

| Summer 2024 |

NORTH DAKOTA NURSE C O N N E C T I O N

**Supporting Nurses in North
Dakota: An Alternative
Approach to Discipline**

**Announcing the North Dakota
Board of Nursing Nurse Portal**

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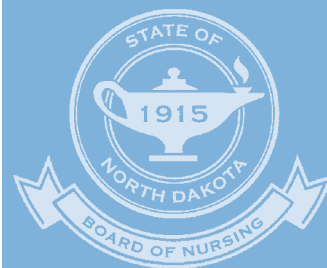
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NORTH DAKOTA NURSE C O N N E C T I O N



*SUMMER 2024
EDITION 87*

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A message from the Executive Director

Stacey Pfenning, DNP, APRN, FNP, FAANP
North Dakota Board of Nursing

Greetings and welcome to the Summer 2024 edition of the *North Dakota Nurse Connection (NDNC)*, the official publication of the North Dakota Board of Nursing (NDBON).

NDBON Membership

The NDBON recently recognized two of its Board members for their years of service. Dr. Jamie Hammer, an RN Board member, served for eight years, and Wendi Johnston, an LPN Board member, served for nine years. For more details, you can find the article in the NDNC titled "NDBON Celebrates Board Member Years of Service." Governor Burgum and his staff are currently reviewing applications for the RN and LPN Board member positions. If you are interested in a future appointment to the NDBON, please visit [Boards \(nd.gov\)](https://boards.nd.gov) to apply.

NDBON State and National Representation

Dr. Stacey Pfenning, NDBON Executive Director, attended the National Council of State Boards of Nursing (NCSBN) Executive Officer Summit in Park City, UT. The summit, "Empowering Moments: Leading for Lasting Impact," provided valuable networking and collaborative sessions related to Operation Nightingale, Board Governance frameworks, communicating with Legislators, and leading virtual teams.

Additionally, Kyle Martin, NDBON Associate Director for



Nur Rajwany, NCSBN Chief Information Officer; Kyle Martin, NDBON Associate Director for Operations; James Glasgow of Microsoft; Adrian Guerrero, Operations Director, KS Board of Nursing.

Operations, delivered a presentation at the NCSBN IT/Operations Conference in Salt Lake City, UT. The presentation comprised a panel discussion on generative artificial intelligence and operations, under the title "Leveraging AI and

Prompting to Improve Operational Efficiency." This conference provided a platform for IT and operations experts to collaboratively explore trends and efficiencies in the operational aspects of nursing regulatory boards.



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NDBON Adopts NCSBN Board Action Pathway

The NDBON has recently adopted the NCSBN "Board Action Pathway," a valuable tool to help nursing regulatory boards make decisions about instances of practice errors or unprofessional conduct. This pathway is a comprehensive tool that uses gathered evidence to thoroughly assess the potential contributions of system failures and a nurse's behavioral choices to the occurrence of an error. It also allows for the evaluation of mitigating and aggravating factors, thereby facilitating the pursuit of well-balanced and proportionate actions to protect public welfare. To view the tool, please visit the NDBON website at NCSBN Board Action Pathway Tool - ND Board of Nursing (ndbon.org).

Licensure Compact

In May 2024, Connecticut became the 42nd jurisdiction to enact the Nurse Licensure Compact (NLC) into law. According to the June 6th NCSBN press release, the legislation goes into effect on Oct. 1, 2025, and an implementation process must be completed before Connecticut residents will be able to apply for a multistate license, and before nurses in other NLC states who hold a multistate license will be able to practice there. The implementation date has not been set. To learn more about the NLC, visit <https://www.nursecompact.com/>

Watch for the Fall 2024 edition of the *North Dakota Nurse Connection*, as the NDBON provides education and updates pertaining to licensure, education, practice, compliance, and legislative activities. Topics are also posted on the NDBON Facebook and website at Home - ND Board of Nursing (ndbon.org).

