

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
UNAPPROVED MINUTES
APRIL 11, 2011**

1. **Call to Order:**

The meeting was called to order at 9:00 AM by Ellen Leff, Chair; Board Members present: Jeanine Carr, Alan Weiss, John Todd, De-ann Welch; Deborah Swartz; William White; Sandra Norton; Board members absent: Kenneth Bush, Donarae Metcalf; Staff members present: Linda Davidson – Executive Director, Aprille Morrison - Administrative Assistant, Elizabeth Hansen – RN Nursing Program Manager, Ellen Hagman - RN Staff, Larry Novins, Board Attorney, Lauren Hibbert - Prosecuting Attorney; Others present: UVM and Castleton State College students, Penny Birch, Lori Watson, Mary Ogwu, Jessica Larson and Theodore Parizi, Esq. by telephone

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

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

3. **Approval of Minutes:**

A. Weiss moved to approve the minutes of the February 14, 2011 meeting with corrections as noted. D. Welch and D. Swartz 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 report:

- That she had spoke at Castleton regarding nursing regulations and the disciplinary process;
- That as of March 30, 2011 there are 230 open cases, 84 follow-up cases and 5 Alternative Program participants.
- The RN/APRN renewal cycle is complete. There were 14,496 RN's who renewed. Of those, 11, 216 renewed on line (77% on line renewal).
- The Data Integrity Project is moving forward as planned. Amy Boulanger continues to supervise this project and is doing a superior job.
- The Board of Nursing newsletter is currently under progress and the anticipated mailing date will be in April 2011. Since this newsletter is published twice yearly it is proposed that mailing dates will be in April and October.

B. Board of Nursing 100th Anniversary: The Board of Nursing 100th Anniversary Ad Hoc Committee met on February 16th and March 17th, 2011. A proclamation recognizing the 100th Anniversary of the Board of Nursing and regulation of nursing in the State of Vermont will be scheduled during Nurses

week in May. A Resolution recognizing the 100th Anniversary of the Vermont Board of Nursing was read on Friday March 25, 2011. The National Council of State Boards of Nursing has approved our Board of Nursing for a grant to fund activities.

- C. Just Culture** – E. Leff reported on “Just Culture” and asked the Board if they would like to consider reviewing and updating the current disciplinary process. E. Leff would like to set-up an Ad-hoc Committee to discuss the implementation of the “Just Culture Principles”. The Board agreed to implement an Ad-hoc Committee. J. Todd and J. Carr volunteered to develop a charge for the Ad-hoc Committee.
- D. Nursing Quarterly Statistics – 2009-2011** – The Board received and accepted the Nursing Quarterly Statistics – 2009-2011.
- E. LNA Medication Administration Delegation Bill** – J. Carr moved to accept the recommendation to convene a stakeholder workgroup by July 1, 2011 and submit a report by January 15, 2012 to the General Assembly regarding recommendations on standards for education and competencies required for LNAs to administer medications. **Pass**
- F. Draft Administrative Rules:** L. Davidson reported that the draft Administrative Rules have been filed. A public hearing has been scheduled for Friday April 29, 2011 at 9 a.m. at National Building. Board members are encouraged to attend this meeting. The Vermont Medical Society has introduced a bill on behalf of the Board of Medicine which proposes to establish statutory requirements for practice as an Advanced Practice Registered Nurse and require the Board of Nursing to conduct studies regarding Advanced Practice Registered Nurses. A copy of the bill has been included in this morning’s packet. C. Winters and L. Davidson have attended meetings with representatives from the Board of Medicine (David Herlihy, Executive Director and Peg Martin, Public Member) and Steven Maier (Department of Vermont Health Access) in reference to this proposed bill.
- G. Legislative Update:** C. Winters updated the Board regarding proposed legislation for APRN’s. The Board of Nursing and the Board of Medical Practice are collaborating on revising statutory language in regards to APRN practice. One of the changes would add language already in the Rules to the Statute. Another proposed change is that a subcommittee to study and report on matters relating to APRN practice and comprised of at least 5 members would be created by the Board which includes a physician and a public member. J. Carr moved to approve the statutory changes and authorize the Office of Professional Regulation to go forward with the proposed changes. **Pass**
- H. Education Committee Report** – J. Carr reported that the Committee met on March 25, 2011. The Committee reviewed progress reports from various educational facilities.
- I. Charter: Ad Hoc Nursing Assistant Education Committee** – E. Leff moved to approve the Ad Hoc Nursing Assistant Education Committee Charter with changes as noted. **Pass**
- J. Nursing Assistant Education Programs** –

