

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
APPROVED MINUTES
January 9, 2012**

1. Call to Order:

The meeting was called to order at 9:02 AM by Ellen Leff, Chair; Board Members present: Alan Weiss, John Todd, Deborah Swartz, Sandra Norton, Jeanine Carr; William White; Donarae Metcalf, Douglas Sutton, Ellen Watson; Staff members present: Linda Davidson – Executive Director, Nancy Morin - Administrative Assistant, Elizabeth Hansen - Nursing Program Manager, Larry Novins, Board Attorney, Lauren Hibbert and Gabriel Gilman - Prosecuting Attorneys; Others present: Sonya Pawlin

2. Changes and Additions to the Agenda:

- L. Davidson requested that Sarah Dietschi, an APRN requesting approval of an APRN re-fresher program be added to the Board's agenda under Administration.

3. New Board Member Introductions: L. Davidson advised the Board that the Governor's office has appointed Ms. Ellen Watson, APRN. The appointment will run to December 2016. Mr. Douglas Sutton, RN has been appointed to fill Mr. Ken Bush's vacancy and his term runs to December, 2014,

4. Reappointments: L. Davidson advised the Board that the Governor's office has reappointed Mr. William White, Public Member and Ms. Deborah Swartz, RN. The terms will last until December, 2016.

3. Approval of Minutes:

A. Weiss moved to approve the minutes of the December 12, 2011 with corrections as noted. D. Sutton, D. Metcalf and E. Watson recused. **Pass**

4. Administration, Education, Practice, Licensure

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:

- **Board of Nursing Transition-** L. Davidson announced that the Governor's Office has received applications for Board appointments. The Governor's Office will notify us when the appointments are made. The Governor's Office has re-appointed Mr. William White, Public Member and Ms. Deborah Swartz, RN. The LPN vacancy will be filled shortly.
- **Board Staff Transition-** The Board office has retained the services of Ms. Ellen Leff, RN as Case Manager. E. Leff will assume to responsibilities of the Case Manager role and manage the Alternative Program. E. Leff will also

continue to serve on the Practice Committee. E. Leff will step down from the Board and the RN vacancy will be filled. The Governor's Office has numerous applicants.

- **OPR Board Training-** There was an OPR Board Training on January 6, 2012 at the OPR Board Office. This training was formed due to the number of new Board members starting in 2012. E. Watson and D. Sutton attended.
- **SANE-** L. Davidson participated in the SANE Board meeting on December 13, 2011. The main agenda item was the treatment of minors
- **Data Integrity Project-** The Data Integrity Project continues to be on schedule. The focus continues to be cleanup of inactive LPNs & RNs.
- **Licensure -** The LPN renewal cycle began on December 19, 2011. There are 2,351 LPNs who potentially will renew. As of December 28, 2011 203 LPNs renewed on-line and 21 LPNs renewed by paper application for a total of 224 LPN renewals
- **Discipline:** As of December 31, 2011 there are 190 open cases, 72 follow-up cases 7 Alternative Program participants
- A. NCSBN Mid-Year Meeting –** The Meeting will be held in Chicago on March 12, 13 and 14th. D. Swartz and J. Todd would like to attend with L. Davidson.
- B. 2012 Strategic Initiatives and Annual Goals -** The Board was given the final draft for review. The Board made several additions which L. Davidson will add to the goals.
- C. LNA Medication Assistants Draft Report –** The Board received a copy of the LNA Medication Assistants report which will be presented to the Legislature. L. Davidson presented the report to the Board and Board members made suggestions on style and wording. The Board supported the report.
- D. Board Elections –** The Board held elections for the Chair and Vice-Chair due to E. Leff resigning as chair to take the position of Case Manager for the Board of Nursing. A. Weiss moved to appoint J. Carr as Chair of the Board. **Pass**
W. White moved to appoint J. Todd as Vice-Chair of the Board. **Pass**
- E. Fining Facilities Employing Nurses With In-Active Licenses –** L. Davidson presented the Board with a copy of a letter that had previously been used to send to facilities who had employed nurses with in-active licenses. The Board agreed that the letter was appropriate to use and requested that L. Davidson send the letter to the employers of the nurses who had been disciplined, for working with a lapsed license, by the Board.
- F. Alternative Program Summary 2011 –** The Board received a copy of the Alternative Program Summary to the Board. E. Hansen answered questions and updated the Board on the work of the Alternative Program Committee.
- H. Board of Nursing Quarterly Statistics –** The Board received the Board of Nursing Quarterly Statistics report.
- I. Education Committee Report:** The Education committee has not met since the last Board meeting. J. Carr reported that the Education Committee will meet January 10, 2012 .The Ad Hoc Nursing Assistant Education Committee will meet January 6. 2012. J. Carr gave a power point presentation on the