Sincerely,
Dr. Stacey Pfenning DNP APRN FNP
FAANP

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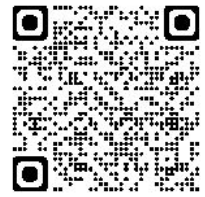
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Dr. Kevin Buettner, APRN, Grand Forks

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Elections July 25, 2024

TREASURER

Elections July 25, 2024

Cheryl Froelich, Public Member, Mandan
Melodi Krank, RN, West Fargo
Dana Pazdernik, RN, New Salem
Maggie Seamands, RN, Bismarck
Joseph Vetter, RN, Bismarck
Sarah Friestad, LPN, Valley City

NORTH DAKOTA BOARD OF NURSING 2022-2023 BOARD MEETING DATES

October 25, 2023 Professional Licensing
Board Training and Retreat
January 25, 2024

April 25, 2024

July 25, 2024

Please note:

All meetings are open to the public and will be held in the Board office conference room at 919 South Seventh Street, Suite 504, Bismarck, ND and virtually via video conference.

Agendas, which include date and time, will be listed on the Board website at www.ndbon.org. Videoconference links will be included on the agendas; and available upon request at contactus@ndbon.org. The agendas will be available five (5) business days prior to each meeting.

As a service to the citizens of North Dakota (ND), the ND Board of Nursing (Board) provides a public forum during regular scheduled Board meetings. A public forum is a time when anyone may address the Board about any issue, except matters relevant to an individual's compliance or disciplinary actions. Prior notification is not necessary but is encouraged.

BOARD STAFF

Executive Director – Dr. Stacey Pfenning APRN
Administrative Services and Licensing Director – Maureen Bentz RN
Associate Director for Operations – Kyle Martin
Associate Director for Compliance – Melissa Hanson RN
Associate Director for Practice – Corrie Lund RN
Associate Director for Education – Dr. Tammy Buchholz RN
Nursing Consultant – Sam Breen, RN
Administrative Service Team Leader – Karen Hahn
Accounting/Licensing Specialist – Michael Frovarp
Administrative Assistant/Licensing Specialist – Christa Stayton
Administrative Assistant/Licensing Specialist – Kimberly Kolling
Administrative Assistant – Norma Geiger

ND BOARD OF NURSING OFFICE HOURS AND OPERATIONS

Hours of Office Operations (Closed for all observed state holidays)

- Monday through Thursday 8:00 am to 5:00 pm CST
- Friday 8:00 am to 3:00 pm CST

Hours of Office Visits (Others by scheduled appointment)

- Monday through Friday 9:00 am to 3:00 pm CST

For the most immediate response or assistance, please email the appropriate division using the Directory or email contactus@ndbon.org. Fax is also available at (701) 751-2221

NORTH DAKOTA BOARD OF NURSING

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NDBON MOVING TO A NEW LICENSING PLATFORM

Please note the ND Board of Nursing is moving to a new licensing platform called the Optimal Regulatory Board System (ORBS) in the spring of 2024. The NDBON will send an email communication on how to register for the portal once the new platform is implemented.

Please email contactus@ndbon.org with any inquiries related to the ORBS licensure platform.

NURSES

Have you moved recently?

UPDATE YOUR ADDRESS ON THE
ND BOARD OF NURSING WEBSITE

Change of Address and Contact Information

To ensure receipt of correspondences from the ND Board of Nursing, all licensees, registrants, and applicants are responsible for providing accurate, current address and other contact information may result in the inability to receive official notices or requests, which can lead to default or adverse action against the licensee or registrant. To change your address and other contact information visit www.ndbon.org; choose "Online Services"; then select "LPN/RN/APRN/SPRN Personal Data Updates".

