

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
APPROVED MINUTES
October 8, 2012**

1. Call to Order:

The meeting was called to order at 9:00 AM by John Todd, Vice-Chair; Board Members present: Alan Weiss, Sandra Norton, Ellen Watson, Sheila Davis, Douglas Sutton, Deborah Swartz, Donarae Metcalf, William White, Virginia Hudson; Board Members absent: Jeanine Carr; Staff members present: Linda Davidson – Executive Director, Nancy Morin - Administrative Assistant, Ellen Leff, Nursing Case Manager, Larry Novins - Board Attorney, Gabriel Gilman and Melissa Sharkis - Prosecuting Attorneys; Others present: David Putter, Esq., Richard Braun, Judy Barone, Esq., Janice Parry, Tricia Ellis, Amy Blacketer, Julie Smith, Jean Darrow, Judith Lambert, Holly Shaner-McRae

2. Changes and Additions to the Agenda:

- There were no changes to the agenda

3. Approval of Minutes:

A. Weiss moved to approve the minutes of the September 10, 2012 meeting with corrections as noted. V. Hudson recused. **Pass**

4. Disciplinary Proceedings:

- 2011-765 June Clayton was present by telephone. The Board went into deliberative session at 12:55 p.m. The meeting resumed at 1:10 p.m. The Board will issue a written decision.
- 2011-698 Kelly Breeyear was not present. The Prosecuting Attorney **DISMISSED THE CHARGES WITHOUT PREJUDICE.**
- 2012-533 Jay Hutchins was not present. D. Swartz moved to **SUMMARILY SUSPEND** the license of Licensed Practical Nurse **Jay Hutchins**. The Board went into deliberative session at 11:55 a.m. The meeting resumed at 12:04 p.m. While in deliberative session the Board approved the motion.
- 2012-247 Thomas Njuguna was not present. D. Metcalf moved to **SUMMARILY SUSPEND** the license of Licensed Practical Nurse **Thomas Njuguna**. The Board went into deliberative session at 2:05 p.m. The meeting resumed at 2:07 p.m. While in deliberative session the Board approved the motion.
- 2012-381 Sharon Laub was not present. A. Weiss moved to accept the **VOLUNTARY SURRENDER, pending further disciplinary action**, the license of Advanced Practice Registered Nurse **Sharon Laub**. **Pass**
- 2011-734 Janice Parry was present. The Board went into deliberative session at 11:08 a.m. The meeting resumed at 11:20 a.m. The Board will issue a written decision.

- 2011-711 Richard Braun was present and represented by David Putter, Esq. D. Sutton moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed Practical Nurse **Richard Braun**. S. Norton, D. Swartz and D. Metcalf recused. **Pass**
- 2011-779 Julie Smith was present. The Board went into deliberative session. The Board will issue a written decision.
- 2010-530 Brenda Bean was not present but was represented by Judy Barone, Esq. J. Todd moved to approve the Stipulation and Consent Order and **WARN AND CONDITION** the license of Registered Nurse **Brenda Bean**. The Board went into deliberative session at 10:10 a.m. The meeting resumed at 10:25 a.m. The Board while in deliberative session voted to **REJECT** the Stipulation and Consent Order.
- 2011-497 and 2011-668 Paige Airoidi was not present. E. Watson moved to approve the Stipulation and Consent Order and **WARN AND CONDITION** the license of Licensed Nursing Assistant **Page Airoidi**. **Pass**
- 2012-110 Nicole Maple was not present. D. Sutton moved to approve the Stipulation and Consent Order and **WARN AND CONDITION** the license of Licensed Nursing Assistant **Nicole Maple**. **Pass**
- 2012-3 Kathleen Clark was not present. V. Hudson moved to approve the Stipulation and Consent Order and **WARN AND CONDITION** the license of Registered Nurse **Kathleen Clark**. J. Todd recused. **Pass**
- M2012-2/2011-142 Scott Knudsen was not present. J. Todd moved to approve the Stipulation and Consent Order and **REINSTATE AND CONDITION** the license of Registered Nurse **Scott Knudsen**. D. Swartz recused. **Pass**
- 2011-143 Patricia Fitzsimmons was not present. A. Weiss moved to approve the Stipulation and Consent Order and **CONDITION** the license of Licensed Nursing Assistant **Patricia Fitzsimmons**. **Pass**
- 2012-108 Kelly Donahue was not present. J. Todd moved to approve the Stipulation and Consent Order and **WARN AND CONDITION** the license of Licensed Nursing Assistant **Kelly Donahue**. **Pass**
- M2010-83/2009-316 Nicole Thornton was not present. E. Watson moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Nursing Assistant **Nicole Thornton**. **Pass**
- M2010-10/2010-603 & 2011-32 Vicki Garza was not present. D. Swartz moved to **REINSTATE WITH CONDITIONS** the license of Registered Nurse **Vicki Garza**. **Pass**

CLOSING REPORTS:

A. Weiss moved to recommend that the following complaints be concluded without charges:

- 2012-43
- 2012-174 – D. Sutton recused
- 2012-514 – D. Sutton recused

- 2012-117 – D. Sutton recused
- 2012-10 – J. Todd recused
- 2012-251 – E. Watson recused
- 2011-629 – D. Swartz recused

Pass

OTHER DISCIPLINARY ITEMS:

A. Open Nursing Discipline Cases 9/28/12. The Board reviewed the graphs that E. Leff had prepared on the open nursing cases. E. Leff spoke about the status of open cases as of 9/28/12. L. Leff advised the Board that the new investigators seemed to be working out well. A. Weiss requested that E. Leff bring to the next Board meeting a chart on the age of the disciplinary cases. .

5. 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. The report included:

- **Board Meetings:** The Board of Nursing will be meeting at the Chapel in College Hall at the Vermont College of Fine Arts in November.
- **Board of Nursing Move:** The Office of Professional Regulation will be moving to temporary office space in December at The Vermont College of Fine Arts. A permanent move will occur towards the summer of 2013.
- **OPR Board Retreat:** The Office of Professional Regulation cancelled the OPR Board Retreat because of the Office being moved.
- **Blue Ribbon Commission:** The Blue Ribbon Commission on Nursing had its final meeting on September 11, 2012. They have written recommendations for the Governor on the future of nursing in Vermont.
- **SANE:** L. Davidson attended the SANE Board meeting on September 12, 2012. L. Davidson participates in the Certification & Compliance Committee. The Committee reviewed 2012 SANE applications and discussed certification issues that have arisen.
- **ERP Program:** The State is moving towards electronic processing of employee time records and expense sheets. L. Davidson attended a training seminar for supervisors in reference to this implementation.
- **50th Anniversary of Castleton Nursing Program:** On Saturday, September 29, 2012 E. Hansen and L. Davidson attended a celebration in recognition of the 50th Anniversary of the Castleton Nursing Program. J. Carr was a guest speaker at the event
- **Licensure:** The office is on track for the LNA Renewal cycle. Notices will be going out mid-October.
- **Workforce Data Survey;** Work continues on embedding the minimum data set for the RN/APRN renewal cycle.
- **Discipline:** As of September 30, 2012 there are 198 open cases, 64 follow-up cases and 6 Alternative Program participants.

A. Strategic Initiatives and Goals: The Board received the Strategic Initiatives and Goals. The Board discussed possible Board retreat days. The Board will send possible retreat agenda items to L. Davidson. The Board will solidify a date and agenda for the retreat at the November meeting.

- B. Criminal Background Checks (update from NCSBN)** - The Board will discuss Criminal Background Checks at the Board Retreat. NCSBN has put together a team to educate and assist Boards of Nursing wishing to move forward with this initiative.
- C. Quarterly Board Statistics:** The Board received and reviewed the Quarterly Board Statistics Report provided by E. Leff.
- D. Public Comments** – There were no public comments.
- E. Education Committee Report:** The Education Committee did not meet in September. The next meeting will be October 22nd to review the annual reports for the nursing programs.

LNA Program Re-approval: Request for Approval

- **Lyndon Institute Technical Education – Adult Program** – D. Swartz moved to approve **Lyndon Institute Technical Education Adult Program** for the Biennium October 2012-October 2014. **Pass**
 - **Birchwood Terrace Healthcare** – A. Weiss moved to approve **Birchwood Terrace Healthcare** for the Biennium October 2012-October 2012. **Pass**
 - **Fletcher Allen Healthcare** – E. Watson moved to approve **Fletcher Allen Healthcare** for the Biennium October 2012-October 2012. **Pass**
- F. Practice Committee** – D. Sutton reported that the Practice Committee had met on October 3, 2012. The Committee is very busy reviewing position statements. The Committee will be presenting the “Delegated Medical Acts” position statement at the November Board meeting.
 - G. APRN Sub-committee:** L. Davidson reported that the APRN Sub-Committee will be meeting on November 28, 2012.

6. Other Business:

- There was no other business.

7. Adjournment: D. Sutton moved to adjourn the meeting at 3:00 p.m. **Pass**

Minutes recorded by: Nancy Morin, Administrative Assistant
 Draft minutes reviewed by: Linda Davidson, Executive Director
 Date minutes approved by Vermont Board of Nursing: November 5, 2012