World Café Meeting she attended in Chicago. The presentation was on Education and the future of educational programs.

Nursing Assistant Education Programs

- Program Re-approval: Request for Approval
 - Northwest Technical Center (Day) Program – D. Metcalf moved to approve the Northwest Technical Center (Day) Program with recommendations for the biennium 2011-2013. **Pass**
 - Randolph Technical Career Center (Day) Program – D. Swartz moved to approve the Randolph Technical Career Center (Day) Program with recommendations for the biennium 2011-2013. **Pass**
 - Essex Junction Technology Center – D. Metcalf moved to approve the Essex Junction Technology Center program with recommendations for the biennium 2011-2013. **Pass**

Nursing Education Programs

- Annual Reports: Request for Acceptance
 - Castleton State College Bachelors of Science in Nursing Program Annual Report– D. Swartz moved to accept the annual report with a Progress Report to be submitted within 30 days. **Pass**
 - Castleton State College Associate Degree in Nursing Program Annual Report– D. Sutton moved to accept the annual report with a progress report due within 30 days. **Pass**
 - Southern Vermont College Associate Degree in Nursing Program – E. Watson moved to accept the annual report with a progress report due within 30 days. **Pass**
 - Southern Vermont College Baccalaureate in Nursing Program – D. Swartz moved to accept the annual report with a Progress Report to be submitted within 30 days. **Pass**
 - University of Vermont Master of Science Program - J. Todd moved to accept the annual report. J. Carr and E. Leff recused. **Pass**
 - Vermont Technical College Practical Nursing Program – D. Metcalf moved to accept the annual report with a progress report due within 30 days. D. Swartz recused. **Pass**
 - Vermont Technical College Associate of Science in Nursing Program – D. Sutton moved to accept the annual report with a progress report due within 30 days. D. Swartz recused. **Pass**
 - South Dakota State University LPN and RN Re-Entry Programs - J. Todd moved to accept the annual report. **Pass**

J. Nursing Practice Committee: L. Davidson reported that the Nursing Practice Committee met on January 4, 2012. . L. Davidson reported that the Committee had been working on position statements. The following position statements are being presented for the Board's approval:

- The Role of the Licensed Practical Nurse in Intravenous Infusion Therapy Position Statement – The Board reviewed and made suggestions for changes to the position statement. The Board requested

that the position statement be sent back to the Practice Committee for revisions.

- o Fitness for Work Position Statement – The Board reviewed the position statement. A. Weiss moved to approve the Fitness for Work Position Statement. **Pass**

D. Swartz moved to retire the position statement “Nurses Functioning in Positions Other Than for Which They are Licensed”. **Pass**

- K. **APRN Sub-committee-** The APRN Sub-committee will meet on Wednesday, January 11, 2012. This Sub-committee meets the fourth Wednesday every 3rd month at the National Life Building from 9 am - noon. The schedule is as follows:

Wednesday, February 22, 2012 9am – noon
Wednesday, May 23, 2012 9 am – noon

5. **Public Comments** – Sonya Pawlin spoke about working in Nursing Homes. As a nurse she would be able to assess the patient at the same time. S. Pawliw stated that LNA’s are not allowed to assess and that if LNA’s were giving medications they may not recognize that something is wrong with the patient and will continue to give them the medication.

6. **Disciplinary Proceedings:**

- 2010-504 Rosa Diaz was not present. A. Weiss moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Rosa Diaz**. The motion died for a lack of a majority vote. The Board requested deliberative session at 9:14 a.m. The meeting resumed at 9:26 a.m. The Board will issue a written decision.
- 2010-395 Danielle Wood was not present. D. Metcalf moved to approve the Stipulation and Consent Order and **WARN** the license of Licensed Practical Nurse **Danielle Wood**. **Pass**
- 2011-735 Kimberly Ratelle was not present. S. Norton moved to approve the Stipulation and Consent Order and **IMPOSE A CIVIL PENALTY** on the license of Registered Nurse **Kimberly Ratelle**. Jeanine Carr recused. **Pass**
- 2010-569 Catherine Butland was not present. J. Todd moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse **Catherine Butland**. Jeanine Carr recused. **Pass**
- 2011-397 Pamela Overstrom was not present. D. Metcalf moved to approve the Stipulation and Consent Order and **IMPOSE A CIVIL PENALTY** on the license of Registered Nurse **Pamela Overstrom**. **Pass**
- 2011-408 Susan Jones was not present. J. Carr moved to approve the Stipulation and Consent Order and **IMPOSE A CIVIL PENALTY** on the license of Licensed Nursing Assistant **Susan Jones**. 8 Yes and 1 No. **Pass**

- 2011-407 Rebecca Stanhope was not present. D. Swartz moved to approve the Stipulation and Consent Order and **IMPOSE A CIVIL PENALTY** on the license of Licensed Nursing Assistant **Rebecca Stanhope**. 8 Yes and 1 No.
Pass
- M2009-148 Eva Spera was not present. J. Todd moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Nursing Assistant **Eva Spera**. E. Leff recused.
Pass
- M2009-47 Andree Carlson was not present. J. Todd moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Andree Carlson**. **Pass**
- M2009-171 Timmothy Condon was not present. J. Todd moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Nursing Assistant **Timmothy Condon**. **Pass**
- M2011-148 Patricia Marshall was not present. . J. Todd moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Practical Nurse **Patricia Marshall**. **Pass**
- 2010-685 Angela Balentine was not present. D. Swartz moved to find Angela Balentine in **DEFAULT**. **Pass**
J. Todd moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Angela Balentine**. S. Norton recused. **Pass**
- 2011-163 Robyn Page was not present. E. Leff moved to find Robyn Page in **DEFAULT**. **Pass**
J. Carr moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Robyn Page**. **Pass**

Closing Reports:

E. Watson moved to recommend that the following complaint be concluded without charges:

- 2011-289 J. Carr recused
- 2011-53 J. Carr recused
- 2011-317 J. Carr recused
- 2010-566 E. Leff recused
- 2011-242 E. Leff recused
- 2011-478 D. Swartz recused
- 2011-401 D. Swartz recused
- 2011-739 J. Todd recused
- 2011-697 J. Todd recused
- 2010-555 J. Todd recused
- 2011-446 J. Todd recused

Pass

7. Other Business:

- Sarah Dietschi – L. Davidson presented a proposal submitted by Sarah Dietschi for an APRN refresher program. L. Davidson explained that the Laws and Rules required a refresher program if the applicant did not meet the work requirements for renewal. L. Davidson advised that there is not an APRN refresher program in Vermont or any other state. The Board discussed in length whether the refresher program met Vermont's requirements. J. Todd moved to send the refresher program proposal to the APRN Sub-Committee for review and if the Sub-Committee found the refresher program met the requirements than the program would be approved. 7 Yes, 2 abstained and 1 No.

Pass

8. Adjournment: D. Metcalf moved to adjourn the meeting at 3:15 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: