

**DECEMBER 8, 2008
MINUTES**

1. Call to Order:

The meeting was held at the National Life Building in Montpelier, VT. The meeting was called to order at 9:07 AM by Linda Rice, Chair. Board Members present: Ellen Leff, Alan Weiss, De-Ann Welch, Sandra Norton, William White, Jeanine Carr. Board Members absent: Deborah Robinson, Donarae Metcalf, Ken Bush. Staff members present: Mary Botter - Executive Director, Nancy Morin – Administrative Assistant, Elizabeth Hansen - LNA Program Coordinator, Kevin Leahy and Larry Novins - Board Attorneys, Ed Adrian and Betsy Wrask - Prosecuting Attorneys. Others present: Larissa Snorek-Yates, Stephanie Winters, Richard Cassidy, Esq., Amanda Briggs, Michele Cardinal, Glen Rudolph, Janice Presutti, Donna Hunt, Daniel Richardson, Esq., Lori Ellis, Emily Willard by telephone, Connie Coghlan-Amsden by telephone, Joan Young by telephone, Julie Thompson by Telephone

2. Changes and Additions to the Agenda:

The revised agenda provided at the meeting today was accepted without changes or additions.

3. Approval of Minutes:

D. Welch moved to approve the minutes of the November 10, 2008 meeting with corrections. J. Carr and L. Rice recused. **Pass**

4. Administration, Education, Practice, Licensure

A. Executive Director's Report - Monthly Report – Attached. M. Botter provided a brief overview of the attached report. Additionally, M. Botter reported on the scheduled e-licensing training and anticipated “go live” date.

B. Audit Update – The Office received a draft report from the State Auditor’s Office and it is anticipated that the final report will be ready for the January 2009 meeting.

- C. Summer Study – Nurses and Military Service** – The final meeting of this work group was held in November. A recommendation regarding eligibility for licensure will be on the January agenda.
- D. Summer Study - Recruitment and Retention of Nursing Faculty** – E. Leff and J. Carr reported to the Board that the fourth meeting of the workgroup was held in November. Representatives from hospitals, long term care facilities and nursing programs throughout the state attended the meeting and provided their recommendations regarding nursing program capacity. A final report is due to the legislature in January.
- E. Annual Goals** – The Annual Goals were updated to reflect input provided at the Board retreat. M. Botter requested more collaboration with the Board to draft next year's goals. A. Weiss requested that periodically the Board invite the Director of Adult Protective Services to meet with the Board to discuss disciplinary complaints. A. Weiss moved to approve the annual goals. **Pass**
- F. Applicant Denials – Proposed Plan for Hearings** – M. Botter suggested additional half-day quarterly Board meetings to hold hearings on application denials. The Board requested that a hearing officer be retained to hear application denials. M. Botter will explore with C. Winters the feasibility of retaining a hearing officer for this purpose.
- G. 2010 NCLEX-RN Test Plan: Review and Recommendations** – The Board members will review the document and send in written comments to M. Botter within 30 days.
- H. Request for Statement of Non-Objection to the use of the term “Christian Science Nurse/Nursing”** – C. Winters provided draft legislative language for the Board's review. K. Leahy advised the Board that the draft legislative language did not single out any specific religious denomination. D. Welch moved to approve the following draft legislation “Providing care for the sick in accordance with the tenets of any church or religious denomination by its adherents if the individual does not hold him or herself out to be a registered nurse, licensed practical nurse or a nursing assistant and does not engage in the practice of nursing as defined in this chapter.” A. Weiss, W. White and S. Norton voted no. **Pass**
- I. APRN Administrative Rules: Discussion of Practice Requirement, Code of Conduct/Basis for Discipline, Grandfathering, Quality Assurance, Practice Guidelines** – M. Botter reported that the APRN Advisory Committee met in November. The Committee reviewed recommendations made by the Committee regarding grounds for disciplinary action and clinical practice guidelines and. The APRN Advisory Committee reviewed the Medical Board

Rules and identified criteria that would be appropriate to adapt for inclusion in the APRN rules. The Board agreed with the recommendation to incorporate the additional criteria for discipline. The Board discussed and concurred with the APRN Advisory Committee recommendation to remove from the practice guidelines the requirement for submission to the Board of Nursing a quality assurance and improvement plan. The revised APRN draft rules will be submitted in January or February for the Board's review.

