

**APRIL 14, 2008
MINUTES**

1. Call to Order:

The meeting was held at the National Life Building in Montpelier, VT. The meeting was called to order at 9:00 AM by Linda Rice, Chair. Board Members present: Alan Weiss, Ellen Leff, Donarae Metcalf, Sandra Norton, William White, Deborah Robinson, Jeanine Carr. Board Members absent: DeAnn Welch, Ken Bush. Staff members present: Mary Botter - Executive Director, Nancy Morin – Administrative Assistant, Elizabeth Hansen - LNA Program Coordinator, Kevin Leahy - Board Attorney, Larry Novins – Board Attorney, Ed Adrian - Prosecuting Attorney, Judith Cutler – Prosecuting Attorney, Steve Kennedy - Investigator for OPR, Pamela Barney-Hango – Investigator for OPR, Chris Winters – Director for OPR. Others present: UVM BSN Students, Judy Baron, Esq., Martha Israel, Tina Bisette, Nicole Williamson, Angela Auclair

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:

J. Carr moved to approve the minutes of the March 10, 2008 meeting with corrections.
Pass

4. Administration:

- A. **Executive Director's Report - Monthly Report** - M. Botter reported. See attached. M. Botter reported on the resolution of a problem related to the scoring of the NCLEX examination for several Vermont candidates.
- B. **Board Member Travel Instructions** – The Board received the travel instructions packet and will utilize the instructions when making travel arrangements.
- C. **Reprimand, Warning and Administrative Penalty** – An information sheet was provided and K. Leahy explained the difference between the disciplinary actions.

- D. **Fees for Late Renewal of Licenses** – Fees for late renewals were discussed. D. Robinson moved to have all licensees pay the same late fees for renewing lapsed licenses. **Pass**
- E. **Discipline Follow-Up Report** – E. Leff moved to accept the Discipline Follow-Up Report. **Pass**
- F. **Legislative Updates** – C. Winters updated the Board on legislative bills that may impact the nursing profession. H870 the OPR bill is processing through the Senate and House without any major problems. The proposed bill on the Nurse Licensure Compact and the Christian Science Nursing are still in Committee and will not be acted on this year. The bill on Nursing and Military Education is still in Committee and the Nursing Board may be asked to facilitate a meeting this summer with representatives from different military branches and nursing education programs to discuss the issues.
- G. **Proposed APRN Advisory Committee** – A. Weiss moved to accept the proposal for the establishment of an APRN Advisory Committee with two additions. An APRN Board member will be appointed to the Committee and, meetings will be held at least quarterly and more often as needed, but not more than once an month or in excess of 12 times per year. **Pass**
- A. Weiss requested information on the budgetary impact of the APRN Advisory Committee. M. Botter will bring this information to the next meeting.
- H. **Proposed Timeline for Rules Change** – K. Leahy explained the process and timelines for implementing rules changes. The Board requested K. Leahy to develop an initial draft of the proposed APRN rules change for review at the May Board meeting. K. Leahy was also asked to describe how hearings are conducted at the next Board meeting.
- I. **2008 Spring Training Retreat** – The OPR training will be held May 21st, 2008 at Snowflake Resort in Stowe. Board members will notify N. Morin if they will be attending.
- J. **Annual Nursing Board Retreat** – Board members will e-mail M. Botter with possible agenda items. The Board decided that the retreat should be held in the fall and will set a date for the retreat at the May meeting. Board staff was asked to identify meeting locations available during the last 2 weeks of September.

5. EDUCATION:

- A. **Nursing Assistant Program Report** - See attached.
E. Leff moved to accept the report. **Pass**

B. Nursing Assistant Program Biennial Reviews:

D. Robinson moved to accept the recommendation for **Conditional** approval of the **River Bend Career and Technical Center Program.** **Pass**

C. Nursing Assistant Annual Reports:

J. Carr moved to accept the annual reports for the following nursing assistant programs:

- Addison Co. Home Health & Hospice
- The Arbors
- Birchwood Terrace
- Burlington Health & Rehab
- Cedar Hill Continuing Care Center
- Centers for Living & Rehab
- Clinical Career Training
- Cold Hollow Career Center
- Eden Park, Brattleboro
- Fletcher Allen Health Care
- Green Mountain Nursing Home
- Green Mountain Technology & Career Center
- Helen Porter Healthcare & Rehab
- Lyndon Institute
- Mt. Ascutney Hospital & Health Center
- North Country Career Center (Adult/Evening)
- Randolph Technical Career Center (Day)
- Randolph Technical Career Center (Evening)
- River Valley Technical Career Center (Adult)
- Spaulding HS/Barre Technical Center (Day)
- Spaulding HS/Barre Technical Center (Evening)
- Springfield Health & Rehab.
- Starr Farm Nursing Center
- Union House
- VT Veterans Home
- Vernon Green Nursing Home

Pass

E. Hansen will report on the remaining programs at the May meeting.

D. **Proposal for Nursing Education Committee** – L. Rice moved to table.

Pass

6. PRACTICE:

A. **Proposal for Nursing Practice Committee** – L. Rice moved to table. **Pass**

B. **RN's and Cosmetic Injectables** – A. Weiss made a motion to keep this agenda item tabled. **Pass**

7. **LICENSING:**

A. **Request for exception from LNA exam requirements** –L. Rice moved to untable this agenda item. **Pass**

D. Robinson moved to go into Executive Session to review applicants' person information, which is confidential pursuant to 1 V.S.A. §317 (c). **Pass**

8. **DISCIPLINARY PROCEEDINGS:**

NU03-0706 Martha Israel was present and represented by Attorney Judy Barone. A. Weiss moved to go into deliberate session at 11:25 a.m. **Pass**
The Board came out of deliberative session at 11:40 a.m. The Board will issue a written order.

NU02-0707 Martha Chadwick was not present. L. Rice moved to go into deliberative
NU83-0308 session at 1:55 p.m. **Pass**
The Board came out of deliberative session at 2:20 p.m. The Board will issue a written order.

NA15-1007 W. Joan Sintz was not present. E. Leff moved to approve the Stipulation and Consent order and **CONDITION** the license of Licensed Nursing Assistant **W. Joan Sintz.** **Pass**

NA13-1107 Angela Auclair was present. The hearing was postponed until the May Board meeting at the request of Angela Auclair.

APP NA11-1006 Liane Lapan was present. L. Rice moved to go into deliberative session at 2:35 p.m. **Pass**
The Board came out of deliberative session at 2:55 p.m. The Board will issue a written order.

APPLICANT Emily Dalieh was present by phone. K. Leahy advised Ms. Dalieh that she was not eligible to sit for the exam because she had taken her first exam on 8/24/2000. Administrative Rules state that "Candidates who not retake the examinations with five years of the initial examination may retake the examination only after completing an entire approved nursing program." The Board will issue a written order.

- NU69-0507 Brenda Muldoon was not present. E. Leff moved to approve the Stipulation and consent order and **CONDITION** the license of Licensed Practical Nurse **Brenda Muldoon**. **Pass**
- NA13-1006 Megan Slack was not present. E. Leff moved to approve the Stipulation and Consent Order and **SUSPEND** the license of Licensed Nursing Assistant **Megan Slack**. **Pass**
- NU08-0703 Virginia Swain was not present. E. Leff moved to approve the Stipulation and Consent Oder and **REINSTATE AND CONDITION** the license of Registered Nurse **Virginia Swain**. D. Metcalf recused. **Pass**
- NU47-1107 Dawn Ash was not present. D. Metcalf moved to **SUMMARILY SUSPEND** the license of Licensed Practical Nurse **Dawn Ash**. **Pass**
- NU18-0905 Pauline Rheaume was not present. J. Carr moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Pauline Rheaume**. **Pass**
- NU14-0905 Linda Laramee was not present. J. Carr moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Linda Laramee**. **Pass**
- A. Welch moved to recommend that the following complaints be concluded without charges:
- NU80-0506 – L. Rice recused
 - NA32-0108 – L. Rice recused
 - NU25-1006
 - NU55-0106 – L. Rice recused
 - NU70-0208 – L. Rice recused
 - NA38-0208 – J. Carr recused
 - NA03-0707 – E. Leff recused
 - NU41-1007 – E. Leff recused
 - NU52-1107
- Pass**
9. **Other** – The Board received the February and March 2008 Nursing Law Regan Report.
10. **Adjournment** – D. Robinson moved to adjourn the meeting at 5:10 p.m. **Pass**