North Dakota Board of Nursing
Meeting Minutes – November 21-22, 2013

Call to Order: November 21, 2013 at 8:35 a.m. – NDBON Board Conference Room – 919 S 7th Street, Suite 504, Bismarck ND

Roll Call: Nine board members present as follows:

Julie Traynor, RN, President
Daniel Rustvang, RN, Vice President
Bonny Mayer, LPN
Paula Schmalz, APRN
Jane Christianson, RN
Clara Sue Price, Public Member, Treasurer (absent 11/21 afternoon)
Charlene Christianson, RN
Melisa Frank, LPN
Janelle Holth, RN

Staff Present:

Constance Kalanek, RN, Executive Director
Karla Bitz, RN, Associate Director
Julie Schwan, Administrative Services Coordinator
Patricia Hill, RN, Asst. Director for Practice & Discipline
Stacey Pfenning, RN, Associate Director for Education

Other individuals were present as indicated on the Board Meeting Attendance Roster.

AGENDA	ACTION
Web streaming	Eric Wanchic was available and discussed progress of web streaming with the Board. This meeting will be web streamed as well as future meetings.
1.1 Consent Agenda	*Discussion*: The board reviewed the consent agenda.
	Motion: Frank, seconded by Price to: **ADOPT THE CONSENT AGENDA AS PRESENTED.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
1.2 Agenda	*Discussion:* The agenda was reviewed as distributed. No changes were identified.
	Motion: Rustvang, seconded by C. Christianson to: **APPROVE AGENDA AS DISTRIBUTED.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
1.3 Public Forum 11:00 a.m.	No one was present to address the board during the open forum.
2.1 September 19, 2013 Meeting Minutes & Public Notice	*Discussion:* The minutes of the September 19, 2013 meeting were reviewed. No corrections were identified.
	Motion: C. Christianson, seconded by Holth to: **APPROVE THE MINUTES OF THE SEPTEMBER 19, 2013 MEETING AS DISTRIBUTED.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
3.1 Financial Statements	The financial statements through October 31, 2013 were reviewed. Income is at 26% and expenses at 29% of budgeted. A comparison of this year to last year income and expenses was reviewed with no major issues identified.
3.2 Strategic Plan	The board will meet Friday November 22nd to continue working on the strategic plan.
3.3 2012-2013 Financial Audit – EideBailly – 8:45 a.m.	*Discussion:* Nora Frueh, CPA from EideBailly was present to review the 2012-2013 Fiscal Year Audit with the board. Ms. Frueh indicated there were no major issues identified or adjusting entries required. Two material weaknesses were noted and discussed. The first weakness was that the financial statements were prepared by EideBailly and audited by the same firm. Most small businesses and agencies do have this weakness noted as it is not cost effective to hire another firm to prepare the financial statements. A second material weakness was the pledges of collateral on the funds at one bank were short of the required 110% required on the last day of the fiscal year. The pledges have been increased and the amount uncollateralized was for a short period of time and not a significant amount.
	Motion: Price, seconded by Rustvang to: **ACCEPT THE 2012-2013 AUDIT REPORT PRESENTED BY EIDEBAILLY.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
3.4 2012-2013 Annual Report	*Discussion:* The board reviewed a draft of the 2012-2013 Annual Report. The increase in licensees in the last five years was noted, and the decrease in nursing program enrollment was discussed. It was indicated that the board only approves pre-licensure advanced practice programs, and some programs were reporting post-licensure program enrollment in the past which was not accurate. Editorial changes were noted that will be corrected for the final draft.
	Motion: Schmalz, seconded by Holth to: **ACCEPT THE 2012-2013 ANNUAL REPORT WITH CORRECTIONS.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.

AGENDA	ACTION
3.5 Fargo Hotel Request	*Discussion:* Kalanek attended a meeting in Fargo and state rates were not available for the hotel. She paid a portion of the amount over and above the state rate but requests the board discuss the issue as it is becoming more common that hotels do not offer the state rates. Members indicated they can typically get state rates in Bismarck during the week if there are no major events in the area. The board agreed if members or staff are traveling on state business they should not have to pay a portion of the hotel because of high demand for rooms in the area. It was suggested that board staff prepare a list of hotels in major cities that do offer state rates and that members and staff must check for availability of state rates before accepting a room with higher rates.
	Motion: C. Christianson, seconded by J. Christianson to: **APPROVE THE FULL REIMBURSEMENT OF THE FARGO HOTEL CHARGE FOR KALANEK FOR ATTENDANCE AT THE NDNA CONVENTION & CENTER FOR NURSING MEETING.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
	Motion: Holth, seconded by Rustvang to: **APPROVE REIMBURSEMENT OF ACTUAL LODGING COSTS FOR BOARD MEMBERS AND STAFF WHILE REPRESENTING THE BOARD OR CONDUCTING BOARD BUSINESS IF STATE RATES ARE NOT AVAILABLE IN THE AREA.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.1 Administrative Settlement – Practice	*Discussion:* Seven 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.
	Motion: Price, seconded by C. Christianson to: **ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:**

