

OFFICE OF PROFESSIONAL REGULATION
89 MAIN STREET, 3RD FLOOR, MONTPELIER, VT
APPROVED MINUTES
April 14, 2014

1. Call to Order:

The meeting was called to order at 9:00 a.m. by Jeanine Carr - Chair at the Capitol Plaza, Montpelier; Board members present: Ellen Watson, Alan Weiss, Stephen Morse, Douglas Sutton, Sheila Davis, Deborah Swartz, William White, Virginia Hudson, Luana Tredwell; Staff members present: Linda Davidson - Executive Director, Nancy Morin - Administrative Assistant, Ellen Leff - Nursing Case Manager, Larry Novins - Board Attorney, Annika Green, Lauren Hibbert, Gabriel Gilman - Prosecuting Attorneys; Others present: University of Vermont and Vermont Technical College Nursing Students, Karen Shingler, Penny Verwey, Jayme Love, Kevin Towne, Carrie Davis, Belinda Needham-Shropshire, Ginger Chiappetta, Carol Auerbach by telephone

2. Changes and Additions to the Agenda:

- J. Carr welcomed the University of Vermont and the Vermont Technical College nursing students.
- A. Weiss moved, consistent with Vermont Statute including 3 VSA, that the Board goes into Executive Session at the end of the meeting to discuss a personnel matter. L. Davidson and L. Novins are to be included in the Executive Session.

Pass

3. Approval of Minutes:

E. Watson moved to approve the minutes of the March 3, 2014 meeting.

Pass

4. Disciplinary Proceedings:

2013-767 Penny Verwey was present and represented by Karen Shingler, Esq. L. The Board went into deliberative session at 10:10 a.m. The meeting resumed at 10:25 a.m. While in deliberative session the Board voted to **SUMMARILY SUSPEND** the license of Licensed Practical Nurse **Penny Verwey**. The Board will issue a written order.

2013-492 Amie Callahan was not present. D. Swartz moved to find Amie Callahan in **DEFAULT**. **Pass**

D. Swartz moved to **WARN AND CONDITION** the license of Licensed Nursing Assistant **Amie Callahan**. **Pass**

2013-171 Sandra Carvell was not present. J. Carr moved to find Sandra Carvell in **DEFAULT**. **Pass**

J. Carr moved to **WARN AND IMPOSE A CIVIL PENALTY** on the license of Licensed Practical Nurse **Sandra Carvell**. **Pass**

2013-156 Kristin Magnant was not present. E. Watson moved to find Kristin Magnant in **DEFAULT**. **Pass**

D. Sutton moved to **INDEFINITELY SUSPEND** the license of Registered Nurse **Kristin Magnant**. **Pass**

2013-634 Sarah Day was not present. J. Carr moved to find Sarah Day in **DEFAULT**. **Pass**
D. Swartz moved to **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Sarah Day**. **Pass**

Applicant Carrie Davis was present. A. Weiss moved to **OVERTURN** the preliminary denial and **ISSUE A LICENSE** to Registered Nurse **Carrie Davis** **Pass**

Applicant Lisa Fuller was not present. J. Carr moved to **AFFIRM** the preliminary denial and **DENY THE RIGHT TO RENEW** the license of Licensed Nursing Assistant **Lisa Fuller**. **Pass**

M2009-146/NU77-0308 Ginger Chiappetta was present. J. Carr moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse **Ginger Chiappetta**. Luana Tredwell recused. **Pass**

2014-38 Chelsea Foryan was not present. E. Watson moved to approve the Stipulation and Consent Order and **WARN** the license of Licensed Practical Nurse/Licensed Nursing Assistant **Chelsea Foryan**. **Pass**

2014-37 Jessica Nicholson was not present. S. Morse moved to approve the Stipulation and Consent Order and **IMPOSE A CIVIL PENALTY** on the license of Licensed Practical Nurse **Jessica Nicholson**. **Pass**

2013-679 Lorraine Winter was not present. D. Swartz moved to approve the Stipulation and Consent Order and **IMPOSE A CIVIL PENALTY** on the license of Registered Nurse **Lorraine Winter**. **Pass**

CLOSING REPORTS:

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

- 2013-566 – S. Davis recused
- 2013-697 – E. Watson recused
- 2013-577- E. Watson recused
- 2013-452 - E. Watson recused
- 2013-692 - E. Watson recused
- 2012-79 – D. Sutton recused
- 2014-119 – D. Sutton recused
- 2014-155 – D. Swartz recused

Pass

OTHER DISCIPLINARY ITEMS:

A. 2013-136 Carol Auerbach was present by telephone. The Board went into deliberative session at 12:15 p.m. The Board will issue a written decision.

B. M2011-12/2010-135/2009-516 Caitlin Ferland was not present. E. Watson moved to **REINSTATE WITH CONDITIONS** the license of Licensed Practical Nurse **Caitlin Ferland**. **Pass**

C. Current Discipline Cases – March 31, 2014 – The Board received and reviewed the current

discipline cases with E. Leff.

D. Quarterly Nursing Report - The Board received and reviewed the Quarterly Nursing Report with E. Leff.

E. Board Authorization for Changes of Policy from Active-Conditioned to Inactive-Conditioned License Status – E. Watson moved to no longer issue disciplinary orders for inactive-condition status. **Pass**

5. Hearing Officer Recommendations.

- Nathalie Reyes – D. Swartz moved to accept the recommendation of the Hearing Officer that the application of Nathalie Reyes be **DENIED**. **Pass**
- Cynthia Abergos – S Davis moved to accept the recommendation of the Hearing Officer that the application of Cynthia Abergos be **DENIED**. **Pass**
- Lordes Rachel Go – D. Sutton moved to accept the recommendation of the Hearing Officer that the application of Lordes Rachel Go be **DENIED**. **Pass**
- Rodante Parulan – S. Davis moved to accept the recommendation of the Hearing Officer that the Denial of the application of Rodante Parulan be **DENIED**. **Pass**
- Rachel Mateo – E. Watson moved to accept the recommendation of the Hearing Officer that the Denial of the application of Rachel Mateo be **DENIED**. **Pass**
- Catherine Yburan – D.Sutton moved to accept the recommendation of the Hearing Officer that the application of Catherine Yburan be **DENIED**. **Pass**

6. 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. L. Davidson advised the Board that S. Brown, APRN has resigned from the Board.

- **Staff Retirement:** N. Morin will be retiring from the Office of Professional Regulation, Board of Nursing. N. Morin's last day will be May 30, 2014. An ad has been placed in the local papers and the position is posted.
- **State House Testimony:** On Tuesday, March 25, 2014 L. Davidson testified to the Senate Economic Development Committee on the status of the nursing workforce and primary care. Since the Administrative Rules Revisions in 2011 which removed the requirement of a collaborative agreement between APRNs and a Physician, Vermont has seen a growth of 24% in APRN licensing (from 500 APRNs in 2011 to 621 APRNs as of 3/17/14.)
- **H.830:** L. Novins and L. Davidson continued collaboration with David Herlihy (Vermont Board of Medical Practice) and Madeleine Mongan (Vermont Medical Society) reviewing revisions made to statutory language which adds APRNs to bills that define Physician services. The review process is finished and the changes to the document are being drafted.
- **Nursing Board Retreat:** The Nursing Board Retreat was Monday, April 7, 2014 at Vermont Technical College in Langevin 101 in Randolph, Vermont.
- **Website:** OPR continues to work on the new website. The anticipated launch date is April 8, 2014.

- **NCSBN APRN Knowledge Network Practice Call:** L. Davidson participated in the NCSBN APRN Knowledge Network Practice call on Thursday, March 20, 2014. Topics included “Allowing APRNs to be certified in chemical dependency prescriptions” and “APRN issues from L.A.C.E”
 - **Vermont Nurse Practitioner Association (VNPA) Annual Meeting:** L. Davidson attended the VNPA Annual meeting on March 27 and 28, 2014. Topics included
 - *Independent Nurse Practitioners in Vermont
 - *The Status of APRNs in Vermont and the Nation
 - *Implications of Health Reform on Advanced Practice Registered Nursing
 - **Green Mountain Care Board:** On Tuesday, April 1, 2014 L. Davidson met with Dr. Betty Rambur from the Green Mountain Care Board. We explored ways in which the Vermont Board of Nursing can be a resource for their office.
 - **Vermont Organization of Nurse Leaders (VONL):** On Friday, April 4, 2014, E. Leff and L. Davidson attended the VONL Nursing Summit.
 - **Licensure:** The LPN renewal cycle: The audit for the active practice requirement for the recent LPN renewal cycles is underway. Ten percent of LPNs were chosen at random by the e-license system and letters requiring verification from employers was requested.
 - **Nursing Applications:** The Board office is reviewing all nursing applications to have uniformity across OPR.
 - **Discipline:** As of March 31, 2014 there are 151 open cases, 48 follow-up cases and 16 Alternative Program participants (10 Traditional participants and 6 Practice Remediation Program participants.)
- A. H.123 Lyme Disease Bill; Policy Statement:** The Board received and reviewed a copy of the H.123 Lyme Disease Bill; Policy Statement.
- B. Draft Revisions of Administrative Rules:** The Board received and reviewed the following sections of the draft revisions of the Administrative Rules. E. Watson moved to approve the following revisions of the Administrative Rules with reservations by the full Board.
- Subpart A – Medication Nursing Assistants
 - Subpart B MNA Training Programs **Pass**
- C. Emergency Rule: Hydrocodones:** The Board received and reviewed a copy of the Emergency Rule: Hydrocodones.
- D. Public Comments:** There were no public comments.
- E. Education Committee Report:** The Education Committee has not met since the last Board meeting.
- F. LNA Education and Practice Committee Report:** The LNA Education and Practice Committee met on April 11, 2014. The Committee reviewed the LNA Annual Program Reports. M. Saint Joseph requested that the Board approve the following:
- **River Bend Career and Technical Center Day and Evening Program – Biennial Review -** E. Watson moved to approve the River Bend Career and Technical Center Day and Evening Program – Biennial Review. **Pass**

G. Practice Committee: D. Sutton reported that the Nursing Practice Committee has not met since the last Board meeting. The Committee requests that the following position statement be approved.

- The Role of the Nurse in Delegating Nursing Interventions Revised Position Statement. J. Carr moved to approve The Role of the Nurse in Delegating Nursing Interventions Revised Position Statement. **Pass**

H. Position Statement Survey Follow-Up: A. Weiss moved to remand the Position Statement Survey Follow-up to the Practice Committee to draft a strategic plan on the use of position statements.

6. Other Business:

Alan Weiss moved, seconded by Ellen Watson, to go into Executive Session to discuss a personnel matter. The Board voted to go into Executive Session at 2:45 p.m. The Board came out of Executive Session at 3:10 p.m. Ellen Watson made a motion, seconded by Sheila Davis, for a vote of no confidence in Board Member Stephen Morse, LNA. The motion proposed also that Mr. Morse resign from the Board, and that if he did not do so, that the Board Chair, Jeanine Carr be authorized to write to Governor Shumlin asking that he remove Mr. Morse from the Board and replace him. The motion was seconded by Sheila Davis. In favor of the motion: 9. Opposed: 1 (Mr. Morse).

7. Adjournment: D. Sutton moved to adjourn the meeting at 3:13 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: