A presentation was given on interacting with legislators on September 14, 2011 at the board retreat by former legislator and current board member Clara Sue Price.		
7.54 Perspective of the Christian Science Church & nursing care delivered 11:15 Bemis & Filipovich	Ken Bemis, Legislative Attorney for the Committee on Publication, The First Church of Christ, Scientist and Christine Filipovich, MSN, RN, President of Professional Nursing, Inc. were present to address the board regarding Christian Science Nursing Care. Mr. Bemis indicated that the purpose of the visit is to obtain clarity from the ND Board of Nursing regarding licensure as it relates to Christian Science nursing. Christian Science care is a form of health care covered under Medicare and many health benefit plans. As the Health Care Reform measures move forward, Mr. Bemis indicates it would be beneficial to be sure there is an adequate understanding of this form of care. He stated that many states are taking different approaches to the recognition of the practice by either an exemption, adopting a practice statement, or addressed in rules or law. Mr. Bemis and Ms. Filipovich discussed the practice of a Christian Science healing which consists of spiritual healing through prayer along with nonmedical measurers to ensure comfort, safety, mobility and cleanliness in lieu of medical treatment. Mr. Bemis indicates upon review of the ND Nurse Practices Act, it appears that care of the sick when performed in connection with the religious ministry of Christian Science would fall outside the definition of nursing. However, they felt there would be a benefit to providing either statutory or regulatory clarification as it relates to religious based services. Ms. Filipovich is a Clinical Nurse Specialist and described the difference in traditional nursing with Christian Science nursing. They described current Christian Science health facilities, the accreditation process for the facilities, and how they meet qualifications for Medicaid and Medicare. The board indicated that they will discuss the issue at a future meeting about how to proceed and will be in contact with representatives of the Christian Science faith.		
7.6 Website & Renewal	Staff reported that an e-newsletter was sent to all APRNs to notify them of the law change pertaining to prescriptive authority and the elimination of the requirement for collaborative agreement. News and Hot Topics on the website was also used for notification.		
7.7 Staff Report	Kalanek was appointed to NCSBN Advanced Practice Committee, and one of the committee charges is to look at recognition of certification examinations. Bitz was appointed as alternate to NCSBN CORE Committee (Commitment to Ongoing Regulatory Excellence). Kalanek is also on the ballot for Nurse Licensure Compact Administrators member at large and is running unopposed. The group meets twice a year via telephone conference.		
8.32 Prescriptive Authority Applications	The following applications for prescriptive authority were ratified through the consent agenda: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Ruth Stanley, FNP, Minot ND Ross Olson, ANP, Fargo, ND Debra Sailer, FNP, Beulah, ND Penni Weston, FNP, Fargo, ND Kelly Leiphon, GNP, Devils Lake, ND Amanda Dudgeon, FNP, Grand Forks, ND Karen Swanson, FNP, Dickinson, ND Chantel Tester, FNP, Minot, ND Steven Barlow, FNP, Grand Forks, ND Andrea Sherrick, FNP, Fargo, ND Erica Riordan, CNM, Minot, ND </td> <td style="width: 50%; vertical-align: top;"> Jaime Mattson, FNP, Grafton, ND Debra Vivatson, ACNP, Cavalier, ND Tracy Enger, FNP, Northwood, ND Huyen Buegel, GNP, Fargo, ND Elizabeth Scheurer, FNP, Bismarck, ND Cherise Norby, FNP, Williston, ND Amber Caster, PNP, Bismarck, ND Jessica Steinhauer, APsychNP, Fargo, ND Cynthia Pallesen, FNP, Fargo, ND Louise Feuge, FNP, Dickinson, ND </td> </tr> </table>	Ruth Stanley, FNP, Minot ND Ross Olson, ANP, Fargo, ND Debra Sailer, FNP, Beulah, ND Penni Weston, FNP, Fargo, ND Kelly Leiphon, GNP, Devils Lake, ND Amanda Dudgeon, FNP, Grand Forks, ND Karen Swanson, FNP, Dickinson, ND Chantel Tester, FNP, Minot, ND Steven Barlow, FNP, Grand Forks, ND Andrea Sherrick, FNP, Fargo, ND Erica Riordan, CNM, Minot, ND	Jaime Mattson, FNP, Grafton, ND Debra Vivatson, ACNP, Cavalier, ND Tracy Enger, FNP, Northwood, ND Huyen Buegel, GNP, Fargo, ND Elizabeth Scheurer, FNP, Bismarck, ND Cherise Norby, FNP, Williston, ND Amber Caster, PNP, Bismarck, ND Jessica Steinhauer, APsychNP, Fargo, ND Cynthia Pallesen, FNP, Fargo, ND Louise Feuge, FNP, Dickinson, ND
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12.2 BON Committee Appointments	An updated list of 2011-2012 Committee appointments was distributed. The Prescriptive Authority Committee has been eliminated as it is no longer required by law.		
12.4 Attendance at Meeting Reports	Board members reviewed upcoming meetings and are to connect Kalanek if any members wish to attend on behalf of the board.		
12.5 Dakota Nurse Connection	Price and Mayer will be highlighted as new board members.		
12.6 Board Meeting Evaluation	Completed.		

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CONSENT AGENDA:

8.1 NCSBN
8.11 2011 Annual Meeting
8.12 2011 Mid-Year Meeting Minutes
8.13 Summary of Recommendations to the 2011 Delegate Assembly
8.2 Office Management
8.21 Technology Acceptable Use Agreement
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Prescriptive Authority Applications
8.33 AANP Advanced Practice Registered Nurse Practice
8.34 Notice from Medcenter One Home Health & Hospice
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 Statistics
8.62 NCLEX-RN – none
8.63 NCLEX-PN – none
8.7 Discipline
8.71 Discipline Statistics/Case Activity Report
8.72 NLC Case Log
8.8 Legal Counsel
8.9 Education
8.91 Ratification of CE Approval
8.92 Report of Out-of-State Students (Fall 2011)
8.93 Education Dialogue (July & August 2011)

BOARD COMMITTEES:

9.0 Program Monitoring Committee	
9.1 Nursing Education Committee	November 16
9.2 Finance Committee	
9.3 Executive Committee	
9.4 Prescriptive Authority Committee	
9.5 Nursing Practice Committee	October 26
9.6 Prescription Drug Monitoring Program Committee	November 10
9.7 Technology Committee	October 27
9.8 North Dakota Center for Nursing	October 28.

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 National Council of State Boards of Nursing Annual Meeting, August 2-5, 2011 – Benson encouraged board members to consider attending a national meeting. He indicates that one can see that ND is recognized and respected on a national level, and it is an opportunity to see this board's progress in comparison to other nursing boards. .
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 Policy Call
10.2-2 Education Network
10.2-3 Discipline Networking Call

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10.2-4 EO Network – August 4, Dec 19, 2011 The group discussed ATI Testing and whether it is a barrier to NCLEX testing. Many boards are opposed to the using this service as a requirement for program completion or for eligibility to sit for the NCLEX examination. It was noted that educators and ATI also agree.
10.2-5 NLCA Meeting – August 2, March 11, 2012
10.2-6 Mid-Year Meeting – March 12 – 13, 2012; Swissotel Chicago, Chicago, IL
10.2-7 NCSBN Executive Officers Leadership Seminar
10.2-8 NCSBN NCLEX Conference, September 26, 2011, San Francisco, CA
10.2-9 IT Summit
10.2-10 Board Investigator & Attorney Workshop
10.2-11 NCLEX Invitational
10.2-12 APRN Practice Networking Call- September 29, 2011 NCSBN
10.2-13 Practice Networking Call – September 13, 2011 NCSBN
10.2-14
10.2-15 TERCAP User Call – August 31
10.3 ND Organization of Nurse Executives
10.4 ND Nurses Association – October 5-6, 2011 Ramkota Hotel, Bismarck
10.5 ND Rural & Public Health Conference – May 30, - June 1, 2012 – Alerus Center Grand Forks
10.6,1 ND LTCA Conference – May 1-4, 2012; Ramkota Hotel, Bismarck - Long Term Services and Support instead of Long Term Care – focuses more on function instead of disease, focus on family as care giver, education, having more focus on geriatrics. LTC is the most regulated industry in the nation, new nurses not aware of the regulations, and should be discussed in nursing programs so students are educated about it. An “adopt a nursing home” project was discussed and how that effectively prepares students for geriatric settings. Other topics related to increasing in home care, family caregivers, and the federal innovations to support the industry.
10.7 ND Health Care Association Annual Meeting – October 11-13, 2011 Doublewood Inn Best Western
10.8 NCSBN Long Term Care Conference – August 23, 2011 Swissotel Chicago, Chicago, IL
10.9 ND Hospital Tele-Pharmacy Project Report
10.10 Emerging Technologies in Nursing Education – July 24- 26 – Hoerner attended the conference. There are some very creative studies being conducted across the nation. In November will present some information to the NEC.
10.11 Annual FARB Attorney Certification Seminar – September 30 – October 2 (Bergeson)

Staff Presentations:

- 11.1 Provision of High Quality Nursing Care: Nursing Practices Act and Violations of NPA, MCO College of Nursing , Bismarck, September 12, 2011
- 11.2 Jamestown Medical Center – Feb 2012

The meeting recessed for lunch at 11:45 a.m. and reconvened at 1:00 p.m. on September 15, 2011.
The meeting adjourned at 2:00 p.m. on September 15, 2011.

Constance B. Kalanek, RN, PhD, FRE
Executive Director
Draft 9/23/11