NDBON Contact Information

ND Board of Nursing

919 S 7th St., Suite 504, Bismarck, ND 58504-5881

Phone: 701-751-3000 • Fax: 701-751-2221

Email: contactus@ndbon.org or visit

www.ndbon.org for additional email options

North Dakota Board of Nursing Division Directory

Alternative to Discipline

atd@ndbon.org

Phone: (701) 527-6922

APRN & Prescriptive Authority

Initial Application

aprn@ndbon.org

Phone: (701) 391-9412

Compliance & Discipline

Violations of NPA & Rules and Regulations, Discipline Monitoring
compliance@ndbon.org

Phone: (701) 527-5212

Continuing Education & CE Audit

ceaudit@ndbon.org

Phone: (701) 391-9412

Criminal History Record Checks

chrc@ndbon.org

Phone: (701) 391-9412

Initial RN/LPN License By

Endorsement

endorse@ndbon.org

Phone: (701) 400-0483

Initial RN/LPN License By Exam

exam@ndbon.org

Phone: (701) 391-8790

UAP/Technician, Medication

Assistant III

UAP_MAI@ndbon.org

Phone: (701) 391-8790

License & Registry Renewal

LPN, RN, APRN, UAP/Technician,

Medication Assistant III

renewal@ndbon.org

Phone: (701) 400-9108

Mailing Address: 919 S 7th Street
Suite 504, Bismarck, ND 58504

Nurse List Orders

lists@ndbon.org

Nursing Education

education@ndbon.org

Phone: (701) 989-1276

Nursing Education Loan

nel@ndbon.org

Phone: (701) 989-1276

Nurse Licensure Compact

practice@ndbon.org

Phone: (701) 527-6922

Practice Inquiries

LPN, RN, APRN, UAP/Technician/
Medication Assistant III practice
inquiries

practice@ndbon.org

Phone: (701) 527-6922

Transcript Inquiries

Transcripts must be sent electronically through the National Student Clearinghouse, e-script, Parchment or another secure transcript service. Transcripts sent as email attachments or pdfs will not be accepted.

transcripts@ndbon.org

General Inquiries/Requests

contactus@ndbon.org

Phone: (701) 751-3000

Fax: (701) 751-2221

Technical Support Assistance

support@ndbon.org

The ND Board of Nursing (BON) is inviting stakeholders to submit application for voluntary participation on the Advisory Panel. Advisory Panel members may be considered for participation in the exploration of identified regulatory issues by means of individual consultation or select groups, at the discretion of the Board and/or Directors. As regulatory issues arise, select members will be contacted with the proposed opportunity for participation, including specific details and proposed timeline.

Visit <https://www.ndbon.org/Practice/AdvisoryPanel/ParticipationIndex.asp> for more information and application.

LICENSURE VERIFICATION

North Dakota License Verification Options

The North Dakota Board of Nursing provides the following options for individuals attempting to verify a ND nursing license:

- North Dakota Board of Nursing Website – go to www.ndbon.org
Click the "Verify" link on the navigation bar to choose the appropriate license type that you wish to verify.
- Nursys® QuickConfirm at www.nursys.com
– Look up a license from any QuickConfirm participating board of nursing and print/download a report with the licensure and discipline status information for that nurse.
- Nursys® E-Notify at www.nursys.com
– Institutions: Enroll your entire nurse list and e-Notify will send regular updates of changes to licenses from e-Notify participating boards of nursing.
- Nurses: Sign up to receive license expiration reminders and status updates via email or SMS for all your licenses from e-Notify participating boards of nursing.

NORTH DAKOTA BOARD HIGHLIGHTS

April 2024

Board highlights include motions from the draft minutes posted at www.ndbon.org to be considered at the July 2024 regular meeting. Compliance Division investigations and list of all disciplinary actions taken by the Board are published in the Public Notice available at <https://www.ndbon.org/Publications/PublicNotice.asp>

- Approved the January 25, 2024, Board Minutes as distributed
- Approved the July - December 2023 Strategic Plan Progress Report as distributed.
- Approved retaining a 30% reserve fund balance at the end of each fiscal year. Should the reserve fund balance fall beneath the 30% threshold, the Board shall evaluate and consider a licensure fee increase to restore funds to the stipulated level.
- Approved the proposed income for FY 2025 and the revised Fee Schedule.
- Approved the proposed expenses for FY 2025 to include the SAAG Simonson Legislative monitoring fee; updates to the Board Conference room; Nursing Education Loan and salary categories as proposed.
- Approved the Nursing Education Loan disbursement of \$100,000 in FY 2025 to reflect fees received in FY 2024 plus additional funds reflecting a portion of the remaining balance from the reduced disbursements FY 2021.
- Approved the final proposed budget for FY 2025: \$1,992,575 projected income and \$1,942,995 projected expenses which includes \$87,000 designated for nursing education loans.
- Found the University of Jamestown Baccalaureate Degree Nursing Education Program in substantial compliance with ND Administrative Code 54-03.2. Standards for Nursing Education Programs and granted continued full approval of the University of Jamestown Baccalaureate Degree Nursing Education Program until January 2029.

- Found the University of Jamestown Associate and Direct Entry Master's Degree Nursing Education Programs in substantial compliance with ND Administrative Code 54-03.2. Standards for Nursing Education

Programs; and grant initial approval of the University of Jamestown Associate and Direct Entry Master's Degree Nursing Education Programs until July 2025.

continued on page 8



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continued from page 7

- Denied the request for enrollment increase from 40 to 50 students for the Associate Degree Registered Nurse Program, and an increase from 40 to 50 students for the Certificate Practical Nurse Program with proposed implementation fall 2024 for the Dakota Nursing Program Consortium, Bismarck State College and recommended the request be considered at the July 2024 NEC and Board meetings if concerns about faculty resources have been resolved.
- Found the TrainND Northeast of LRSC, LPN Intravenous Therapy Course in full compliance with requirements outlined in NDBON Guidelines for Licensed Practical Nurse Intravenous Therapy Course, NDAC 54-05-01 Standards of Practice for Licensed Practical Nurses and 54-03.2 Standards for Nursing Education Programs and granted continued full approval of the LPN Intravenous Therapy Course until April 2028
- Approved the request from LPN endorsement applicant L. Neumann to accept the completion of the Air Force BMTCP 4N051, 5 Skill Level, Practical Nursing Program as the equivalent of a Certificate One -Year Practical Nurse Education Program to meet NDAC 54-02-06.1(4); NDCC 43-12.1-09, 2.b.
- Continued the allowance of 400 hours of nursing practice for Excelsior Program graduates who apply for license by endorsement to meet NDAC 54-02-01-14(2) Recognition of programs from other Jurisdictions; As otherwise approved by the Board.
- Approved the licensure of applicant L. Gaudet as she has completed the Excelsior Program in 2022 and has obtained 2080 nursing practice hours in each of the years 2023 and 2022 to meet NDAC 54-02-01-14(2) Recognition of programs from other Jurisdictions; As otherwise approved by the Board.
- Continued the Emergency Limited License Reactivation until April 2025; and accept the 120 hours of supervised clinical practice, verified by employer, as meeting 54-02-05-05 (3,g) "other evidence the licensee wished to submit which would provide proof of nursing competence" allowing the nonpracticing nurse to apply for reactivation.
- Continued the allowance of facility general orientation (not nursing orientation) and work in other non-nursing roles prior to completing temporary permit requirements and issuance until April 2025.
- Approved the licensure/registry process changes and fees which will occur with the ORBS implementation and ratified the new launch date effective June 17, 2024.
- Approved acceptance of the education and certification as Acute Care Nurse Practitioner to qualify for APRN with prescriptive authority licensure in North Dakota for D. McIntyre Adult NP.
- Approved SAAG Simonson as the 2025 Legislative Monitor for the NDBON.
- Directed staff to consider the Role of the Nurse in Sedation/Analgesia practice guidance as it pertains to the dental setting and continue collaborating with the NDBDE.
- Directed the staff to further explore nurses in IV Hydration Clinic Practices and collaborate with stakeholders and provide an update to the board during the July 2024 regular meeting.
- Approved the updated organization chart for FY 2024 as distributed.
- Appointed Board member Krank as chair of Nursing Education Committee for a two-year term July 2024-2026, and Board Members Vetter and Pazdernik as members on the Nursing Education Committee for a two-year term April 2024-2026.
- Reappointed External Members Jacqueline Reep-Jarmin, RN and Erin Berger, RN to a second two-year term April 2024-2026 on the Nursing Education Committee
- Approved the Alternative to Discipline Committee meet 2 times a year and as needed during FY 2025

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Supporting Nurses in North Dakota: An Alternative Approach to Discipline

The North Dakota Board of Nursing (NDBON) is excited to announce the successful implementation of the ND Administrative Code Title 54-10 Alternative to Discipline Program (ATD). The ATD program, also known as the "Nurse Assistance Program (NAP)," offers an alternative to traditional disciplinary actions for nurses dealing with challenges such as substance use disorders, mental health conditions, or medical issues that may affect their practice. Signed into law by Governor Burgum in March 2023, with rule finalization on April 1, 2024, this program creates a supportive environment for nurse rehabilitation while ensuring public safety.

The NAP has been designed with compassionate principles and aims to achieve several key objectives:

1. Protecting the public by monitoring nurses to ensure safety.

2. Promoting early intervention through prompt identification, treatment enrollment, and agreement to comply with monitoring protocols.
3. Supporting sustained recovery in line with patient safety standards.
4. Increasing transparency through clear policies, annual reports, and public education initiatives.

By providing a way for nurses to address personal challenges without facing disciplinary measures, the NAP empowers them to maintain employment while upholding accountability and public safety.

Eligible nurses must voluntarily commit to the program and meet specific criteria. Requirements may include evaluations, treatment, support group attendance, random drug testing, work restrictions, and other tailored interventions. The program duration

varies based on individual circumstances, providing personalized support throughout the rehabilitation journey.

Confidentiality is a cornerstone of the program, protecting participants' privacy if they adhere to their contractual obligations. Those who fulfill their agreements are not reported to NDBON. However, failure to comply may result in a referral to the NDBON for further action.

For individuals seeking assistance or considering participation in the NAP, the program coordinator can be reached at atd@ndbon.org or 701.527.6922.

In conclusion, the NAP provides a non-disciplinary option for nurses by offering a progressive approach to nurse rehabilitation and public safety. Through collaboration, support, and accountability, it aims to create a healthier, safer environment for nurses and the communities they serve.

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Announcing the North Dakota Board of Nursing Nurse Portal

The North Dakota Board of Nursing (NDBON) is excited to announce the launch of our new and improved licensing system. Our new Nurse Portal is designed to enhance your experience, streamline the licensing process, and make it easier to apply for or renew your license or registration, among other functions.

NEW SYSTEM FEATURES:

- **Apply for or renew your license/registration:** Simplified application and renewal processes.
- **View the progress of your applications:** Stay informed on the status of your submissions.
- **Download copies of your applications and receipts:**

Convenient access to your records.

- **Receive messages directly from the NDBON:** Stay up-to-date with important notifications.
- **Update your contact information:** Ensure your details are current.

To access our Nurse Portal, simply click the "Nurse Portal" button on our website's navigation bar or visit: ndbon.boardsofnursing.org/ndbn.

To view step-by-step instructions on using the portal or to view an instructional video on the system, visit: <https://www.ndbon.org/nurseportal.asp>

INTRODUCING THE NEW VERIFICATION PORTAL AND POTENTIAL VIOLATION REPORT SYSTEM

Our system update also includes a new verification portal, allowing you to look up the status of any license or registration issued by the NDBON. You can access this portal at: ndbon.boardsofnursing.org/licenselookup.

Additionally, we have launched a new complaint portal, making it easier to submit a complaint or potential violation report (PVR). This can be accessed by visiting: ndbon.org/Compliance-Discipline/ReportingViolations.asp.

STAY UPDATED WITH NURSYS E-NOTIFY

We encourage all licensees and registrants to sign up with the Nursys E-Notify system to receive updates and renewal reminders. E-Notify offers several features to help you stay informed:

- **License status:** Get real-time updates on your license status.
- **License expiration:** Receive timely reminders about your license expiration dates.
- **Discipline/final order action and resolution:** Stay aware of any disciplinary actions or resolutions.

