

North Dakota Board of Nursing Meeting Minutes – January 19, 2012

Call to Order: January 19, 2012 at 8:30 a.m. – NDBON Board Conference Room – 919 S 7th Street, Suite 504, Bismarck ND

Roll Call: Eight board members present as follows:
 Nelson (Buzz) Benson, RN, President
 Julie Traynor, RN, Vice-President
 Deborah Smith, RN
 Bonny Mayer, LPN
 Melisa Frank, LPN
 Charlene Christianson, RN, Treasurer
 Daniel Rustvang, RN
 Angela Levi, 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. The meeting was broadcast through IVN sites throughout the state with nursing program students in attendance.

AGENDA	ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda.</p> <p><i>Motion:</i> Traynor, seconded Christianson to: ADOPT THE CONSENT AGENDA 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 but it was requested to reorder the agenda to move agenda item 12.1 to the beginning of the meeting to allow Bergeson to review with the Board, and under the consent agenda 8.12 a short video will be presented.</p> <p><i>Motion:</i> Traynor, seconded by Levi to: APPROVE THE AGENDA AS REORDERED.</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.
1.32 Rules of Executive Session –	Brian Bergeson, SAAG, Legal Counsel for the board was present to address the board regarding the requirements for holding an Executive Session to review and discuss confidential records. Bergeson explained the difference between confidential records and exempt - records under the open records law. The records of the Workplace Impairment Program are generally confidential. Medical records of an applicant, licensee or registrant are exempt but may be considered confidential by the board. The disciplinary review panel is preparing a proposal that would allow the board to hold an executive session to consider or discuss exempt or confidential records. Bergeson outlined the procedure that would be followed to hold an Executive Session. Only board and necessary staff would be allowed in the closed session, along with the individual whose records are being discussed. The session would be recorded on audio or video tape. However, the recording would not be subject to open records, but would be available for review by the attorney general's office if necessary. A motion would generally be required to hold an Executive Session. Legal counsel or another support person may be present as support for the subject of the Executive Session if requested. Bergeson indicated that a formal process for an Executive Session has never been developed and DRP will bring forth a policy or process at a future meeting.
2.1 November 17, 2011 Meeting Minutes	<p><i>Discussion:</i> The minutes of the November 17, 2011 meeting were reviewed. No corrections were identified.</p> <p><i>Motion:</i> Traynor, seconded by Smith to: APPROVE THE MINUTES OF THE NOVEMBER 17, 2011 MEETING 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>
3.1 Financial Statements	Financial Statements through December 31, 2011 were reviewed. The board reviewed the comparison in actual income expenditures to date from last year to this year. Income is at 86% and expenses at 51% of budgeted.
3.2 Strategic Plan six month report – July 1 – December 31, 2011	<p><i>Discussion:</i> The board reviewed the progress of the strategic plan for the first six months of the 2011-2012 fiscal year. Each goal and the progress was reviewed and discussed.</p> <p><i>Motion:</i> Christianson, seconded by Mayer to: ACCEPT THE FY 2011-2012 STRATEGIC PLAN SIX MONTH REPORT 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>

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3.3 Draft of 2010-2011 Annual Report	<p><i>Discussion:</i> The board reviewed the draft 2010-2011 annual report. The report is organized by sections of the NDCC 43-12.1 Nurse Practices Act with explanations and charts of how those requirements are met. The board discussed the impact of NDNA no longer doing the continuing education course approvals and if that is affecting workload of the staff. There has been an increase in continuing education course approval (12) and staff will monitor the workload to determine if adjustments need to be made for next fiscal year.</p> <p><i>Motion:</i> Rustvang, seconded by Frank to: ACCEPT THE FY 2010-2011 DRAFT ANNUAL REPORT 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>															
3.4 Ratify Purchase from Reserve Funds	<p><i>Discussion:</i> The Technology Committee had recommended adding an additional camera to the board room to view Board Members on the north side of the room. A refurbished camera was available and was purchased and installed. Staff request ratification of the purchase of \$1841.00 from reserve funds.</p> <p><i>Motion:</i> Levi, seconded by Christianson to: RATIFY THE PURCHASE OF THE SECOND CAMERA FOR THE BOARD ROOM FROM RESERVE FUNDS.</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>															
4.1 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 Smith to: 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: center;">NAME</th> <th style="text-align: center;">Lic/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>Freking, Maria</td> <td>R28706</td> <td>Larimore, ND</td> <td>Reprimand</td> <td style="text-align: center;">\$200</td> </tr> <tr> <td>Johnson, Julie</td> <td>RN Endorsement Applicant</td> <td>Argyle, MN</td> <td>Reprimand</td> <td style="text-align: center;">\$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	Freking, Maria	R28706	Larimore, ND	Reprimand	\$200	Johnson, Julie	RN Endorsement Applicant	Argyle, MN	Reprimand	\$200
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Freking, Maria	R28706	Larimore, ND	Reprimand	\$200												
Johnson, Julie	RN Endorsement Applicant	Argyle, MN	Reprimand	\$200												
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 Surrender.</p> <p><i>Motion:</i> Christianson, seconded by Rustvang to: 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: 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>Vorhies, Paul</td> <td>R24844</td> <td>Scottville, MI</td> <td style="text-align: center;">N/A</td> </tr> <tr> <td>Abbott, Jessica</td> <td>R35372, L12619</td> <td>Steele, ND</td> <td style="text-align: center;">\$200</td> </tr> </tbody> </table>	NAME	LIC/REG#	CITY, STATE	PENALTY FEE	Vorhies, Paul	R24844	Scottville, MI	N/A	Abbott, Jessica	R35372, L12619	Steele, ND	\$200			
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Vorhies, Paul	R24844	Scottville, MI	N/A													
Abbott, Jessica	R35372, L12619	Steele, ND	\$200													
4.4.1 Stipulation for Settlement – Heidi Strub, L11279	<p><i>Discussion:</i> A Stipulation for Settlement was received from Heidi Strub, 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 (4)(7) and NDAC 54-02-07-01.1 (7)(8).</p> <p><i>Motion:</i> Rustvang, seconded by Levi to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR HEIDI STRUB, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$1500 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>															
4.4.2 Stipulation for Settlement – Bridget Iverson, R32982	<p><i>Discussion:</i> A Stipulation for Settlement was received from Bridget Iverson, 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)(9).</p> <p><i>Motion:</i> Traynor, seconded by Frank to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BRIDGET IVERSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ RESTART THE ONE YEAR ENCUMBRANCE; ◆ ASSESS 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>															

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AGENDA	ACTION
4.4.3 Stipulation for Settlement – Ashley Kulstad, L13045	<p><i>Discussion:</i> A Stipulation for Settlement was received from Ashley Kulstad, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Smith, seconded by Christianson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ASHLEY KULSTAD, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> • SUSPEND THE LICENSE FOR ONE YEAR; • ASSESS A \$800 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>
4.4.4 Stipulation for Settlement – Judith Giacabazi, R36447	<p><i>Discussion:</i> A Stipulation for Settlement was received from Judith Giacabazi, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4). Ms. Giacabazi submitted a letter indicating she did not realize she had checked "no" to the regulatory questions and the omission was not intentional.</p> <p><i>Motion:</i> Traynor, seconded by Levi to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JUDITH GIACABAZI, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$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, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.4.5 Stipulation for Settlement – Jodi Kirkey, R32668	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jodi Kirkey, 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) and NDAC 54-02-07-01.1 (5)(6)(7)(8)(10).</p> <p><i>Motion:</i> Traynor, seconded by Mayer to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JODI KIRKEY, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$300 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>
4.4.6 Stipulation for Settlement – Kristine Evenson, R21548	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kristine Evenson, 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 (12)(19).</p> <p><i>Motion:</i> Traynor, seconded by Smith to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KRISTINE EVENSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$1200 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>
4.4.7 Stipulation for Settlement – Michael Harsch, RN Applicant	<p><i>Discussion:</i> A Stipulation for Settlement was received from Michael Harsch, RN 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> Frank, seconded by Levi to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MICHAEL HARSCH, RN APPLICANT, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$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, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>

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4.4.8 Stipulation for Settlement – Gussie Liebel, L5558	<p><i>Discussion:</i> A Stipulation for Settlement was received from Gussie Liebel, 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)(19).</p> <p><i>Motion:</i> Traynor, seconded by Christianson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR GUSSIE LIEBEL, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 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>
4.4.9 Stipulation for Settlement – Mary Skorheim, R23504	<p><i>Discussion:</i> A Stipulation for Settlement was received from Mary Skorheim, 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 (5) and NDAC 54-02-07-01.1 (12)(19).</p> <p><i>Motion:</i> Christianson, seconded by Smith: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MARY SKORHEIM, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$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, yes; Price, absent; Rustvang, yes; Smith, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.</p>
4.4.10 Stipulation for Settlement – Beverly Bauer, R30402	<p><i>Discussion:</i> A Stipulation for Settlement was received from Beverly Bauer, 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). It was noted that her stipulation contains language that indicates she neither admits nor denies the allegations.</p> <p><i>Motion:</i> Rustvang, seconded by Levi to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR BEVERLY BAUER, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800 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 – Tina Falcon, L9583	<p><i>Discussion:</i> Tina Falcon, LPN is requesting reinstatement of her encumbered license to full status. The board reviewed and discussed the requirements of her board order. The board reviewed and discussed the Disciplinary Review Panel recommendation to reinstate the LPN license to full licensure status.</p> <p><i>Motion:</i> Rustvang, seconded by Smith to: GRANT TINA FALCON'S REQUEST FOR REINSTATEMENT OF HER LPN LICENSE TO FULL STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF HER AMENDED BOARD ORDER DATE JULY 15, 2010.</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 – Brittney Raymond LPN Endorsement Applicant	<p><i>Discussion:</i> Brittney Raymond submitted an application for license by endorsement on July 10, 2011. Ms. Raymond failed to identify criminal charges on her application that appeared on her criminal history record check. Ms. Raymond did not follow through with requests for documentation and did not cooperate with investigation of her Application for LPN License by Endorsement.</p> <p><i>Motion:</i> Christianson, seconded by Levi to: DENY APPLICATION FOR LPN LICENSURE BY ENDORSEMENT FOR BRITTNEY RAYMOND BASED ON NDCC 43-12.1-14 (1)(4)(9).</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 – Jonathon Shiveley aka Robert Mose Freyta RN Endorsement Applicant	<p><i>Discussion:</i> Jonathon Shiveley, aka Robert Mose Freyta, submitted an application for license by endorsement on August 30, 2011. Mr. Shiveley has a pending investigative matter and prior disciplinary review by CA Board of Nursing. On November 15, 2011 Mr. Shiveley submitted a Stipulated Surrender of License to be considered by the CA Board of Nursing of the Dept of Consumer Affairs.</p> <p><i>Motion:</i> Traynor, seconded by Smith to: DENY APPLICATION FOR RN LICENSURE BY ENDORSEMENT FOR JONATHON SHIVELEY, AKA ROBERT MOSE FREYTA, BASED ON NDCC 43-12.1-14 (2)(3).</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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4.11.1 Jessica Stevens, R35217, L12469	Notice of Emergency Suspension issued to Jessica Stevens, R35217 & L12469, Moorhead, MN on December 9, 2011. Respondent's license is SUSPENDED for 5 years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent.
4.11.2 Ashley Hargrave, R33657	Notice of Suspension issued to Ashley Hargrave, R33657, West Fargo, ND on January 9, 2012 for violating terms and conditions of Stipulation for Settlement dated January 14, 2010. Respondent's license is automatically SUSPENDED for a period of two (2) years.
4.12.1 Policy Revisions – Probation Monitoring Plan Revision	<p><i>Discussion:</i> The board reviewed proposed revisions to the "Probation Monitoring Plan". A section has been added to clarify the requirements of any board ordered educational courses. The courses follow the same guidelines as the board's CE renewal requirements. The other revision was related to how a respondent obtains the appropriate monitoring forms.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to: APPROVE THE REVISIONS TO THE PROBATION MONITORING PLAN POLICY.</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>
4.12.2 Policy Revisions – Professional Continuing Education Independent Study Programs	<p><i>Discussion:</i> A document titled "Professional Continuing Education Independent Study Programs" was being used for the purposes of board ordered educational courses that has a list of approved CE providers. This document is no longer necessary with the revision to the Probation Monitoring Plan.</p> <p><i>Motion:</i> Christianson, seconded by Levi to: APPROVE THE ARCHIVING OF THE PROFESSIONAL CONTINUING EDUCATION INDEPENDENT STUDY PROGRAMS LIST FROM THE BOARD MANUAL.</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 Request for recognition of Fresno City College (CA) RN Refresher Course	<p><i>Discussion:</i> Sue Armstrong is a RN from CA who will be seeking license by endorsement in the ND. Ms. Armstrong has completed an RN Refresher course offered through Fresno City College. Staff has reviewed the course and indicates the course meets the requirements outlined in the board's "Guidelines for Nurse Refresher Courses." Staff request one time recognition of the course for this particular applicant.</p> <p><i>Motion:</i> Traynor, seconded by Smith that: THE BOARD RECOGNIZE THE FRESNO CITY COLLEGE (CA) RN REFRESHER COURSE FOR SUE ARMSTRONG FOR LICENSE BY ENDORSEMENT AS IT MEETS THE BOARD'S "GUIDELINES FOR NURSE REFRESHER COURSES".</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>
5.51 Draft of Education Annual Report – FY 2010-2011	<p><i>Discussion:</i> The board reviewed the FY 2010-2011 Nursing Education Annual Report summary. The Nursing Program Chairs have not had an opportunity to review the report as of yet, so there may be some editorial revisions to the report. The full report will be available on the board's website.</p> <p><i>Motion:</i> Mayer, seconded by Frank to: APPROVE THE DRAFT OF THE FY 2010-2011 EDUCATION ANNUAL REPORT AS DISTRIBUTED SUBJECT TO EDITORIAL REVISIONS.</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>
6.1 Erin Wooten, RN, Certified Registered Nurse Anesthetist - inactive	<i>Discussion:</i> The board reviewed a request from Erin Wooten related to renewal of her nursing license. Ms. Wooten does not have the required practice hours to renew her CRNA certification or nursing license. The board reviewed her request and recommends she apply for a limited license when she is ready to practice again.
6.2 Ratification of Nursing Practice Hours	<p><i>Discussion:</i> The board reviewed ratification of practice hours for Carol Winter, LPN, for the nursing care of her father during 2011.</p> <p><i>Motion:</i> Traynor, seconded by Smith to: RATIFY PRACTICE HOURS FOR THE FOLLOWING: CAROL WINTERS, L7085 2011=84 HOURS</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>
7.11 Golden Certificates – Nurses with 50 year Anniversary	The board reviewed a list of twenty-three licensed nurses who have been licensed for fifty years. Certificates were sent to these nurses from the board.
7.21 Nursing Needs Study – Survey Results - Dr. Patricia Moulton 1/19 10:00 a.m.	Patricia Moulton, PhD, Executive Director of the ND Center for Nursing presented on the findings of the ND High School Survey Results and the Licensed Nurse Survey Results of the Nursing Needs Study completed in Fall 2011. Dr. Moulton also reviewed the ND Center for Nursing website with the board. The reports are available on the North Dakota Center for Nursing website at http://www.ndcenterfornursing.org/
7.41 Duplicate Active Multi-State Licenses Report	The board reviewed the report of duplicate active multi-state licenses report. The report is distributed to compact states to help decrease the number of duplicate licenses. The goal is to have less than .22% duplicate active multi-state licenses. ND currently has .14%, and the average is .20%.
7.42 FYI Article from Council of State Governments "Interstate Compacts, one of CSG's Top 5 Policy Issues in 2012"	The board was encouraged to view the article from Council of State Governments: "Interstate Compacts, one of CSG's Top 5 Policy Issues in 2012" at http://knowledgecenter.csg.org/drupal/content/top-5-issues-2012-interstate-compact

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AGENDA	ACTION
7.51 Legislative Bills – Nurse Aide Rules	NDAC Article 33-43 Nurse Aide Training, Competency Evaluation , and Registry rules that were adopted by the ND Department of Health were distributed. The board responded to a question regarding delegation and indicated that the board rules address delegation for the nurses. The board continues to maintain the UAP Technician Registry and the Medication Assistant III registry.
7.52 Legislative Committees	The board reviewed the agenda of the Administrative Rules Committee meeting of Thursday December 15, 2011 that related to the Nurse Aide Registry Rules. No testimony was requested from the Board of Nursing at the meeting.
7.6 Website & Renewal	As of 1/18/2012, 5746 RNs and 1678 LPNs and 441 APRNS had renewed for 2012-2013 for a total of 7,865. There were 966 total nurses that did not renew, which is a normal percentage as compared to previous years. Fifty renewals were done by phone, and there were 32 late renewals to date.
7.71 Active License by Age Group	The board reviewed a breakdown of nurses with active ND licenses by age. According to the statistics, the largest number of licensees are age 51-60, with ages 19-20 being the next highest group.
9.4 Nurse Practice Committee	<p><i>Discussion:</i> An application for the Nurse Practice Committee was recently received from Melana Howe, RN. The board currently does have an open position available. The board discussed whether to fill the position now or wait until the reappointments in July. It was indicated most of the members were coming up for reappointment or expiration of terms. It was recommended to hold Ms. Howe's application until the new committee is appointed.</p> <p><i>Motion:</i> Traynor, seconded by Levi to: DELAY APPOINTMENT FOR THE VACANT POSITION ON THE NURSE PRACTICE COMMITTEE UNTIL JULY 2012.</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>
12.1 Board Governance – Role	Bergeson reviewed an e-mail with the board from Kathleen Bachmeier, DOCR Director of Medical Services. Ms. Bachmeier raised concerns regarding rumors related to medication administration and other processes at the State Penitentiary. Ms. Bachmeier extended an invitation for members of the disciplinary review panel to come on-site to review the current process for administering medications. Bergeson reminded the board that board meetings are open to the public, with the purpose of transparency. Board members are reminded that they carry two roles, one as a member of the Board of Nursing and one as an individual citizen. When speaking to members of the public, board members are encouraged to clarify that they are not speaking for the board, as any comments by a board member may be regarded by the public to be comments of the board.

CONSENT AGENDA:

8.1 NCSBN
8.11 National Council of State Boards of Nursing Announcement
8.12 Social Media Resources & Networking for Nurses, https://www.ncsbn.org/index.htm
8.13 Auerbach article – RN Trends
8.14 Legislative New & Trends
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Prescriptive Authority Applications
8.33 AACN Health Affairs Article on Registered Nurse Supply
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 RN/LPN/UAP 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 Out-of-Students and Recognized Out-of-State Nursing Education Programs

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8.93 Education Dialogue (November and December 2011)

BOARD COMMITTEES:

9.0 Program Monitoring Committee	
9.1 Nursing Education Committee	March 21, 2012
9.2 Finance Committee	April 2012
9.3 Executive Committee	May 2012
9.4 Nursing Practice Committee	February 7, 2012
9.5 Prescription Drug Monitoring Program Committee	March 2012
9.6 Technology Committee	December 8, 2011 meeting - The board reviewed a summary of meeting and recommendations from the committee. The committee will be working on a use policy and formal agreement. The status of the Electronic Education Report was discussed. The committee recommended the purchase of a second camera which was done. Another meeting will be held February 16, 2012
9.7 Risk Management Committee	
9.8 Center for Nursing	January 26 Board Meeting – any board members who want to volunteer for a leadership or sub committees should contact the Executive Director of the Center.

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 National Council of State Boards of Nursing Annual Meeting, August 8-9, 2012 – The Fairmont Dallas, Dallas TX
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 Policy Call - January 5, 2012
10.2-2 Education Network – January 10 (cancelled)
10.2-3 Discipline Networking Call – December 13; February 23; April 30; June 21; August 29
10.2-4 EO Network – December 19
10.2-5 NLCA Meeting – November 28; December 12; January 9; February 13; 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 – June 19-20, 2012
10.2-8 NCSBN NCLEX Conference
10.2-9 IT Summit – May 15-16, 2012
10.2-10 Board Investigator & Attorney Workshop – June 4-6, 2012
10.2-11 NCLEX Invitational
10.2-12 APRN Practice Networking Call- January 25
10.2-13 Practice Networking Call – December 14, 2011
10.2-14 TERCAP User Call – November 30; February 14
10.2-15 Advanced Practice Registered Nurse Committee – November 30 & December 1; Feb 1-2
10.3 ND Organization of Nurse Executives – February 2012
10.4 ND Nurses Association
10.5 ND Rural & Public Health Conference – May 30, - June 1, 2012 – Alerus Center Grand Forks
10.6 ND LTCA Conference – May 1-4, 2012 – Ramkota Hotel, Bismarck
10.7 ND Hospital Association Annual Meeting –
10.8 North Dakota Public Health Emergency Volunteer Reserves Advisory Board – e-mail meeting

Staff Presentations:

- 11.1 Emerging Issues and Delegating Effectively – Jamestown Regional Medical Center – Feb 14
- 11.2 NCSBN – Advanced Practice Registered Nurse legislation – Policy Network – January 5

The meeting recessed for lunch at 11:45 a.m. and reconvened at 12:50 p.m. on January 19th.
The meeting adjourned at 2:50 p.m. on January 19, 2012.

Constance B. Kalanek, RN, PhD, FRE
Executive Director - Draft 01/25/2012