J. Discipline Follow-Up Report –E. Leff moved to accept the Discipline Follow-Up Report. **Pass**

K. Nursing Assistant Biennial Program Approvals –

- S. Norton moved to approve Barre Technical Center – Adult Education Biennial Review with recommendations. **Pass**
- E. Leff moved to approve Maple Lane Nursing Home's re-approval review with recommendations. **Pass**

L. Nursing Practice Committee Update - E. Leff updated the Board on the Practice Committee's second meeting. K. Leahy attended the meeting to provide information regarding position statements. E. Leff reported that the group is in the planning stage regarding the review and development of position statements.

M. Licensure Report – J. Carr moved to accept the monthly Licensure Report. **Pass**

5. **Public Comment:** Larissa Snorek-Yates thanked the Board for approving the legislative language regarding Christian Science nursing.

6 **Disciplinary Proceedings:**

APPNA30-0107 Jessica Grace was not present. L. Rice moved to approve the Stipulation and Consent Order and **GRANT AND CONDITION** the license of Licensed Nursing Assistant **Jessica Grace**. **Pass**

NU05-0708 Sybil Smith was not present. E. Leff moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Registered Nurse **Sybil Smith**. **Pass**

NA01-0707 Elizabeth Marcum was not present. D. Welch moved to approve the Stipulation and Consent Order and **CONDITION** the license of Licensed Nursing Assistant **Elizabeth Marcum**. **Pass**

NA37-0208 Meghan Hempstead was not present. E. Leff moved to go into deliberative session at 11:51 a.m. **Pass**
The meeting resumed at 11:57 a.m. The Board will issue a written order.

NU33-1106 Michele Cardinal was present and represented by Richard Cassidy, Esq. E. Leff moved to go into deliberative session at 12:25 p.m. **Pass**
The meeting resumed at 12:50 p.m. The Board will issue a written decision.

NU51-1107 Glen Rudolph was present. L. Leff moved to go into deliberative session at 2:28 p.m. **Pass**
The meeting resumed at 2:50 p.m. The Board will issue a written decision.

NU29-0907 Charles Harroun's Hearing was continued.

NU55-0108 Donna Hunt was present and represented by Daniel Richardson, Esq. L. Rice moved to go into deliberative session at 4:00 p.m. **Pass**
The meeting resumed at 4:20 p.m. The Board will issue a written decision.

NU91-0508 Lori Ellis was present. J. Carr moved to go into deliberative session at 4:50 p.m. E. Leff recused. **Pass**
The Board will issue a written decision.

APPLICANT Mandeep Kaur – Hearing cancelled because Ms Kaur withdrew her application.

CLOSING REPORTS:

A. Weiss moved to recommend that the following complaint be concluded without charges:

- NA42-0308 – J. Carr and E. Leff recused. **Pass**

A. Weiss moved to recommend that the following complaint be concluded without charges:

- NU49-1008 **Pass**

J. Carr moved to table the following hearings:

- Applicant Elizabeth Riby – Pre-denial hearing
- Applicant Marie Turay – Pre-denial hearing
- Applicant Thankamani Chacko – Pre-denial hearing

- Applicant Rhandy Paredes – Pre-denial hearing
- Applicant Soni Lawrence – Pre-denial hearing
- Applicant Cheryl Juban – Pre-denial hearing
- Applicant Joslane Damas – Pre-denial hearing
- Applicant Bipinchandra Macwan Parsisben – Pre-denial hearing

Pass

7. **Other** – The Board received the Article *“Refusal to Care”* by Rebecca Cady.

8. L. Rice moved to adjourn the meeting at 5:00 p.m.

Pass