

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
APPROVED MINUTES
JUNE 14, 2010**

1. Call to Order:

The meeting was called to order at 9:00 AM by Ellen Leff, Chair. Board Members present: Alan Weiss (left at noon), William White, Deborah Robinson, Donarae Metcalf, John Todd, Deanne Welch, Ken Bush, Jeanine Carr; Board members absent: Sandra Norton; Staff members present: Mary Botter – Executive Director, Nancy Morin - Administrative Assistant, Elizabeth Hansen - Program Coordinator; Sandy Swenson – Administrative Assistant, Ellen Hagman - RN Staff, George Belcher, Hearing Officer, Chris Winters - Director of OPR, Betsy Wrask - Prosecuting Attorney; Others present: Madeleine Mongan, Jan Pettrili, Theodore Parizi, Jr., Esq., Jessica Larson, Christine Harte and Judy Barone, Esq. by telephone

2. Changes and Additions to the Agenda:

Ellen Leff welcomed Sandy Swenson, a member of the Nursing Board Staff. The revised agenda provided at the meeting today was accepted.

3. Approval of Minutes:

A, Weiss moved to approve the minutes of the May 10, 2010 meeting with corrections as noted. **Pass**

4. Administration, Education, Practice, Licensure

- A. Executive Director's Report** – Attached. M. Botter gave an overview of the written Executive Director report and related documents that were in the Board meeting packet. M. Botter updated the Board that there were 223 open cases and 81 follow-up cases
- B. Nursing Board Retreat** – The Nursing Board Retreat is scheduled for September 8th. The Board discussed possible retreat agenda items. M. Botter and E. Leff will draft a retreat agenda for the Board's review at the July Board meeting.
- C. Altered Standards of Care Committee** – E. Hagman continues to participate in the conference calls regarding standards of care that might need to be altered in the case of a state emergency. Last week E. Hagman and M. Botter participated on a call about regulatory issues related the proposed altered standards of care identified in the grids. Next month the Board will receive a letter from the Committee requesting high level input regarding decision making about scope and standards of practice during a state emergency.

- D. Data Integrity Project** - M. Botter advised the Board that planning for the hiring of temporary staff to update licensing information on our e-license data base and correct existing data in the NURSYS data base is in the planning stages. The Board will be updated on progression of the project.
- E. Fining Employers for Permitting Practice with Lapsed License** – M. Botter advised the Board that last week the letter approved by the Board was sent to directors of nursing and directors of human resources in VT hospitals, long term care settings and VNA's (with a cc to the Health Department and nursing programs).
- F. Alternative Program Workgroup: Update** – E. Leff reported that the Alternative Program Committee met last month and will meet again in June. E. Leff reported that the Committee had proposed (see Board packet) a list of marketing strategies for the Alternative Program in partial fulfillment of the Board's 2010 Annual Goals. E. Hanson reported that in June the Committee will finish working on the standard contract used for Alternative Program participants and then B. Wrask will review the contract before it comes before the Board for approval.
- G. 2010 NCSBN Annual Meeting** – The NCSBN Annual Meeting announcement was included in the Board packet. The meeting will be held in Portland, Oregon on August 11 – 13th. It would be beneficial if 2-3 Board members could attend. Board members should contact E. Leff or M. Botter if interested in attending the meeting.
- H. NCSBN IT Summit Report** – E. Hagman reported on the NCSBN IT Summit meeting that she attended. Various states gave presentations:
- Kansas has implemented a fingerprint system and discussed the cost and equipment necessary to process the fingerprints.
 - Delaware is digitizing all nursing board documents and paper records.
 - S. Carolina videotapes all of their meetings so minutes are not necessary because you can view the whole meeting or part of the meeting on the internet.
- I. Executive Director Search: Update** – C. Winters advised the Board that recruitment was on hold for two months pending a decision on whether M. Botter will be able to stay as the Executive Director. The position is still being advertised on the State website.
- J. Draft Administrative Rules: Update** – The ad hoc Board sub-committee is scheduled to meet this week to discuss and incorporate recommended changes to the draft. The revised draft of the Administrative Rules will be on the July agenda.
- K. Nursing Workforce Data Collection/Survey: Memo from Larry Novins** – The Board reviewed a memo from Larry Novins outlining his recommendations on the proposal Mary Val Palumbo submitted to the Board in May. J. Todd moved to forward Larry Novins' memo of recommendations to Mary Val Palumbo for her response. **Pass**
- L. NCLEX Quarterly Exam Reports** – The Board received and reviewed the NCLEX Quarterly Exam Reports. M. Botter explained that accuracy of the exam reports is dependent in part on the applicant using the correct school code when completing the forms for the PearsonVue testing service. When

nursing programs change codes the old codes stay in the system for a period of years to allow applicants who need to re-take the NCLEX to use the appropriate code. The Board Office is working with NCSBN and CAVU to develop a drop-down list in e-license of all of the nursing program codes so that the Nursing Board staff can double check (and enter into our system) the nursing program codes selected by applicants.

- M. Education Committee Report** – J. Carr reported on the roles and the responsibilities of Committee members regarding recommended educational changes presented to the Board. J. Carr advised that the Committee had discussed their annual goals and what goals still needed to be met. The Committee reviewed the re-entry program application and was working on revising the application. The Committee is continuing discussion of what constitutes “clinical” for the purpose of providing guidance to and evaluating nursing programs.
- N. Revised Education Committee Charter: Request for Approval** – It was clarified that revisions to the Charter had previously been approved by the Board and the copy in the Board packet reflected the approved changes. The document was accepted by the Board.
- O. Nursing Assistant Education Program Annual Report** – E. Hanson reviewed the nursing assistant education program annual report with the Board. The Board discussed the pass rates for LNA programs and how the pass rates affected the approval of the program. A. Weiss said the report was excellent and moved to receive the annual report. **Pass**
- P. Nursing Assistant Program Initial and Biennial Reviews: Request for Approval-**
- Green Mt Technology and Career Center (day) -Recommendation for change of Approval Status –J. Carr moved to not approve the request for full approval for Green Mt. Technology and Career Center (day) program but to continue the Conditional Approval until the January 1, 2010 to June 30, 2010 examination pass rates are received by the Office. **Pass**
 - **River Bend Career and Technical Center**– J. Carr moved to Approve with recommendations River Bend Career and Technical Center’s program for the biennium 2010-2012. **Pass**
 - **Green Mountain – Initial 1 year approval** – J. Carr moved to Approve with recommendations Green Mountain Technology and Career Center’s program for a one-year period 2010-2011. **Pass**
 - **Lyndon Institute Technical Education (Adult)** – J. Carr moved to Approve with recommendations Lyndon Institute Technical Education Adult program for the biennium 2010-2012. **Pass**
 - **Lyndon Institute Technical Education (Day)** – J. Carr moved to Approve with recommendations Lyndon Institute Technical Education Day Program for the biennium 2010-2012. **Pass**
 - **Mt Ascutney Hospital and Health Center** – J. Carr moved to Approve with recommendations Mt. Ascutney Hospital and Health Center’s program for the biennium 2010-2012. **Pass**
 - **Pines Rehabilitation and Health Center** - D. Welch moved to Approve

the Pines Rehabilitation and Health Center's program for the Biennium 2010-2012.

Pass

Q. Nursing Assistant Program Annual Reports - Request for Acceptance –

J. Todd moved to accept the annual reports for the following programs:

- Addison County Home Health & Hospice
- American Red Cross
- Barre Technical Center (Day Program)
- Barre Technical Center (Adult Technical Education)
- Cedar Hill Continuing Care Center
- Centers for Living & Rehabilitation
- Cold Hollow Career Center (Adult Program)
- Cold Hollow Career Center (Day Program)
- Fletcher Allen Health Care
- Genesis Health Care/Mountain View Center
- Grace Cottage Hospital
- Greensboro Nursing Home
- Green Mountain Technology & Career Center
- Helen Porter Healthcare & Rehabilitation Center
- Lyndon Institute (Day Program)
- Lyndon Institute (Adult Program)
- The Manor
- Maple Lane Nursing Home
- Mt. Ascutney Hospital & Health Center
- North Country Career Center (Day Program)
- North Country Career Center (Adult Program)
- Northlands Job Corps
- Office of Nursing Workforce
- Pines Rehabilitation & Health Center
- Randolph Technical Career Center (Evening Program)
- Randolph Technical Career Center (Day Program)
- River Bend Career and Technical Center
- River Valley Technical Center (Adult Program)
- River Valley Technical Center (Day Program)
- Stafford Technical Center (Day Program)
- Stafford Technical Center (Evening Program)
- Starr Farm Nursing Home
- Visiting Nurse Association of Chittenden & Gran Isle Counties

Pass

R. Nursing Practice Committee – The Practice committee and an ad hoc sub-committee have been meeting regularly to review and update position statements. The following position statements have been reviewed and updated by the Committee and are being presented to the Board for their approval:

- **Nurses Role in the Administration of Propofol (Diprivan) in the Critical Care setting with an intubated, mechanically ventilated patient position statement** – E. Leff moved to send the position statement on *the Nurses Role in the Administration of Propofol*

(Diprivan) in the Critical Care Setting with an Intubated, Mechanically Ventilated Patient back to the Practice Committee until the companion Propofol position statement is ready for the Board to review. **Pass**

- **Nurses Role in the Administration of a Local Anesthetic into a Catheter for the Purpose of a Nerve Block** –J. Carr moved to approve the position statement on the Nurses Role in the Administration of a Local Anesthetic into a Catheter for the Purpose of a Nerve Block **Pass**
- **The role of the RN in the Care of a Pregnant Woman Receiving Analgesia/Anesthesia Through an Epidural Catheter** - K. Bush moved to approve, with one change, the position statement on the Role of the RN in the Care of a Pregnant Woman Receiving Analgesia/Anesthesia Through an Epidural Catheter. **Pass**
- **Role of the Nurse in Holistic Health position statement** – J. Todd moved to approve the position statement on the Role of the Nurse in Holistic Health. **Pass**

S. Revised Practice Committee Charter: Request for Approval – D. Metcalf moved to approve the revised Practice Committee Charter. **Pass**

T. APRN Advisory Committee –The APRN Committee did not meet last month. The next meeting is scheduled for June 21, 2010.

5. **Public Comment:** Madeleine Mongan requested that a copy of position statements that might relate to medical practice be sent to her before the Board meeting at which they were scheduled for review.

6. **Disciplinary Proceedings:**

2009-376; 2009-532; 2009-593 J. Todd moved to continue the hearing until 2:30 p.m. so that Christine Harte and her Attorney could participate by telephone. **Pass**
When the hearing continued Christine Harte was present by telephone and represented by Judy Barone, Esq. K. Bush moved to go into deliberative session at 3:30 p.m. **Pass**
The meeting resumed at 3:35 p.m. The Board will issue a written decision.

2010-105 Rachida Marvin was not present. J. Todd moved to approve the Stipulation and Consent Order with the revision to paragraph A(3) to remove the words substance abuse and **GRANT AND CONDITION THE LICENSED NURSING ASSISTANT** license of **Rachida Marvin.** **Pass**

2002-22 Nancy Aucoin was not present. E. Leff moved to deny Nancy Aucoin's request to dismiss the charges **Pass**

2010-12 Amy Bingham was not present. J. Todd moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Amy Bingham.** D. Robinson recused. **Pass**

2010-21 Jessica Larson was present and represented by Theodore Parizi, Jr. Esq. D.

Welch moved to go into deliberative session at 2:04 P.M. **Pass**
The meeting resumed at 2:40 p.m. The Board will issue a written decision.

M2009-7 Michele Cardinal was not present. J. Todd moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Michele Cardinal**. **Pass**

Closing Reports:

D. Robinson moved to recommend that the following complaint be concluded without charges:

- 2009-509 J. Carr recused. **Pass**

K. Bush moved to recommend that the following complaint be concluded without charges

- 2009-536 J. Todd recused **Pass**

D. Welch moved to recommend that the following complaint be concluded without charges:

- 2009-538 D. Robinson recused **Pass**

D. Metcalf moved to recommend that the following complaint be concluded without charges:

- 2009-350 K. Bush recused **Pass**

7. **Nursing Law's Regan Report:** The Board received the May 2010 report

8. **Adjournment:** D. Welch moved to adjourn the meeting at 3:35p.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: **July 12, 2010**