NAME	Lic/Reg #	City, State	Sanction	Penalty Fee
Brandenberg, Catherine	L6672	Edgeley, ND	Reprimand	$1500
Eckroth, Whitney	Initial UAP/Surg Tech	Flasher, ND	Reprimand	$100
Gallagher, Jennifer	Initial UAP/Surg Tech	Drayton, ND	Reprimand	$500
Jahn, Elizabeth	RN Endorsement App	Thief River Falls, MN	Reprimand	$200
Schirrick, Lisa	R30644	Grand Forks, MN	Reprimand	$1000
Seifert, Joanne	R24445	Casselton, ND	Reprimand	$1500
Sullivan, Thomas	Initial UAP/Surg Tech	Williston, ND	Reprimand	$500

	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.3 Voluntary Surrender	*Discussion:* One individual has 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.
	Motion: Rustvang, seconded by Schmaltz to: **ACCEPT THE TERMS OF THE PROPOSED VOLUNTARY SURRENDER AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING INDIVIDUAL:**

NAME	Lic/Reg #	City, State	Penalty Fee
Brown, Laura	L11139	Williston, ND	$200

	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.4.1 Stipulation for Settlement – Nicole Lufkin, L14100	*Discussion:* A Stipulation for Settlement was received from Nicole Lufkin, 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 (2)(3)(4)(5) and NDAC 54-02-07-01.1 (5)(6).
	Motion: Rustvang, seconded by Holth: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR NICOLE LUFKIN, LPN AND ENTER ITS ORDER TO:** ♦ **ENCUMBER THE LICENSE FOR ONE YEAR;** ♦ **ASSESS A $1200 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.

AGENDA	ACTION
4.4.2 Stipulation for Settlement – Sheri Grossman, L9652	*Discussion:* A Stipulation for Settlement was received from Sheri Grossman, 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)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(9)(12).
	Motion: J. Christianson, seconded by Schmalz to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SHERI GROSSMAN, LPN, AND ENTER ITS ORDER TO:** ♦ **SUSPEND THE LICENSE FOR THREE YEARS;** ♦ **ASSESS A $1200 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.4.3 Stipulation for Settlement – Lisa Schirrick, R30644 & L9510	*Discussion:* A Stipulation for Settlement was received from Lisa Schirrick, RN & 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 (1)(4).
	Motion: Rustvang, seconded by C. Christianson to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LISA SCHIRRICK, RN & LPN, AND ENTER ITS ORDER TO:** ♦ **ISSUE A REPRIMAND;** ♦ **ASSESS A $500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN THE BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.4.4 Stipulation for Settlement – Erica Good Bear, L11967	*Discussion:* A Stipulation for Settlement was received from Erica Good Bear, 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 (1).
	Motion: Holth, seconded by Price to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ERICA GOOD BEAR, LPN, AND ENTER ITS ORDER TO:** ♦ **SUSPEND THE LICENSE FOR THREE YEARS;** ♦ **ASSESS A $500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, recuse; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.
4.4.5 Stipulation for Settlement – Cynthia Rauser, R21912	*Discussion:* A Stipulation for Settlement was received from Cynthia Rauser, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(8)(9)(12).
	Motion: C. Christianson, seconded by J. Christianson to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CYNTHIA RAUSER, RN AND ENTER ITS ORDER TO:** ♦ **SUSPEND THE LICENSE FOR THREE YEARS;** ♦ **ASSESS A $1200 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.4.6 Stipulation for Settlement – Karen Reid, L13937	*Discussion:* Julie Traynor recused herself from this agenda item. A Stipulation for Settlement was received from Karen Reid, 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).
	Motion: C. Christianson, seconded by J. Christianson to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KAREN REID, LPN AND ENTER ITS ORDER TO:** ♦ **ISSUE A REPRIMAND;** ♦ **ASSESS A $500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, recuse. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.

AGENDA	ACTION
4.4.7 Stipulation for Settlement – Ashley Dunn, L14151	*Discussion:* A Stipulation for Settlement was received from Ashley Dunn, 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) and NDAC 54-02-07-01.1 (5)(6)(7).
	Motion: Rustvang, seconded by Holth to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ASHLEY DUNN, LPN AND ENTER ITS ORDER TO:** ♦ **ISSUE A REPRIMAND;** ♦ **ASSESS A $300 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.4.8 Stipulation for Settlement – Michelle Kunkle, R38041 (APRN)	*Discussion:* A Stipulation for Settlement was received from Michelle Kunkle, RN, APRN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(9). Bergeson reviewed negotiations. Ms. Kunkle denies the allegations, but acknowledges that the allegations, if proven true, could be determined to be conduct that violates the Nurse Practices Act.
	Motion: Rustvang, seconded by Schmalz to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MICHELLE KUNKLE, RN, APRN AND ENTER ITS ORDER TO:** ♦ **SUSPEND THE LICENSE FOR THREE YEARS, HOWEVER THE SUSPENSION IS STAYED WITH A THREE YEAR ENCUMBRANCE OF PRESCRIPTIVE AUTHORITY WITH COLLABORATIVE HEALTH CARE PRACTITIONER;** ♦ **ASSESS A $800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, no; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 1 no, 0 absent. Motion carried.
4.4.9 Megan Spiekermeier, L12983	*Discussion:* A Stipulation for Settlement was received from Megan Spiekermeier, 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 (1).
	Motion: Rustvang, seconded by Schmalz to: **ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MEGAN SPIEKERMEIER, LPN AND ENTER ITS ORDER TO:** ♦ **SUSPEND THE LICENSE FOR THREE YEARS, HOWEVER THE SUSPENSION IS STAYED WITH A THREE YEAR ENCUMBRANCE;** ♦ **ASSESS A $500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND** ♦ **OTHER TERMS AS SET OUT IN BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.7.1 Request for Reinstatement – Jordan Herbel, L11032	*Discussion:* Jordan Herbel, LPN and her attorney, Mr. Todd Schwarz, were present for this agenda item and requested reinstatement of her suspended LPN license. Traynor read a statement that indicated Ms. Herbel has requested the board remain in open session during this agenda item and agrees to discuss confidential medical issues with the board in open session. The board reviewed and discussed the Disciplinary Review Panel recommendation to encumber the license for three years.
	Motion: C. Christianson, seconded by Mayer to: **GRANT JORDAN HERBEL'S REQUEST FOR REINSTATEMENT OF HER LPN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS ACCORDING TO THE TERMS AND CONDITIONS OF HER BOARD ORDER.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.10.1 Other – Sabrina Giles – RN Endorsement Applicant	*Discussion:* Sabrina Giles, RN submitted an application for license by endorsement and failed to identify disciplinary action by the AZ Board of Nursing in March 2013 on the application. She also failed to inform the board of a pending matter with the WI Board of Nursing, and of termination from a nursing related job due to conduct that may be grounds for disciplinary action. Ms. Giles currently has an active WI compact license. The board reviewed the disciplinary review panel recommendation to deny her license.
	Motion: Holth, seconded by Frank to: **DENY SABRINA GILE'S APPLICATION FOR RN LICENSE BY ENDORSEMENT AND PRIVILEGE TO PRACTICE IN ND BASED ON NDCC 43-12.1-14 (2)(4) AND ISSUE A CEASE & DESIST.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.

AGENDA	ACTION
4.10.2 Other – John Toomey – RN Endorsement Applicant	*Discussion:* John Toomey, RN submitted an application for license by endorsement. Mr. Tooney failed a pre-employment drug screen in July 2013. The board reviewed the disciplinary review panel recommendation to deny his application for licensure.
	Motion: C. Christianson, seconded by Holth to: **DENY JOHN TOOMEY'S APPLICATION FOR RN LICENSE BY ENDORSEMENT IN ND BASED ON NDCC 43-12.1-14 (3).**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
4.10-3 Other – Brian Baptist – RN Endorsement Applicant	*Discussion:* Brian Baptist, RN submitted an application for license by endorsement. Mr. Baptist had agreed to certain restrictions applicable to his FL nursing license. Rather than complete the requirements of the FL Board order, Mr. Baptist submitted a voluntary surrender to the FL Board of Nursing agreeing not to practice nursing in the state of FL. The board reviewed the disciplinary review panel recommendation to deny his application for licensure.
	Motion: Holth, seconded by Schmalz to: **DENY BRIAN BAPTIST'S APPLICATION FOR RN LICENSE BY ENDORSEMENT IN ND BASED ON NDCC 43-12.1-14 (1).**
	Roll call vote: C. Christianson, yes; J. Christianson, recuse; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 recuse, 0 absent. Motion carried.
4.11.1 Sheri Grossman, L9652	**NOTICE OF EMERGENCY SUSPENSION** issued to Sheri Grossman, LPN, Strasburg, ND on September 25, 2013 for five years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.11.2 Laura Nelson, L5256	**CEASE AND DESIST ORDER** issued to Laura Nelson, LPN, Hettinger, ND on October 15, 2013. PVR received May 8, 2013 from West Horizons Care Center in Hettinger, ND. Allegations of failing to follow policies related to discontinued medications. SD Board of Nursing issued letter of reprimand on September 20, 2013 for the same conduct. ND license has been under indefinite suspension since November 18, 1999. She was working in ND based on her multistate privilege to practice nursing pursuant to her SD license.
4.11.3 Stephanie Fischer, L10644	**NOTICE OF SUSPENSION** issued on November 15, 2013 to Stephanie Fischer, LPN, West Fargo, ND for violating terms and conditions of Stipulation for Settlement dated July 14, 2011. Respondent's license is automatically suspended for a period of 18 months.
4.11.4 Duttenhefer, Doreen L13783	**NOTICE OF EMERGENCY SUSPENSION** issued to Doreen Duttenhefer, LPN, Mandan, ND on November 21, 2013 for five years or until retracted, modified or superseded by final disciplinary action of the Board or upon agreement between Respondent and the Board.
4.12.1 Investigative Plan Policy – Proposed Revision	*Discussion:* The board reviewed a proposed revision to the Investigative Plan Policy that would allow staff to review disciplinary actions from another board of nursing that are not a violation of the ND Nurse Practices Act and close the case and no action is required. An example of such an issue is non-payment of taxes, which may be a violation in some other states and cause for disciplinary action, but is not a violation in our practice act.
	Motion: C. Christianson, seconded by Holth to: **APPROVE THE PROPOSED REVISION TO THE INVESTIGATIVE PLAN POLICY RELATED TO NURSYS DISCIPLINARY NOTIFICATIONS IN OTHER JURISDICTIONS.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
5.2-1 University of Jamestown programmatic change request and college name change	*Discussion:* Jamestown College has changed their name to University of Jamestown effect September 2013. Nursing Education Committee reviewed the request and recommends approval.
	Motion from the Nursing Education Committee: **THE NURSING EDUCATION COMMITTEE RECOMMENDS TO THE BOARD TO ACCEPT NOTIFICATION OF THE NAME CHANGE FOR UNIVERSITY OF JAMESTOWN BACCALAUREATE DEGREE NURSING PROGRAM UNDER THE REQUIREMENTS OF NDAC 54-03.2-02 ORGANIZATION AND ADMINISTRATION.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
	Discussion: The Nursing Education committee reviewed a request from the University of Jamestown for a programmatic change to create a 2 credit NCLEX Success course. The two credits and content were removed from other courses therefore no change in overall credits. The proposed change would take effect Spring 2014.
	Motion from the Nursing Education Committee: **THE NURSING EDUCATION COMMITTEE RECOMMENDS THE BOARD APPROVE THE UNIVERSITY OF JAMESTOWN'S NOTIFICATION OF MAJOR PROGRAMMATIC CHANGES AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN COMPLIANCE WITH NDAC 54-03.2-06-02.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.

North Dakota Board of Nursing
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AGENDA	ACTION
5.2-2 University of ND College of Nursing and Professional Disciplines program compliance report	*Discussion*: Dr. Steven Light, Interim Dean of the College of Nursing & Professional Disciplines and Dr. Darla Adams were present from UND. Dr. Darla Adams has been appointed as Interim Associate Dean of the College as the College's Nurse Program Administrator effective October 1, 2013. Dr. Light addressed the board regarding the current processes and transitions at UND College of Nursing and Professional Disciplines. Staff determination is that the requirement of NDAC 54-03.2-03 and NDAC 54-03.2-03 has been met.
	Motion: Rustvang, seconded by C. Christianson to: **ACCEPT THE UNIVERSITY OF ND COLLEGE OF NURSING AND PROFESSIONAL DISCIPLINES PROGRESS REPORT TOWARD COMPLIANCE OF NDAC 54-03.2-02 AND NDAC 54-03.2-03 AS FULLY MET AND REQUEST NOTIFICATION OF FINAL APPOINTMENT OF NURSE ADMINISTRATOR.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.2-3 University of Mary – FNP compliance report	*Discussion:* Glenda Reemts Ph.D., RN Chair of the University of Mary Nursing Program and Billie Madler, DNP,APRN, Family Nurse Practitioner and Chair of the Graduate Program, were present for this agenda item. In May 2013, the University of Mary requested approval from the board of a programmatic change to move the FNP degree from a Master's of Science in Nursing to a Doctorate of Nursing Practice to be implemented fall 2013. The program anticipated approval of the Higher Learning Commission (HLC) survey report from a Spring 2013 and was recruiting faculty to meet the needs of the doctoral program. The board approved the programmatic change with a request for a progress report before October 15, 2013 on faculty qualifications and program administrator qualifications. Upon review of the compliance report, it is noted that the University of Mary does not meet NDAC 54-03.2-02.01 Accreditation requirements. The program received continued accreditation of the FNP Program as a Master's degree from the HLC and will resubmit additional evidence to HLC to address adequate faculty resources with an anticipated response in Spring 2014. The program fully meets NDAC 54-03.2-02-05 Financial Support, and NDAC 54-02.2-03-03 Baccalaureate or graduate nurse program administrator qualifications. NDAC 54-03.2-04-04 Baccalaureate or graduate nurse program faculty qualifications is considered partially met with recommendations for additional qualified faculty to meet the objective and outcomes of the nursing program. Dr. Reemts indicated that they currently have a level of 81% of qualified faculty and they are currently enrolling students in the master's program until approval is received for the DNP Program.
	Motion: C. Christianson, seconded by J. Christianson that: **THE BOARD FIND:** **1) THE UNIVERSITY OF MARY GRADUATE FAMILY NURSE PRACTITIONER PROGRAM IS IN SUBSTANTIAL COMPLIANCE WITH NDAC 54-03.2 STANDARDS FOR NURSING EDUCATION PROGRAM; AND** **2) REQUIRE NOTIFICATION ON THE STATUS OF THE HLC ACCREDITATION TO OFFER A DOCTORAL DEGREE IN NURSING PRIOR TO JULY 1, 2014 TO SHOW EVIDENCE OF MEETING NDAC 54-03.2-02-01. ACCREDITATION REQUIREMENTS.** **3) REQUIRE NOTIFICATION ON THE STATUS OF MEETING NDAC 54-03.2-04-04. BACCALAUREATE OR GRADUATE NURSE PROGRAM FACULTY QUALIFICATIONS PRIOR TO JULY 1, 2014. THERE MUST BE SUFFICIENT FACULTY WITH GRADUATE PREPARATION AND NURSING EXPERTISE TO ACHIEVE THE PURPOSE OF THE PROGRAM.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.3 FY 12-13 Nsg Education Report	The draft FY 2012-2013 Nursing Education Annual report will be submitted for review at the January 2014 meeting.
5.4-1 Approval of Continuing Education Program Providers – Pryor Seminars	*Discussion:* The board reviewed a list used during CE Audit of course providers. The list is not all inclusive, but lists those providers that have been reviewed and approved during the audit process. There has been a request for the board to recognize courses approved by Fred Pryor Seminars for nursing CE. The board reviewed the CE Policy that requires a course be approved by a) The North Dakota Board of Nursing. b) An accredited college or university, c) A health care regulatory board or d) A professional organization that is nationally accredited to approve CE. Fred Pryor seminars are approved for CE by the National Association of State Boards of Accountancy CPE Program (NASBA) which does not meet the board CE approval guidelines.
	Motion: Frank, seconded by Schmalz to: **NOT RECOGNIZE PRYOR SEMINARS FOR CE FOR NURSING LICENSE RENEWAL AS THEY DO NOT MEET THE REQUIREMENTS OF THE BOARD'S CE RENEWAL REQUIREMENTS POLICY.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
5.5-1 Out-of-state program recognition guidelines	*Discussion:* The Nursing Education Committee reviewed proposed changes to the "Guidelines for Out-of-State Nursing Education Program Recognition". Many revisions are for clarification purposes and also to update the change in the governing body for out of state program authorization/exemption. Staff also requests an addition of a section to address recognition of out-of-state RN or LPN Refresher Course or IV Therapy Course that has been approved by another board of nursing. The Nursing Education Committee recommends a two year approval and $200 fee for this recognition process.
	Motion from the Nursing Education Committee: **THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT THE BOARD APPROVE A FEE OF $200 FOR A TWO YEAR APPROVAL FOR RECOGNITION OF OUT OF STATE CE OFFERINGS FOR RN/LPN REFRESHER COURSES AND LPN IV THERAPY COURSES.**
5.5-1 Out-of-state program recognition guidelines (continued)	*Roll call vote:* C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.

5.5-1 Out-of-state program recognition guidelines (continued)	*Discussion:* The Nursing Education Committee also discussed that the clinical hour requirement in the board of nursing guidelines is higher than most other states and whether to require the additional hours for out of state courses. The committee asked staff to research the clinical hour requirement throughout the states and report findings for review and discussion.
	Motion from the Nursing Education Committee: **THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT THE BOARD APPROVE THE REVISED ND BOARD OF NURSING GUIDELINES FOR OUT-OF-STATE NURSING EDUCATION PROGRAM RECOGNITION AND DIRECT STAFF TO RESEARCH THE NUMBER OF CLINICAL HOURS REQUIRED FOR REFRESHER COURSES.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, yes; Rustvang, yes; Schmalz, yes; Traynor, yes. 9 yes, 0 no, 0 absent. Motion carried.
5.5-2 Technology use at the January Board Meeting	In the past years the board has designated the January board meeting for nursing students to view the meeting via IVN/BTWAN. With the addition of the web streaming option, the board discussed whether to set up IVN/BTWAN connections. Representatives of programs at the Nursing Education Committee preferred the web streaming option. It was noted that any meeting can be used for viewing by students and not just the January meeting. A chat function has been added for questions or communication with the board during the meeting. The function will be refined for use at future meetings.
5.5-3 Nursing Education Loan – revisions to policies	*Discussion:* The Nursing Education Committee reviewed a proposed change to the Nursing Education Loan Policies that prohibits one nursing education loan recipient from signing as a co-signer for another nursing education loan recipient.
	Motion from the Nursing Education Committee: **THE NURSING EDUCATION COMMITTEE RECOMMENDS THAT THE BOARD APPROVE THE PROPOSED REVISION TO THE NURSING EDUCATION LOAN POLICIES.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
5.5-4 Mayville State University – proposed RN to BSN program	Mayville State University is developing an RN to BSN post licensure program. The program does not require board approval since it is not a pre-licensure program. Staff have reviewed the curriculum at Mayville State University's request and provided feedback.
5.5-5 Change in governing body for out of state program authorization/exemption	Effective August 1, 2013 the State Board of Higher Education assumed governance of out of state institutions seeking authorization to operate in ND or exempt status.
5.5-6 ND BON petition for recognition by US Department of Education updated	Pfenning will be attending the meeting representing the ND Board of Nursing's request for continued recognition by the US Department of Education. There were no finding or requirements noted in the report. ND is one of six boards with US Dept of Education recognition and was first awarded in 2004.
5.5-7 Policy discussion regarding unqualified administrators and nursing education background	The Nursing Education Committee discussed requirements for nurse faculty and administrators who have a master's degree in another area to meet the qualifications for faculty in a nursing program. The proposed rules address this issue by identifying the necessary courses required to become qualified.
6.1 School Nursing – School Medication Providers	*Discussion:* Board staff has been meeting with representatives of the ND School Nurses Organization and ND School Board Association to assist with the development of guidelines and FAQs for medication administration in the school setting. Bergeson will need to review the document for legalities.
	Motion: Holth, seconded by Schmalz: **BOARD APPROVE THE FAQS RELATED TO MEDICATION ADMINISTRATION IN SCHOOLS PENDING LEGAL REVIEW.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
7.1-1 Procedures for patients going on pass from long-term-care – repackaging medications	*Discussion:* The board reviewed proposed "Procedures for Patients Going on Pass from Long-Term-Care, including Basic Care and Assisted Living Centers" developed by the ND Board of Pharmacy. The document provides guidance for licensed nurses to send medications with family members when leaving the facility on a short term pass.
	Motion: Rustvang, seconded by J. Christianson to: **SUPPORT THE NDBOP PROPOSED POLICY & PROCEDURE FOR PROPER REPACKAGING OF MEDICATIONS BY LICENSED NURSES.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.
7.1-2 Delegation of medication repackaging to Medication I or II	*Discussion:* A subcommittee of the Nurse Practice Committee has been meeting regarding delegation of repackaging of medications by unlicensed assistive persons. Staff surveyed other states and found this is not an acceptable practice in any other state. The subcommittee recommends to the board that repackaging of medications cannot be a delegated task.
	Motion from the Nurse Practice Committee: **THE NURSE PRACTICE COMMITTEE RECOMMENDS TO THE BOARD TO NOT ALLOW THE DELEGATION OF REPACKAGING OF MEDICATIONS BY MEDICATION ASSISTANTS.**
	Roll call vote: C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, yes; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 8 yes, 0 no, 1 absent. Motion carried.

