


Wyoming State
Board of Nursing
Board Meeting Minutes

PUBLIC SESSION: The Wyoming State Board of Nursing held its regularly scheduled meeting on September 30, October 1 and 2, 2002, 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 Judy Turner at 1:00 p.m., Monday, September 30, 2002. The President acknowledged the training session held the morning of September 30, 2002, conducted by Gene Jackson, Assistant Attorney General.

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

Board Members Absent:

Cynthia Northrup, AAS, LPN, Board Member, Evanston

Staff Present:

Cheryl Koski, MN, RN, CS, Executive Director
Mary Calkins, Ph.D., RN, CNN, Assistant Executive Director, Compliance Consultant
Paula Shepherd, Executive Assistant, Board Staff
Angela Dougherty, Attorney General's Office (9/30/02)
Gene Jackson, Attorney General's Office (10/01/02 & 10/02/02)
Fran Hawkins, Management Services Officer, Board Staff

Visitors Present:

Jackson Waters, RN, WPAP Representative, Rock Springs (09/30/02)
Jennifer Golden, AG's Office, Cheyenne (09/30/02)
Reilley Henderson, Cheyenne (09/30/02)
Lina Henderson, Cheyenne (09/30/02)
Zavier Lancaster, Cheyenne (09/30/02)
Toni Decklever, RN, Cheyenne (10/01/02)
Jan Daly, Big Horn (10/01/02)
Shawn Killinger, Casper (10/01/02)
Althea Claypool, Longmont, CO (10/01/02)
Eric Lundgren, Attorney, Cheyenne (10/01/02)
Jim Johns, VP of Instruction, LCCC, Cheyenne (10/02/02)
Chuck Bohlen, President, LCCC, Cheyenne (10/02/02)
Carol Kabeiseman, Dean, LCCC, Cheyenne (10/02/02)
Sunny Kaste, RN, School Health Programs Consultant, Cheyenne (10/02/02)
Michal Tyree, RN, BSN, School Nurse, Sheridan (10/02/02)
Suzey Delger, RN, President, WSNA, Casper (10/02/02)

George Vandell, WPAP Director, Casper (10/02/02)

DECLARATION OF QUORUM: President Turner declared a quorum present.

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

APPROVAL OF THE MEETING MINUTES

Minutes of the June 17 and 18, 2002, Board Meeting:

By consensus, the Board agreed to approve the minutes of the June 17 and 18, 2002, Board Meeting, as amended.

OLD BUSINESS

The following items remain open from past meetings:

- Promissor (formerly ASI) contract for full-service (July 2001).
- Remodel/relocate office space (June 2002).

ADMINISTRATIVE ISSUES

Educational Programs:

The Education Committee (Ms. Turner, Ms. Merrill, and Ms. Koski) reported on their review of the Annual Reports. Following Board discussion, the reports were accepted as indicated below. All educational programs will be advised in writing of the conclusions of the Board (letters attached).

Northwest College: The Board commended the program on the development of the Preceptor Manual and for hiring a consultant to assist in program development. The Board expressed concerns regarding:

- Low student retention.
- Low NCLEX pass rates.
- Organizational chart.
- Faculty who have not completed required clock hours in principles and methods of teaching.
- Faculty who are not yet masters-prepared and have not submitted plans for degree completion.
- The Systematic Program Evaluation Plan which does not demonstrate evidence of implementation and outcomes.

Sheridan College: The Board commended the program for the excellent Systematic Program Evaluation Plan, increased NCLEX pass rates and student retention rates, and correction of deficiencies previously cited by the Board. Although not all faculty are masters-prepared, it appears plans are in place for completion of the degree within five years from date of hire.

Casper College: The Board commended the program on the high NCLEX pass rate and the Systematic Program Evaluation Plan. The Board expressed concerns regarding:

- The Organizational Chart.
- Low student retention rate.
- Faculty who are not masters-prepared, although it did note that plans are in place for completion of the degree program within the five years of date of hire.

Central Wyoming College: The Board commended the program on the excellent NCLEX

pass rate. The areas of concern expressed by the Board are:

- The inconsistencies in the data in the 2001-2002 Annual Reports regarding admission, graduation, retention, and NCLEX pass rates.
- The Director's teaching load which appears to be excessive.
- The Director is the only masters-prepared member of the faculty.
- A faculty member who holds an AD in nursing which does not meet the Board of Nursing's education requirements.
- All faculty are relatively new.
- Not all faculty have plans for completion of Master's Degrees within the five years from date of hire requirement.
- Lack of information or incorrect information on two faculty sheets.
- Low student retention rate.
- Lack of evidence of outcomes on the Program Evaluation Form.

Laramie County Community College: The following reports were submitted by LCCC: 2001-2002 Annual Report, April-June 2002 quarterly report, and July-Sept. 2002 quarterly report. The Board commended the program for:

- Changing the title of the nursing program coordinator to "Director."
- Funding support by the administration for the faculty to achieve the 10 clock hour training on principles and methods of teaching required by Board Rules and Regulations.
- The addition of 3 full-time faculty.
- An educational stipend for nursing faculty.
- Funding a nursing review course for NCLEX candidates.

The Board expressed concerns regarding:

- Inconsistencies in the information in the PN and ADN charts.
- Low retention and pass rates.
- Some faculty not masters-prepared.
- Definition of supervision versus direction.
- No indication of implementation of the Systematic Program Evaluation Plan.
- Lack of evidence that the 6th area of concern in the Board of Nursing's Site Visit Report has been addressed in the LCCC Progress Report.

It was also noted that the Board will make a focused visit in conjunction with the National League For Nursing Accrediting Commission (NLNAC) visit to the LCCC Nursing Program in the Fall of 2003.

LCCC President Chuck Bohlen, Vice President of Instruction Jim Johns, and Dean Carol Kabeiseman, were present during the review of the LCCC Nursing Program. These representatives assured the Board that they are working together to make needed improvements in the program, such as team-building, reworking core concepts, and attempting to hire a director of the nursing program to ensure a cohesive and effective nursing program.

Western Wyoming Community College: The Board commended the program on the practical nursing retention rate, the NCLEX-RN pass rate, the Preceptor Manual developed and utilized, and the Systematic Program Evaluation Plan.

The Board expressed the following concerns:

- Not all faculty hold a Master's Degree, including one faculty member who does not have a plan for competing within the five year requirement.
- The answer to question #7 in the Faculty section of the Report. The Board encouraged

WWCC to contact the Board for clarification in answering question #7.

University of Wyoming: The Board commended the program on their:

- NCLEX-RN pass rate.
- Increased admission rate.
- Systematic Program Evaluation Plan.
- Development and implementation of an on-line course to meet the 10 clock hour requirement in principles and methods of teaching, learning, and evaluation of outcomes.

The Board expressed concerns regarding:

- The majority of faculty are not doctorally prepared.
- The school meeting the requirement that a preceptor have a Baccalaureate Degree in Nursing, as well as licensure as a registered professional nurse.

Weber State University: The board commended the program on their willingness and flexibility in changing the faculty/student ratio to meet Wyoming's Administrative Rules and Regulations requirements, and in submitting the requested information in a timely fashion. The board denied approval for continuous approval of the nursing program's use of the Wyoming State Hospital as a clinical learning site as this is contrary to the Board of Nursing's Administrative Rules and Regulations regarding distance-learning programs. All programs in this category must apply on an annual basis. The Weber State Nursing Program must request in writing in the Spring of 2003 in order to bring students to the clinical learning site for the 2003-04 academic year.

Pickens Tech Practical Nursing Program: The board discussed the Annual Report submitted by Pickens Tech, and noted that the additional materials submitted in September were received after the extended deadline granted them (August 19, 2002). The Board voted to approve the clinical portion of the courses requested in the Pickens July 19, 2002, document under certain conditions set forth in a letter addressed to the Pickens Tech Practical Nursing Program (October 17, 2002, letter attached to these minutes).

The Board noted that Ms. Sherise Valentine, MSN, RN, has been appointed Wyoming Practical Nursing Program Director by Pickens. The concerns noted by the Board in the Pickens Annual Report include:

- Questions about the required 10 clock hours of educational preparation by faculty.
- The incorrect systemic evaluation.
- Calendar of student rotations submitted beyond approval period.
- The number of students in both Wyoming and Colorado in the Pickens Practical Nursing Program.
- The results of the Fall Site Visit by the Colorado Board of Nursing.

The Board advised the Pickens Program of the proper procedure and timing for submission of the Annual Report, as well as specific information regarding an annual request for approval of distance-learning nursing education programs.

Motion: *It was moved and seconded that because information was not received by the Board in time for appropriate review, the Pickens Tech PN Program approval be postponed until the January Board Meeting. Discussion followed. The vote on the above motion was 3-3-0-1. The motion was defeated due to the tie vote.*

Motion: *It was moved and seconded that the Board approve the clinical portion of PRN 195, 245, and 285 under the following conditions: (1) through 12/31/02; (2) for 16 students*

(with one clinical instructor per 8 students); (3) at UMC; (4) contingent upon receipt by 12/31/02 of appropriate documentation that deficiencies have been corrected. If these conditions are met, approval will be extended through June 30, 2003, and future complete requests submitted according to rules and regulations will be considered.
The vote on the above motion was 6-0-0-1.

National Council of State Boards of Nursing:

HIPDB Agreement dated 8/30/2002: The revised HIPDB Agreement was signed and submitted to the National Council of State Boards of Nursing on September 4, 2002.

Annual Meeting: Executive Director Ms. Koski reported on the Annual Meeting held in Long Beach, California, on August 13-17, 2002. The next Annual Meeting will be held in Richmond, Virginia. The NCSBN's Model Nursing Practice Act and Model Nursing Administrative Rules were furnished to the Board.

Report of NCLEX: Ms. Merrill, Board Member, gave a report on the NCLEX Invitational she attended September 23, 2002, in Florida. Highlights of the meeting included the informative test development process and NCLEX ADA requirements. Future plans include some foreign testing sites by 2004 and a new NCLEX video that will be available soon.

E-learning for the Nursing Community: The Board was given information regarding online courses available through NCLEX.

Certified Nursing Assistants:

CAT*Promissor Contract Draft: Ms. Koski informed the Board that Promissor (formerly ASI) is still working on the contract draft for full service. She will continue to monitor its progress and keep the Board informed.

Nursing Shortage: The Board reviewed several reports regarding the nursing shortage, including the Department of Employment Study, Health and Human Services Report, Wyoming License Numbers and Salaries, Exit Survey-Wyoming Senior Nursing Students, JACHO report, and accelerated nursing programs. The nursing shortage and the retention of nurses was discussed.

Legislative Issues:

Toni Decklever, Wyoming Nurses Association, spoke on legislative issues and on a study regarding employment wages completed by the Department of Employment. Last year's nursing education bill which died in the House will be reintroduced. According to a survey of nursing students compiled by the Wyoming Commission on Nursing and Nursing Education (Spring 2002), work place issues, as well as low pay, drive nurses out of nursing in Wyoming. Additionally, nurses reported being concerned about whistleblower issues, mandatory overtime, pay, and safety in the workplace. The main reason nurses stay in the state is because of family roots.

Wyoming Professional Assistance Program (WPAP): Jackson Waters, Board of Nursing representative on the WPAP Board, reported on and distributed the minutes of WPAP's previous two meetings. WPAP is considering requesting an increase in funding in the next contract with the Board as nursing is using the program more than the other disciplines. Mr. Waters is unsure of what WPAP will do about their increase request. He did indicate that if the Board of Nursing does not renew the contract, it might mean the demise of WPAP.

George Vandell, Executive Director, WPAP, gave a quarterly report to the Board. Mr. Vandell indicated that the 4th amended contract between WPAP and the Wyoming Board of

Nursing has been signed. A large marketing effort is being made by WPAP to make the program better known throughout the state. It is believed more referrals would be made as more people become aware of the program. WPAP is also eligible for grants and is checking into grant-writing for additional revenue. The Board of Nursing has requested bids from four agencies offering a monitoring program, and WPAP will also submit their bid. (September 27, 2002, letter attached.)

Wyoming Board of Nursing Annual Report:

The Wyoming Board of Nursing Annual Report for the period of July 1, 2001 to June 30, 2002, was submitted to the Department of Audit as required. The Board office will be notified upon publication of the combined state agencies' annual reports.

Medicare/Medicaid:

CMS Nurse Practitioner Requirements: Discussion was held on CMS requirements. The CMS nurse practitioner must hold national certification to be eligible for Medicare/Medicaid reimbursement.

Health Insurance Portability and Accountability Act: Baerbel Merrill, Board Member, is on the HIPAA Committee. She informed the Board that tracking is required as to who has access to medical records in order to receive medicare/medicaid funding. The Board of Nursing's disciplinary process could be affected by this requirement.

Commission on Graduates of Foreign Schools of Nursing (CGFNS):

The CGFNS process for evaluating foreign applicants for licensure was reviewed by the Board Members.

Budget: Ms. Hawkins reviewed the budget with the Board and the following additional items:

- Ms. Hawkins will research the approximate cost of a laptop computer for each Board Member to better help the Board evaluate changing to "paperless" meetings.
- Rate of mileage reimbursement has changed from \$0.365 to \$0.36.
- State employee insurance will cost each participant \$56 per month.
- Microsoft Access Program in the Board office is in the process of being updated.
- Paula Shepherd will retire January 31, 2003, which will affect the budget because of the severance pay due at retirement.
- There has been no response to the nurse practice consultant vacancy advertisement. The position will be advertised in Nursing 2002 and Journal of Nursing Education.
- Ms. Hawkins delivered two letters to the Board regarding personnel issues.
- The Board by consensus agreed to reimburse Assistant Attorney General Gene Jackson \$0.365 cents per mile for his trip to Colorado Springs, Colorado, to attend the Federation of Administrative & Regulatory Boards (FARB) Conference.

Licensure/Certification Renewals: Ms. Hawkins stated that the State of Wyoming is looking into online renewal. A pilot program will start January 1, 2003. Notices have been placed in the Wyoming Nurse and The Wyoming Hospital Association newsletters regarding renewals of all licensees by December 31, 2002.

Personnel/Board Issues:

Board Meeting - January 6, 7, 8, 2003:

The Board discussed adding one day to the January meeting for disciplinary cases instead of scheduling an additional Board meeting. January 7th will be set aside for disciplinary issues and January 9th will be added to the agenda if necessary. The Hearing Office will notify the people involved of their scheduled hearings on January 7, 2003.

Annual Meeting: The Board discussed changing the date of the annual meeting in order to accommodate election of officers. The Board is not bound by law to establish the same date each year for the annual meeting.

***Motion:** It was moved and seconded to declare the October 2002 meeting the Annual Meeting for 2002. The second quarter meeting will become the Annual Meeting of the Board of Nursing beginning in 2003.
The vote on the above decision was 6-0-0-1*

Election of Officers: The Board held election of officers.

***Motion:** It was moved and seconded to maintain the current set of officers: Judy Turner, President, Ruthann Holzer, Vice President, and Beth Evans, Secretary.
The vote on the above decision was 6-0-0-1.*

Board Meeting Policies:

The Board Members requested the following policy changes for future Board Meetings:

- The Board Office will establish the agenda no later than two weeks prior to each scheduled Board Meeting.
- The agenda and packets will be mailed to Board members two weeks prior to the Board Meeting.
- There will be no changes or additions to the agenda once it is established.
- Board staff will complete meeting follow-up activities and requests from the Board within 30 days of the meeting's final date.
- The Board will not accept requests or reports by educational programs if they are not received in the Board Office within the required time limits.

Executive Session: The Board discussed personnel issues in Executive Session, September 30, 2002, 4:00 p.m. to 5:00 p.m. and 6:30 p.m. to 8:30 p.m.

The Board noted an unsigned letter of complaint was received by the Board Members. By consensus, the Board concluded they have no authority and cannot, and will not, take action on unsigned letters.

SCOPE OF PRACTICE ISSUES:

Laser Hair Removal: This item was tabled .

Delegation of Medication Administration:

Suzey Delger, President, Wyoming School Nurses Association, Sunny Kaste, School Health Programs Consultant, Wyoming Department of Education, and Michael Tyree, school nurse, Sheridan, addressed the issue of liability and accountability of nurses in delegating medication administration to nonlicensed personnel. They presented an Attorney General's letter dated 7/1/81, and another opinion from that office dated 7/2/00, but the group did not feel these letters specifically spoke to the concerns of school nurses when delegating medication administration. They requested a written document stating the school nurse is not practicing out of his/her scope when the nurse obeys a principal's order to train unlicensed personnel to administer medications.

Assistant Attorney General Gene Jackson advised the Board can write a letter that there is no violation provided the nurse is complying with the Wyoming Practice Act and Rules and Regulations. (October 30, 2002, letter attached.)

Acupuncture for Detoxification - Lisa Smith, RN: The Board received a letter from Lisa Smith, RN, inquiring as to whether or not performing acupuncture for detoxification is within the scope of practice for an RN, LPN, or CNA. Following review of the materials submitted, as well as materials provided by George Vandell, WPAP, the Board determined that acupuncture is not within the scope of practice of a registered professional nurse, a licensed practical nurse, or a certified nursing assistant. (October 3, 2002, letter attached)

DISCIPLINARY ISSUES:

In the process of conducting the disciplinary review, the Board clarified disciplinary issues regarding the following:

- Per advice from the Hearing Officer, the Chairman can sign Orders as the representative of the Board, eliminating the need for signatures from all Board Members.
- The Board cannot refuse applications from applicants on probation. Everyone has a constitutional right to apply for licensure and all applications must be accepted.
- Board Member Angela Koenig will be replaced on the Application Review Committee (ARC) by interim member Baerbel Merrill if the other LPN's resignation is accepted. Ms. Koenig will keep the cases she has received up to the present time.

Applications and Complaints for Full Board Review:

Case No. 02-052, GN, RN Applicant.

***Motion:** It was moved and seconded, Oct. 1, 2002, to issue license/certificate with Conditions to Case No. 02-052, if doesn't accept, deny.*

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.

Case No. 02-059, NA Applicant.

***Motion:** It was moved and seconded, Oct. 1, 2002, to deny license/certificate to Case No. 02-059.*

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.

Case No. 02-067, RN Applicant.

***Motion:** It was moved and seconded, Oct. 1, 2002, to deny license/certificate to Case No. 02-067.*

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.

Case No. 02-069, NA Applicant.

***Motion:** It was moved and seconded, Oct. 1, 2002, to deny license/certificate to Case No. 02-069.*

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.

Case No. 02-076, NA Applicant:

***Motion:** It was moved and seconded, Oct. 1, 2002, to deny license/certificate to Case No. 02-076.*

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and

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

Case No. 02-078, NA Applicant.

Motion: *It was moved and seconded, Oct. 1, 2002, to issue license/certificate with Letter Of Reprimand to Case No. 02-078, if doesn't accept, deny.*

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.

Certify/License:

Motion: *It was moved and seconded, Oct. 1, 2002, to issue license/certificate to the following:*

Case No. 02-065, GPN

Case No. 02-071, GPN

Case No. 02-075, RN

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Applications Review Committee abstained from voting.

Letter of Awareness:

Motion: *It was moved and seconded, Oct. 1, 2002, to issue license/certificate with Letter of Awareness to the following:*

Case No. 02-055, NA

Case No. 02-054, RN

Case No. 02-056, GN

Case No. 02-057, NA

Case No. 02-058, GPN

Case No. 02-060, NA

Case No. 02-061, GN

Case No. 02-066, RN

Case No. 02-068, GN

Case No. 02-072, NA

Case No. 02-073, RN

Case No. 02-077, NA

Case No. 02-079, NA

Case No. 02-080, GN

Case No. 02-082, NA

Case No. 02-083, NA

The vote on the above decision was 4-0-2-1. 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, October 1, 2002, to affirm the Disciplinary Committee's recommendation to dismiss the following:*

Case No. 02-025, RN

Case No. 02-050, RN

Case No. 02-053, RN

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.

Tag and File: None to consider.

Advisory Letter:

Motion: *It was moved and seconded, October 1, 2002, to affirm the Disciplinary Committee's recommendation to issue advisory letters to the following:*

Case No. 02-009, LPN

Case No. 02-014, CNA

Case No. 02-015, CNA

Case No. 02-062, LPN

The vote on the above decision was 4-0-2-1. In accordance with the Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.

Proceed with Discipline:

Motion: *It was moved and seconded, Oct. 1, 2002, to affirm the Disciplinary Committee's recommendation to proceed with discipline on the following:*

Case No. 02-026, CNA

Case No. 02-033, CNA

Case No. 02-036, RN

Case No. 02-039, LPN

Case No. 02-040, RN

Case No. 02-041, CNA

Case No. 02-048, RN

Case No. 02-050, RN

The vote on the above decision was 4-0-2-1. 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. The complainant was not present. The Board was informed that delivery of Notice of Hearing was attempted by the Office of Administrative Hearings, and the Notice was returned as undeliverable. The State requested a continuance in order to offer additional evidence. OAH will attempt to properly notify the complainant.

