

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
OCTOBER 12, 2009**

1. **Call to Order:**

The meeting was called to order at 9:06 AM by Ellen Leff, Chair. Board Members present: Alan Weiss, Sandra Norton, William White, Deborah Robinson, Jeanine Carr, Donarae Metcalf, Ken Bush, De-Ann Welch. Board members absent. John Todd. Staff members present: Mary Botter – Executive Director, Elizabeth Hansen - Program Coordinator, Nancy Morin - Administrative Assistant, Ellen Hagman - RN Staff, Larry Novins - Board Attorney, Christopher Winters – Director, OPR, Ed Adrian - Prosecuting Attorney. Others present: Evelyn Lamphrey, Deborah Moore, Christina Kasprisin.

2. **Changes and Additions to the Agenda:**

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

3. **Approval of Minutes:**

A. Weiss moved to approve the minutes of the September 14, 2009 meeting. D. Welch recused. **Pass**

4. **Administration, Education, Practice, Licensure**

A. Executive Director's Report – Attached. M. Botter distributed draft Goals for the Board to review before the retreat or the next Board meeting. M. Botter advised the Board of her schedule during the next few months until the new Executive Director is in the Office and oriented. The Board was advised it was time to identify any recommended changes to be included in the OPR bill. Board members will contact M. Botter if they have suggestions.

B. Fall Nursing Board Retreat – M. Botter explained to the Board that she thought the retreat, scheduled for October 16th should be postponed until December or January since it appeared that the search for the Executive Director was moving along rapidly. This would allow for the involvement of the new Executive Director. The Board agreed and a tentative date of December 4th was chosen for the retreat. Board members will notify N. Morin if they can attend on December 4th, 2009. The Board discussed items for the agenda and decided to extend the retreat to a full-day meeting.

C. OPR Board Retreat – The OPR fall retreat will be held on November 12,

2009 at the Snowflake Resort in Stowe. All Board members are invited to attend and new Board members are strongly encouraged to participate. Board Members should notify N. Morin if they can attend the retreat.

- D. NCLEX Invitational** – D. Robinson attended the NCLEX Invitational on September 21, 2009. She reported that the meeting was informative and she gained additional knowledge regarding the NCLEX examination. D. Robinson suggested that other Board members attend future meetings.
- E. Draft Administrative Rules** –A third working session to edit the draft of the proposed Administrative Rules was held in October. The edited draft will be reviewed at the November Board meeting. Once approved by the Board notice of the opportunity for public comment will be sent to interested parties.
- F. SANE Board Meetings:** M. Botter and E. Hansen have participated in the SANE Board meetings as designees of E. Leff. The SANE Board is developing Administrative Rules and the most recent draft was reviewed last week. The majority of input from the Board of Nursing representatives has been in relation to the complaint process. Clarification of the Nursing Board’s role in regulation and avoidance of duplication of processes have been the focus of most of the Board of Nursing representative’s recommendations. E. Leff has reviewed the draft Administrative Rules and has provided recommendations.
- G. Notice to all Prescribers** – L. Novins updated the Board on new Pharmacy Board laws that will go into effect on January 1, 2010. As of January 1, 2010 all written Vermont prescriptions must be on tamper resistant prescription pads or printed on tamper resistant paper. Stamped signatures are not permitted. A notice will be sent to all prescribers advising them of the change in the law.
- H. Policy on Requirements for Re-Taking the Nursing Licensing Examination** – E. Leff moved to approve the “Policy on Requirements for Re-Taking the Nursing Licensing Examination” as amended by the Board. **Pass**
- I. Disciplinary Guidelines: Unlicensed Practice** – This agenda item will remain tabled
- J. Discipline Follow-up Report** – K. Bush moved to accept the September 2009 Discipline Follow-up Report. **Pass**
- K. Nursing Education Committee**
- **Recommendation: Changing Core Hourly Requirements for RN and LPN Educational Curriculum Approval** – A. Weiss moved to untable this agenda item. **Pass**
D. Welch moved to approve the recommendation “Changing Core Hourly Requirements for RN and LPN Educational Curriculum Approval.” **Pass**
The Board requested that the specific requirements be outlined in the minutes. It was noted that clinical hour requirements may be met in a variety of settings where nurses provide care.

| Practical Nursing Program Minimum Content Area Hours | | |
|---|--------------|----------------|
| Subject Area | Theory Hours | Clinical Hours |
| Adult Nursing | 60 | 160 |
| Maternal/Infant Nursing | 20 | 20 |
| Pediatric Nursing | 20 | 20 |
| Psychiatric/Mental Health Nursing | 20 | 20 |
| Anatomy and Physiology | 80 | |
| Social/Behavioral Science | 40 | |

| Registered Nursing Programs Minimum Content Area Hours | | |
|---|--------------|----------------|
| Subject Area | Theory Hours | Clinical Hours |
| Adult Nursing | 75 | 200 |
| Maternal/Infant Nursing | 30 | 40 |
| Pediatric Nursing | 30 | 40 |
| Psychiatric/Mental Health Nursing | 30 | 40 |
| Anatomy and Physiology | 80 | |
| Microbiology | 40 | |
| Humanities | 40 | |
| Social/Behavioral Science | 40 | |

- L. End-of-Life Education for Health Care Professionals Study Committee** - J. Carr and A. Weiss are representing the Board of Nursing in a collaborative effort with the Medical Practice Board to provide a report to the House Health Committee on Human Services and the Senate Committee on Health and Welfare by January 2010. The report must include recommendations for improving the knowledge and practice of health care professionals in Vermont with respect to palliative care and pain management. J. Carr provided the Board with a draft position for the Board to review and provide guidance before the next Committee meeting. The Board agreed that they did not support mandatory CEU's but does support nurses obtaining education on end-of-life and palliative care.
- M. Quarterly Nursing Assistant Education Program Report** – J. Carr moved to accept the Quarterly Nursing Assistant Education Program Report. **Pass**
- N. Licensure Reports** – Reports have been provided to the Board each month. E. Hansen is recommending that the reports be provided quarterly rather than monthly since there are typically no major changes from month

to month except during renewal cycles. The Board agreed that quarterly reports would be acceptable.

O. Nursing Assistant Program Approvals –

- **The Pines at Rutland Biennial Review** – K. Bush moved to approve the Pines at Rutland Biennial Review with recommendations. **Pass**

P. Laser Committee – C. Winters reported to the Board that four meetings have been held. The Committee is requesting that the Board provide a position statement by the 1st of December regarding the role of the nurse and cosmetic injectables. The Committee must submit the recommendations to the Legislature by December 1st, 2009.

Q. Position Statement: Nurses Role and Cosmetic Injectables - Due to the short time frame the Practice Committee was not able to consider the draft developed by the staff. Thus the draft is being presented to the Board for consideration today.

A. Weiss moved to table and remand back to the Practice Committee. Motion was defeated with a 7 no and 2 yes vote.

B. The Practice Committee will be requested to review the draft position statement and provide a recommendation to the Board by the November meeting. The Board will consider the position statement at the November meeting.

R. Practice Committee Update – The Committee met in October and will meet again in December. E. Leff asked Ellen Hagman (RN staff) to chair the Committee temporarily due to her multiple obligations. A. Weiss moved to appoint Ellen Hagman as the Interim Chair until May 1, 2010.

Pass

S. APRN Advisory Committee - Update: The APRN Advisory Committee is scheduled to meet Monday October 19th and will review the edited draft of the Administrative Rules. Their input will be shared with the Board at the November meeting.

T. Executive Director Search – C. Winters outlined the process for interviewing and selecting a new Executive Director. The Board was advised that two candidates would be appearing at today's Board meeting for the Board to interview. If the Board approves of one or both of the candidates then Secretary Markowitz will interview the candidate or candidates. A decision will then be made regarding the appointment of an Executive Director.

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

6. **Disciplinary Proceedings:**

NA25-1108/2008-424 Amanda Tetreault was not present. D. Welch moved to find Amanda Tetreault in **DEFAULT**.

Pass

K. Bush moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Amanda Tetreault**.

E. Leff moved to amend the motion to include should Ms. Tetreault apply for reinstatement; the Board will at that time determine whether any conditions can permit her to resume practice while protecting public health and safety. **Pass**

NA51-0508/2008-199 Linda Paul was not present. E. Leff moved to **INDEFINITELY SUSPEND** the license of Licensed Nursing Assistant **Linda Paul** **Pass**

2009-148 Jacqueline Patenaude was not present. K. Bush moved to approve the Stipulation and Consent Order and **REPRIMAND AND EXTEND THE CONDITIONS FOR AN ADDITION SIX MONTHS** on the license of Licensed Practical Nurse **Jacqueline Patenaude**. **Pass**

Nu31-1008/2008-378 Tammy Corey was not present. D. Robinson moved to approve the Stipulation and Consent Order and **CONDITION** the license of Licensed Practical Nurse **Tammy Corey**. **Pass**

NU46-1008/2008-404 Stephen Davis was not present. A. Weiss moved to go into deliberative session to discuss the motion to dismiss. The Board will issue a written decision. **Pass**

NU34-1008/2008-388 Elizabeth Norton was not present. A. Weiss moved to go into deliberative session to discuss the motion to suppress. The Board will issue a written decision. **Pass**

NA39-0407/M2009-20 Kenneth Handy was not present. J. Carr moved to **REINSTATE WITHOUT CONDITIONS** the license of Licensed Nursing Assistant Kenneth Handy. **Pass**

NU03-0307/M2009-27 Corinna Rakowsky was not present. D. Metcalf moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Corinna Rakowsky**. **Pass**

NU46-1107/M2009-27 Isaac Patch was not present. K. Bush moved to **REINSTATE WITHOUT CONDITIONS** the license of Registered Nurse **Isaac Patch**. **Pass**

2009-116 Evelyn Lamprey was present. A. Weiss moved to go into deliberative session. In deliberative session the Board voted to **CONDITION** the license of Registered Nurse **Evelyn Lamprey**. The Board will issue a written decision. **Pass**

2009-392 Emily Ray hearing was cancelled.

NA52-0109/2009-54 Richard Longhi was not present. J. Carr moved to approve the

Stipulation and Consent Order and **WARN** the license of Licensed Nursing Assistant **Richard Longhi.** **Pass**

NU73-1208/2008-482 Joyce Paquette was not present. D. Metcalf moved to approve the Stipulation and Consent Order and place on **IN-ACTIVE CONDITIONED** status the license of Licensed Practical Nurse **Joyce Paquette.** **Pass**

NU53-0307 Patricia Knight was not present. Board requested deliberative session to discuss the Appeal Remand Order tabled from the September Board meeting. The Board will issue a written decision.

Closing reports:

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

- NA29-1108/2008-445 – J. Carr recused **Pass**

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

- 2009-241- D. Robinson recused. W. White voted no. **Pass**

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

- NA37-1208/2008-486 – D. Robinson recused **Pass**

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

- NU67-1208/2008-476- D. Robinson recused **Pass**

J. Carr moved to recommend that the following complaint be concluded without charges:

- 2009-173- D. Robinson recused **Pass**

K. Bush moved to table the closing report for NA56-0109/2009-61. **Pass**

7. Hearing Officer Appeal's Recommendations

- **Danielle Rebeor** – D. Robinson moved to accept that the recommendation to reverse the pre-denial and approve the application of Danielle Rebeor be **GRANTED.** **Pass**
- **Clodualdo Bacalla** - J. Carr moved to accept the recommendation that the application of Clodualdo Bacalla be **DENIED.** **Pass**
- **Cherry Bacani** – D. Metcalf moved to accept the recommendation that the application of Cherry Bacani be **DENIED.** **Pass**

- **Derrick Plaza** – D. Robinson moved to accept the recommendation that the application of Derrick Plaza be **DENIED.** **Pass**
- **Ita McTernan** - J. Carr moved to accept the recommendation that the application of Ita McTernan be **DENIED.** **Pass**
- **Joyce Mway** – J. Carr moved to accept the recommendation that the application of Joyce Mway be **DENIED.** **Pass**
- **Marley Parsons** – D. Robinson moved to accept the recommendation that the application of Marley Parsons be **DENIED.** **Pass**
- **Reynold Librando** – S. Norton moved to accept the recommendation that the application of Reynold Librando be **DENIED.** **Pass**
- **Archana Kushawana** – J. Carr moved to accept the recommendation that the application of Archana Kushawaha be **DENIED.** **Pass**
- **Lini Pappu** – S. Norton moved to accept the recommendation that the application of Lini Pappu be **DENIED.** **Pass**
- **Mary Elnore Suyo** – D. Metcalf moved to accept the recommendation that the application of Mary Elnore Suyo be **DENIED.** **Pass**
- **Tatyana Shilov** – K. Bush moved to accept the recommendation that the application of Tatyana Shilov be **DENIED.** **Pass**
- **Dipikaben Dave** – S. Norton moved to moved to accept that the recommendation to reverse the pre-denial and approve the application of Dipikaben Dave be **GRANTED.** **Pass**

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8. Nursing Law’s Regan Report: The Board received the August 2009 report.

9. Executive Director Interviews: Applicants for the position of Board of Nursing Executive Director were interviewed during Executive Session.

10. Adjournment: K. Bush moved to adjourn the meeting at 4:30 PM. **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: _____