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AUG. 15
2024
ALL DAY

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The NDBON Takes Time to Invest in Wellness, and Inspire Nurses with 2024 Annual Walk at Work Event



The **NDBON Team** made wellness a priority, by gathering at the beautiful ND state Capitol grounds to enjoy the fresh air and fellowship, during the **2024 NDBON Walk at Work** event. Governor Doug Burgum, NDPERS and Sanford Health Plan partnered again this year for the 2024 Walk at Work event and invited state agencies to step up for their health. The event is held annually to promote wellness in the workplace and encourage state employees to experience the benefits of incorporating physical activity into their day. The

NDBON team set aside time on May 23rd to walk together and participate in the event with other state agencies. Governor Burgum promoted the event through sharing a video explaining the benefits of incorporating physical activity into each day. The NDBON Team members enjoyed the camaraderie and the physical and mental health benefits of participating in the event. The NDBON Team hopes to inspire others through this event and encourages nurses to take time to invest in their wellness, as passionately as they invest in caring for others.

North Dakota Board of Nursing Celebrates Board Member Years of Service: Dr. Jamie Hammer RN and Wendi Johnston LPN



NDBON Staff & Board Members April 2024

During the April 2024 regular board meeting, the ND Board of Nursing (NDBON) staff and board members honored Dr. Jamie Hammer, RN, and Wendi Johnston, LPN, for their years of dedicated service. Both Dr. Hammer and Johnston held officer positions and were members of the Executive Committee. They actively participated in local and national nursing regulation conferences and committees, demonstrating exceptional commitment to nursing regulation in the state of ND.

Dr. Hammer, RN, from Minot, ND, completed two 4-year terms of service as an RN member from 2016 to 2024. Dr. Hammer served as Treasurer and Chair of the Finance Committee from 2017 to 2024. Furthermore, Dr. Hammer's leadership was instrumental as she chaired the Nursing Education Committee since 2022.



Celebrating Dr. Hammer & Johnston

Johnston, LPN, from Kathryn, ND, served as the NDBON LPN member from 2015 to 2024. Johnston's impact was noteworthy, having taken on the role of Vice President from 2022 to 2024 and chaired the Strategic Planning Committee. In addition to these responsibilities, Johnston also made significant contributions as a member of the Finance Committee, the Nursing Education Committee, and served as the Center for Nursing Board of Director representative for NDBON since 2017.

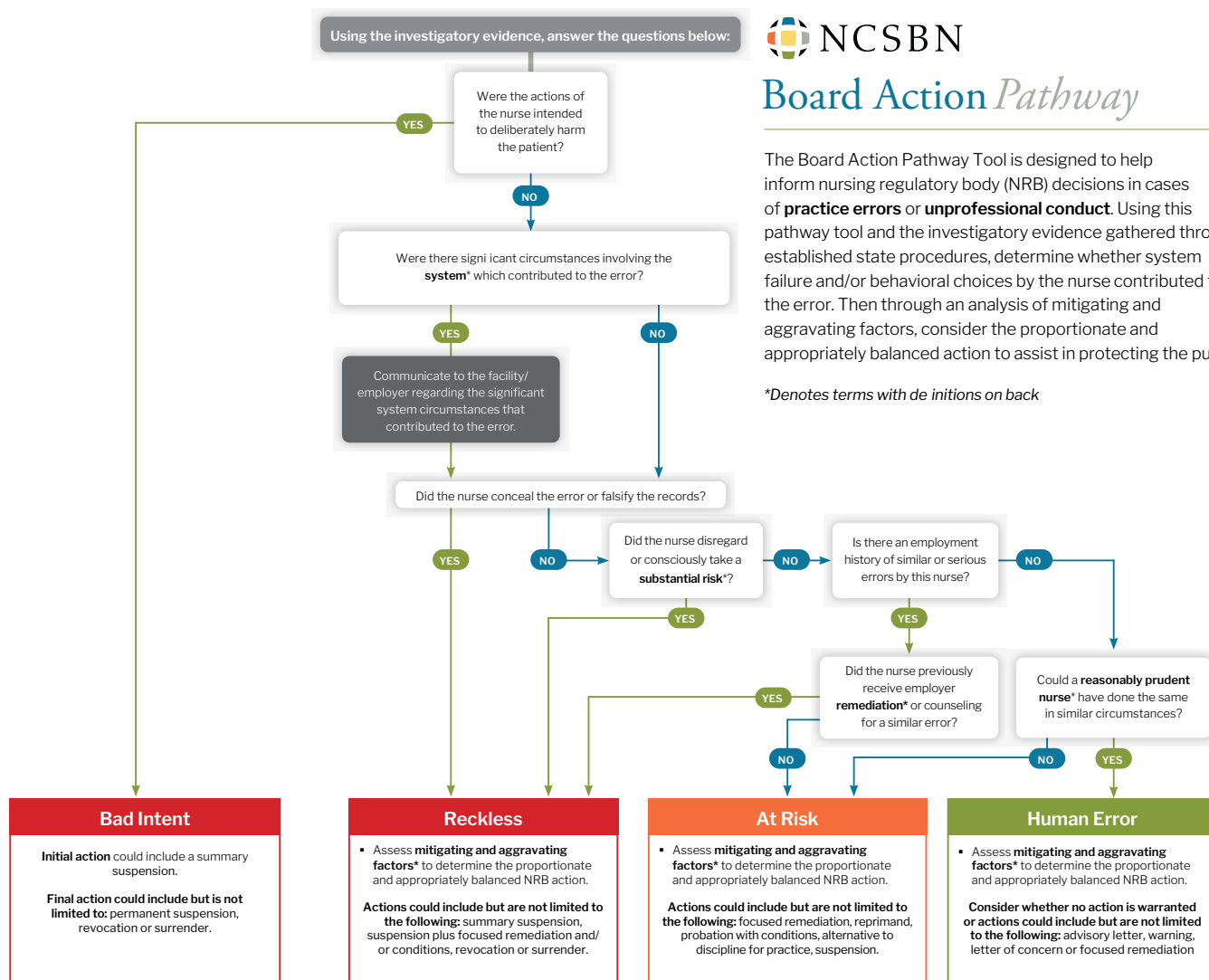
The NDBON expresses its deep gratitude for the outstanding commitment and dedication demonstrated by Dr. Hammer and Johnston. Their volunteered time and shared expertise have been instrumental in positively impacting the healthcare services provided to the citizens of North Dakota.



Board Action Pathway

The Board Action Pathway Tool is designed to help inform nursing regulatory body (NRB) decisions in cases of **practice errors** or **unprofessional conduct**. Using this pathway tool and the investigatory evidence gathered through established state procedures, determine whether system failure and/or behavioral choices by the nurse contributed to the error. Then through an analysis of mitigating and aggravating factors, consider the proportionate and appropriately balanced action to assist in protecting the public.

**Denotes terms with definitions on back*



BAP.17 ©2023

NCSBN Board Action Pathway

Process:

- Examine the investigatory evidence through a series of questions about the behavioral choices by the nurse leading to a determination of error accountability by the nurse (human error, at risk behavior, reckless behavior, or bad intent).
- Determine the proportionate and appropriately balanced NRB action using the analysis of behavioral choice and aggravating and mitigating factors leading to a decision whether a board action is warranted.

Definitions

Aggravating Factor

Any fact or circumstance that increases the severity or culpability of the act

Factors could include, but are not limited to, the following:

- Knowingly created risk for more than one patient
- Number or frequency of acts of misconduct
- Act committed for personal gain or benefit
- Age, capacity, vulnerability of the patient
- Experience in practice
- Holds leadership/mentor position
- Past facility discipline
- Past NRB complaints, discipline

Mitigating Factor

Extenuating, explanatory or justifying fact, situation or circumstance

Factors could include, but are not limited to, the following:

- Isolated event
- Systems issues, communication breakdown
- Interruptions, chaotic environment
- Policies/procedures lacking or unclear
- No past NRB complaints, discipline
- Acknowledgment of responsibility/accountability

Reasonably Prudent Nurse

A nurse who uses good judgment in providing care according to accepted standards

Remediation

Education or training to correct a knowledge or skill deficit

Substantial Risk

A significant possibility that an adverse outcome may occur

System

An organization's operational methods, processes or infrastructure/environment



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