

**APRIL 13, 2009
APPROVED MINUTES**

1. Call to Order:

The meeting was held at the National Life Building in Montpelier, VT. The meeting was called to order at 9:05 AM by Ellen Leff, Chair. Board Members present: Alan Weiss, Sandra Norton, William White, Jeanine Carr, Deborah Robinson, Donarae Metcalf, Ken Bush, Susan Dumas. Board members absent: De-Ann Welch. Staff members present: Mary Botter - Executive Director, Nancy Morin – Administrative Assistant, Elizabeth Hansen - LNA Program Coordinator, Christopher Winters – Director, Office of Professional Regulation, Larry Novins - Board Attorney, Kevin Leahy – Staff Attorney, Ed Adrian and Betsy Wrask - Prosecuting Attorneys. Others present: Castleton State Associate Degree Nursing Students, UVM Baccalaureate Nursing Students, Chidi-Boston, Susan Flynn, Esq., Barbara Jewett-Noyes, Lorna Johnson, Charles Martin, Esq., Priscilla Adsit, Rose Moodie, Betty Stewart, Marvin Langevin, Francine Curtis, Joan Curtis, Judy Curtis, Judy Barone, Esq., Brooks MacArthur, Esq., Tammy Platt, Barara Eitelman, Melinda Sanborne, Janet Roth.

2. Changes and Additions to the Agenda:

E. Leff welcomed the Castleton State Associate Degree nursing students and the UVM Baccalaureate Degree nursing students

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

3. Approval of Minutes:

K. Bush moved to approve the minutes of the March 9, 2009 meeting. **Pass**

4. Administration, Education, Practice, Licensure

A. Executive Director’s Report – Attached. M. Botter provided a brief overview of the attached report. The implementation of e-license has gone quite smoothly and the Office is currently making “tweaks” to the system to improve daily operations. The Report component of e-license is

being worked on with the vendor to improve reporting capabilities.

The RN and APRN license renewal cycle ended on March 31, 2009 and approximately 13,000 renewal applications were processed.

- B. Hearing Office Update** – An initial meeting to acquaint the new hearing Officer, Judge George Belcher with the criteria and process for review of international applications was held. The first 10 hearings are scheduled for Monday April 27th, 2009. Hearings will be held monthly or more frequently until the backlog is eliminated. Outcomes of the hearings will be presented to the Board for review and approval in a process similar to the one used for Closing Reports.
- C. NCSBN Transition to Practice Committee Meeting** – M. Botter, a member of NCSBN Transition to Practice Committee, attended a meeting in Chicago in March. The committee is focusing on developing a model for transition to practice programs for new nursing graduates. There is ongoing discussion regarding the benefits and drawbacks of regulating such programs.
- D. NCSBN Visit Request** - M. Botter updated the Board that the visit from NCSBN would be at a fall Board meeting.
- E. NCSBN Annual Meeting Dates** – The Annual NCSBN meeting will be held in August. If a Board member is interested in attending the meeting they should send an e-mail or let M. Botter know. The dates of the meeting will be given to the Board at the May meeting.
- F. Nursing Board Website** – A new website is planned to “go-live” within the next month. The website will have more information and should be easier for licensees and the public to navigate. If the Board members have suggestions for the site please e-mail M. Botter.
- G. Discipline Follow-Up Report** – The Board accepted the Discipline Follow-Up Report.
- H. Quarterly Budget Report** – The Board members received and reviewed the Quarterly Budget Report.

I. Legislative Update

- **H86 – OPR Bill** – C. Winters updated the Board on H.86. The bill, with the language proposed by the Board regarding Christian Science Nursing, has passed the House and is in the Senate Government Operations Committee.
- **H.435 House Palliative Care Bill** – C. Winters updated the Board that H435 has passed the House. This bill as currently written would change two sections of the Nursing Board Laws. Board input has not been solicited. C. Winters will request to be heard and will notify the Chair and the Executive Director when the Senate Committee takes up this bill.
- **H.268 Prohibiting Mandatory Overtime for Health Care Workers** – C. Winters updated the Board that he had been asked to testify and referenced the Board's position statement regarding Abandonment. He will notify the Board Chair and Executive Director should they need to testify on this bill.

J. Review of Draft Administrative Rules – The Board reviewed the current draft of the Administrative Rules and made proposed revisions and recommendations. A revised draft will be prepared for review at the May Board meeting. The Board discussed the benefit of holding a retreat regarding the history and current trends of APRN education, practice and regulation. M. Botter will present a proposed agenda and time/date for a retreat at the next Board meeting.

