

Wyoming State Board of Nursing
Board Meeting Minutes

PUBLIC SESSION: The Wyoming State Board of Nursing (WBON) held its regularly scheduled meeting on July 9, 10 & 11, 2007, at the Financial Center, AARP Conference Room, Mezzanine, 2020 Carey Avenue, 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 Merrill at 9:00 a.m., Monday, July 9, 2007.

ROLL CALL: President Merrill took the roll call.

Board Members Present:

Baerbel Merrill, MS, BSN, RNC, President, Gillette
Kellie Clausen, FNP, WHCNP, RN, Vice President, Douglas
Marguerite Herman, Consumer Member, Secretary, Cheyenne
Kim Williamson, LPN, Member, Torrington
Jennifer Zettl, BSN, RN, Member, Casper

Board Members Absent:

None

Staff Present:

Cheryl Koski, Executive Director
Mary Beth Stepan, Assistant Executive Director and Practice & Education
Consultant
JoAnn Reid, Executive Assistant
Deebs Sullivan, Fiscal and Human Resource Officer (7/9/07, 1:30 – 2:30 p.m.)
Ken Nelson, JD, Senior Assistant Attorney General (7/9/07, 9:00 a.m.-10:15
a.m., 7/10/07, 9:00 – 5:00 p.m., 7/11/07, 9:00 – 12:00 p.m.)
Angela Dougherty, JD, Senior Assistant Attorney General (7/10/07, 9:00 a.m.-
11:30 p.m.)
Debra Gotschall-Ball, Licensing and Examination Coordinator (7/9/07, 9:00 –
9:10 a.m.)
Gwen Pechacek, Discipline Assistant (7/9/07, 9:00 – 9:10 a.m.)
Erica Nelson, Student Intern (7/9/07, 9:00 – 9:10 a.m.)

Staff Absent:

None

Visitors Present:

Jackson Waters, RN, BSN, Board Representative, Wyoming Professional
Assistance Program (7/9/07, 9:00 a.m. – 3:30 p.m.; 7/10/07, 9:00 a.m. – 11:30
a.m.)
George Vandell, NCAC II, CAP, Executive Director, Wyoming Professional
Assistance Program (7/10/07, 10:00 a.m. – 11:30 a.m.)

Sonja Collamer, Board President, Wyoming Professional Assistance Program
(7/10/07, 10:00 a.m. – 11:30 a.m.)

Carole Shotwell, Office Manager, Wyoming Professional Assistance Program
(7/10/07, 10:00 a.m. – 11:30 a.m.)

Karen Ouzts, Public Health, Wyoming Department of Health (7/10/07,
9:15 a.m. – 10:00 a.m.)

DECLARATION OF QUORUM: President Merrill declared a quorum present.

NEW STAFF MEMBERS:

Introductions were made for the four new staff members, Mary Beth Stepan, Assistant Executive Director and Practice & Education Consultant; Gwen Pechacek, Discipline Assistant; Debra Gotschal-Ball, Licensing and Examination Coordinator; Erica Nelson, Student Intern.

REORDERING OF AGENDA: Docket #06-7-135, Karrie Walther, RN# 19740 is an Application Review Committee recommendation rather than the Disciplinary Committee.

APPROVAL OF MEETING MINUTES

Minutes of the April 9-11, 2007 Board Meeting:

The Board agreed to approve the following minutes:

***Motion:** It was moved and seconded, July 9, 2007, to approve the minutes with recommended changes for the April 9-11, 2007 Board meeting.*

The vote on the above motion was 5-0-0-0.

Minutes of the June 8, 2007 Special Board Meeting:

The Board agreed to approve the following minutes:

***Motion:** It was moved and seconded, July 9, 2007, to approve the minutes as written for the June 8, 2007 Special Board Meeting.*

The vote on the above motion was 5-0-0-0.

ADMINISTRATIVE ISSUES

Governor's Office:

The Board reviewed letters of resignation to the Governor from Janet Harp, MSN, RN and Shirley Harris, RN, MSN, MBA. Cheryl Koski, Executive Director, informed the Board she is not aware of the status of replacements for these vacant positions on the Board.

Attorney General's Office

Attorney General's Opinion – Nurse Licensure Compact and Public Records:

Ken Nelson, JD, Senior Assistant Attorney General, explained the Nurse Licensure Compact does not violate the Wyoming Constitution and discussed what type of information can be released according to the Public Records Act. The Board voiced concerns about releasing any information as fraud and identity theft are serious threats. Mr. Nelson said the Board can go before the Legislators and request that licensee information be treated the same as and given the same level of confidentiality as personnel information. Member Herman stated it would be a good idea to pursue this

and felt this would be something that would concern all licensing boards. Mr. Nelson said he would discuss it with them at the next Executive Directors meeting July 12.

The Wyoming Healthcare Commission would like the Attorney General's opinion released to them as they are requesting information on licensees such as license numbers. Mr. Nelson said it would be a Board decision as to whether or not to release the opinion as it is "Privileged and Confidential Attorney/Client Communication". The Board agreed by consensus to keep the opinion confidential

Motion: *It was moved and seconded July 9, 2007, to accept the following:*

- *Board of Nursing to ask the Wyoming Legislature to amend the Wyoming Public Records Act to treat licensure application records in the same manner as public employee records.*

The vote on the above motion was 5-0-0-0.

Attorney General's Opinion – Release of Social Security Numbers to the National Council State Boards of Nursing (NCSBN):

Mr. Nelson explained that the release of Social Security numbers is prohibited and the Board of Nursing is not authorized to share its licensees' social security numbers with the NCSBN.

Appointment to Wyoming Sexual Assault Resource Team (WySART):

The Board reviewed a letter from the Office of the Attorney General to Cheryl Koski reappointing her to a two-year term beginning February 1, 2007 through January 31, 2009.

Attorney General Orientation and Training:

Mr. Nelson informed the Board the AG Orientation and Training will be held in Cheyenne at the Hitching Post on September 19 & 20, 2007. New Board Members are encouraged to attend.

Medical Review Panel:

The Board reviewed another request for twelve names of volunteers to serve on the Medical Review Panel.

Educational Programs

Summary of Educational Programs:

Mrs. Koski presented the "Summary of the Educational Programs" report with the updates from the April, 2007 meeting.

The Education Committee gave their recommendations to the Board, and the following motions were approved:

Central Wyoming College:

Motion: *It was moved and seconded July 9, 2007, to accept the Education Committee's recommendation to accept the following:*

- *Letter of notification dated June 8, 2007 having Kathy Wells, MSN, RN as Nursing Program Director;*
- *Approve curriculum changes in removing three credit Humanities course and adding one credit to each Pharmacology course and one credit freshman course.*

The vote on the above motion was 5-0-0-0.

Western Wyoming Community College:

The Board discussed the graduation of the first practical nurse class at the end of July, 2007; self-study will be due at the end of November and the annual report will be due in February 2008.

Northwest College:

Motion: *It was moved and seconded, July 9, 2007, to accept the Education Committee's recommendation to accept the following:*

- *Changes in the curriculum outlined in the letter by Karen Harrison, MS, RN, dated May 4, 2007;*
- *Request clarification of the Annual Report of the name and title of the Administrator, PN program Director, RN program director and clarification of the coordinator name and title;*
- *Clarification that this Annual Report only reflects the RN program, the self-study report for the PN class is expected upon graduation of the first class;*
- *It was also noted that the RN retention rate has increased from 75.68% to 90.91% and the NCLEX pass rate has decreased from 100% to 82.76%;*
- *In general, faculty need to have assistance in completing the Faculty Qualification Sheets (FQS), especially in listing experiences and dates of experiences so that the FQS is more reflective of the actual experience;*
- *Marlene Stewart needs to complete her 10 clock hours of educational principles and methods of teaching, learning and evaluation of performance;*
- *Virginia Southwick needs to complete her 10 clock hours of educational principles and methods of teaching, learning and evaluation. This needs to be completed within six months of date of appointment. Her 5 year plan also needs to be more specific in the nursing courses.*

The vote on the above motion was 5-0-0-0.

University of Wyoming:

Motion: *It was moved and seconded, July 9, 2007, to accept the Education Committee's recommendation to accept the following:*

- *The State Board of Nursing requests only five copies of the Annual Report and school prospectus;*
- *It is a reminder that State Board of Nursing accreditation is until 2009 not 2011 as stated on page 2/11;*
- *It is noticed on the chart that the accelerated BSN students graduating in 2007 are not in the 2007 statistics;*
- *The column for the NCLEX pass rate has been deleted on the graph for the past five years;*
- *It was noted that retention rate increased from 79.69% to 96.23%;*
- *It was also noted that Foster Fatu did not list any clinical experiences.*

The vote on the above motion was 5-0-0-0.

Casper College:

Motion: *It was moved and seconded, July 9, 2007, to accept the Education Committee's recommendation to accept the following:*

- *The Education Committee requires a full request for proposal for ADN with PN spin-off with all requirements listed in Chapter VI, Board Rules and Regulations, Standards for Nursing Education.*

The vote on the above motion was 5-0-0-0.

Northern Wyoming Community College District:

Motion: It was moved and seconded, July 9, 2007, to accept the Education Committee's recommendation to accept the following:

- The Education Committee would like to commend NWCCD on their NCLEX pass rate and the completeness of their Annual Report.

The vote on the above motion was 5-0-0-0.

Laramie County Community College:

Motion: It was moved and seconded, July 9, 2007, to accept the Education Committee's recommendation to accept the following:

- Letter from Carol Kabeiseman, Nursing Program Director, dated June 11, 2007. It is also noted that some misunderstanding occurred between a faculty member and the University of Wyoming advisor. A note will be sent to the student and advisor clarifying rules and regulations regarding the 5-year plan;
- LCCC is commended on the number of Master's prepared faculty they have;
- Please note that the statistics page 4/18 leaves off the NCLEX score;
- It is noted that the retention rate has improved from 55.67% to 59.74% but still needs improvement and continues to be a concern. The failure and withdrawal rate in the first semester 2007 cohort is of concern to the Board. Please address your admission and retention policy.

The vote on the above motion was 5-0-0-0.

Chamberlain College of Nursing:

Motion: It was moved and seconded, July 9, 2007, to accept the Education Committee's recommendation to accept the following:

- Letter from Chamberlain College of Nursing dated April 9, 2007 and noted that they have not been approved by the Wyoming State Board of Nursing to offer their program in this state according to Chapter VI of the rules and regulations.

The vote on the above motion was 5-0-0-0.

University of Nebraska Medical Center:

The Board reviewed a letter dated June 4, 2007 from WBON to Susan L. Wilhelm, RNC, PhD, regarding clinical courses.

NATIONAL COUNCIL STATE BOARDS OF NURSING

NCSBN Schedule of Events:

JoAnn Reid, Executive Assistant, attended the IT Summit in Oregon on May 15-16, 2007. She informed the Board this is a very worthwhile workshop and thought it would be a good idea to send Erin Peterson of Katchemak Data Systems next year so that he may get a better understanding of what Boards of Nursing are facing in regards to database growth.

Vice President Clausen attended the Board Investigator Attorney Workshop on May 20-23, 2007. She said there were fabulous speakers and workshops and she learned a lot. Some topics covered were sexual perversions and other perversions and exploitation of the elderly.

Cheryl Koski, Executive Director, attended the Executive Officer Leadership Seminar, June 26-28, 2007. Topics of discussion were time management and relationships.

Cheryl Koski, Executive Director, will attend the National Association of Hispanic Nurses Conference in Los Angeles, July 18-20, 2007.

Cheryl Koski, Executive Director, President Merrill, Vice President Clausen, Mary Beth Stepan, Assistant Executive Director and Practice and Education Consultant and Member Williamson will attend the Annual Meeting in Chicago, August 7-10, 2007. Board Members reviewed the Annual Meeting Travel Waiver Request, NCSBN Delegate Designation Forum and the CGFNS Dinner International Dinner invitation.

Mary Beth Stepan, Assistant Executive Director and Practice and Education Consultant will attend the NCLEX Invitational on September 24, 2007

Member Herman will attend the Citizen Advocacy Center in Seattle, October 29-31, 2007.

Telehealth Grant:

The Board reviewed the letter from NCSBN dated June 18, 2007 concerning a grant that NCSBN is utilizing to assist boards of nursing in conducting criminal background checks and Nurse Licensure Compact implementation.

WYOMING PROFESSIONAL ASSISTANCE PROGRAM

Amendment One to WPAP Contract Dated June 14, 2007:

Motion: It was moved and seconded July 10, 2007, to approve the amendment to extend contract with WPAP by one year.

The vote on the above motion was 5-0-0-0.

WPAP Quarterly Update:

The Board reviewed the letter dated June 19, 2007 from George Vandel, regarding current numbers.

Jackson Waters, RN, BSN, Board Representative, George Vandel, NCAC II, CAP, Executive Director, Sonja Collamer, Board President, and Carole Shotwell, Office Manager, were present from the Wyoming Professional Assistance Program.

Mr. Vandel discussed the quarterly report from a letter dated July 6, 2007 to the Wyoming Board of Nursing. He also stated the meeting with the Discipline Committee opened up channels of communication and communications between Mr. Vandel and the Compliance Consultant were clarified. There was discussion of blanket coverage for volunteers in the program as well as those that are Board ordered. There needs to be communication between WPAP and the Compliance Consultant as to possible lifting of restrictions in certain cases. Mr. Vandel would like assurance of confidentiality between WBON and WPAP. Mrs. Koski explained there will always be two members of the Board on the Discipline Committee and the Compliance Consultant that are aware of the case. Complaints are confidential until they are closed.

There was discussion of nurses in the program taking pain medication and whether or not they should be allowed to work. This needs to be an ongoing discussion so that questions can be answered and resolutions decided upon. President Merrill stressed that once procedure has been decided on, it needs to be put in writing so that both sides know expectations and this will resolve misunderstandings between WPAP and the Board.

There was discussion between the Board and representatives of WPAP of another nursing representative on the WPAP Board. WPAP Board President, Sonja Collamer said WBON needs to "step up to the plate" in providing more financial support to WPAP.

There was a lot of discussion concerning fees WBON is paying vs. other professional boards. The Board will write a formal letter requesting another representative on the WPAP board.

CERTIFIED NURSING ASSISTANTS

NNAAP 2006 Pass Rates – Wyoming:

The Board noted that the NNAAP Skill Pass Rates for 2006 have gone down from 2005 in several areas. One of the lowest areas was measuring and recording blood pressure.

Expanded Role of the CNA:

The Board reviewed surveys that were returned from the Winter, 2007 Wyoming Nurse Reporter regarding Expanded Role of the CNA.

The Board also reviewed the draft curriculum from Marcia Dale, EdD, RN, FAAN, for Level II Certified Nursing Assistant/Aide. The curriculum can not be approved until Level II goes into effect.

Site Visits NATCEP Programs:

The Board reviewed site visit reports on the following nurse aide programs:

- NWCCD Sheridan College – Outreach, Buffalo High School – May 24, 2007
- Sheridan Manor – May 25, 2007
- Amie Holt Care Center – May 25, 2007
- East High School – May 17, 2007
- Central High School – May 17, 2007
- Sheridan High School – May 25, 2007
- NWCCD Sheridan College – May 25, 2007
- Carbon County Higher Education Center – May 31, 2007
- Powell Valley Hospital – June 14, 2007

Approval CNA In-services:

The Board reviewed a letter dated May 29, 2007 to Linda Bowman, RNC, Health Education and Consulting Services from WBON approving "Common Diseases Affecting the Elderly" for four hours of CNA in-service education.

BUDGET

Mrs. Sullivan reviewed all budget items with the Board, including the Administrative Budget Report ending June 30, 2007 and the Nurse Aide Budget Report ending June 30, 2007.

Wyoming Healthcare Commission:

Mrs. Koski reported on the Wyoming Healthcare Commission meeting held in Casper June 11, 2007.

The Board reviewed the formal request from the Wyoming Healthcare Commission for a listing of names, addresses, and license numbers of all Advanced Practice Registered Nurses in Wyoming.

The Board reviewed the Memorandum of Understanding between the Wyoming Healthcare Commission and the Wyoming State Board of Nursing. Mrs. Koski explained that the Healthcare Commission will pay WBON \$10,000 in order for WBON to reimburse members of the Nurse Advisory Committee for travel expenses incurred while

conducting official business and meetings. Any unused portion of the funds will be returned to the Healthcare Commission.

Motion: *It was moved and seconded July 9, 2007, to B-11 the \$10,000 as per the Memorandum of Understanding between the Wyoming Board of Nursing and the Wyoming Healthcare Commission.*

The vote on the above motion was 5-0-0-0.

Tandberg Unit:

The Board reviewed the Tandberg Price List for Wyoming to purchase equipment for video conferencing.

IT Initiatives:

The Board reviewed the approval request for a sole-source contract with Katchemak Data Systems and Web Technologies for conversion to the existing Microsoft Access Database to Microsoft SQL Server and the Proposal from Katchemak for on-line licenseing.

BOARD OF PHARMACY WORKSHOP

Cheryl Koski, Executive Director and Mary Beth Stepan, Assistant Executive Director and Practice and Education Consultant will attend the Board of Pharmacy Workshop in Casper on Wednesday, September 12, 2007 to discuss changes to Chapter 9 of the Wyoming Pharmacy Act, Rules and Regulations.

BOARD ADMINISTRATIVE RULES AND REGULATIONS

The Board reviewed several chapters of the rules and regulations. JoAnn Reid, Executive Assistant is to type up clean and stricken copies of the chapters with suggested changes and forward them to Board Members for final approval in hopes they can be voted on by the October Board meeting.

SCOPE OF PRACTICE

Request for Advisory Opinion – Administration of Chelation Therapy from Cynthia Bowen, RN:

Motion: *It was moved and seconded, July 9, 2007, to accept the Practice Committee's recommendation to accept the following:*

- *Nurses must follow the standards for medication administration which include knowledge of the drug being administered, the purpose for administration of the drug, the dosage, side effects and adverse reactions. All drugs administered must be properly labeled with the generic and brand name, dosage, date of preparation and date of expiration as well as the name of the prescribing physician. In addition, the nurse must be aware of the patient conditions or symptoms that would prohibit the nurse's administration of the drug and notify the physician. Access to emergency personnel must also be available in case of adverse reactions. If the above conditions are not met, the drug should not be administered by a licensed nurse.*
- *This opinion is consistent with the Massachusetts' Nurses Association statement by Cook (retrieved July 9, 2007, <http://www.massnurses.org/News/1999/9900600/sixrights.htm>) related to the Nurses' Six Rights for Safe Medication Administration*
 3. *The Right to Have Access to Information*

As pharmacology and technology advances, patients should be able to expect a nurse who is continually updated on new medications and the

ways they are delivered. Good nursing practice dictates that nurses are never to administer a drug they are unfamiliar with. If a patient is to receive a drug that is too new to be in the usual reference books, nurses should insist that information be provided to them. And they should not administer that drug until they have enough information to be comfortable doing so (pg 3 Of 4).

The vote on the above motion was 5-0-0-0.

Request for Advisory Opinion – Palliative Drainage of an Intra-peritoneal (IP) Catheter from Donna Suchor, RN:

Motion: It was moved and seconded July 9, 2007, to accept the Practice Committee's recommendation to accept the following:

- It is within the scope of the registered nurse to perform drainage of an indwelling IP catheter, as long as the nurse has completed training and competency and is under the direction of a physician. May consider more frequent assessment of the patient's condition during the procedure.

The vote on the above motion was 5-0-0-0.

Request for Advisory Opinion – Dispensing of Medications by RNs from Cathi Kindt, Executive Director, Free Clinic of Sheridan, Inc.:

Motion: It was moved and seconded July 9, 2007, to accept the Practice Committee's recommendation to accept the following:

- It is not within the scope of a licensed nurse to dispense medication.

The vote on the above motion was 5-0-0-0.

Advisory Opinions for Possible Review/Reconsideration/Deletion:

Motion: It was moved and seconded July 9, 2007, to accept the Practice Committee's recommendation to accept the following:

- Rescind Advisory Opinion 05-147; Administration of Rhogam – LPN

The vote on the above motion was 5-0-0-0.

Advisory Opinions – April 2007 Board Meeting:

The Board reviewed Advisory Opinions that were issued during the April 2007 Board meeting.

DISCIPLINE

Disciplinary Statistics:

Disciplinary statistics will be presented at the October Board meeting.

Application Review Committee (ARC) Decisions of Record:

Docket # 06-7-135, Karrie Walther, RN #19740

Motion: It was moved and seconded, July 10, 2007, to accept the Application Review Committee's recommendation to accept the Settlement Agreement, Stipulation and Order for a Letter of Reprimand for working without a license upon receipt of acceptance by the licensee and authorize the Board President to sign on behalf of the Board.

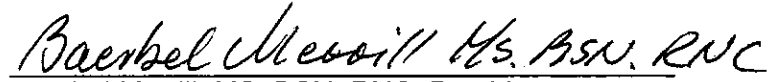
The vote on the above motion was 4-0-1-0. Vice President Clausen abstained from voting.

ADJOURNMENT: Having no further business to come before the Board, the meeting was adjourned by President Merrill at 12:00 p.m. on July 11, 2007.

Submitted by:



JoAnn Reid, Executive Assistant, Recorder



Baerbel Merrill, MS, BSN, RNC, President



Kellie Clausen, FNP, WHCNP, RN, Vice President



Marguerite Herman, Secretary