

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING, MONTPELIER, VT
BOARD OF NURSING
APPROVED MINUTES
August 8, 2011**

1. **Call to Order:**

The meeting was called to order at 9:05 AM by Ellen Leff, Chair; Board Members present: Alan Weiss, John Todd, Deborah Swartz, Sandra Norton, Donarae Metcalf, Jeanine Carr; Board members absent: William White, De-ann Welch, Kenneth Bush; Staff members present: Linda Davidson – Executive Director, Nancy Morin - Administrative Assistant, Elizabeth Hansen - Nursing Program Manager, Larry Novins, Board Attorney, Lauren Hibbert - Prosecuting Attorney, Stephanie Beard, Law Student; Jamie Palmisano - Chief Investigator for the Office of Professional Regulation; Others present: Mary Val Palumbo, Elizabeth Cote, Theodore Parisi, Jr. Esq., Jessica Larson

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

There were no changes to the agenda.

- A. Weiss requested that Old Business be added as a line item to the agenda. Board members would contact L. Davidson and request that an item be put on the agenda prior to the meeting.

3. **Approval of Minutes:**

A. Weiss moved to approve the minutes of the July 11, 2011 with corrections as noted. **Pass**

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

Executive Director's Report: L. Davidson gave an overview of the written Executive Director's Report and related documents provided in the Board meeting packet. L. Davidson reported:

- The second APRN that is mandated by Statute has not yet been appointed but applications are being reviewed by the Governor's office.
- Jennifer Silverwood has accepted the Administrative Assistant position at the Board Office. C. Winters and L. Davidson has interviewed a candidate for the Case Management position. The applicant has extensive experience in discipline and grievance proceedings. In the interim L. Davidson has assumed the responsibilities and role of case management with E. Hagman as a resource during the transition.
- The Board of Nursing 100th Anniversary Ad hoc Committee met on Monday July 25, 2011. Save the Date postcards for the September 12, 2011 reception at Central Vermont Medical Center were sent out to various groups of possible attendees. Reception plans are underway for Brattleboro, Burlington, Castleton and St. Johnsbury.

- The Data Integrity Project is focusing on education data for Nursys transmission. This project continues to be on schedule.
- A Blue Ribbon Commission on nursing has been convened by Governor Shumlin to explore Vermont's response to nursing in relation to the IOM report on "the Future of Nursing." L. Davidson has been working with Steve Maier and Mary Val Palumbo in the planning stage of this important group.
- The staff are preparing for the upcoming LPN renewal cycle. LPNs will be able to renew on-line.
- The LNA Medication Administration Delegation Stakeholder Workgroup met on July 18, 2011. The workgroup reviewed literature that exists on this topic and started to discuss the requirements of LNAs who would be entering this field as well as program criteria. The group will continue to meet monthly until November 2011.
- As of July 31, 2011 there are 220 open cases, 71 follow-up cases and 7 Alternative Program participants.

A. Alternative Program Report – The Board received the Alternative Program Working Group Committee Member list of terms. J. Carr moved to approve the proposed terms for current members of the Alternative Program Working Group.

Pass

E. Leff reported that the Committee met in July and is currently working on the following initiatives:

- A job description for a volunteer clinical consulting position
- The alternative to discipline contract
- Reviewing the manual from NCSBN on substance abuse disorders
- Practice issues that may be referred to the alternative program.

B. Results of Relicensure Survey and Planning for LPN Survey: The Board received and reviewed the results of the RN and APRN relicensure Survey. Mary Val Palumbo and Elizabeth Cote discussed with the Board ways to get more nurses to complete the survey. The Board discussed the need for data about job satisfaction being included in the survey. Also discussed was the best way to include the survey into the renewal process. J. Todd moved to imbed the minimum data questions into the renewal and have a link to the employee satisfaction survey.

Pass

A. Weiss moved to amend the motion to state that this survey would only include the 2012 renewal.

Pass

C. Just Culture/Outcome Engineering: The Board received documentation on just culture from the "Outcome Engineering" firm. The Board discussed the implementation of the Just Culture concept. L. Davidson will meet and talk with the major participant groups to ascertain interest from them.

D. Review of Annual Meeting: E. Leff reported on the following issues that were discussed at the NCSBN Annual Meeting:

- **Uniform Licensure** – There is a need to have uniform requirements and applications for licensure so that nurses can move from state to state more easily.
- **TERCAP Report** – The idea of just culture and practice issues was discussed in the report. The goal is for all states to participate in TERCAP.

- **President's meeting** - In the President's meeting it was recommended that a letter be sent to Board member's employers thanking them for letting the Board members participate in Board and Ad-Hoc meetings. It was also recommended that Board members should be encouraged to attend a NCSBN meeting. It was also recommended that the public member of the Board observe a nurse in a hospital or nursing home setting to better understand what a nurse does.
- **Other issues discussed at the meeting** – Transition to practice, simulation study, LPN Education, Accreditation of Nursing Schools and whether the NCLEX exam should be different for Associate and Baccalaureate degree nurses.

E. Nursing Education Committee Report: The Education Committee did not meet in June or July but will meet in August.

F. Nursing Assistant Education Program

New Programs: Request for Approval

- **Hartford Area Career & Technology Center** – J. Carr moved to approve the Hartford Area Career and Technology Center program with recommendations and a one-year post-approval site visit. A. Weiss voted no. **Pass**

Program Re-approval: Request for approval

- **Greensboro Nursing Home** – D. Metcalf moved to approve the Greensboro Nursing Home program with recommendations for the biennium 2011-2013 with an interim site visit to be made in 2012. D. Swartz abstained. **Pass**

G. Nursing Practice Committee – The Nursing Practice Committee did not meet in July. The Committee will meet on August 3, 2011 (This report was submitted for circulation prior to that date). The Committee will review position statements on "Obligations of Nurses Holding Multiple Licenses." The Committee has received surveys back on "The Role of the LPN in IV Therapy" and will review those results at the August Practice Committee meeting. The Board would like the Practice Committee to work on a position statement for fitness of duty.

H. APRN Sub Committee Report: The APRN Sub-committee will meet on Wednesday, August 24, 2011 at 9 am. This Sub-committee will now meet the fourth Wednesday every 3rd month at the National Life Building from 9 am - noon. The schedule is as follows:

Wednesday, August 24, 2011	9 am - noon
Wednesday, November 23, 2011	9am - noon
Wednesday, February 22, 2012	9am - noon
Wednesday, May 23, 2012	9 am – noon

David Herlihy, Executive Director of the Vermont Board of Medical Practice reports that there was interest from multiple physicians for appointment to the APRN Sub-committee and they would choose the candidate at their next Board meeting. Chris Winters and L. Davidson have a meeting scheduled with Mr. Herlihy on August 18, 2011.

I. **Public Comments:** There were no public comments.

5 **Disciplinary Proceedings:**

- M2010-95 Jessica Larson was present and represented by Theodore Parisi Jr., Esq. D. Metcalf moved to go into deliberative session at 11:15 a.m. **Pass**
The meeting resumed at 11:24 a.m. The Board will issue a written decision.

The Board requested deliberative session at 11:55 a.m. The meeting resumed at 12:05 p.m.
- 2010-570 and 2010-395 Shannon Bedard was not present. D. Metcalf moved to **SUMMARILY SUSPEND** the license of Licensed Nursing Assistant **Shannon Bedard.** **Pass.**
- 2010-288 Melissa Estivill was not present. A. Weiss moved to table the default hearing until the September Board meeting. **Pass**
- 2011-299 Kevin Cameron was not present. D. Swartz moved to approve the Stipulation and Consent Order and **CONDITION** the license of Licensed Nursing Assistant **Kevin Cameron.** **Pass**
- 2010-569 Catherine Butland was not present. J. Todd moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse **Catherine Butland.** J. Carr recused. D. Metcalf requested deliberative session at 1:15 P.M. The meeting resumed at 1:26 p.m. The Board while in deliberative session voted not to approve the Stipulation and to send it back to the I-Team.
- 2010-345 Mary Thulman was not present. D. Metcalf moved to approve the Stipulation and Consent Order and **CONDITION** the license of Registered Nurse **Mary Thulman.** E. Leff recused. **Pass**
- 2010-1 Tammy Jo Hall was not present. The Stipulation and Consent Order was withdrawn at the request of L. Hibbert, Prosecuting Attorney. The Stipulation and Consent Order will be presented to the Board at the September meeting.
- 2011-394 Alice Kilpatrick was not present. S. Norton moved to approve the Stipulation and Consent order and **INDEFINITELY SUSPEND** the license of Registered Nurse **Alice Kilpatrick.** **Pass**

Closing Reports:

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

- 2010-554 J. Carr recused
- 2010-198 J. Carr recused
- 2010-658 D. Swartz recused
- 2010-243 D. Swartz recused
- 2010-414 D. Swartz recused
- 2011-8 D. Swartz recused
- 2011-31 D. Swartz recused
- 2010-709 J. Todd recused
- 2010-456 J. Todd recused
- 2010-296 J. Todd recused
- 2010-417
- 2010-327
- 2010-502
- 2010-697
- 2007-294
- 2010-652

Pass

6. Hearing Officer Recommendations:

- **Gilsy Joy** - J. Todd moved to accept the recommendation of the Hearing Officer that the application of Gilsy Joy be **DENIED.** **Pass**
- **Ravandeep Kaur** – D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of Ravandeep Kaur be **DENIED.** **Pass**
- **Sangeeta Kumar** – S. Norton moved to accept the recommendation of the Hearing Officer that the application of Sangeeta Kumar be **DENIED.** **Pass**
- **Gigi Lardizabal** - J. Todd moved to accept the recommendation of the Hearing Officer that the application of Gigi Lardizabal be **DENIED.** **Pass**
- **Angela Marcu** - J. Todd moved to accept the recommendation of the Hearing Officer that the Preliminary Denial is reversed and Angela Marcu is authorized to take the examination for LNA once more. **Pass**
- **Eldhose Mathai** – S. Norton moved to accept the recommendation of the Hearing Officer that the application of Eldhose Matai be **DENIED.** **Pass**
- **Gwen McMurdo** - J. Todd moved to accept the recommendation of the Hearing Officer and approve Gwen McMurdo’s request for a further extension so that a supplemental CES report might be filed. If the supplemental CES report is not filed at the Board Office by August 25, 2011 then the application may be processed administratively and the application for licensure be denied without further formal order by the Board. **Pass**
- **Jenefer Mendoza** – D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of Jenefer Mendoza be **DENIED.** **Pass**
- **Mary Ogidi-Oke** - J. Todd moved to accept the recommendation of the Hearing Officer and approve Mary Ogidi-Oke’s request for a further extension so that a supplemental CES report might be filed. If the supplemental CES report is not filed at the Board Office by September 24, 2011 then the application may be processed administratively and the application for licensure be denied without further formal order by the Board. **Pass**
- **Lily Thomas** - D. Metcalf moved to accept the recommendation of the Hearing

- Officer that the application of Lily Thomas Mendoza be **DENIED.** **Pass**
- **Shyla Ulahannan** – S. Norton moved to accept the recommendation of the Hearing Officer that the application of Shyla Ulahannan be **DENIED.** **Pass**
- **Karl Tabora** – J. Todd moved to accept the recommendation of the Hearing Officer that the application of Karl Tabora be **DENIED.** **Pass**
- **Anu Abraham** - D. Metcalf moved to accept the recommendation of the Hearing Officer that the application of Anu Abraham be **DENIED.** **Pass**
- **Marvic Armand** - D. Swartz moved to accept the recommendation of the Hearing Officer that the application of Marvic Armand be **DENIED.** **Pass**
- **Teresita Balaso** - D. Swartz moved to accept the recommendation of the Hearing Officer that the application of Teresita Balaso be **DENIED.** **Pass**
- **Patricia Chuck** - J. Todd moved to accept the recommendation of the Hearing Officer that the application of Patricia Chuck be **DENIED.** **Pass**
- **Jon Dizon** – S. Norton moved to accept the recommendation of the Hearing Officer that the application of Jon Dizon be **DENIED.** **Pass**
- **Fiona-Marie Hailstones** - J. Todd moved to accept the recommendation of the Hearing Officer that the application of Fiona-Marie Hailstones be **DENIED.** **Pass**
- **Irvin San Juan** - J. Todd moved to accept the recommendation of the Hearing Officer and approve Irvin San Juan's request for a further extension so that a supplemental CES report might be filed. If the supplemental CES report is not filed at the Board Office by September 24, 2011 then the application may be processed administratively and the application for licensure be denied without further formal order by the Board. **Pass**

7. Other Business:

- The Board received the July 2011 Nursing Law Regan Report.

8. Adjournment: A. Weiss moved to adjourn the meeting at 2:15 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: