



WYOMING STATE BOARD OF NURSING

Mission Statement: Serve and safeguard the people of Wyoming through the regulation of nursing education and practice.

Vision Statement: Acknowledging the dynamic nature of healthcare provides the climate, collaboration and regulatory framework for nurses to practice to the fullest extent of their scope.

Core Values: Excellence, Ethics, Education, Safety and Competence

Meeting Minutes

April 9-12, 2012

In accordance with the State of Wyoming Public Records Act, supporting documentation to the meeting minutes is a public record and is available upon a written request.

Monday, April 9, 2012

WSBN
1810 Pioneer Ave
Cheyenne, WY 82002

Committee Meetings (1:00-2:00)

Board members who need to meet together and special meetings with Application Review Committee (ARC)/Discipline Committee (DC) and applicants/licenses/defense attorneys if needed are to be held between 8:00 a.m. to 1:00 p.m.

1. Application Review Committee (TW, MH) – *Safety*
2. Practice Committee (LJ, TB) – *Safety and Education*
3. Education Committee (CD, TB) (December 28, 2011)- *Education*
4. Legislative Committee (TW, MH, KN, TB, MKG) – *Policy Making*

360° evaluation of practice and education processes (2:00 p.m.)

Roll Call:

Meeting called to order 2:10 p.m. Monday, April 9, 2012

Present:

Board: President Tracy Wasserburger, Vice President Carrie Deselms, Secretary Marguerite Herman
Members: Marcie Burr, Lori Johnson, Cynthia Woods

Staff: Executive Director Mary Kay Goetter, Assistant Executive Director Todd Berger, Executive Assistant Amanda Roberts

Tuesday April 10, 2012 (8:00 a.m.)

1. Welcome

- Roll Call

Meeting called to order 8:15 a.m. Tuesday, April 10, 2012

Present:

Board: President Tracy Wasserburger, Vice President Carrie Deselms, Secretary Marguerite Herman
Members: Marcie Burr, Lori Johnson, Cynthia Woods

Staff: Executive Director Mary Kay Goetter, Assistant Executive Director Todd Berger, Executive Assistant Amanda Roberts

Attorney General's office: Senior Assistant Attorney General Ken Nelson, Senior Assistant Attorney General Bob Walters

Absent: Thursday

Senior Assistant Attorney General Ken Nelson

- Declaration of Quorum

Quorum declared by Mr. Nelson

- Welcome New Board Members
- Reordering of Agenda

Move Strategic plan and committee appointments to after meeting with Tony Young

Add signature stamp policy under new business

Add customer service to unfinished business

- Board Elections

Motion by Ms. Deselms

Moved to elect Ms. Wasserburger as president, seconded and approved with no dissent

Motion by Ms. Burr

Moved to elect Ms. Deselms as Vice President, seconded and approved with no dissent

Motion by Ms. Woods

Moved to elect Ms. Herman as secretary, seconded and approved without dissent

Motion retracted by Ms. Burr, Ms. Herman not eligible for another term, seconded and approved without dissent.

Motion by Ms. Burr

Moved to elect Ms. Woods as secretary, motion seconded and approved without dissent

- Visitors 8:30 a.m. to 9:30 a.m.
 - Check box on renewal form for Wyoming Center for Nursing HealthCare Partnerships (WCNHCP) *Public Relations* (calling in Tuesday at 8:30 a.m.)

Mary Burman and Veronica Taylor joined board by telephone to discuss the status of adding a checkbox to the renewal form for nurses to donate money to WCNHCP

WCNHCP will financially support the addition of the box to the renewal application.

Motion by Ms. Herman

Moved to accept financial offer from WCNHCP for the redesign of the renewal application to include a checkbox for donations to the center, seconded and approved with no dissent.

Action: Ms. Roberts will meet with Ms. Taylor and Ms. Burman to work out the details

- Executive Session (Attorney advice, personnel matters) (Tuesday at 10:00 a.m.)

Motion by Ms. Deselms

Moved to enter executive session at 10:00 a.m., seconded and approved with no dissent

Executive session ended 11:45 p.m.

2. Consent Agenda

- Minutes of February Teleconference
- Minutes of March Teleconference
- Memorandum Of Understanding (MOU) with Wyoming Professional Assistance Program (WPAP)
- State of Wyoming Surplus Resolution

Motion by Ms. Deselms

Moved to approve consent agenda, seconded and approved with no dissent

3. Information Only

- NCSBN Delegate Assembly, August 8, 2012 - *Education*
- NCSBN Leadership Succession Committee Invitation/Information - *Education*
- Report on APRN Discipline *Safety*
- Thank you from University of Wyoming *Service and Education*
- APRN distribution in urban and rural areas *Education*
- Licensing Reports - *Service*
- Discipline Reports - *Safety*

Move Licensing and Discipline reports to DC and ARC committee updates for this meeting and future meetings

4. Strategic Discussions

- Rules/Nurse Practice Act (NPA)
 - Chapter 5 Fee Structure - *Policy Making*

45 day comment period ends May 15, 2012

If approved on last day will allow two months for programming to be ready by renewals

Review of Department of Employment report regarding employment of nurses in Wyoming

- Chapter 2 Changes - *Policy Making*

No negative comments on chapter 2. 45 day comment period ends May 15, 2012

- Social Media Guidelines in rules *Safety*

Social Media is becoming more of an issue in discipline cases. We may need to add language to rules in the future. Legislative committee is reviewing.

American Nurses Association (ANA) is a good source of information regarding social media in addition to NCSBN

Action: Mr. Berger will publish the Social Media Guidelines in the *Wyoming Nurse Reporter* and will provide a copy to Ms. Roberts to post to website.

- Chapter 6 Update *Education*

Education committee met with NEW group and discussed chapter 6 and reasons for denial.

Mr. Berger will meet with the NEW group again in May at Education Summit

Education committee needs to determine if any changes need to be made to proposed chapter 6 before it goes back out for public comment

- Updates

- Follow up on action items – *Policy Making*

List of action items from the last board meeting were reviewed. Further discussion of board compensation will take place under new business

- Strategic Plan and Committee Updates and Assignments

Committee Assignments:

ARC – Lori Johnson and Marcie Burr

DC - Rotating based on expertise

Legislative – Marguerite Herman, Tracy Wasserburger,

Practice/Education – Carrie Deselms, Cindy Woods, APRN appointee

Committee chairs will be selected and be responsible for agendas for their meetings and setting up working times for committee rather than relying on staff.

Committee reports will be provided by committee chair

- Discipline Committee – *Safety*

Discipline statistics were reviewed by Ms. Ball

Action: Ms. Ball will add “Inactive” to the complaint dispositions graph

Action: Ms. Ball and Mr. Walters will ensure that an informal conference is offered to all licensees who have requested a hearing

Mr. Walters suggested that the informal conference process be added to the rules under Chapter 8

Action: Mr. Walters will work on tier matrix and electronic decision sheet form

- Application Review Committee – *Safety*

Licensing Statistics were reviewed by Ms. Roberts

- Legislative Committee – *Policy Making*

Legislative Committee update provided by Ms. Wasserburger

Omission in rule on Graduate Nursing Assistant Temporary Permit. The permit does not include CNAs endorsing into the state, however, within the context of the CFR 180-day rule, we are usually still able to accommodate them. This will be corrected when Chapter 2 is revised.

Social Media Guidelines provided by NCSBN reviewed by Mr. Walters

Chapter 8 modifications – Procedural issues need to be reviewed in rule regarding discipline. The AG's office will set up a meeting with the Governor's office before beginning any proposed changes to the rules. Mr. Walters anticipates a proposed draft by the next board meeting.

Chapter 6 Resubmission – More thoughtful consideration is needed before the chapter is resubmitted and additional items may need to be added (CNA MA-C, CNA II, Refresher Courses)

NPA revisions may need to occur in 2013 when the legislature is in session to make the statute match the APRN Consensus Model Rules and possibly reattempt to seek authority to issue fines for those in violation of the NPA

- Education Committee – *Education and Service*

Western Wyoming Community College (WWCC) was denied continuing accreditation from National League for Nursing Accrediting Commission (NLN-AC) for their nursing program. WWCC will have to reapply and is planning to appeal the decision. WWCC continues to have WSBN approval at this time

- Practice Committee – *Service and Education*

WNA has indicated their intent to discontinue their refresher program, no details are available yet.

There are issues regarding students currently in the program, more information is needed to determine how to move forward.

Action: 360° evaluation of practice will occur at next meeting if time allows

- Nurse Monitoring Program Advisory Committee – *Safety*

The committee has not met recently; NMP Program Manager is working on updates to forms and programs based on their feedback from the last meeting.

Future meetings will occur when board staff is ready for feedback on the progress made. NMP – AC members are under contract to provide the evaluation service and due to budget constraints, we may need to wait until next biennium when monies are available to reimburse them.

- Other
 - Practice and Education Report

Mr. Berger handed out statistics for the volume of work for practice and education for the board and reviewed the information with the board

- Nurse Monitoring Program – *Safety*

Nurse Monitoring Program update provided by Ms. Rowe

- Discussion regarding public requests for school information *Policy Making*

NCLEX pass rates and annual reports, including FQS, are public records under the WY PRA and may be provided upon request.

- NCSBN Passport – *Service*

Each board member received an e-mail with one log in and password for all NCSBN access, see Ms. Roberts if you need assistance in accessing.

- NCLEX Pass rates *Education*

The NCSBN report on 2010 pass rates was provided to the board. Discussion regarding NCLEX pass rates will be taken up further by the education committee when annual reports are submitted.

- Nursing Education Data *Education*

The education committee will further discuss education programs and annual reports at the next Practice and Education Committee Meeting

- Acadamus Ethics Course for CNAs *Education*

Acadamus Ethics Course is available at no charge for Wyoming CNAs

- Fiscal Report –*Service*

Fiscal report provided by Ms. Stillahn was reviewed by Dr. Goetter

- Cost Reductions

List of cost reductions the board office has made was reviewed with the board

Motion by Ms. Deselms

Moved to re-enter executive session at 2:45 p.m., seconded and approved without dissent

Executive session concluded at 5:00 p.m.

- B11 Request

Upon recommendation of Fiscal Officer and ED, B11 request removed from the agenda. Any shortfall in 100 series (salaries) will be culled from 200 series (i.e., travel, supplies, etc).

5. Compliance and Discipline -*Safety*

- Discussion of settlement agreements on consent agenda

Mr. Walters explained the option of placing all settlement agreements on a consent agenda rather than each being addressed individually. Individual agreements may be pulled off the consent agenda at the request of any board member in order to discuss.

Motion by Ms. Deselms

Move to adopt format of placing all settlement agreements under a consent agenda beginning with the next board meeting, motion seconded and approved without dissent.

- Reporting Requirements, HIPDB, OIG, NPDB

Explanation provided about the reporting requirements and timelines to these agencies regarding reporting disciplinary action taken by WSBN

- Contested Case Hearings (Wednesday at 8:00 a.m.)
 - Docket 10-11-326, Andrea Schultz CNA 11780
- Settlement Agreements
 - Docket 11-12-115, Paul Krempels, RN 21959, Letter of Reprimand

Motion by Ms. Burr

Move to approve settlement agreement for letter of reprimand, seconded and approved without dissent.

- Docket 11-010, Sara Cameron RN 14247, Conditional License

Motion by Ms. Herman

Move to approve settlement agreement for conditional license, seconded and approved without dissent.

- Docket 11-12-116, Constance Wise, RN 10053, Letter of Reprimand

Motion by Ms. Deselms

Move to approve settlement agreement for letter of reprimand, seconded and approved without dissent.

- Docket 11-12-141, Amber Bedolla-Perez, CNA 13888, Voluntary Surrender

Motion by Ms. Woods

Move to approve settlement agreement for voluntary surrender, seconded and approved without dissent.

- Docket 10-157, Amy Elm, RN 21676, Conditional License

Motion by Ms. Johnson

Move to approve settlement agreement for conditional license, seconded and approved without dissent. Ms. Deselms and Ms. Herman abstaining.

- Docket 10-130, Heather Weber, LPN 6207, Voluntary Surrender

Motion by Johnson

Move to approve settlement agreement for voluntary surrender, seconded and approved without dissent.

- o Docket 10-11-188, Kayla Daley CNA 20096, Suspension

Motion by Ms. Burr

Move to approve settlement agreement for suspension, seconded and approved without dissent.

Review and discussion of the current discipline matrix took place

Suggestions for changes made by the board:

Refine to have items which have a substance abuse evaluation with clear recommendations be assigned to a DC member.

If licensee is disputing the settlement agreement, assign DC for further review

Rewrite matrix in a format similar to ARC matrix (bullet and/or chart format rather than any narrative)

Action: Mr. Walters will work on revisions to matrix and provide to board for review by next teleconference

6. New Business

- Board Compensation

A subcommittee of board members will review the past policies and LSO documents regarding compensation for legislative pay and travel and draft a new policy

Subcommittee will consist of Ms. Burr and Ms. Wasserburger

- Signature Stamp Policy

Policy was reviewed with board regarding signature stamps.

Motion by Ms. Deselms

Moved to approve use of signature stamps as stated in policy with addition that stamps be kept in a locked drawer, seconded and approved without dissent.

Board will provide a signature to Ms. Roberts in order to have stamps made for the purpose of the policy.

7. Unfinished Business

- Christian Science Nursing follow up – *Public Relations*

The board will not take any action on this item at this time

- July Board Meeting

July board meeting will be held in Cheyenne, with a day for board development at the Carriage House. Location of other days is still to be determined.

Extend invitation to Governor's office to join for session on strategic plan

Action: Ms. Roberts will look for a block of rooms for the July board meeting in the same hotel so all board members can stay at the same place. First option is the Hampton Inn .

- NPA –

Time consuming to do all research necessary for opening NPA, legislative committee will meet before July meeting and discuss what needs to happen with status of current NPA to bring a motion forward to the July meeting

- Customer Service

All board staff was called into the meeting with the board members: Ms. Hernandez was not available and the board will meet with her later in the day.

Board members are continually receiving complaints about board staff and unsatisfactory customer service. Complaints include:

No one answers phone
Get voice mail
No one calls back
Poor service (“I don't know answer”)

All callers need to be treated as if they are the first call of the day

The board has been put on notice, the perception regarding customer service at the Governor's office is that we have a long way to go.

All board members and board staff need to hold each other accountable for customer service, both internally and externally.

We have some repair work to do with our customers.

Customer service improvement must be immediate and sustained.

Governor's office feels we are indifferent to all we service, (licensees, Governor's staff, stakeholders)

They are looking for us to be responsive, respectful, and timely and are watching closely for these changes.

Rebuttals and excuses are not acceptable.

- Hot Wash

Closing

Need for special emergency meeting April 17th, 4:00 p.m. for executive session to be held at the board of medicine conference room

Meeting adjourned 1:45 p.m. Thursday, April 11, 2012