

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
AUGUST 10, 2009**

APPROVED MINUTES

1. Call to Order:

The meeting was called to order at 9:02 AM by Ellen Leff, Chair. Board Members present: Alan Weiss, Sandra Norton, William White, Deborah Robinson, Jeanine Carr, Donarae Metcalf, Ken Bush, De-Ann Welch and Linda Rice (Ad-Hoc). Staff members present: Elizabeth Hansen - LNA Program Coordinator, Nancy Morin - Administrative Assistant, Larry Novins - Board Attorney's, Christopher Winters – Director, OPR, Betsy Wrask - Prosecuting Attorney. Others present: Madeline Mongeon, Medical Society, Patricia Knight, Mary Coonradt, Marie Rutherford, Heidi Porter, Karen St Peter, Jill Sexton, Jeanine Merkle, Judith Trombly, Nancy Gratton, Pamela Puccia, Dr. Rebecca Adams and Jesse Corum IV, Esq., 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:

A. Weiss moved to approve the corrected minutes of the July 13, 2009 meeting.
K. Bush and D. Welch recused. **Pass**

4. Administration, Education, Practice, Licensure

- A. Executive Director's Report** – Attached. E. Leff provided a brief overview of the attached report. The Hearing Officer conducted 16 licensure pre-denial appeal hearings in July 2009. The outcomes of these hearings are included in the Board packet for review and approval.
- B. APRN Board Member Vacancy** – The Governor's Office is aware of the vacancy on the Board and has received a request to fill the position as soon as possible. APRNs across the state have been notified of the vacancy through their professional organizations.
- C. Draft Administrative Rules** – The most recent draft of the proposed Administrative Rules incorporates the recommendations made during the last Board meeting as well as input from the July meeting of the APRN Advisory Committee. The draft is scheduled for review and editing by some Board members and staff. The resulting documents will be reviewed at the September Board meeting. Once revised the proposed

rules are approved by the Board, notice of the opportunity for public comment will be sent to interested parties.

- D. Fall Board Retreat Planning** – A date for a fall Board Retreat was discussed by the Board. The Board agreed that a ½ day on a Monday or Friday in October would be the most convenient time for the retreat. The Board members will e-mail staff with the dates that they are available to attend the retreat. The Board also discussed possible agenda items and will finalize the agenda at the September Board meeting.
- E. 2009 OPR Bill Changes** – C. Winters updated the Board on the Legislative changes that affected the Board.
- F. Laser Use Study Committee** – The first meeting of the committee studying the use of laser light and radio frequency devices was held last month. C. Winters is the chair of the committee. M. Botter participated. The next meeting is scheduled for today.
- G. Disciplinary Guidelines: Unlicensed Practice** – L. Rice moved to untable this agenda item. **Pass**
The Board discussed the Guidelines that were previously approved by the Board. N. Morin will draft the Board's suggested revisions and e-mail them to E. Leff.
A. Weiss moved to table this agenda item until the September meeting. **Pass**
- H. Discipline Follow-up Report** - L. Rice moved to table this agenda item. **Pass**
- I. Nursing Education Committee:** J. Carr reported that the Committee met in June and discussed the criteria used to evaluate and approve nursing programs preparing nurses and a recommendation was drafted for the Board review. The Recommendation was considered by the Board.
A. Weiss moved to table the Recommendation: Changing Core Hourly Requirements for Educational Curriculum approval until the September meeting. **Pass**
The Committee also discussed and proposed for the Board's consideration the posting of Vermont Program NCLEX pass rates on the Board of Nursing Website.
A. Weiss moved to not accept the Committee's recommendation to post Vermont Program NCLEX Pass Rates to the Board of Nursing Website. The Motion did not pass due to a lack of a majority vote.
- W. White moved to accept the Committee's recommendation to post Vermont Program NCLEX Pass Rates to the Board of Nursing Website. The Motion did not pass due to a lack of a majority vote.
- J. End –of-Life Education for Health Care Professionals Study Committee: Update** – L. Rice moved to table this agenda item. **Pass**
- K. Summary of 2009 Annual Nursing Assistant Education Program Report** – D. Welch moved to untable this agenda item. **Pass**
E. Hansen presented the 2009 Annual Nursing Assistant Education Program Report to the Board. L. Rice moved to accept the 2009 Annual

Nursing Assistant Education Program Report and the Recommendation that the Education Committee review the issue of age minimums and educational requirements for LNA licensure. **Pass**

- L. APRN Advisory Committee: Update** – The APRN Advisory Committee members reviewed the draft of the Administrative Rules reviewed by the Board at the July meeting. The Committee provided input on the sections requested by the Board and their recommendations will be incorporated into the next draft.

- M. Nursing Practice Committee: Update –Position Statement Template and Process for Regularly Scheduled Position Statement Review. - L. Rice** moved to table this agenda item until the September meeting. **Pass**

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

6. **Disciplinary Proceedings:**

NU79-0109/2009-1 Kirbie Nichols-Syr was not present. E. Leff moved to find Kirbie Nichols-Syr in **DEFAULT**. **Pass**

D. Welch moved to **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Kirbie Nichols-Syr**. **Pass**

NU98-0109/2009-75 Cristie Conley was not present. K. Bush moved to find Cristie Conley in **DEFAULT**. **Pass**

D. Welch moved to **INDEFINITELY SUSPEND** the license of Registered Nurse **Cristie Conley**. **Pass**

APPNA62-0109/2009-81 Lisa LaVallee was not present. J. Carr moved to find Lisa LaVallee in **DEFAULT**. E. Leff recused. **Pass**

D Welch moved to **DENY** a Licensed Nursing Assistant license to **Lisa LaVallee**. **Pass**

2009-151 Amanda Giguere was not present. K. Bush moved to find Amanda Giguere in **DEFAULT**. **Pass**

L. Rice moved to **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Amanda Giguere**. **Pass**

L. Novins discussed with the Board a request by an individual that was under investigation to place her license on permanent inactive status or to be allowed to surrender her license. The Board concurred that they would refuse to accept the tender of a license while the licensee had a pending complaint against the license.

2009-101 Patricia Knight was present. L. Rice recused. The Board requested

deliberative session at 2:33 p.m. The meeting resumed at 3:05 p.m. The Board will issue a written decision.

NU61-1108/2008-444 Martha Crozier-Povey was not present. A. Weiss moved to approve the Stipulation and Consent Order and **INDEFINELY SUSPEND** the license of Registered Nurse **Martha Crozier-Povey**. **Pass**

NU30-1008/2009-371 Sarah Bouchard was not present. D. Robinson moved to approve the Stipulation and Consent Order and **INDEFINELY SUSPEND** the license of Registered Nurse **Sarah Bouchard**. **Pass**

NU50-1108/2008-422 Dana Gilbert was not present. The Board requested deliberative session at 3:40 p.m. The meeting resumed at 3:55 p.m. The Board will issue a written decision.

NU19-0908/2008-330 Daniel Drish was not present but was represented by Jesse Corum IV, Esq. who participated by telephone. A. Weiss moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse **Daniel Drish**. D. Robinson voted No. **Pass**

NU71-0507/2007-137 Rachel May was not present. J. Carr moved to approve the Stipulation and Consent Order and **INDEFINELY SUSPEND** the license of Licensed Practical Nurse **Rachel May**. **Pass**

NU88-0606/2006-202 Patricia Bergeron was not present. L. Rice moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse Patricia Bergeron. **Pass**

M2009-18 Janice Ling was not present. A. Weiss moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Janice Ling**. K. Bush recused. **Pass**

NA52-0109/2009-54 Richard Longhi was granted a continuance.

M2009-9 Morgan Ouellette was not present. A. Weiss moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Practical Nurse **Morgan Oulette**. **Pass**

7. Hearing Officer Appeal's Recommendations

- **Marie Turay** – J. Carr moved to accept the recommendation that the application of Marie Turay be **DENIED**. **Pass**
- **Nicola Lamb** – D. Metcalf moved to accept the recommendation that the application of Nicola Lamb be **DENIED**. **Pass**
- **Fredrick Wambu** – L. Rice moved to accept the recommendation that the application of Fredrick Wambu be **DENIED**. **Pass**

- **Glenn Sebandal** – D. Metcalf moved to accept the recommendation that the application of Glenn Sebandal be **DENIED**. **Pass**
 - **Annarose Regan-East** – J. Carr moved to accept the recommendation that the application of Annarose Regan-East be **DENIED**. **Pass**
 - **Kamala Rajoo** – L. Rice moved to accept the recommendation that the appeal application of Kamala Rajoo be continued for 60 days in order to receive a Verification of Education from Nanyang Polytechnic verifying that Kamala Rajoo had studied the required number of hours of Microbiology. **If a Verification of Education form is not received within the 60 days then the application will be Denied.** **Pass**
 - **Soosamma Mammen** – L. Rice moved to accept the recommendation that the application of Soosamma Mammen be **DENIED**. **Pass**
 - **Reeta Padinjaremary** – D. Metcalf moved to accept the recommendation that the appeal be reversed and the application of Reeta Padinjaremary be **GRANTED**. **Pass**
 - **Joy Kiruhi** – J. Carr moved to accept the recommendation that the application of Joy Kiruhi be **DENIED**. **Pass**
 - **Carolyn Gambe** – S. Norton moved to accept the recommendation that the application of Carolyn Gambe be **DENIED**. **Pass**
 - **Analyn Faunlague** – D. Metcalf moved to accept the recommendation that the application of Analyn Faunlague be **DENIED**. **Pass**
 - **Belinda Apetorgbor** – D. Robinson moved to accept the recommendation that the application of Belinda Apetorgbor be **DENIED**. **Pass**
 - **Jemcy Antony** – S. Norton moved to accept the recommendation that the application of Jemcy Antony be **DENIED**. **Pass**
 - **Selvin Annamma** – K. Bush moved to accept the recommendation that the application of Selvin Annamma be **DENIED**. **Pass**
 - **Gemma Villalobos** – D. Metcalf moved to accept the recommendation that the application of Gemma Villalobos be **DENIED**. **Pass**
 - **Diane Jeune** – D. Welch moved to accept the recommendation that the application of Diane Jeune be **DENIED**. **Pass**
8. The Board received the Nursing Law's Regan Report for June 2009.
9. A. Weiss moved to adjourn the meeting at 5:45 p.m. **Pass**

Minutes recorded by: Nancy Morin, Administrative Assistant

Draft minutes reviewed by: Mary L. Botter, Executive Director

Date minutes approved by Vermont Board of Nursing: _____