K. Nursing Assistant Annual Reports – A. Weiss moved to untable the following nursing assistant annual reports. **Pass**

- Bennington Health & Rehabilitation Center – K. Bush moved to accept the annual report from Bennington Health & Rehabilitation Center with recommendations. **Pass**
- Berlin Health & Rehabilitation Center – D. Robinson moved to accept the annual report from Berlin Health & Rehabilitation Center with recommendations. **Pass**

- Cedar Hill Continuing Care Center – S. Dumas moved to accept the annual report from Cedar Hill Continuing Care Center with recommendations. **Pass**
- Franklin County Rehabilitation Center - S. Norton moved to accept the annual report from Franklin County Rehabilitation Center with recommendations. **Pass**
- Greensboro Nursing Home – J. Carr moved to accept the annual report from Greensboro Nursing Home with recommendations. **Pass**
- North Country Career Center (Day Program) – J. Carr moved to accept the annual report from North Country Career Center (Day Program) with recommendations. **Pass**
- The Pines at Rutland (formerly Eden Park) – J. Carr moved to accept the annual report from the Pines at Rutland with recommendations. **Pass**
- River Bend Career and Technical Center – D. Robinson moved to accept the annual report from the River Bend Career and Technical Center with recommendations. **Pass**

L. Quarterly Nursing Assistant Program Report – The Board accepted the report.

M. Castleton Associate Degree Program Survey Report – J. Carr reported on the Survey visit. K. Bush moved to accept the Survey report and to continue **Approval** of the program for 8 years. **Pass**

N. Nursing Education Committee – The Board did not address this agenda item.

O. Nursing Practice Committee Update – The Board did not address this agenda item.

P. Licensure Report – The Board did not address this agenda item.

5. **Public Comment:** There were no public comments.

6. **Disciplinary Proceedings:**

NA20-1008 Tanya Clark was not present. D. Robinson moved to find Tanya Clark in

- DEFAULT.** **Pass**
- A. Weiss moved to **REPRIMAND** the license of Licensed Nursing Assistant **Tanya Clark.** **Pass**
- NA16-1107 Kathryn O'Donovan was not present. E. Leff moved to find Kathryn O'Donovan in **DEFAULT.** **Pass**
- E. Leff moved to **REPRIMAND** the license of Licensed Nursing Assistant **Kathryn O'Donovan.** **Pass**
- NA39-1208 Heather Whitehouse was not present. D. Robinson moved to find Heather Whitehouse **DEFAULT.** **Pass**
- D. Metcalf moved to **REVOKE** the license of Licensed Nursing Assistant **Heather Whitehouse.** **Pass**
- NU84-0407 Chidi Boston was present and represented by Susan Flynn, Esq. J. Carr recused. The Board requested deliberative session at 2:30 p.m. The Board was back in session at 2:55 p.m. The Board will issue a written decision.
- NU00-0109
2009-129 Constance Prendergast was present and represented by Brooks McArthur, Esq. D. Robinson moved to **SUMMARILY SUSPEND** the license of Registered Nurse **Constance Prendergast.** **Pass**
- NU13-0906 Priscilla Adsit was present and represented by Charles Martin, Esq. Board requested deliberative session at 4:25 p.m. The Board was back in session at 4:50 p.m. The Board will issue a written decision.
- NU78-1208 Francine Curtis was present. Board requested deliberative session at 5:30 p.m. The Board was back in session at 5:35 p.m. The Board will issue a written decision.
- NU82-0308 Tammy Platt was present and represented by Judy Barone, Esq. A.

Weiss moved to go into deliberative session at 6:50 p.m. **Pass**
The Board was back in session at 6:53 p.m. Board requested deliberative session at 7:25 p.m. The Board was back in session at 7:30 p.m. The Board will issue a written decision.

A. Weiss moved to table the following agenda items.

- NA15-0908 Bushee, Valerie – Default Hearing
- NA25-1207 Stevens, Laurieann – Default Hearing
- NU81-0308 Lacey, James – Default Hearing
- NA35-0208 Makosso, Eleonore – Default Hearing
- NU84-0308 Peeble, Clifford – Stipulation and Consent Order
- NA01-0708 Roberts, Aaron – Stipulation and Consent Order
- NU00-0608 Lemay, Erin – Stipulation and Consent Order
- NU19-1096 Friedl, Mark – Stipulation and Consent Order
- NA15-1107 Sintz, W. Joan – Request for status change to Inactive Conditioned
- Closing reports for the following cases:
 - NU13-0708
 - NA50-0508
 - NU58-1108
 - NU07-0708
 - NU06-0708
 - NU47-1008
 - NA55-0109

Pass

7. A. Weiss moved to adjourn the meeting at 7:35 p.m.

Pass