- **Patricia Hannaford Career Center** – D. Swartz moved to **approve** the Patricia Hannaford Career Center for the biennium 2011-2013. **Pass**
 - **Stafford Technical Center (Day Program)** – A. Weiss moved to grant Stafford Technical Center (Day Program) **full approval** for the duration of the biennium (through February 2012). **Pass**
 - The Board received the information that Cold Hollow Career Center (Day & Adult Programs) had voluntarily closed their program
 - The Board received the information that Cedar Hill Continuing Care Community had been prohibited from offering its nursing assistant education program between February 24, 2011 and February 23, 2013.
 - The Board received and accepted the Quarterly Nursing Assistant Education Program Report, January-March, 2011.
- K. Public Comments:** There were no public comments.
- L. Nursing Practice Committee:** L. Davidson reported that the Nursing Practice Committee met on March 2nd and April 6th, 2011. The Practice committee is working on a number position statements and will present them at the May meeting for Board review and approval. L. Davidson reported that the Anesthesia Ad-hoc Committee met on Monday, February 28, 2011. The Committee has presented one statement regarding Propofol (Diprivan). The Committee feels that this document contains all of the necessary elements required for the nurse to safely practice with this medication. The Committee also produced one position statement regarding Administration and Management of IV Sedation for procedures which would be inclusive of the other Anesthetic drugs. The Practice Committee is reviewing and revising the statements prior to bringing them to the Board for approval.
- M. Practice Committee Charter**– Postponed until the May meeting.
- N. The Role of the Registered Nurse as First Assistant Position Statement** – Postponed until the May meeting.
- O. APRN Advisory Committee Report:** The APRN Advisory Committee met on February 28, 2011 and March 21, 2011. The committee discussed the current status of the draft Administrative Rules and was updated on the current negotiations between the Board of Nursing and the Board of Medical Practice. The main focus of the Committee at this time is working on the APRN Rules requirement surrounding methods of quality assurance. The discussion revolved around what types of measurable outcomes do APRN's consider, what is currently being used and what works and what can be improved. The Committee felt the Board has done an exemplary job on the Proposed Rules.
- P. Alternative Program** – E. Leff reported that the Committee was working on obtaining other states information on Alternative Program for practice issues and the disciplinary actions taken in cases where the nurse has a substance abuse disorder.

5 Disciplinary Proceedings:

2010-242 Penny Birch was present The Board requested deliberative session at 10:38 a.m. Ellen Leff recused.
The meeting resumed at 10:47 a.m. The Board will issue a written decision.

- 2009-438 Tammy Dodge was not present. Board requested deliberative session at 11:15 a.m. D. Swartz and S. Norton recused
The meeting resumed at 11:20 a.m. The Board will issue a written decision.
- APPLICANT Mary Ogwu was present by telephone. The Board requested deliberative session at 11:53 a.m.
The meeting resumed at 12:17 p.m. The Board will issue a written decision.
- 2008-250 Geoffrey Perkins was not present. J. Carr moved to approve the Stipulation and Consent Order and **INACTIVE-CONDITION** the license of Registered Nurse **Geoffrey Perkins.** **Pass**
- 2010-352 Corina Law was not present. S. Norton moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Corina Law.** **Pass**
- M2010-93 Jessica Larson was present and represented by Theodore Parisi, Esq. by telephone. A. Weiss moved to approve the Stipulation and Consent Order and **REINSTATE AND CONDITION** the license of Registered Nurse **Jessica Larson.** **Pass**
A. Weiss moved to deny Attorney Parisi's request for an amendment to the Stipulation and Consent Order.
The Board requested deliberative session at 1:20 p.m. The meeting resumed at 1:30 p.m. The Board while in deliberative session voted to deny the request for an amendment to the Stipulation and Consent Order.
- 2008-42/NU64-0108 David Shaddy was not present. A. Weiss moved to approve the Stipulation and Consent Order and **CONTINUE THE SUSPENSION** on the license of Registered Nurse **David Shaddy.** **Pass**
- M2009-140 Denise Carr was not present. J. Carr moved to approve the Stipulation and Consent Order and **REINSTATE AND CONDITION** the license of Licensed Practical Nurse **Denise Carr.** Deb Swartz recused. **Pass**
- M2010-80 Mary Ayer was not present. D. Swartz moved to approve the Stipulation and Consent Order and **INACTIVE- CONDITION** the license of Licensed Nursing Assistant **Mary Ayer.** **Pass**
- 2009-465 Barbara Swan was not present. E. Leff moved to approve the Stipulation and Consent Order and **CONDITION AND WARN** the license of Advanced Practice Registered Nurse **Barbara Swan** and **REPRIMAND** and **IMPOSE AN ADMINISTRATIVE PENALTY OF \$500.00** on the license of Registered Nurse **Barbara Swan.** **Pass**
- 2010-79 Gary Wheel was not present. J. Todd moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed

	Nursing Assistant Gary Wheel.	Pass
2010-190	Gail Thresher was not present. E. Leff moved to approve the Stipulation and Consent Order and REPRIMAND the license of Registered Nurse Gail Thresher.	Pass
2010-358	Alicia Wilder was not present. E. Leff moved to approve the Stipulation and Consent Order and INDEFINITELY SUSPEND the license of Licensed Nursing Assistant Alicia Wilder.	Pass
2010-240	Rizwana Ansari was not present. J. Todd moved to approve the Stipulation and Consent Order and IMPOSE A CIVIL PENALTY IN THE AMOUNT OF \$250.00 on the license of Registered Nurse Rizwana Ansari.	Pass
2010-484	Shannon Goddeau was not present. E. Leff moved to approve the Stipulation and Consent Order and INDEFINITELY SUSPEND the license of Registered Nurse Shannon Goddeau.	Pass
2009-358	Lori Watson was present by telephone. The Board requested deliberative session at 2:38 p.m. The meeting resumed at 3:05 p.m. The Board will issue a written decision.	
2011-163	Robyn Page was not present. J. Todd moved to SUMMARILY SUSPEND the license of Licensed Nursing Assistant Robyn Page.	Pass
M2010-79	Michelle Dunne was not present. J. Carr moved to REINSTATE WITHOUT CONDITIONS the license of Registered Nurse Michelle Dunne.	Pass
M2009-229	Stephen Davis was not present. S. Norton moved to REINSTATE WITHOUT CONDITIONS the license of Licensed Practical Nurse Stephen David. J. Todd recused.	Pass
M2009-26	Andrea Nickerson was not present. J. Todd moved to REINSTATE WITHOUT CONDITIONS the license of Licensed Practical Nurse Andrea Nickerson.	Pass
M2010-137	Jodi Jones was not present. S. Norton moved to REINSTATE WITHOUT CONDITIONS the license of Registered Nurse Jodi Jones.	Pass
M2010-63	Danielle Strange was not present. A. Weiss moved to REINSTATE WITHOUT CONDITIONS the license of Licensed Nursing Assistant Danielle Strange.	Pass

Closing Reports:

A. Weiss moved to recommend that the following complaints be concluded without

charges:

- 2010-398 J. Carr recused
- 2009-525 J. Carr recused
- 2010-241 J. Carr recused
- 2010-365 D. Swartz recused
- 2010-182 D. Swartz recused
- 2007-82/NU54-0307 K. Bush recused
- 2009-132 K. Bush recused
- 2010-74 K. Bush recused
- 2010-266 K. Bush recused
- 2010-406 J. Todd recused
- 2010-407 J. Todd recused
- 2010-408 J. Todd recused
- 2010-409 J. Todd recused
- 2010-410 J. Todd recused **Pass**

6. **Adjournment:** J. Todd moved to adjourn the meeting at 4:41 p.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: