



Board of Nursing

Office of Professional Regulation, Vermont Secretary of State

89 Main Street, 3rd Floor • Montpelier, VT 05620-3402

<https://sos.vermont.gov/opr/>

APPROVED MINUTES

October 9, 2023

Remote Meeting

1. **Call to Order:** The meeting was called to order at 9:00 a.m. by the Chair, Jennifer Laurent.

Board members present: Jennifer Laurent, Kelly Sinclair, Jennifer Lyon, Luana Tredwell, Ginger Gillette-Kent, Daniel Coane, Deb Belcher, and Matthew Choate.

Ad Hoc member: Douglas Sutton

Absent: William “Jamie” Floyd

Staff members present: Shiela Boni, Nursing Board Executive Officer; Carrie Phillips, Pharmacy Executive Officer; Lauren Layman, Board Counsel; Noura Eltabbakh, General Counsel; Judge George Belcher, Administrative Law Officer; Kristin Donnelly, Case Manager; Elizabeth Kneen, Case Manager, Julie Bowen, Docket Clerk, Corrine Reynolds, Licensing Administrator; Kamanie Sweet, Licensing Administrator; Michelle Lavoie, Licensing Administrator, Laticia Garcia, Enforcement Licensing Administrator; Kris Bowdish, OPR Deputy Chief Investigator; Michael Desjardins, Investigator; and Shawn McGarvin, Investigator.

Prosecuting Attorneys: Jennifer Colin, Rachel Heath, Ultan Doyle and George Hasselback.

Guests: Brenda Walsh, Mary Martin, and Jessilyn Dolan.

2. **Announcement: All Board Retreat held by OPR.**

- **Date:** 11/1/23 **Location:** 32 College St., Montpelier **TIME:** 2 sessions (8:45am-Noon or 1-4:15pm)
- Please email Laticia.garcia@vermont.gov to RSVP

3. **Approval of Minutes from September 11, 2023**

Daniel Coane moved to approve the minutes of September 11, 2023. Deb Belcher seconded. The motion passed unanimously. Douglas Sutton abstained.

4. Executive Officer Report

Shiela Boni:

- LNA testing update: The health committee & a member of Senator Sander's staff submitted a letter to CMS on behalf of us. We proposed if appropriate RN could do the skill test for the LNA clinical portion of the LNA exam. We have received approval, waiting for written approval.
- Prometric LNA testing vendor contract expires 11/23. Excel the new LNA testing vendor will be the only LNA tester after 11/23.
- OPR office renovations: OPR has moved to 128 State St., while revocations are being done. The revocations will take about 3 months. Hopefully we will be able to offer in person & hybrid options for the February 2024 meeting.
- Kevin Rushing will be attending the November meeting to discuss budget and revocations.
- Shared the October 2023 Executive Officer Report with Board members.

5. Discipline Hearings

- 2022-194 – *In re: Brenda Walsh, Contested Hearing: Motion to Amend Order Hearing*
 - The matter was heard on the record. Daniel Coane made the motion, seconded by Matthew Choate, to move to deliberative session. Upon return, Daniel Coane moved to deny the motion to amend the order, Matthew Choate seconded. Daniel Coane, Matthew Choate, Ginger Gillette-Kent, Jennifer Laurent, Luana Tredwell and Deb Belcher voted "Yes". Kelly Sinclair and Douglas Sutton voted "No".
- 2023-125 – *In re: Shawntea Hamilton, Contested Hearing: Notice of Summary Suspension*
 - The matter was heard on the record. Douglas Sutton made the motion, seconded by Daniel Coane, to summarily suspend the license, and to issue a cease & decess order. The motion passed unanimously; Luana Tredwell recused.
- 2022-273 – *In re: Mary Martin, Uncontested Hearing: Stipulation and Consent Order*
 - After review, Douglas Sutton made the motion to amend Alleged Facts #3 to correct Centurion Vermont LLC to Northern State Correctional Facility, Jennifer Lyon seconded. Daniel Coane made a motion to amend Alleged Facts #2 to correct Registered Nurse to Licensed Practical Nurse, Douglas Sutton seconded. The motions passed unanimously; Luana Tredwell recused.
- 2023-132 & 133 – *In re: Jennnifer Ricker, Uncontested Hearing: Pre-Charge Voluntary Surrender Stipulation and Consent Order*
 - After review, Douglas Sutton made the motion to accept the request, Deb Belcher seconded. The motion passed unanimously.

6. Other Business

- NCLEX pass rates for Vermont Schools of Nursing: Shiela Boni, Executive Officer
 - Reviewed the document that was presented to the board regarding NCLEX pass rates on the following schools:
*UVM *VTC *Castleton *Norwich
- Review of Annual Report for Schools of Nursing: Jennifer Laurent, Chair
 - The board discussed the Nursing Education Program Annual Report
 - The board asked Shiela to bring up a couple of questions to the October education committee.
 - Re-look at the program types on the form?
 - Can the form be set up based on questions for each program type?
 - Shiela stated the education committee needs 2 more board members: Jennifer Lyon and Douglas Sutton offered to be on the education committee. Shiela will share the information with them for the next meeting.

7. Public Comment

- Jessilyn Dolan, President of American Nurses Association, VT presented their position paper and was looking for the board to approve it.
 - Jennifer Laurent, Chair advised that the board no longer approves position statements. However, educating professionals is a goal of the Board's.
 - Shiela Boni, consistent with the new Nursing Rules, the Board would not approve the statement as an official statement of the Board's. The Office does, like the Chair indicated, direct licensees to the appropriate resources and will continue to do so here.
 - Noura Eltabbakh, General Counsel explained that the state licensing board is not the appropriate place to adopt the statement. Rulemaking isn't the right avenue to include this.
 - Jessilyn asked if the board could put this on the BON website?
 - Jennifer Laurent, Chair response:
 - BON will continue to direct licensees to appropriate resources when questions arise.
- **Board Retreat Re-Cap:** All Board Retreat held by OPR.
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8. Adjournment

There being no additional business, Jennifer Laurent adjourned the meeting at 12:22 p.m.