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AGENDA	ACTION
7.4-1 Administrative Rule Promulgation – NDAC proposed revisions	*Discussion:* The board reviewed in detail proposed revisions to NDAC Title 54. The proposed revisions were based on the recommendations of the Atkinson & Atkinson Audit commissioned by the board in 2011-2012 and legislative changes to NDCC 43-12.1 Nurse Practices Act. *Motion:* Rustvang, seconded by Schmalz to: **INITIALLY ADOPT THE PROPOSED REVISIONS TO NDAC TITLE 54 FOR PUBLIC HEARING SCHEDULED FOR JANUARY 16, 2014 PENDING EDITORIAL REVIEW BY SPECIAL ASSISTANT ATTORNEY GENERAL.** *Roll call vote:* C. Christianson, yes; J. Christianson, yes; Frank, yes; Holth, absent; Mayer, yes; Price, absent; Rustvang, yes; Schmalz, yes; Traynor, yes. 7 yes, 0 no, 2 absent. Motion carried.
7.4-2 Legislative Bills Affecting State Agencies	None
7.4-3 Legislative Committees Summary of 2013-2014 Legislative Interim Committee Studies	The board reviewed a Summary of 2013-2014 Legislative Interim Committee Studies developed by the ND Center for Nursing of issues relevant to nursing. Agendas for the November 12, 2013 Health Care Reform Review Committee meeting and the October 30, 2013 Health Services Committee meeting were reviewed.
7.4-3 Legislative Committees NDAC Rule teleconference – December 6 & 13, 2013 at 11:30 a.m.	The ND Center for Nursing will host two teleconference sessions for comments on the proposed administrative rules on December 6 and December 13 both scheduled at 11:30 a.m.
7.4-4 Communication with Senators and Representatives	None
9.1 Program Monitoring Committee	None
9.2 Nursing Education Committee – November 20, 2013	The Nursing Education Committee met on November 20, 2013 and all items were covered in previous agenda items. Dr. Jennifer Morgan was available via teleconference and provided a presentation on "Evaluating Innovations in Nursing Education Study". The study focused on review and comparison of the Board's Nursing Education Loan program. Dr. Morgan indicated that ND is unique in that our state has a long standing program, and our board is funded through licensure fees rather than appropriated state funds.
9.3 Finance Committee	None
9.4 Executive Committee	None
9.5 Nursing Practice Committee October 24; November 7; November 20	The minutes of the October 24, 2013 Nurse Practice Committee were reviewed. A subcommittee met on November 7th & 20th and the board has acted on the recommendation.
9.6 Technology committee October 17	The Technology Committee met on October 17, 2013 with focus on three forms of communication: web streaming, video conferencing and teleconference. It was determined that web streaming and video conferencing cannot be used simultaneously due to audio feedback. The committee reviewed the results of the technology survey done by both board members and staff.
9.7-1 Prescription Drug Monitoring Committee – November 14	Pfenning gave a summary of the November 14th Prescription Drug Monitoring Committee meeting.
9.7-2 North Dakota Center for Nursing – October 4; October 25	The Board reviewed the agenda for the October 25th ND Center for Nursing Board of Directors meeting.
10.1 2013-2014 RN & LPN Renewal	As of November 18, 2013, 3344 of 6416 RNs have renewed and 504 of 1647 LPNs have renewed and 267 of 291 APRN/SPRNs have renewed. E-mail reminders are being sent periodically to those not renewed.
10.2 Introduction of Tessa Von Doorne , RN, graduates student (Kalanek mentee)	Tessa Van Doorne, RN is a graduate student being mentored by Kalanek and assisting with administrative rules revision process.
10.3 Wellness Benefit Grant	The board office received a wellness benefit grant in the amount of $500 to assist with wellness activities this fiscal year.
10.4 2013-2014 Fee Schedule and online applications	It was noted that there is a $20.00 CHRC processing fee that the board collects on all initial and reactivation applications. This fee is in addition to the application fees identified in the rules. The new website design will incorporate all necessary processes for initial applications in one area.
10.5 Regulatory Decision Pathway Pilot Study	The North Dakota Board of Nursing pilot tested the Regulatory Decision Pathway Tool. Kalanek had discussions with National Council State Board of Nursing Staff regarding dissemination of the Pathway Tool. The National Council staff invited the BON to participate in further study of the use of the tool. Kalanek will follow up with National Council State Board of Nursing staff to ensure BON participation.
10.6 Executive Office Forum – models for licensure	Kalanek reported on discussion of the compact at the Executive Officer Forum and different models of licensure for crossing state lines. Further discussion will be held in 2014.
10.7 Screen Shot of New Website	The board reviewed a screen shot of the new website design.
11.1-1 Orientation for Christianson – October 22	Jane Christianson attended orientation at the board office on October 22nd.
11.1-2 Draft of Strategic Plan	A draft of the 2014-2018 Strategic Plan was distributed.

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AGENDA	ACTION
11.1-3 Strategic Plan agenda	The board met with Rose Stoller, facilitator on Friday November 21st to continue work on the 2014-2018 Strategic Plan.
11.2 Dakota Nurse Connection	The board reviewed a distribution list of associations and libraries that receive the Dakota Nurse Connection.
11.3 Board Meeting Evaluation	Board members are encouraged to complete.

CONSENT AGENDA:

8.1 NCSBN
8.1-1 National Council State Board of Nursing Leader to Leader
8.2 Office Management
8.2-1 Response to Dwelle regarding waiver
8.3 Nursing Practice
8.3-1 Summary of practice calls
8.3-2 Prescriptive Authority Applications
8.3-3 ND eNotify enrollment
8.4 Workplace Impairment Program Report
8.4-1 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.5-1 Testing Summary Report
8.5-2 NNAAP Testing
8.6 Licensure
8.6-1 NCLEX-RN
8.6-2 NCLEX-PN
8.7 Discipline
8.7-1 Discipline Statistics/Case Activity Report
8.7-2 NLC Case Log
8.8 Legal Counsel
8.9 Education
8.9-1 Ratification of approval of continuing education for contact hours
8.9-2 Out-of-Students
8.9-3 Education Dialogue
8.9-4 Faculty Development program

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

12.1 National Council of State Boards of Nursing Annual Meeting, 35th Anniversary August 14-16, 2013 – Providence RI.
12.2 NCSBN Monthly Meetings by teleconference calls and onsite:
12.2-1 Policy Call
12.2-2 Education Knowledge Network November 13
12.2-3 Discipline Knowledge Network – October 23
12.2-4 EO Knowledge Network
12.2-5 NLCA Meeting – March 9.
12.2-6 Mid-Year Meeting, March 10-12.
12.2-7 NCSBN Executive Officers Leadership Seminar – June 24-25.
12.2-8 IT Conference
12.2-9 NCLEX Conference – September 9, 2013
12.2-10 APRN Knowledge Network – September 16
12.2-11 2013 NCSBN Long-Term Care Conference

12.2-12 Practice Knowledge Network – November 7
12.2-13 EO Forum – November 18-19
12.3 North Dakota Organization of Nurse Executives – October 9.
12.4 North Dakota Nurses Association - October 3.
12.5 North Dakota Rural & Public Health Conference – June 18-20; 2014 Alerus Center, GF
12.6 North Dakota Hospital Association Annual Convention and Trade Show – October 8-10;
12.7 North Dakota LTCA Professional Development Conference, December 11-13.
12.8 North Dakota State Health Council;
12.9 ND Health Care Reform Review Committee – November 12
12.10 ND State Nursing Leadership Summit: Leading Change at Home – October 4
12.11 ND Board of Clinical Laboratory Practice – January 14
12.12 Reducing Pharmaceutical Narcotics in our Community – October 23; December 3
12.13 Medication administration in Schools – October 17; November 19, 2013
12.14 Health Services Committee – October 3; November 12

Staff Presentations:

The meeting recessed from 12:00 p.m. for lunch and reconvened at 1:00 p.m.
The meeting recessed at 3:55 p.m. on November 21st and reconvened at 8:30 a.m. for strategic planning session.
The meeting adjourned at 12:00 p.m. on November 22nd, 2013.

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Constance B. Kalanek, RN, PhD, FRE
Executive Director - Draft 12/04/2013