

**OFFICE OF PROFESSIONAL REGULATION
89 MAIN STREET, 3RD FLOOR, MONTPELIER, VT
APPROVED MINUTES
October 14, 2013**

1. Call to Order:

The meeting was called to order at 9:00 AM by Jeanine Carr – Chair at 89 Main Street, Montpelier; Board members present: John Todd, Alan Weiss, Ellen Watson, Stephen Morse, Douglas Sutton, Virginia Hudson, Sheila Davis, Deborah Swartz, Luana Tredwell, William White; Staff members present: Linda Davidson - Executive Director, Nancy Morin - Administrative Assistant, Elizabeth Hansen - Nursing Program Manager, Ellen Leff - Nursing Case Manager, Larry Novins - Board Attorney, Gabriel Gilman, Lauren Hibbert - Prosecuting Attorneys, Dennis Menard, Investigator; Others present: University of Vermont students, Laura Lafond, Amy Sue Belisle, Charles Martin, Esq., Jason Sawyer, Esq., Bradley Keith, Cynthia Henderson, Paul Thornhill, Marci White, Daniel Rawson, Bonnie Rawson and Kathleen Craig by telephone

2. Changes and Additions to the Agenda:

- J. Carr welcomed the University of Vermont Students.

3. Approval of Minutes:

A. Weiss moved to approve the minutes of the September 9, 2013 meeting with corrections as noted. W. White recused. **Pass**

4. Disciplinary Proceedings:

- 2013-380 Tanya Marcy was not present. V. Hudson moved to **SUMMARILY SUSPEND** the license of Licensed Practical and Registered Nurse **Tanya Marcy**. The Board will issue a written decision. **Pass**
- 2013-355 Paul Thornhill was present. The Board went into deliberative session at 11:58. The meeting resumed at 12:10 p.m. While in deliberative session the Board voted to **SUMMARILY SUSPEND** the license of Licensed Practical Nurse **Paul Thornhill**. The Board will issue a written decision.
- Licensee Laura Lafond was present. The Board went into deliberative session at 9:57 a.m. The meeting resumed at 10:12 a.m. The Board while in deliberative session voted to affirm the decision to **RESCIND THE LICENSE** of Licensed Nursing Assistant **Laura Lafond**. The Board will issue a written decision
- 2012-388 Deidre Arguin was not present. The hearing was continued until the November 18, 2013 meeting.
- 2012-340 Marci White was present. The Board went into deliberative session at 12:24 p.m. The Board will issue a written decision. D. Swartz recused.
- 2012-759 Dale Kenyon was not present. The hearing was continued.

- 2012-487 Anthony Yantz was not present. The Prosecuting Attorney **DISMISSED** the charges.
- 2013-1 Erica Conaway was not present. S. Morse moved to approve the Stipulation and Consent Order and **WARN** the license of Registered Nurse **Erica Conaway**. V. Hudson recused. **Pass**
- 2012-697 Bradley Keith was present. The Board went into deliberative session at 11:23 a.m. The meeting resumed at 11:30 a.m. The Board while in deliberative session voted to **DISMISS THE CHARGES** on Licensed Practical Nurse **Bradley Keith**. The Board will issue a written decision. D. Swartz recused.
- 2013-75 Courtney Durand was not present. The Board went into deliberative session at 1:50 p.m. The meeting resumed at 2:00 p.m. The Board while in deliberative session voted to **DISMISS THE CHARGES** on Licensed Nursing Assistant **Courtney Durand**. The Board will issue a written decision. S. Davis recused
- 2012-450 Gregory Sieverding hearing was continued until the November 18, 2013 Board meeting.
- 2012-194 & 2012-297 Rachael Coax was not present but was represented by Jason Sawyer Esq. J. Todd moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse **Rachael Coax**. **Pass**
- 2013-71 Sue Harland was not present. J. Todd moved to approve the Stipulation and Consent Order and **WARN** the license of Registered Nurse **Sue Harland**. **Pass**
- 2011-800 Francine Cohen was not present. D. Sutton moved to approve the Stipulation and Consent Order and **WARN** the license of Advanced Practice Registered Nurse **Francine Cohen**. **Pass**
- 2013-178 McKenna Pelkey was not present. S. Morse moved to approve the Stipulation and Consent Order and **IMPOSE AN ADMINISTRATIVE PENALTY** on the license of Licensed Nursing Assistant McKenna Pelkey. S. Davis recused. **Pass**
- 2013-172 Mary Alvey was not present. S. Davis moved to approve the Stipulation and Consent Order and **WARN** the license of Licensed Practical Nurse **Mary Alvey**. **Pass**
- 2013-135 Courtney Aines was not present. J. Todd moved to approve the Stipulation and Consent Order and **WARN AND IMPOSE AN ADMINISTRATIVE PENALTY** on the license of Licensed Practical Nurse **Courtney Aines**. S. Davis recused. **Pass**
- 2012-119 Ernest Lapierre was not present. The Prosecuting Attorney requested a continuance. J. Todd moved to continue the hearing until November 18, 2013. V. Hudson recused. **Pass**

CLOSING REPORTS:

D. Sutton moved to recommend that the following complaints be concluded without charges.

- 2013-419 – J. Todd recused
- 2013-335 – E. Watson recused
- 2012-405 – E. Watson recused

- 2013-306 – V. Hudson recused
- 2013-254 – V. Hudson recused
- 2013-423 – V. Hudson recused
- 2013-294 – V. Hudson recused
- 2013-50 – V. Hudson recused
- 2011-786 – J. Carr recused

Pass

OTHER DISCIPLINARY ITEMS:

A. M2013-71/2008-250 Geoffrey Perkins was not present. S. Morse moved to approve the Order Removing Conditions and **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Geoffrey Perkins**.

Pass

B. M2013-32/2011-287 Amy Sue Belisle was present and represented by Charles Martin, Esq. A. Weiss moved to **APPROVE** the Order to Modify the Conditions on Registered Nurse **Amy Sue Belisle**.

Pass

C. Current Discipline Cases – September 30, 2013 – The Board received and reviewed the current discipline cases with E. Leff.

D. Nursing Case Aging September 30, 2013 - The Board received and reviewed the current discipline cases with E. Leff.

E. Board of Nursing Quarterly Statistics - The Board received and reviewed the current discipline cases with E. Leff.

5. Administration, Education, Practice, Licensure

Executive Director's Report: The Board received the written Executive Director's Report and related documents provided in the Board meeting packet.

- **March 2014 Board Meeting:** The Board changed the meeting date from March 10, 2014 to March 3, 2014 because the NCSBN Mid-year meeting is held from March 10-12, 2014. Board members interested in attending should notify L. Davidson.
- **Nursing Program Manager:** Applications have been received and reviewed for the Nursing Program Manager position. Interview appointments are being scheduled.
- **Staff Changes:** Sandra Swenson resigned her position as Licensing Board Specialist on September 23, 2013. The position is currently being filled by Robin Bell, a Kelly temp.
- **Organizational Assessment:** The Secretary of State's Office has commissioned Matrix Consulting Group, an outside agency to study the organizations structure, staffing levels and management. Board members, as well as licensees may receive an on-line survey from Matrix.
- **SANE:** L. Davidson attended the SANE Board meeting on September 11, 2013. The Committee reviewed the SANE Boards mission, statute and administrative rules. A review of SANE nurses for credentialing purposes was also performed.

- **International Research Project:** On September 12, 2013, L. Davidson participated in the Australian Nurses Research Project which is looking at best practices for licensing international nurses. The interview covered Vermont's practices related to the licensing and verification of international education and practice.
 - **Language Revision Bill:** On September 13, 2013, L. Novins and L. Davidson participated with other stakeholders in reviewing statutes in which "physician" appears to assess if the language needs to be updated to include other health care providers. Also in attendance were representatives from the Vermont Board of Medical Practice, The Vermont Physician Assistant Association. The Vermont Nurse Practitioner's Association, and the Vermont Medical Society. L. Davidson attended a second meeting on October 1, 2013. More meetings will be required to complete this project.
 - **NURSYS- APRNs:** On September 16, 2013, N. Morin and L. Davidson had a phone conference with NCSBN in reference to submitting APRN data to NURSYS. Details are being worked out to proceed with this project.
 - **Northeastern Vermont Regional Hospital (NEVRH) Presentation:** On September 18, 2013, L. Davidson presented on "Delegation" to nurses and administrators at NEVRH.
 - **Act 39 – The Patient Choice and Control at End of Life Act:** On October 3, 2013 L. Davidson participated by phone in a meeting at the Department of Health related to Act 39. The stakeholders reviewed documents that will be available to post on various websites regarding Act 39 frequently asked questions (FAQ). There will be a separate FAQ document for patients, providers and facilities as well as a general FAQ document regarding Act 39.
 - **University of Vermont (UVM) Presentation:** On October 7th, 2013 L. Davidson presented to a graduating class of APRNs at UVM. Topics included the Board of Nursing, licensing, practice guidelines and transition to practice.
 - **Licensure:** There are no renewal cycles in progress at this time.
 - **Discipline:** As of August 30, 2013 there are 152 open cases, 45 follow-up cases and 10 Alternative Program participants (7 Traditional participants and 3 Practice Remediation Program participants.)
- A. OPR/Nursing Budget:** This agenda item was tabled until the November 18, 2013 meeting.
- B. OPR Bill Revisions:** The Board received a copy of the proposed legislative changes. L. Novins discussed the OPR Bill Revisions with the Board.
- C. Licensing: Lapse vs. Reinstate:** L. Novins discussed the proposed changes with the Board. J. Todd moved to approve in concept going forward with the proposal but requested this be placed as an agenda item for the November 18, 2013 meeting. **Pass**
- D. 2014 Strategic Initiatives and Goals:** The Board received the proposed draft 2014 Strategic Initiatives and Goals. L. Davidson and the Board reviewed the document and made changes. L. Davidson will revise and bring back to the Board.
- E. Public Comments –** There were no public comments.

- **F. Education Committee Report:** D. Swartz reported on the Education Committee meeting that was held on October 9, 2013. The Committee reviewed annual reports and representatives from each nursing program participated in the meeting. The reports will be presented at the November Board meeting. The Committee discussed re-entry programs that are located out of state not being under the purview of the Board of Nursing. It was agreed that the re-entry programs outside of Vermont must meet the Board's requirement for didactic and clinical hours but do not need to be approved by the Board.

G. Nursing Assistant Education Programs:

J. Todd moved to approve the following

- **Center for Technology** for the Biennium of 2013-2015.
- **Northwest Technical Center (Adult)** for the Biennium of 2013-2015.
- **Randolph Technical Career Center** for the Biennium of 2013-2015. **Pass**

A. Weiss moved for initial approval of the **Patricia A. Hannaford Career Center (Adult)** with a one-year post-approval site visit to be conducted in September 2014. **Pass**

H. Nursing Assistant Education Program and Practice Committee: E. Hansen reported that the Nursing Assistant Education & Practice Committee meeting was held on October 10, 2013. The Committee reviewed NAEP annual reports and those reports will be presented at the November meeting. The next meeting is scheduled for January 10, 2014.

I. Practice Committee: D. Sutton reported that the Nursing Practice Committee met on October 2, 2013. The Committee continues to work on position statements and is requesting the Board consider the following position statements:

- **Role of Emergency Medical Personnel in Acute Care Facilities – Retire:** V. Hudson moved to retire the Role of Emergency Medical Personnel in Acute Care Facilities Position Statement. **Pass**
- **Patient Choice at End of Life Position Statement:** A. Weiss moved to approve the Patient Choice at End of Life Position Statement with corrections. **Pass**

J. Alternative Program Committee: J. Todd reported that the Practice Remediation Program was showing progress as there are three people enrolled in the program. The Committee is working on draft rules relating to the Alternative program which includes the Practice Remediation Program.

K. APRN Advisory Committee Report: The APRN Advisory Committee has not met since the September Board meeting. The next Committee meeting is scheduled for November.

7. Adjournment: E. Watson moved to adjourn the meeting at 4:35 p.m. **Pass**

Minutes recorded by: Nancy Morin, Administrative Assistant
 Draft minutes reviewed by: Linda Davidson, Executive Director
 Draft minutes approved by Vermont Board of Nursing: **November 18, 2013**