

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
APPROVED MINUTES
FEBRUARY 14, 2011**

1. **Call to Order:**

The meeting was called to order at 9:02 AM by Ellen Leff, Chair; Board Members present: Jeanine Carr, Alan Weiss, John Todd, Donarae Metcalf; Kenneth Bush; William White Board members absent: Deborah Swartz, De-ann Welch, Sandra Norton; Staff members present: Linda Davidson – Executive Director, Nancy Morin - Administrative Assistant, Elizabeth Hansen – RN Nursing Program Manager, Larry Novins, Board Attorney, Lauren Hibbert and Ed Adrian - Prosecuting Attorneys; Others present: UVM and Norwich University Students, Laura Pelosi, Fran Keeler, Jane Dorrian, Eileen Tapper, James LaMonda, Esq., Michelle Brean, Mary Ogwu by telephone

2. **Changes and Additions to the Agenda:**

Ellen Leff welcomed the students from the University of Vermont and Norwich University. The revised agenda provided at the meeting today was accepted.

3. **Approval of Minutes:**

A. Weiss moved to approve the minutes of the January 10, 2011. E. Leff recused.
Pass

4. **Administration, Education, Practice, Licensure**

- A. Executive Director's Report:** L. Davidson gave an overview of the written Executive Director's Report and related documents provided in the Board meeting packet. L. Davidson reported that as of January 31, 2010 there are 221 open cases, 85 follow-up cases and 5 Alternative Program participants.
- B. Board Staff Transitions:** Trina Dailey has accepted the position as Administrative Assistant at The Board of Nursing. She had been responsible for the International Program at the Board of Nursing for the past two years. She is familiar with the new position as she had been cross trained to cover Aprille (the out-going Administrative Assistant for domestic nursing applicants.) Trina's prior position has been filled by Jennifer Silverwood who is a Kelly Temp worker. Jennifer has experience in data entry and a wide knowledge of computer programs. Trina will be training Jennifer in the responsibilities of the International Nursing program.
- C. Executive Director Transitions:** The orientation for the transition of Executive Director has been completed with the training of case management. Mary Botter was on site the week of January 24, 2011 to complete this part of the training. The case management role has been assumed by Ellen Hagman. Mary Botter has been retained as a consultant through July 2011.

She will be available as needed for and Ellen Hagman and I as we move forward with our responsibilities.

- D. Board of Nursing 100th Anniversary:** The Board of Nursing 100th Anniversary Ad Hoc Committee met on Tuesday, February 1, 2011. The members of this committee are Alan Weiss, Margaret Luce, Nancy Morin, Elizabeth Hansen and me. The next meeting will be Wednesday, February 16, 2011. The types of events discussed were a proclamation, a display of Board memorabilia and a reception in September to acknowledge the 100th BON Anniversary.
- E. NCSBN Mid-Year Meeting:** The NCSBN Mid-Year meeting plans are underway. The Board received waivers for two additional attendees. L. Davidson will be going along with Ellen Leff, John Todd and Deborah Swartz. The meeting will be held March 14-16, 2011. The next Board meeting will be on March 7, 2011 which was moved to accommodate the mid-year conference dates.
- F. RN/APRN Renewal Cycle:** The RN/APRN renewal cycle is underway. Letters went out on January 27, 2011 to all domestic and international nursing applicants. Resources needed have been identified and requested. Corrections to the e-license on-line application process identified during the LNA in office audit for accuracy has been implemented. As of Wednesday, February 9, 2011 there were 2243 on-line RN applications submitted and 150 manual RN applications processed (a total of 2393 RN applications).
- G. LNA Audit:** Two LNA renewal application audits were identified. One was an in-office audit to check for data entry accuracy and e-license on line accuracy. The results of this audit have been completed. The only category in which data entry was missing from manual input was in title and birth place. The online audit revealed missing data in the employment history field. Corrections were made to the system so applicants will not be able to receive a license by on-line renewal if data is missing from that field. The Office is following up with LNA applications that had missing employment history to ensure that this missing data is captured for the prior LNA renewal cycle. The second audit is the practice requirement audit which confirms employment history with the employer. This audit is ongoing and the Board will receive a report on these finding when complete.
- H. 2011 Strategic Initiatives and Annual Goals:** The Board received the most current copy of the 2011 Strategic Initiatives and Annual Goals with the minor changes as requested.
- I. Draft Administrative Rules:** L. Davidson reported that draft Administrative Rules have been revised and formatted and the recommendations from the Board meeting of January 10, 2011 were incorporated. A. Weiss moved to approve the Draft Administrative Rules. **Pass**
J. Todd moved to amend the motion to include the deletion of 1540 (b) (4) from the draft rules. **Pass**
L. Novins will file the draft rules which will start the Administrative rules process.
- J. Pain Management and Prescribing Practices of APRN's – Research Project: Request for Participation:** The Board received the information and

requested that the Office forward the link to the Board members so that they could participate if they chose to.

- K. Medication Administration Delegation Ad Hoc Task Force Summary and Recommendations:** The Board received the summary. Laura Pelosi, Executive Director of Vermont Health Care Associates addressed the Board on proposed legislation which would mandate that the Board convene a workgroup to make recommendations on the standards for an education and competency program for LNA's to be licensed to administer medications. The Board would have to submit a report to the General Assembly by January 15, 2012. Fran Keeler, Director for Licensing and Protection, stated that they do not have a stand on this issue but that this would have a wide impact on nursing facilities. The Board requested that they would like to receive the studies and data that Laura Pelosi had referenced. E. Hansen will provide the Board with the NCSBN perspective on Medication Administration Delegation.
- L. NCSBN Leadership Succession committee – Request for Candidate Nominations:** The Board received the information and if members are interested they will contact Barbara Morvant at NCSBN.
- M. NCSBN Spring 2011 Member Board Examination Item Reviews:** The Board received the information and will go the NCSBN site and register if interested.
- N. NCSBN APRN Summit:** L. Davidson reported that she attended the NCSBN APRN Summit on January 12–13, 2011 along with Christopher Winters and John Todd. The meeting covered information related to having APRN regulation consistent with the model rules. Another important function of this meeting was networking and meeting other Executive Officers from Boards of Nursing across the nation. J. Todd reported that NCSBN was working with all Boards of Nursing with the goal of implementing a consensus model for APRN licensure. States vary in APRN licensure as to practice with or without collaborating physicians and with or without full prescriptive authority. The model APRN rules would allow APRN's to practice to the full extent of their education and training.
- O. Public Comments:** There were no public comments.
- P. Education Committee Report:** The Education Committee met on January 18, 2011 by phone. J. Carr reported on the upcoming Nurse Educator Summit planned for April. Nancy Spector from NCSBN will be speaking at the meeting. The Committee is working on finalizing an agenda. The Committee also reviewed progress reports from Schools of Nursing.
 - o **Ad- Hoc Nursing Assistant Education Program:** D. Metcalf reported on the meeting. The Committee reviewed expected goals and outcomes of the Committee. The Committee will meet every month for one year. The Committee will be reviewing the Nursing Assistant Program annual reports. The Committee will also be reviewing educational hours and the exam that is administered by the examination service. The Committee will report to the Education Committee who will report to the Board.

Q. Nursing School Education Programs:

- **Vermont Technical Colleges Progress Report** - J. Carr moved to **not accept** Vermont Technical Colleges Licensed Practical Nurse and Associate Degree Nursing program progress report. **Pass**

R. Nursing Assistant Education Program:

Program change of Status: Request for Approval

- **River Valley Technical Center (Day)** - K. Bush moved to grant **full approval** for River Valley Technical Center with recommendations that must be met within 30 days. **Pass**

S. Nursing Practice Committee: The Nursing Practice Committee meeting of Wednesday, February 2, 2011 was cancelled due to weather. At our next meeting on March 9th, 2011 the Committee will be reviewing amendments to the Practice Committee Charter to accurately reflect member representation. The Committee will also review position statements on "Obligations of Nurses Holding Multiple Licenses," "The Role of The RN as First Assistant" and "Palliative Sedation at the End of Life." The Committee has commenced work on "The Role of the LPN in IV Therapy."

T. APRN Advisory Committee Report: The APRN Advisory Committee met on January 24, 2011. John Todd presented a summary of the APRN Summit meeting. The educational courses recommended by LACE were discussed. The results of this discussion will be presented upon review of the draft Administrative Rules at today's Board meeting. The APRN Advisory Committee has started work on researching quality assurance measures.

5 Disciplinary Proceedings:

- M2009-134 Jane Dorrian was present A. Weiss moved to go into deliberative session at 11:12 a.m. **Pass**
The meeting resumed at 11:17 a.m. The Board will issue a written decision.
- 2009-228 Eileen Tapper was present and represented by James LaMonda, Esq... J. Todd moved to go into deliberative session at 11:33 a.m. **Pass**
The meeting resumed at 11:44 a.m. The Board will issue a written decision.
- 2010-176 Virginia Flibotte was not present. K. Bush moved to find Virginia Flibotte in **DEFAULT** **Pass**
K. Bush moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Virginia Flibotte**. **Pass**
- 2009-382 Linda Gargano was not present. K. Bush moved to find Linda Gargano in **DEFAULT** **Pass**
D. Metcalf moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Linda Gargano**. **Pass**
- 2010-609 Amy Goodell was not present. J. Carr moved to find Amy Goodell in **DEFAULT** **Pass**

- E. Leff moved to **INDEFINITELY SUSPEND** the license of Registered Nurse Amy **Goodell**. **Pass**
- 2008-520 Geoffrey Perkins was not present. The hearing was postponed as requested by Prosecuting Attorney Lauren Hibbert.
- 2010-52 Renee Thivierge was not present. E. Leff moved to find Renee Thivierge in **DEFAULT** **Pass**
D. Metcalf moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Renee Thivierge**. **Pass**
- 2010-593 Helen Smith was not present. J. Todd moved to approve the Stipulation and Consent Order and **IMPOSE AN ADMINISTRATIVE PENALTY OF \$250.00** on the license of Registered Nurse **Helen Smith**. **Pass**
A. Weiss requested that the Office send a letter to the Employer regarding employing unlicensed nurses.
- 2010-257 Jessica Blanchard was not present. D. Metcalf moved to approve the Stipulation and Consent Order and **GRANT AND CONDITION** the license of Licensed Nursing Assistant **Jessica Blanchard**. **Pass**
- 2010-283 Linell Pike was not present. D. Metcalf moved to approve the Stipulation and Consent Order and **CONDITION** the license of Licensed Practical Nurse **Linell Pike**. **Pass**
- 2010-274 David Auclair was not present. J. Todd moved to approve the Stipulation and Consent Order and **REPRIMAND** the license of Licensed Nursing Assistant **David Auclair**. **Pass**
- 2010-121 Elizabeth Frydenlund was not present. E. Leff moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed Practical **Elizabeth Frydenlund**. **Pass**
- 2009-586 Becky Mitchell was not present. K. Bush moved to approve the Stipulation and Consent Order and place on **INACTIVE CONDITION** the license of Licensed Nursing Assistant **Becky Mitchell**. **Pass**
- APPLCIANT Mary Ogwu was present by telephone. The hearing was postponed in order for Mary Ogwu and the Board to obtain further information.
- 2010=606 Michelle Brean was present. J. Todd moved to go into deliberative session at 2:45 p.m. **Pass**
The meeting resumed at 3:00 p.m. The Board will issue a written decision.
- M2009-38 Michael Lemire was not present. J. Carr moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Practical Nurse **Michael Lemire** and place the license on in-active status without conditions. Ken Bush recused.

Pass

M2010-138 Gillian Herdegan was not present. D. Metcalf moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Practical Nurse **Gillian Herdegan**. Pass

M2009-98 Stella Bonsu was not present. J. Todd moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Stella Bonsu**. J. Carr recused. Pass

M2009-28 Jackie Patenaude was not present. D. Metcalf moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Practical Nurse **Jackie Patenaude**. E. Leff recused Pass

Closing Reports:

K. Bush moved to recommend that the following complaints be concluded without charges:

- 2009-322 J. Carr recused
- 2010-238 J. Carr recused
- 2009-600 J. Todd recused
- 2010-99 J. Todd recused
- 2010-172 J. Todd recused
- 2010-403 J. Todd recused
- 2010-404 J. Todd recused
- 2010-405 J. Todd recused
- 2010-460 J. Todd recused

Pass

7. Other Business:

- The Board received the Nursing Law's Regan Report for January 2011.

8. **Adjournment:** E. Leff moved to adjourn the meeting at 3:04 a.m.

Pass

Minutes recorded by: Nancy Morin, Administrative Assistant
Draft minutes reviewed by: Linda Davidson, Executive Director
Date minutes approved by Vermont Board of Nursing: