

 **Wyoming State  
Board of Nursing**  
*Board Meeting Minutes*

**PUBLIC SESSION:** The Wyoming State Board of Nursing held its regularly scheduled meeting on January 6, 7, 8, & 9, 2003, at the Financial Center, AARP Conference Room, 2020 Carey Avenue, Mezzanine, Cheyenne, Wyoming.

**Voting numbers on all decisions and motions are as follows:  
IN FAVOR - OPPOSED - ABSTAINING - ABSENT**

**CALL TO ORDER:** The meeting of the Wyoming State Board of Nursing was called to order by President Judy Turner at 9:00 a.m., Monday, January 6, 2003.

**ROLL CALL:** President Turner took the roll call.

**Board Members Present:**

Judy Turner, MS, RN, President, Story  
Ruthann Holzer, AAS, RN, Vice President, Lovell  
Beth Evans, Ph.D., Secretary, Consumer Board Member, Cheyenne  
David Sones, MA, RN, CS, Board Member, Cheyenne  
Baerbel Merrill, BSN, RNC, Board Member, Gillette  
Angela Koenig, LPN, CM, Board Member, Wheatland  
Cynthia Northrup, AAS, LPN, Board Member, Evanston

**Board Members Absent:**

None

**Staff Present:**

Cheryl Koski, MN, RN, CS, Executive Director  
Mary Calkins, Ph.D., RN, CNN, Assistant Executive Director, Compliance Consultant  
Fran Hawkins, Management Services Officer  
Rachel Riles, Administrative Specialist  
Leslie Levengood, Licensing Officer  
Rita Edwards, Executive Assistant in Training  
Paula Shepherd, Executive Assistant  
Gene Jackson, Attorney General's Office (01/07/03 & 01/08/03)  
Angela Dougherty, Attorney General's Office (01/07/03)

**Visitors Present:**

Jackson Waters, WPAP Representative (1/6/03)  
Bradley Cave, Holland & Hart on behalf of United Medical Center (1/6/03)  
Jennifer Golden, Attorney General's Office (1/7/03)  
Jennifer Clymer, Para-legal, Attorney General's Office (1/7/03 & 1/8/03)  
Kathy Mullivan, Wyoming Reporting Service (1/7/03)  
Deb Baumer, Office of Administrative Hearings (1/7/03)  
Jerroll Walter, Worland Healthcare and Rehabilitation Center (1/7/03 & 1/8/03)  
Eric Lundgren, Lundgren Law Offices (1/7/03)  
Terry Kowalski, Promissor (1/8/03)  
Berton Toews, Wyoming Professional Assistance Program (1/8/03)  
George Vandell, Wyoming Professional Assistance Program (1/8/03)  
Tom Jones, Wyoming Health Care Association (1/8/03)  
Chuck Hall, Wyoming Department of Health (1/8/03)

Donna Griffin, Wyoming Department of Health (1/8/03)

**DECLARATION OF QUORUM:** President Turner declared a quorum present.

**REORDERING OF THE AGENDA:** By consensus, the agenda was accepted with flexibility, including the written additions and deletions submitted by Ms. Cheryl Koski, Executive Director.

### **APPROVAL OF THE MEETING MINUTES**

**Minutes of the September 30, October 1 & 2, 2002, Board Meeting:**

By consensus, the Board agreed to approve the minutes of the September 30, October 1 & 2, 2002, Board Meeting, as amended.

### **OLD BUSINESS**

**The following items remain open from past meetings:**

- ASI/Promissor Contract for full-service (Jul 2001).
- Remodel/relocate office space (Jun 2002).

### **ADMINISTRATIVE ISSUES**

**Attorney General's Office (AGO)**

Ms. Koski announced the new Governor of Wyoming, Dave Freudenthal, has appointed Pat Crank as Attorney General.

Ms. Koski presented a 11/1/02 memorandum from the previous AG, Hoke MacMillan, which indicated, due to the large number of boards and commissions represented by that office versus its limited staff and budget, board attorney representation must be modified in the following ways:

- The attorney can attend only the portion of the meeting for which he or she is needed.
- A pre-arranged phone call can be scheduled with the attorney.
- An anticipated legal issue should be submitted in writing in advance of the meeting so it can be thoroughly researched.
- Representation will be strictly for legal matters and will not extend to policy matters.