Motion: *It was moved and seconded, September 30, 2002, for continuance of hearing to January 7, 2003, at 9:00 a.m., with the Office of Administrative Hearings providing Ms. Ridens with appropriate documentation, and to request Board members not discuss any of the exhibits or proceedings.*

The vote on the above decision was 5-0-1-1. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.

Reilley Henderson, NA, Docket No. 02-023. The board heard the testimony and reviewed the evidence presented during an administrative hearing.

Motion: *It was moved and seconded, September 30, 2002, to accept recommendation to deny certificate of nursing assistant at this time.*

The vote on the above decision was 5-0-1-1. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting

Regina Roberts, NA, Docket No. 02-010. Postponed. Order granting motion to vacate hearing.

Shawn Killinger, NA, Docket No. 02-003. The Board heard the testimony and reviewed the evidence presented during an administrative hearing. The Board deliberated in Executive Session.

Motion: *It was moved and seconded, October 1, 2002, to affirm denial of nursing assistant certificate.*

The vote on the above decision was 5-0-1-1. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting

Peggy Savage, NA, Docket No. 02-038. Board Member Cindy Northrup was present via

telephone to establish a quorum. The Board heard the testimony and reviewed the evidence presented during an administrative hearing. The complainant was not present. The Office of Administrative Hearings attempted delivery of Notice of Hearing, and the Notice was returned as undeliverable. For the record, this case was declared closed.

Motion: *It was moved and seconded, October 1, 2002, to affirm denial of nursing assistant certificate.*

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.

Althea Claypool, RN, Docket No. 99-189. An Informal Hearing was held and a letter written by Ms. Claypool requesting reinstatement of her license was read to the Board

Motion: *It was moved and seconded, October 1, 2002, to reinstate full licensure of Althea Claypool.*

The vote on the above decision was 6-0-0-1.

Board Reconsiderations: None to consider.

Off Conditional License:

Motion: *It was moved and seconded, Oct. 1, 2002, to remove from conditional licensure the following:*

Case No. 99-189, Althea Claypool, RN (Informal Hearing)

Case No. 99-246, Jane (Detweiler) Mickelson, RN

Case No. 00-078, Janice Saysette, RN

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.

Actions Finalized (Signatures Needed):

Letters of Reprimand:

Motion: *A motion was made and seconded, October 1, 2002, to affirm the Disciplinary Committee's recommendation to accept the signed Letters of Reprimand from:*

Case No. 02-029, Courtney Holmquist, NA

Case No. 02-047, Mary Rideout, LPN (already signed)

Case No. 01-077, Peggy Demontiney, NA

The vote on the above decision was 4-0-2-1. In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.

Stipulated Agreements/Conditional Licensure: None to consider.

Voluntary Surrender: None to consider.

Private Agreements: None to consider.

Withdrawal of Application: None to consider.

Office of Inspector General - Reporting Requirements Update: The Board office requested the Office of Inspector General (OIG) provide a statement regarding federal requirements about felony convictions. That office replied they are not yet ready to provide a statement or access to HIBDIB. OIG wants the Board to send all public discipline (including all investigative material of anyone denied, suspended, or revoked) after each Board meeting. If required to do so, the Board will request the office of Medicaid Fraud pay for the copies and the time of the person making the copies. It is unclear at this time why the OIG wants duplication of material already reported, as well as additional information. Therefore, the Board recommended nothing be done until OIG provides more information.

Disciplinary Cases FY 1998-2002: A summary of disciplinary cases for FY 1998-2002 was discussed. (Information attached)

Proposal - Applications - Certify with Letter of Awareness: In order to be more timely with application requests, the Board agreed to authorize the Application Review Committee to issue licenses, including those issued with a letter of awareness, based on the disciplinary model's matrix score of below 30. This procedure will be reviewed at the September 2003 Board Meeting to decide upon its effectiveness.

ADJOURNMENT: Having no further business to come before the Board, the meeting was adjourned by President Turner at 5:00 p.m. on October 2, 2002.

Submitted by:

//SIGNED//
Paula Shepherd, Recorder

//SIGNED//
Judy Turner, MS, RN, President

//SIGNED//
Ruthann Holzer, AAS, RN, Vice President

//SIGNED//
Beth Evans, Ph.D., Secretary