

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
APPROVED MINUTES
August 13, 2012**

1. Call to Order:

The meeting was called to order at 9:00 AM by Jeanine Carr, Chair; Board Members present: Alan Weiss, Sandra Norton, Ellen Watson, Virginia Hudson, Sheila Davis, Douglas Sutton, John Todd, Deborah Swartz, Donarae Metcalf; Board Members absent: William White; Staff members present: Nancy Morin - Administrative Assistant, Ellen Leff, Nursing Case Manager, Larry Novins - Board Attorney, Gabriel Gilman and Melissa Sharkis - Prosecuting Attorneys; Others present: Suzanna Barton, Audra Lamothe

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 July 9, 2012 with corrections as noted. D. Swartz and Donarae Metcalf recused.

Pass

4. Disciplinary Proceedings:

- | | |
|-----------|---|
| 2011-125 | Suzanna Barton was present. The Board went into deliberative session at 10:05 a.m. The meeting resumed at 10:14 a.m. The Board will issue a written decision. |
| 2011-386 | Monica Brown was not present. D. Swartz moved to INDEFINITELY SUSPEND the license of Licensed Nursing Assistant Monica Brown.
<div style="text-align: right;">Pass</div> |
| 2011-666 | Eleanor Perri was not present. J. Carr moved to find Eleanor Perri in DEFAULT.
<div style="text-align: right;">Pass</div>
D. Swartz moved to INDEFINITELY SUSPEND the license of Registered Nurse Eleanor Perri.
<div style="text-align: right;">Pass</div> |
| 2011-144 | Leila Gardner was not present. J. Carr moved to find Leila Gardner in DEFAULT.
<div style="text-align: right;">Pass</div>
J. Todd moved to INDEFINITELY SUSPEND the license of Licensed Nursing Assistant Leila Gardner.
<div style="text-align: right;">Pass</div> |
| M2009-214 | Audra Lamothe was present. The Board went into deliberative session at 11:17 a.m. The meeting resumed at 11:36 a.m. The Board will issue a written decision. |
| 2011-372 | Bethany Poulin was not present. D. Metcalf moved to approve the Stipulation and Consent Order and WARN the license of Licensed Nursing Assistant Bethany Poulin.
<div style="text-align: right;">Pass</div> |
| 2011-531 | Edward Lieberman was not present. D. Sutton moved to approve the Stipulation and Consent Order and IMPOSE AN ADMINISTRATIVE PENALTY on the license of Registered Nurse Edward Lieberman.
<div style="text-align: right;">Pass</div> |

2010-690 Colette Devereaux was not present. A. Weiss moved to reject the Stipulation and Consent Order and remand it back to the Prosecutor. **Pass**

2011-672 Sally Collins was not present. J. Carr moved to approve the Stipulation and Consent Order and **WARN** the license of Licensed Practical Nurse **Sally Collins**. 6 Yes 3 No. **Pass**

2010-564 Venise Lindo was not present. J. Carr moved to approve the Stipulation and Consent Order and **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Venise Lindo**. **Pass**

2010-645 Raylene Pinney was not present. D. Metcalf moved to approve the Stipulation and Consent Order and **WARN** the license of Licensed Nursing Assistant **Raylene Pinney**. **Pass**

M2009-311 Dwight Walker was not present. D. Metcalf moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Practical Nurse **Dwight Walker**. **Pass**

CLOSING REPORTS:

J. Todd moved to recommend that the following complaints be concluded without charges:

- 2011-57 – Deb Swartz recused
- 2011-710 – Deb Swartz recused
- 2012-407 – Doug Sutton recused
- 2012-356 – Doug Sutton recused
- 2011-792 – John Todd recused
- 2011-406 – John Todd recused
- 2011-305 – John Todd recused
- 2011-304 – John Todd recused

OTHER DISCIPLINARY ITEMS:

Stipulations – The Board discussed the appearance of stipulations when presented to the Board for approval. The Board concurred that stipulations should not have items crossed out or have written notations on the Stipulation. The Board instructed L. Davidson to talk with the Director about stipulations.

Open Nursing Discipline Cases 7/31/12 - The Board reviewed the grafts that E. Leff had prepared on the open cases. E. Leff spoke about the status of open cases as of 7/31/12. J. Carr voiced concerns about how many cases still had not been investigated.

HEARING OFFICER:

Don, Aleena - J. Todd moved to accept the recommendation of the Hearing Officer that the application of **Aleena Don** be **DENIED**. **Pass**

Nolan, Claire – E. Watson moved accept the recommendation of the Hearing Officer that the application of **Claire Nolan** be **CONTINUED FOR UP TO FIVE MONTHS FROM JULY 25, 2012 FOR THE APPLICANT TO SUPPLEMENT HER APPLICATION AS SET FORTH. IF NO ACCEPTABLE SUPPLEMENT IS FILED, THE PRELIMINARY DENIAL WILL BECOME FINAL.**

Agnes Todo - D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of Agnes Todo be DENIED .	Pass
Mathew, Mariamma - D. Swartz moved to accept the recommendation of the Hearing Officer that the application of Mariamma Mathew be DENIED .	Pass
Gutierrez, Jr., Antonio - J. Todd moved to accept the recommendation of the Hearing Officer that the application of Antonio Gutierrez, Jr. be DENIED .	Pass
Lee, Charlotte – D. Swartz moved to accept the recommendation of the Hearing Officer that the application of Charlotte Lee be DENIED .	Pass
Macarangdang, Enrique – E. Watson moved to accept the recommendation of the Hearing Officer that the application of Enrique Macarangdang be DENIED .	Pass
Macalino, Ethel – E. Watson moved to accept the recommendation of the Hearing Officer that the application of Ethel Macalino be DENIED .	Pass
Quijano, Frances – D. Swartz moved to accept the recommendation of the Hearing Officer that the application of Frances Quijano be DENIED .	Pass
Naval, Harold – D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of Harold Naval be DENIED .	Pass
Parnaby, Jade - D. Sutton moved to accept the recommendation of the Hearing Officer that the application of Jade Parnaby be DENIED .	Pass
McGurk, Jodie – D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of Jodie McGurk be DENIED .	Pass
Velukennel Pathrose, John – D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of John Velukennel Pathrose be DENIED .	Pass
Naval, Josie – S. Norton moved to accept the recommendation of the Hearing Officer that the application of Josie Naval be DENIED .	Pass
Tesico, Mark – D. Sutton moved to accept the recommendation of the Hearing Officer that the application of Mark Tesico be DENIED .	Pass

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 Capitol Plaza in September.
- **Data Integrity Project:** The NURSIS Data Integrity Project is moving along on schedule. C. Smith has made significant reductions in the following items since the last Board meeting, specifically:
 - Basis of licensure – reduced missing data items from 3,795 to 371
 - Original Date of Licensure – reduced missing data items from 972 to 185
 - N. Morin has updated all discipline for active nurses.

- **NCSBN Annual Meeting:** The NCSBN Annual meeting will be held August 8-10, 2012 in Dallas, Texas. Thus far, Deborah Swartz and Nancy Morin will be going.
 - **Blue Ribbon Commission:** The Blue Ribbon Commission on Nursing did not meet in July. The next meeting will be in August 16, 2012.
 - **LNA Medication Assistant Program Preparation:** L. Davidson accompanied E. Hansen to Berlin Health and Rehab to speak with nurses to gather information on how LNA medication assistants would be useful for their place of employment and concerns they may have about this program in general. L. Davidson and E. Hansen will report this information to the committee that will be making recommendations to the Board to implement this program as legislatively required.
 - **Licensure:** There is no nursing renewal cycles currently in progress.
 - **Workforce Data Survey:** Meetings have begun to incorporate the minimum data set into the next RN/APRN renewal.
 - **Discipline:** As of July 31, 2012 there are 195 open cases, 59 follow-up cases and 6 Alternative Program participants.
- A. NCLEX RN and PN Exam Results –** The Board received and reviewed the NCLEX RN and PN Exam Results.
- B. Public Comments –** There were no public comments.
- C. Education Committee Report:** D. Swartz reported that the Committee has not met since the last Board meeting. The Committee will be meeting on August 20, 2012. The Nursing Assistant Education Committee is scheduled to meet on October 5, 2012.
- The transition to the new LNA exam vendor is progressing well. Separate training workshops for Instructors and Evaluators are scheduled during August. Pearson Vue's contract begins on September 15th. S. Swenson and E. Hansen have been focusing on providing feedback to Pearson Vue regarding Vermont-specific details in the Candidate Handbook and other documents for the nursing assistant education programs. The Candidate Handbook is now posted on line at www.pearsonvue.com

LNA Program Re-approval: Request for Approval

- **Pines Rehabilitation and Health Center –** A. Weiss moved to approve the Pines Rehabilitation and Health Center Program for the Biennium 2012-2014. **Pass**

Licensed Nursing Assistant Program Status Change

- The Board received a copy of the letter that was sent to Greensboro Nursing Home confirming that the voluntary closure of the Nursing Assistant Education Program be rescinded.
- D. Practice Committee –** D. Sutton reported that the Practice Committee had met on August 1, 2012. The Committee is very busy reviewing position statements. Out of 32 position statements there are only 10 more that need to be reviewed. The goal is to review position statements every 5 years.
- E. APRN Sub-committee:** L. Davidson reported that the APRN Sub-Committee will be meeting on August 22, 2012.

6. Other Business:

- NCSBN Annual Meeting – D. Swartz reported on the annual meeting which was held in Dallas, TX. D. Swartz reported that voting was done electronically. There was much discussion on the Model Rules. The most discussion centered on whether an Executive Director needed to be a Nurse. The Vote was in favor of the Executive Director being a Nurse. The Model Rules will be changed. There was also much discussion on Boards doing criminal background checks. One of the speakers discussed how and who should do evaluations for applicants that may have serious convictions.

7. Adjournment: D. Metcalf 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: September 10, 2012