

**OFFICE OF PROFESSIONAL REGULATION  
89 MAIN STREET, 3<sup>RD</sup> FLOOR, MONTPELIER, VT  
APPROVED MINUTES  
January 13, 2014**

**1. Call to Order:**

The meeting was called to order at 9:00 a.m. by Ellen Watson Vice – Chair at 89 Main Street, Montpelier; Board members present: Alan Weiss, Stephen Morse, Douglas Sutton, Sheila Davis, Deborah Swartz, William White, Virginia Hudson; Board members absent: Jeanine Carr, Luana Tredwell, Sheri Brown; Staff members present: Linda Davidson - Executive Director, Nancy Morin - Administrative Assistant, Michael Saint Joseph - Nursing Program Manager, Ellen Leff - Nursing Case Manager, Larry Novins - Board Attorney, Gabriel Gilman, Lauren Hibbert - Prosecuting Attorneys; Others present: Alyssa Coon and Kathleen Spencer by telephone

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

- There were no changes or additions to the agenda.

**3. Approval of Minutes:**

A. Weiss moved to approve the minutes of the December 13, 2013 meeting. **Pass**

**4. Disciplinary Proceedings:**

- 2013-64 Ruth Sutton was not present. The hearing was continued.
- 2013-108 Kathleen Spencer was present by telephone. The Board went into deliberative session at 10:10 a.m. The meeting resumed at 10:15 A.M. The Board will issue a written decision.
- 2013-432 Alyssa Coon was present by telephone. The Board went into deliberative session at 9:40 a.m. The meeting resumed at 9:52 a.m. The Board will issue a written decision. D. Swartz recused.
- 2013-203 & 2013-290 Dorothy Malone Rising was not present. The charges were **DISMISSED WITHOUT PREJUDICE.**
- 2013-251 Amy Benoit was not present. A. Weiss moved to find Amy Benoit in **DEFAULT.** **Pass**  
D. Sutton moved to **REPRIMAND AND CONDITION** the license of Licensed Nursing Assistant **Amy Benoit.** **Pass**
- 2013-353 Shelley Bonnett was not present, A. Weiss moved to approve the Stipulation and Consent Order and **WARN, CONDITION AND IMPOSE A MONETARY CIVIL PENALTY** on the license of Licensed Practical Nurse **Shelley Bonnett.** **Pass**
- 2013-339 Karen Culver was not present. D. Sutton moved to approve the Stipulation and Consent Order and **IMPOSE A MONETARY CIVIL PENALTY** on the license of Registered Nurse **Karen Culver.** Deb Swartz recused. **Pass**

- 2013-426 Carol Clark was not present. E. Watson moved to approve the Stipulation and Consent Order and **IMPOSE A MONETARY CIVIL PENALTY** on the license of Registered Nurse **Carol Clark**. **Pass**
- 2013-252 Kimber Leach was not present. E. Watson moved to approve the Stipulation and Consent Order and **WARN AND CONDITION** the license of Licensed Nursing Assistant **Kimber Leach**. **Pass**
- 2013-449 Judith Zsoldos was not present. S. Davis moved to approve the Stipulation and Consent Order and **IMPOSE A MONETARY CIVIL PENALTY** on the license of Registered Nurse **Judith Zsoldos**. **Pass**
- 2012-7 Wendy Daley was not present. S. Morse moved to approve the Stipulation and Consent Order and **WARN** the license of Registered Nurse **Wendy Daley**. Virginia Hudson Recused.

The Board went into deliberative session at 11:00 a.m. The meeting resumed at 11:10 a.m. While in deliberative session the Board voted to not approve the Stipulation and Consent Order. The Board will issue a written decision.

#### **CLOSING REPORTS:**

E Watson moved to recommend that the following complaints be concluded without charges.

- 2013-317 – S. Davis recused
- 2013-438 – D. Swartz recused
- 2013-244 – D Swartz recused
- 2013-571 – V. Hudson recused
- 2013-413 – V. Hudson recused
- 2013-427
- 2013-105
- 2013-129

**Pass**

#### **OTHER DISCIPLINARY ITEMS:**

**A. Current Discipline Cases – December 31, 2013** – The Board received and reviewed the current discipline cases with E. Leff.

**B. Board of Nursing Quarterly Statistics** - The Board received and reviewed the Board of Nursing Quarterly Statistics with E. Leff.

#### **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.

- **Southern Vermont College** – Mary Botter has been hired as the new Chair of the Nursing Program.
- **New Board Member:** Sheri Brown, APRN, FNP-BC, has been appointed to the Board.

- **OPR Board Retreat:** There will be an OPR Board Retreat on Wednesday, January 15, 2014 at Lake Morey Resort, Fairlee, Vermont.
- **NCSBN Education Call:** L. Davidson participated in the NCSBN Education Call on Thursday, December 12, 2013. The main topic was International Nursing. NCSBN is creating two manuals; one for international nurses and one for member Boards. These manuals will serve as a guide to policies regarding international nursing. We also discussed exploring “What are adequate background checks for international nurses?” NCSBN is looking into this topic. Fraudulent nursing issues for international issues were also discussed.
- **SANE:** L. Davidson participated in the SANE Board meeting on Wednesday, December 11, 2013. The SANE Board reviewed the draft work plan for the 2014 year.
- **Pearson Vue:** On Monday, December 16, 2013, M. Saint Joseph and L. Davidson participated in a phone conference with Pearson Vue. The status of evaluators in Vermont and the quarterly LNA pass rate were reviewed. Vermont had one of the highest first time pass rates for LNAs in the country.
- **NCSBN Executive Officer Leadership Network Call:** On Monday, December 16, 2013, L. Davidson participated in the Executive Office Leadership Network Call. The main topic of this call was “Competency Based Approach to International Nurse Applicant Assessment in Canada.” This is a program in Canada where International Nurses may participate (for a fee) in a competency training program. Those attendees who successfully complete this training have a higher first time pass rate on the Canadian licensure exam.
- **Matrix Organizational Assessment:** The Matrix organizational assessment report has been postponed. The assessors need to gather additional data for their final report. The report should be available in February 2014.
- **Licensure:** LPN renewal notices were sent on December 16, 2013. There are 2,306 who can potentially renew in this renewal cycle.
- **Discipline:** As of December 31, 2013 there are 146 open cases, 57 follow-up cases and 14 Alternative Program participants (9 Traditional participants and 5 Practice Remediation Program participants.)

**A. NCLEX Exam Results:** The Board received and reviewed the NCLEX Exam Results.

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

**C. Education Committee Report:** The Education Committee has not met since the last Board meeting.

**D. LNA Education and Practice Committee Report:** M. Saint Joseph reported that the Committee met on January 10, 2014 and:

- Reviewed Pearson Vue Exam Results
- Reviewed draft of Rules on Part 5 regarding LNA Education and Licensing
- L. Davidson updated Committee on LNA Medication Administration Rules

**E. Nursing Assistant Education Programs:**

Hartford Area Career and Technology Center Recommendations Met – For Board Information

**F. Practice Committee:** D. Sutton reported that the Nursing Practice Committee met on January 8, 2014 and

- Reviewed the results of the Surveys that were sent out regarding the use of Position Statements
- Updated Position Statements will be put in the Vermont Nurse Connection. The Patient Choice at End of Life will be the first one to be printed in the Vermont Nurse Connection.
- There were two applications for a vacant position on the Practice Committee.

**G. Alternative Program Committee Charter:** The Board received the Alternative Program Committee Charter. E. Watson advised the Board that the Committee needed a Board member to serve on the Committee according to the Committee Charter. If anyone is interested in serving they should contact E. Watson.

**H. APRN Advisory Committee Report:** The APRN Sub-committee has not met since the last Board meeting.

**6. Other Business:** A. Weiss requested that the Board engage in a discussion on “What is a Prosecutor’s duty, Board Counsel’s duty and what is the Board’s duty in regard to disciplinary proceedings and follow-up?.” This request will be put on the Board’s Retreat Agenda which will be April 7, 2014.

**7. Adjournment:** A. Weiss moved to adjourn the meeting at 1:55 p.m.

**Pass**

Minutes recorded by: Nancy Morin, Administrative Assistant

Draft minutes reviewed by: Linda Davidson, Executive Director

Draft minutes approved by Vermont Board of Nursing: February 10, 2014