**Educational Programs:**

The Education Committee (Ms. Turner, Ms. Merrill, and Ms. Koski) reviewed the responses from the educational programs based on the written conclusions of the Board. A summary, in a table format, of the Annual Reports was presented (see attached).

**Northwest College:** Ms. Koski referred to her letter to Northwest College regarding the Order for Reinstatement of Full Approval (attached). The National League for Nursing - Accreditation Commission (NLNAC) will visit the school the end of October, 2003. In reviewing the Faculty Data Sheets from the current faculty at Northwest, The Education Committee has the following concerns:

- The Faculty Qualification Sheets, which require faculty to list the current courses taught (coded by related current experience and dates of experience), have courses listed by faculty which are not applicable to the Board of Nursing Standards.
- The faculty do not appear to be following their educational plans to complete their Master's degrees within the 5-year time frame, as indicated by page 1 of the Faculty Qualification Sheets under specific courses taught towards next highest degree.

The Faculty Data Sheets for all schools are not being properly filled out. It is critical the

Board Standards be followed. It was recommended the Education Committee develop policies and procedures for the nursing education programs on how to properly complete the forms.

**Laramie County Community College:** The Board reviewed the letter from Carol Kabeiseman regarding the NLNAC site visit to LCCC scheduled for October 14-16, 2003. The Board commended the program for making progress on hiring Masters level faculty. Various clinical evaluation tools were developed by LCCC, including a course evaluation plan and a 6 month employer survey. The tools reflect the core components. The Board expressed concerns the LCCC report did not reflect program evaluation, but, instead, addressed course evaluation.

**Gillette Campus of Northern Wyoming Community College District:** The Board reviewed the resume of Kathy Hankel, RN, MS, contracted Site Visitor for the Northern Wyoming College District nursing programs, Sheridan and Gillette campuses. The Site Visit is scheduled February 17-20, 2003.

**Casper College:** The Board reviewed the contract sent to Janet Sandy, MS, RN, to serve as the Site Visitor for the evaluation of the Associate Degree Nursing Program at Casper College scheduled for February 11-13, 2003.

**Central Wyoming College:** The Board reviewed the letter from Billie Dutcher, Nursing Director at Central Wyoming College. Additional faculty were needed to accommodate an increased number of students in their nursing program. Although they advertised for Master's prepared nurse applicants, there were no responses. The Board reviewed the five-year Faculty Education Plans for Anne Nez and Mary Gookin. The Board also discussed Ms. Dutcher's response to the 2001-2002 Annual Report Review.

**University of Wyoming:** The Board reviewed the letter from Marcia Dale, Dean of the School of Nursing at UW. She stated that it is not always possible to have preceptors who have a Bachelor of Science Degree in Nursing. This year the students will be placed in Wyoming hospitals for their professional practicum. The percentage of baccalaureate nurses is less than in some of the Colorado urban hospitals that they have used in the past, but it will give the students some insight into rural nursing and an opportunity for Wyoming hospitals to recruit nurses.

**Pickens Tech Practical Nursing Program:** The Board reviewed the letter received from Roxanne Shaw, Program Coordinator of the Practical Nursing program at Pickens Tech. Attorney Brad Cave, representing United Medical Center, was in attendance at the meeting during the Board's review. Pickens students are placed at United Medical Center for their clinicals. The Board noted that Pickens has fulfilled its requirements for approval through June, 2003, but the following are still concerns:

- The program is still not approved by the Colorado Board of Nursing. Nursing programs must be State Board approved in order for a program to be offered and students' licensure to occur.
- The Board is concerned that the program may not have the same quality as Wyoming programs.
- The site visit of the Pickens Nursing Program by the Colorado Board of Nursing has been postponed due to staffing changes on the Colorado Board. It is hoped the site visit is not unduly delayed and the Wyoming Board is advised as soon as it is completed.

Brad Cave indicated he will work with Pickens to ensure all concerns are addressed.

**Regis University:** The Board reviewed and discussed the letter from Margaret Mulhall, Assistant Professor of Nursing at Regis University, regarding the proposed externship for Katie

Golden in Sheridan. The externship would take place May 22-August 22, 2003. Ms. Koski replied to Ms. Mulhall, stating the Board needs the following information, in compliance with the Wyoming Rules and Regulations, in order to make a decision:

- Which facility in Wyoming Ms. Golden plans to utilize for the externship, along with the name and qualifications of the faculty member who will be assigned.
- The Faculty Qualification Sheet (FQS) for the faculty person, who must also be licensed in Wyoming.
- A copy of the preceptor guidelines under which the student will function.

Ms. Koski also stated in her letter that the Board would need the information by its next meeting in April 2003.

### **National Council of State Boards of Nursing (NCSBN):**

Dr. Calkins reported on the Taxonomy of Error, Root Cause Analysis and Practice Responsibility (TERCAP) research project. The instrument was reviewed by the Board. Dr. Calkins will start completing the forms and submitting data to the NCSBN in January 2003.

Ms. Koski reported on the Commitment to Excellence results for the State of Wyoming and nationally. The Board reviewed and discussed the information.

Ms. Koski reported on the 2003 PN Job Analysis Study being conducted by the NCSBN National Council of State Boards of Nursing. The Council asked for nominations for nurses to serve on a panel of experts to help develop the nursing activity statements that comprise a major part of the survey questionnaire. The nominees for Wyoming are current Board LPN members, Ms. Angela Koenig and Ms. Cynthia Northrup.

Executive Director Koski and Board staff member Dr. Mary Calkins will attend the 2003 Annual Meeting August 5-8, 2003 in Alexandria, VA.

Ms. Koski and Board President Judy Turner will attend the Midyear Meeting March 26-27, 2003 in Savannah, GA.

Dr. Calkins and Board Vice President Ruthann Holzer will attend The Unlicensed Assistive Personnel (UAP) Conference May 14-15, 2003 in New Orleans.

Other NCSBN events include the June Board Investigator Summit in Austin, TX, and the 2003 NCLEX Invitational. Representation by the Wyoming Board at these events is yet to be determined.

**Certified Nursing Assistants:** Terry Kowalski, National Director, Certification Programs and Business Development, from Promissor, Inc., updated the Board on their proposed full-service contract regarding nurse aide test administration in Wyoming. Promissor has agreed to the final draft of the contract submitted by the Board. Ms. Kowalski gave a brief overview of the following: (1) how the companies, ASI and CAT came together to form Promissor as it exists today; (2) information on their Nurse Aide testing and registry services; and (3) the cost for full-service to Wyoming candidates. Board staff will be working closely with Gary Esquarre, Lead Program Director, and Dorothy Fiorino, Executive Director of Ohio Nurses Testing Services.

**Motion:** *It was moved and seconded to approve the Promissor Contract pending legal counsel's approval.*

*The vote on the above motion was 7-0-0-0.*

**Worland Healthcare and Rehabilitation Center - 120-Day Ruling:** Mr. Jerroll Walter, Nursing Home Administrator, Worland Healthcare and Rehabilitation Center, and Mr. Tom Jones, representing the Wyoming Healthcare Association, presented to the Board questions regarding the

120-day rule under which a nursing assistant can work prior to being certified. The Board also reviewed a letter from Yvonne Lopez Barger, Staff Development Coordinator at Worland Healthcare, supporting Mr. Walter's position. The Board agreed the 120-day rule is subject to interpretation and will take the issue under advisement. Mr. Walter and Mr. Jones were advised the Board will address their questions in an effort to further clarify the interpretation of the 120-day rule and they will be notified of the Board's decision.

**Nursing Home Compare - Medicare:** The report of Wyoming Long Term Care Facilities, including deficiencies and number of nursing hours, was presented by Dr. Mary Calkins and discussed by the Board.

**Model Nurse Aide Curriculum:** Dr. Mary Calkins, Assistant Executive Director, developed a model curriculum to be used by Wyoming health care and educational facilities who offer nursing assistant training programs. Upon review and discussion, the Board approved the model curriculum and commended Dr. Calkins on the quality and thoroughness of the model.

**Nursing Legislation:** The Board discussed the following legislative bills drafted for the approaching legislative session:

SF0022 - Nursing Education Programs. The intent of this bill appears to be the same as last year's, but does contain some changes. The Board will monitor this Bill for any regulatory aspects.

Volunteer Nurses - Reduced Licensure Fees (Fiscal Impact 03LSO-0288). Ms. Koski explained that the intent in this draft is to reduce the cost of licensure by half for the nurse who volunteers 100 hours. Several observations were made, including the considerable fiscal impact to the Board, the additional workload in the office in tracking the 100 volunteer hours, and decreased services in protection of the public. The Board does not support this proposed legislation, and will oppose the bill if it is introduced.

Other bills discussed by the Board included:

SF0011 - Public Health Measures. This bill deals with public safety. The Board supports this bill.

HB0019 - Emergency Management Assistance Compact. The Board supports the intent of this bill; although it questions how the Board can assist in validating licenses of out-of-state volunteers.

HB0029 - Health Care Provider Reports. This bill would make it mandatory that a health care provider report to law enforcement when there is suspicion of abuse, negligence, or domestic violence. The Board supports this legislation because it clears up existing law.

HB0033 - Certificate of Review. A Tort Reform bill. The Board agreed this bill should specify that the person consulted should come from the same profession.

HB0046 - Health Care Commission. This bill establishes a commission to study issues relating to the rising costs of health care in Wyoming. The Board supports this bill.

HB0097 - Volunteer Health Care Professionals - immunity from liability. The Board supports this bill; however, wants to be assured that a health care professional providing care as a volunteer would still be subject to administrative discipline for violation of any of the provisions of the Wyoming Nurse Practice act and/or Board Rules and Regulations.

HB0149 - Volunteer Healthcare Professionals Certification. Although the Board supports the concept of the bill, the Board cannot support it as written because of the following concerns: the fiscal impact of the bill; the definition of a "retired nurse" does not address the individual's current level of competency to practice; a "certificate" rather than a "license" is issued; the legislative intent

regarding the ability of the Board to request other types of documentation; and inconsistency with current Board statutes and Rules and Regulations regarding licensing (e.g., military programs, competency, criminal background checks).

Information about the following bills was provided for Board information only:

SF0035 - Prescription Drugs Technical Assistance. This bill provides for a technical assistance program for consumers regarding prescription drugs within the Department of Health.

SF0036 - Medical Injury Actions - Collateral Source Payments.

SF0044 - Medical Marijuana.

**Department of Health (DOH):** Chuck Hall, Senior Planner, Bioterrorism, and Donna Griffin, Deputy, DOH, reported on the Wyoming Nurse Alert plan. The DOH was directed to create a small pox response plan. A cooperative agreement was reached between the Board of Nursing and the DOH to mail a response survey to 17,500 licensees/certificate holders. Seven people from the DOH have been entering the data received, with an anticipated completion date of January 15, 2003. The DOH is asking for the Board's support to keep the database current in case of a national emergency. The database would need to be updated with new licensees on a monthly basis and every two years when licenses are renewed. The DOH has submitted a MOU to the Board of Nursing in order to continue the survey with new applicants for licensees/certificate holders in Wyoming.

***Motion:** It was moved and seconded to enter into MOU with Dept. of Health concerning Bioterrorism Program effective through February 1, 2005, or until terminated.  
The vote on the motion was 7-0-0-0.*

### **Wyoming Professional Assistance Program (WPAP):**

Jack Waters reported that the November WPAP Board Meeting was canceled due to snow. Mr. Waters gave an extensive report on the business growth of WPAP, and the benefits to health care professionals who enter into the program. Mr. Waters also discussed the letter from Tom Hogarty with the Board. He explained that he attended the Wyoming Hospital Association (WHA) Board meeting in October, 2002. The WHA verbally and in theory supports WPAP; however, they will not even discuss absorbing more of the cost increase that WPAP is proposing. Contracts are being discussed with individual hospitals, but many hospitals have their own Employee Assistance Programs and don't want to pay for something they don't feel they need. Discussion followed among the Board Members. Mr. Waters feels that the Wyoming Board of Nursing support for this program is critical to the program's survival. The Board is currently shopping around for other providers; and, if necessary, the Nursing Board staff may absorb the administration duties currently performed by WPAP.

George Vandell, WPAP Executive Director, and Dr. Berton Toews, Medical Director, presented a report to the Board as to the number of nurses in the program and their progress. Mr. Vandell also elaborated on his marketing efforts during the last quarter and his attempt to find assistance in grant-writing. Mr. Vandell has submitted his bid for a continued contract with the Board of Nursing, indicating that the requested fees remain the same and there are no changes in the submitted two-year contract.

The Board suggested that in the future, reports from WPAP representatives present at the Board Meetings be contained within a 15 minute time frame.

### **Citizen's Advocacy Center (CAC):**

Consumer Board Member Dr. Beth Evans provided a written report on the CAC 2002 Annual Meeting, which included noting the increase of public members on boards, with some boards made up of a majority of consumer members. Dr. Evans suggested the agendas of both CAC and the Council on Licensure, Enforcement and Regulation (CLEAR) be considered by future Consumer Representatives to select meeting attendance at whichever one is the most meaningful. Dr. Evans advised the Board she has contacted the Casper Star about submitting an article, independent of her status as a member of the Board of Nursing, regarding the opportunity for consumers to serve on boards and commissions and the contributions and rewards of serving. A printed copy of the proposed article was provided to the Board.

Dr. Evans reported on the discussion during CAC's Boards of Nursing session regarding paperless board meetings. Ms. Koski contacted the South Carolina Board for their expertise in setting up paperless meetings, but they have not responded to date. The Board indicated this should be pursued. Some suggested savings would be in the areas of copying and the disciplinary process.

### **Budget:**

Fran Hawkins, Management Services Officer, reviewed budget items with the Board, including the following:

- Information regarding the cost of 12 laptop computers for board members and staff attending board meetings (information attached). The purchase price, including WordPerfect and GroupWise, is approximately \$21,000.00. A scanner would add an additional \$600. Lease prices are not presently available, but leasing might be less expensive in the long run.
- The relocation of the Board Office was discussed. Ms. Hawkins presented the following figures for possible available space in the Qwest Building: 3500 sq. ft. (\$12.25 per sq.) = \$42,875 per year. The cost in the present location, Wyoming Financial Center: 2107 sq. ft. (\$13.50 per sq.) = \$28,000 per year. This rate will gradually increase to \$15.80 per square foot by 2006 (or \$33,290 per year). Other possibilities include the Econofoods Building and the Hynds Building, but further information on these sites is not available at this time.
- The Board suggested staff include conference room space and sufficient office space for growth in the relocation process.
- Ms. Hawkins pointed out two corrections in the Administration Budget FY 2003. Under Revenue, LPN Late Fee of \$1440 should be stricken. Under Supportive Services, Central Mail was overstated by approximately \$12,000.

### **Licensure/Certification Renewals:**

- As of January 8, 2003, 8618 nurses had renewed and \$661,500 in renewal fees has been collected. Total renewals are: 4,428 RNs, 192 APNs, 843 LPNs, and 3,155 CNAs. The following elected inactive status: 216 RNs and 38 LPNs.
- 57 per cent of renewed licensees responded affirmatively to being included on mailing lists. The Board agreed this will be the percentage quoted to companies who request licensee list information.
- Kelly Staffer William Edwards will remain with the Board until January 31, 2003. Joanne Pauli has completed her assignment.
- Rachel Riles reported on the E-Portal system for on-line renewal. The Board of Nursing will not be one of the pilot agencies to go online because of the number of licenses involved and recent completion of the renewal process. Initial funding of this program is being provided by the

Information and Technology Division. Eventually, all participating agencies will be required to pay for participation in this program.

- After looking at several options, Wyoming has entered a cooperative agreement with the State of Washington to share the State of Washington's Professional License and Business License system. Each agency will be required to maintain their own back end solution. GL Suite is a possible back end solution for maintaining the data that will flow into the E-Portal system. Ms. Riles will monitor progress on this project by attending regularly scheduled meetings and will keep the Board advised.

#### **Position Vacancies:**

- The Practice/Education Consultant position has been advertised in Nursing 2002 and the *Journal of Nursing Education*. Four applications were received, none of which meet our requirements. Dr. Calkins is qualified to fill the Practice and Education Consultant position. It was suggested that the Practice/Education position be closed, Dr. Calkins fill this position, and the Compliance Consultant position be reclassified and opened. Discussion was held regarding making the compliance position into a special assistant attorney general position in addition to doing discipline.
- The CL51 position, opened due to Paula Shepherd's retirement, has been filled. Five candidates were selected for interview from the 50 applications submitted. Rita Edwards was hired as of January 2, 2003, and will be training with Paula until January 31, 2003.
- The terms of Board President Ms. Turner and Board Member Ms. Koenig will expire February 2003. Both individuals have submitted their letters requesting reappointment. Governor Freudenthal's office will notify the Board of reappointments and/or new appointments.

#### **Personnel/Board Issues:**

**Retirement:** Paula Shepherd, Executive Assistant, will retire on January 31, 2003.

**Executive Session:** The Board went into Executive Session from 9:00 a.m. to 11:05 a.m., on January 9, 2003, to conduct the Executive Director's evaluation.

**Board Meeting Dates:** The following Board Meeting dates were set for 2003-2004, with the 4<sup>th</sup> day of each meeting tentative based on disciplinary issues and agenda items:

January 6-9, 2003  
 April 28-30, May 1, 2003  
 July 14-17, 2003  
 October 6-9, 2003  
 January 5-7, 2004

**Strategic Planning:** The Board of Nursing's proposed organizational chart and Board structure were reviewed and discussed. It was suggested the names on the Board structure be listed alphabetically and include the term expiration date of each member. The Board members would like their names to appear on the Board of Nursing stationery. The strategic planning was tabled until the April, 2003 meeting in order to integrate information previously discussed, but not included in the draft presented. Dr. Evans will prepare the draft for the April meeting. The Code of Conduct published by the New Mexico Board of Nursing was provided to the Board for information.

**Request For Donation to Wyoming Health Resources Network:** Dr. Brent Sherard requested the Board consider a monetary donation to the Wyoming Health Resources Network to assist in nurse recruitment and retention.

**Motion:** *It was moved and seconded not to donate to Dr. Sherard's request for BON donation to WHRN recruitment of nurses because BON monies are the fees paid by our licensees for the regulatory function of the Board.*

*The vote on the above motion was 7-0-0-0.*

**Center for Health Workforce Studies (CHWS) Long-Term Care Case Study:** Ms. Koski provided the report from the CHWS to the Board Members for their information.

**Practice Questions Presented by Board Member David Sones:** Board Member David Sones asked for an opinion regarding the Board's recognition of the title "APN" in areas not recognized by National Certification, or as a nationally recognized title. The consensus was that the rules and regulations are clear: An APN shall only be recognized when there is a specific nationally recognized specialty area of advanced practice nursing. An APN must be educationally prepared to practice pain management and it must be documented in the APN's collaborative plan.

## **SCOPE OF PRACTICE ISSUES:**

### **Administration of Visudyne by LPNs:**

After discussion, the Board concluded that it is not within the scope of practice for an LPN to mix and administer Visudyne (Verteporfin).

### **Lamp Based Hair Removal:**

The conclusion of the Board is that lamp based hair removal is not within the scope of practice for an LPN. It is within the scope of practice of an RN trained in the procedure, or a specialty APN.

### **Delegation of Ducolax Suppository:**

By consensus, the Board agreed that a nurse may delegate to a home certified nurse aide the task of removing the foil and inserting the Ducolax suppository in regards to the bowel routine of a quadriplegic patient. The nurse must follow the standards for delegation of basic nursing tasks and skills as outlined in the Administrative Rules and Regulations of the Wyoming State Board of Nursing, Section VII, Section 6.

### **IV Push Medications By Rapid Sequence Intubation:**

By consensus, the Board declared it is within the scope of practice of an RN to administer IV push medication during rapid sequence intubation at the direction of a licensed physician or certified registered nurse anesthetist (CRNA), provided the following criteria are met:

1. There is direct, over the shoulder supervision by the physician or CRNA who is performing the intubation.
2. The licensed physician or CRNA selects and orders the medication(s) to be administered.
3. Administration of IV push analgesia/anesthesia by a registered nurse is allowed by state law and institutional policy and procedure and protocol.
4. Written policies and procedures are maintained by the facility.
5. The registered nurse has the knowledge, skill, and judgment for the task.
6. The institution or practice setting has in place an educational/competency validation mechanism that includes a process for evaluation and documenting the individual registered nurse's demonstration of the knowledge, skills, and abilities related to the administration of IV push medications for rapid sequence intubation.

An article printed in Nursing2002 was provided to the Board for informational purposes.

## **DISCIPLINARY ISSUES:**

### **Applications and Complaints for Full Board Review:**

#### **Case No. 02-084, NA Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-084.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-086, RN Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-086.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-087, RN Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to issue license/certificate with letter of reprimand, if doesn't accept - deny, to Case No. 02-087.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-095, GPN, PN Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to issue license/certificate with letter of reprimand, if doesn't accept - deny, to Case No. 02-095.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-097, NA Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-097.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-098, NA Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-098.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-103, NA Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-103.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

#### **Case No. 02-104, LPN Applicant.**

*Motion: It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-104.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and*

*Regulations, members of the Applications Review Committee abstained from voting.*

**Case No. 02-105, NA Applicant.**

***Motion:** It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-105.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

**Case No. 02-109, NA Applicant.**

***Motion:** It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-109.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

**Case No. 02-110, NA Applicant.**

***Motion:** It was moved and seconded, January 6, 2003, to deny application for licensure/certification to Case No. 02-110.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

**Board Affirmations:**

**Dismissals:**

***Motion:** It was moved and seconded, January 6, 2003, to affirm the Disciplinary Committee's recommendation to dismiss the following:*

*Case No. 02-074, RN*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Tag and File:** None to consider.

**Advisory Letters:**

***Motion:** It was moved and seconded, January 6, 2003, to affirm the Disciplinary Committee's recommendation to issue advisory letters to the following :*

*Case No. 02-081, RN*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Letters of Awareness:** None to consider.

**Proceed with Discipline:**

***Motion:** It was moved and seconded, January 6, 2003, to affirm the Disciplinary Committee's recommendation to proceed with discipline on the following:*

*Case No. 02-070, LPN*

*Case No. 02-064, CNA*

*Case No. 02-063, CNA*

*Case No. 02-092, LPN*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Recertifications:** None to consider.

**Hearings:**

**Sherry Ridens, RN, Docket No. 01-047.** The Board heard the testimony and reviewed the evidence presented during an administrative hearing.

***Motion:** It was moved and seconded, January 7, 2003, to issue a letter of reprimand to Sherry Ridens, RN, Docket No. 01-047*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Regina Roberts, NA, Docket No. 02-021.** The Board heard the testimony and reviewed the evidence presented during an administrative hearing. Ms. Roberts did not attend the hearing. She was represented by Attorney Eric Lundgren, who requested a continuance in order for his client to be present at the hearing. Because the hearing had already been continued 3 times, Attorney Lundgren's request was denied. The hearing proceeded as scheduled.

***Motion:** It was moved and seconded, January 7, 2003, to deny certification to Regina Roberts, NA, Docket No. 02-021.*

*The vote on the above decision was 6-0-1-0. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.*

**Deborah Philippi, CNA, Docket No. 02-026.** The Board heard the testimony and reviewed the evidence presented during an administrative hearing. Ms. Philippi did not attend the hearing.

***Motion:** It was moved and seconded, January 7, 2003, for revocation of CNA certificate of Deborah Phillippi, CNA, Docket No. 02-026.*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Dain Johnson, RN Applicant, Docket No. 02-067.** The Board granted a request for continuance to Dain Johnson, RN Applicant, Docket No. 02-067.

**Board Reconsiderations:** None to consider.

**Off Conditional License:** None to consider.

**Actions Finalized:**

**Letters of Reprimand:**

***Motion:** It was moved and seconded, January 7, 2003, to affirm the Disciplinary Committee's recommendation to accept the signed Letter of Reprimand from:*

*Case No. 02-039, Debroah Marts, LPN*

*Case No. 02-078, LaDawn Slagowski, CNA*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Stipulated Agreements/Conditional Licensure:**

***Motion:** It was moved and seconded, January 7, 2003, to affirm the Disciplinary Committee's recommendation to accept stipulated agreements/conditional license from:*

*Case No. 02-040, Paul DeLap, RN*

*Case No. 02-052, Kimberly Morse, RN*

*Case No. 02-050, Diane Chapman, RN*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Voluntary Surrender:**

**Motion:** *It was moved and seconded, January 7, 2003, to affirm the voluntary surrender of nurse aide certificate from:*

*Case No. 02-041, Seth Reilly, CNA*

*The vote on the above decision was 5-0-2-0. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.*

**Private Agreements:** None to consider.

**Withdrawal of Application:** None to consider.

**Request to Change Criminal Conduct Disciplinary Model**

The Application Review Committee requested to change the number of points given when a person provides false information to the Board on their application. The Board agreed to increase the point number to ten (10) on the Criminal Conduct Disciplinary Model (CCDM) used by the Application Review Committee.

**ADJOURNMENT:** Having no further business to come before the Board, the meeting was adjourned by President Turner at 12:10 p. m. on January 9, 2003.

Submitted by:

//SIGNED//

Rita Edwards, Recorder

//SIGNED//

Judy Turner, MS, RN, President

//SIGNED//

Ruthann Holzer, AAS, RN, Vice President

//SIGNED//

Beth Evans, Ph.D., Secretary