

**FEBRUARY 9, 2009
APPROVED 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: Ellen Leff, Alan Weiss, Sandra Norton, William White, Jeanine Carr, Deborah Robinson, Donarae Metcalf, Ken Bush. Board Members absent: De-Ann Welch. Staff members present: Mary Botter - Executive Director, Nancy Morin – Administrative Assistant, Elizabeth Hansen - LNA Program Coordinator, William Dalton – Deputy Secretary of State, Larry Novins - Board Attorney, Kevin Leahy – Staff Attorney, Ed Adrian and Betsy Wrask - Prosecuting Attorneys, Jamie Palmisano, Karl Packer, Jeff Jones and Stephen Kennedy – Investigators for OPR. Others present: Paul Harrington, Ashley Hoot, Jennifer Magistrale, Dana Gilbert, Mary Coonradt, Marie Rutherford, Candy Ballou, Jane Dorrian, Thomas Verdant, Sandra Fair, Beverly Pape and Susan Leggett by telephone.

2. Changes and Additions to the Agenda:

The revised agenda provided at the meeting today was accepted without changes or additions.

L. Rice welcomed the UVM Baccalaureate students.

3. Approval of Minutes:

D. Robinson moved to approve the minutes of the January 12, 2009 meeting. K. Bush recused.

Pass

4. Administration, Education, Practice, Licensure

A. B. Dalton presented a plaque to L. Rice and thanked her for her years of service on the Board of Nursing as a Board member and as Chair.

B. Executive Director's Report – Attached. M. Botter provided a brief overview of the attached report. Additionally M. Botter reported that L. Rice, E. Leff and N. Morin would be attending the Mid-Year NCSBN meeting during the first

week of March. One additional person may attend and be fully funded.

- C. Request for Board Member Bio's** – M Botter reminded those Board members who have not yet provided Bios to please provide the Office with a paragraph that can be used in a VSNA newsletter column about the Board.
- D. Hearing Officer Update.** – C. Winters is proceeding with the process necessary to hire a hearing officer. He anticipates that by the end of next month a hearing officer should be hired and hearing dates scheduled.
- E. APRN Board Member** – The Governor's Office has informed the Office that there are now a number of APRN applications for Board appointment on file. A review of the applications is scheduled to take place within the next few weeks.
- F. Administrative Fines and Disciplinary Action Guidelines** – M. Botter advised the Board that she had not been able to finish the guidelines for this month but will present a draft at the March meeting.
- G. E-License Update** – "Go-Live" was planned for this morning but is slightly delayed due to some technical problems. The vendor is working to resolve the issues and it
- H.** is anticipated that e-license will be implemented later today or tomorrow.
- I. Report from the State Auditor's Office** – The Board received a copy of the Report from the Auditor's Office. K. Bush moved to recommend that the Office of Professional Regulation take action without delay to re-establish the Interboard Advisory Committee as recommended in the report. **Pass**

M. Botter will inform C. Winters of the recommendation of the Board. The Board agreed to discuss the State Auditor's report at the Board Retreat rather than during a regularly scheduled Board meeting.
- J. Election of Board Officers** – L. Rice resigned as Chair effective at the end of this meeting because she cannot be reappointed to the Board. E. Leff will assume the Chair position. K. Bush nominated J. Carr as Vice-Chair. J. Carr recused. **Pass**
W. White moved to close the nominations. **Pass**

K. Legislative Update – Report of the Palliative care, End-of Life Care and Pain Management Study Committee – The Board discussed the recommendations on mandated educational requirements for CEU's as outlined in the Study Committee's recommendations. Board members agreed with the intent to improve end of life care, but did not support a regulatory approach to accomplish this goal. A. Weiss recommended that the Education and Practice Committees also review this document and submit recommendations to the board for consideration.

L. 2009 OPR Bill H.86 - The Board received a copy of the OPR bill.

M. Summer Study – Nurses and Military Service –The workgroup is waiting for the results of a survey sent to all state nursing board executive officers to finalize their recommendations to the Board. The recommendation should be presented to the Board in March.

N. Review of Draft Administrative Rules – The Board reviewed the draft Administrative Rules and made proposed revisions and recommendations. The Board agreed that there is a need for additional specificity regarding quality assurance in the practice guidelines section. Board members will send any further comments to M. Botter or K. Leahy. A revised draft will be prepared for review at the March Board meeting.

O. Discipline Follow-Up Report –J. Carr moved to accept the Discipline Follow-Up Report. **Pass**

P. Alternative Program Summary 2008 – The Board received the report.

Q. Nursing Assistant Program Approvals –

- E. Leff moved to grant **Approval** with recommendations for Patricia Hannaford Career Center. **Pass**
- E. Leff moved to grant **Approval** to Lyndon Institute Technical Education – Adult Program. **Pass**

R. Annual Nursing Program Reports –

- K. Bush moved to **Accept** with recommendations Southern Vermont College – AD and BSN Annual Program Report. **Pass**
- E. Leff moved to **Accept** Vermont Technical College's Re-Entry Annual Program Report. D. Robinson recused. **Pass**

- K. Bush moved to change the status from Approved to **Conditional Approval** and to **Suspend** the admission of Vermont Students to the following programs.

1. Connecticut Re-Entry Program
2. North Dakota Re-Entry Program
3. Greenville Re-entry Program

Pass

- E. Leff moved to **Withdraw Approval** for the Kennesaw Re-Entry Program.

Pass

S. Report of Norwich BSN Program Site Visit - E. Leff moved for continuation of **Conditional Approval** for Norwich's BSN Program. **Pass**

T. Nursing Practice Committee Update – E. Leff reported the Committee met last week and reviewed a draft process to review existing position statements and consider position statement requests. Additionally, the Committee reviewed drafts of a decision tree for delegation decision making and a format for position statements. The Committee will next meet in March.

U. APRN Advisory Committee Update - M. Botter reported that the Committee met and made additional recommendations regarding the practice requirements for APRNs. Additionally, they reviewed the existing Administrative Rules and made suggestions to facilitate submission and review of APRN practice guidelines. The Committee will meet again later this month.

V. NCLEX Examination Results – The Board received the report.

W. Licensure Report - The Board received the report.

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

6. **Disciplinary Proceedings:**

NU79-0308 Ashley Hoot was present. The Board requested deliberative session at 11:40 A.M.
The Board was back in session at 12:00 P.M. The Board will issue a written decision

NU62-1108 Jennifer Magistrale was present. K. Bush requested deliberative session at 12:40 p.m. E. Leff recused.
The Board was back in session at 12:50 p.m. The Board will issue a written

decision

- NU18-0908 Kimberly Corbett was not present. D. Robinson moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Registered Nurse **Kimberley Corbett.** **Pass**
- NA39-1208 Heather Whitehouse was not present. J. Carr moved to **SUMMARILY SUSPEND** the license of Licensed Nursing Assistant **Heather Whitehouse.** **Pass**
- NU50-1108 Dana Gilbert was present. L. Rice requested deliberative session at 1:53 P.M.
The Board was back in session at 2:03 P.M. The Board will issue a written decision.
- NU53-0307 Patricia Knight was not present. A. Weiss moved to **SUMMARILY SUSPEND** the license of Licensed Nursing Assistant **Patricia Knight.** L. Rice recused. **Pass**
- NU59-1108 Candy Ballou was present. E. Leff requested deliberative session at 2:55 P.M.
The Board was back in session at 3:00 P.M. The Board will issue a written decision.
- NU06-0707 Jane Dorrian was present. The Board requested deliberative session at 3:25 P.M.
The Board was back in session at 3:35 P.M. The Board will issue a written decision.
- APPLICANT Thomas Verdant was present. E. Leff requested deliberative session at 3:55 P.M.
The Board was back in session at 4:14 P.M. The Board will issue a written decision.
- NA08-0907 Timmothy Condon was not present. L. Rice moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Timmothy Condon.** **Pass**
- NA05-0801 Beverly Pape was present. L. Rice moved to change Beverly Pape's licensing status from **SUSPENDED** to **LAPSED - CONDITIONED.** A. Weiss recused. **Pass**
- NU29-1008 Louise Hearne was not present. K. Bush moved to **SUMMARILY SUSPEND** the license of Registered Nurse **Louise Hearne.** **Pass**

NA64-0209 Alexis Gabree was not present. A. Weiss moved to **SUMMARILY SUSPEND** the license of Licensed Nursing Assistant **Alexis Gabree**. **Pass**

NU98-0608 Marie Stepnowski was not present. K. Bush moved to approve the Stipulation and Consent Order and **REPRIMAND** the license of Licensed Practical Nurse **Marie Stepnowski**. **Pass**

NU93-0508 Lisa Lovely was not present. E. Leff requested deliberative session at 5:20 P.M. The Board was back in session at 5:35 P.M. K. Bush moved to approve the Stipulation and Consent Order and **REPRIMAND** the license of Licensed Practical Nurse **Lisa Lovely**. **Pass**

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

- NU59-1108 – J. Carr recused. **Pass**

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

- NU65-1208 – J. Carr recused. **Pass**

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

- NU73-0208 – J. Carr recused. **Pass**

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

- NU61-0108 – L. Rice recused. **Pass**

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

- NU52-1108 – E. Leff recused. **Pass**

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

- NU28-0908 – E. Leff recused. **Pass**

S. Norton moved to recommend that the following complaint be concluded without charges:

- NU51-1108 – K. Bush recused. **Pass**

7. **Other Business**

- The Board received the Nursing Law's Regan Report – December 2008

- The Board received the memo from C. Winters regarding E-License
- The Board received the OPR Annual Report on Professional Licensing

8 D. Metcalf moved to adjourn the meeting at 5:45 p.m. **Pass**