



Wyoming State Board of Nursing

Regular Meeting Minutes

October 9, 2018

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. Voting numbers on all decisions and motions are as follows: In Favor – Opposed – Abstaining – Absent.

The Board reserves the right to vary from the times and order of matters presented depending upon the need and necessity of facilitating the flow of business.

The following were present or presented reports during the meeting:

<p><u>Board Members</u> Marjory Christiansen RN, President (MC) Susan Howard RN, Vice President (SH) Helen Byrd RN, Secretary (HB) Stephen Delger, Public (SD) Kathy Cromer LPN (KC) Wendy Wood Neeson APRN (WWN) Cristy Dicklich-Cobb RN (CDC)</p>	<p><u>Staff</u> Cynthia LaBonde, Executive Director (CL) Jennifer Burns, Practice & Education Consultant (JB) Caitlin Casner, Office Support Specialist (CC) Victoria Pike, Compliance & Discipline/Licensing Manager (VP) Kara Aguirre, Legal Assistant (KA) Joey Clure, Investigative Assistant (JC) Lisa Hastings, Licensing Supervisor (LH)</p> <p><u>Attorney General’s (AG) Office</u> Jim Peters, Advising Attorney (JP) Jessica Frint, Prosecuting Attorney (JF) Jesse Naiman, Prosecuting Attorney (JN)</p>	<p><u>Guests:</u> Peter Froelicher, Hearing Officer, Office of Administrative Hearings (PF) Lisa Anthony, Wyoming Reporting Service</p> <hr/> <p>Kate Thompson, APRN #1383, Hearing Participant Deb Kellam, Attorney for Kate Thompson Sarah Kooienga, Witness for Kate Thompson</p> <hr/>
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WSBN Board Quarterly Business Meeting

Called to order at 10:48 a.m. October 9, 2018 by Board President (MC). Roll called and quorum declared.

AI #06 Conference Reports

- SH, JB, and CL discussed topics presented at NCSBN Annual Meeting.
- LH discussed topics presented at NCSBN NCLEX Conference.
- MC, SH, JB, and CL discussed topics presented at WNA Wyoming Nursing Summit.



AI #07 Educational Opportunities

- Future opportunities presented.

AI#08 Public Forum

- No public attendees.

The following items were pulled from the Consent Agenda by Board member request:

Practice and Education Advisory Opinions for Approval

- ix. Revised AO, “Pre Hospital Nursing”

Notice of Warning

- Docket No. 17-18-205-MC, RN
- Docket No. 17-18-207-MC, RN
- Docket No. 17-18-206-MC, RN

The following items were added to the Consent Agenda by Board member request:

Operations

- v. Education
 1. Approval of Excelsior College for Out-of-State Nursing Programs

Motion: Motion made by SD and seconded by KC to approve the following Consent Agenda as amended. Motion passed (7-0-0-0).

AI #09 Consent Agenda

- a. Approval of Meeting Minutes
 - i. September 4, 2018
 - ii. September 11, 2018
 - iii. September 28, 2018
- b. Approval of Executive Session Minutes
 - i. August 2, 2018
 - ii. September 11, 2018
- c. Operations Reports
 - i. Licensing
 - ii. Compliance & Discipline
 - iii. Monitoring
 - iv. Practice
 - v. Education
 1. Approval of Excelsior College
 - vi. Fiscal/HR
- d. Practice and Education Advisory Opinions for Approval
 - i. New AO, “Pharmaceutical Processes Related to Scope”



- ii. New/Combined AO, “Pre/Post Anesthesia Practice”
- iii. Revised AO, “APRN Population Foci with Definitions”
- iv. Retire AO, “Analgesia by Catheter for Pregnant Client”
- v. Retire AO, “Anesthetic Agents for Specific Purpose”
- vi. Retire AO, “IV Administration of Ketamine”
- vii. Retire AO, “Deep Sedation for Mechanically Ventilated Patients”
- viii. Retire AO, “Analgesia by Catheter”
- ix. Revised AO, “LPN IV-C Curriculum”
- e. Disciplinary Matters
 - i. Dismissals
 - 1. Docket No. 17-18-220-MTX, RN
 - 2. Docket No. 17-18-198-CDC, RN
 - 3. Docket No. 18-005-WWN, RN
 - ii. Settlement Agreements/Stipulations – none
 - iii. Non-compliance Reports and Action
 - 1. Christine Kinuthia, RN 28444, Docket No. 10-118-03
- f. Application Matters
 - i. Licenses/Certificates Issued
- g. Board Orders for Approval
 - i. Kim Bird, RN 15341, Docket No. 17-099-HB
 - ii. Pamela Konakis, RN 35428, Docket No. 14-15-312-03-SH
 - iii. Crista Marrington, RN 13380, Docket No. 14-15-232-02-MC
 - iv. Brittany Browning, CNA #28428, Docket No. 18-024-MTX
 - v. Pamela Konakis, RN #35428, Docket No. 14-15-321-04-SH

AI#10 Executive Session

Motion: Motion made by SH and seconded by HB at 10:54 a.m. to enter into Executive Session for Legal Advice and Right to Practice for Docket No. 17-18-205-MC, RN. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee (DC) abstained from voting and did not attend Executive Session.) (DC:MC). (SH replaced MC as chair for this motion.)

Board entered into executive session 10:55 a.m.

Board returned to public session 11:06 a.m.

Motion: Motion made by SD and seconded by HB to issue a Notice of Warning (NOW) to Docket No. 17-18-205-MC, RN. Motion passed (6-0-1-0). (In accordance with Board rules, members of the DC abstained from voting.) (DC:MC). (SH replaced MC as chair for this motion.)

Motion: Motion made by HB and seconded by CDC to issue a Notice of Warning (NOW) to Docket No. 17-18-207-MC, RN. Motion passed (6-0-1-0). (In accordance with Board rules, members of the DC abstained from voting.) (DC:MC). (SH replaced MC as chair for this motion.)



Motion: Motion made by HB and seconded by CDC to issue a Notice of Warning (NOW) to Docket No. 17-18-206-MC, RN. Motion passed (6-0-1-0). (In accordance with Board rules, members of the DC abstained from voting.) (DC:MC). (SH replaced MC as chair for this motion.)

AI #11 Other Disciplinary Matters

Motion: Motion made by HB and seconded by WWN to accept the DC's recommendation to reinstate the license of Frances Reed, RN #25845, Docket No. 16-17-437-MC. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC: MC). (SH replaced MC as chair for this motion.)

Motion: Motion made by SH and seconded by HB to accept the DC's recommendation to issue a license to Docket No. 18-026-SD, RN Applicant. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC: SD).

Motion: Motion made by SH and seconded by WWN to accept the DC's recommendation to issue a license to Docket No. 18-036-SD, LPN Applicant. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC: SD).

Motion: Motion made by SD and seconded by CDC to accept the DC's recommendation to approve the Board Order for Frances Reed, RN #25845, Docket No. 16-17-437-MC. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC: MC). (SH replaced MC as chair for this motion.)

AI# 12 Executive Session – Right to Practice (not used)

AI #13 Hearings

- Kate Thompson, APRN #38638, Docket No. 17-18-165-SH/WWN.
 - Hearing began at 1:01 p.m.
 - Hearing officer PF, prosecuting attorney JN, attorney for respondent Deb Kellam.
 - Witnesses VP, SH, Kate Thompson, and Sarah Kooienga.
 - Hearing ended at 2:32 p.m.
- Mariah Werner, CNA #291367, Docket No. 17-18-188-SD.
 - Hearing began at 2:35 p.m.
 - Hearing officer PF, prosecuting attorney JN.
 - Witness SD.
 - No appearance by Mariah Werner.
 - Hearing ended at 2:38 p.m.

Motion: Motion made by HB and seconded by SH to accept DC recommendation for Letter of Reprimand for Mariah Werner, CNA #29136, Docket No. 17-188-188-SD. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC:SD).



- Heather Evans, CNA #22265, Docket No. 17-413-SD.
 - Hearing began at 2:39 p.m.
 - Hearing officer PF, prosecuting attorney JF.
 - Prosecuting attorney JF requested Board consider motion for default judgment prior to proceeding with formal hearing.
 - No appearance by Heather Evans.
 - Hearing ended at 2:47 p.m.

Motion: Motion made by SH and seconded by HB to grant the DC's request for default motion for Letter of Reprimand for Heather Evans, CNA #22265, Docket No. 17-413-SD. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC:SD).

Motion: Motion made by SH and seconded by WWN to accept the DC's findings and recommendation for Letter of Reprimand for Heather Evans, CNA #22265, Docket No. 17-413-SD. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC:SD).

- Cherlyn Moe, CNA #27316, Docket No. 17-18-189-SD.
 - Hearing began at 2:48 p.m.
 - Hearing officer PF, prosecuting attorney JF.
 - Witness SD.
 - No Prosecuting attorney JF requested Board consider motion for default judgment prior to proceeding with formal hearing.
 - No appearance by Cherlyn Moe.
 - Hearing ended at 2:53 p.m.

Motion: Motion made by SH and seconded by CDC to grant the DC's request for default motion for Suspension of Cherlyn Moe, CNA #27316, Docket No. 17-18-189-SD. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC:SD).

Motion: Motion made by CDC and seconded by SH to accept the DC's findings and recommendation for Suspension of Cherlyn Moe, CNA #27316, Docket No. 17-413-SD. Motion passed (6-0-1-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting.) (DC:SD).

AI #15 Committee Reports

- Application Review (SD)
 - Discussed Chapter 2 public comments received.

Motion: Motion made by SD and seconded by MC to accept the proposed responses to public comments for Chapter 2. Motion passed (7-0-0-0).



- Practice (HB)
 - Discussed updated Advisory Opinions.
 - Discussed CNA scope challenges.
- Education (SH)
 - Discussed LPN IV-C curriculum changes.
 - Discussed CNA II and Patient Care Technician implementation.
 - Discussed continuing monitoring of Nightingale School of Nursing pass rates.
 - Discussed cooperation with Department of Health for CNA apprentice program.
- Legislative (SH)
 - Discussed approval and adoption of revised Chapter 1 and 8.

Motion: Motion made by SH and seconded by SD to approve and adopt revised Chapter 1 and 8 rules. Motion passed (7-0-0-0).

- Discipline (MC)
 - JF addressed needed changes to Tier III Licensing and Discipline Matrices; added categories for stayed letter of reprimand and updated language in settlement agreements to address non-compliance.

Motion: Motion made by HB and seconded by KC to approve updated Tier III Licensing matrix. Motion passed (7-0-0-0).

Motion: Motion made by SH and seconded by KC to approve updated Tier III Discipline matrix. Motion passed (7-0-0-0).

AI #16 Administrative Reports

- Board/Staff
 - All positions full.
- Strategic Plan
 - To be reviewed at July 2019 meeting.
 - Documents will be provided ahead of meeting.
- Calendars/Board meetings 2019
 - Approved meeting dates and times for 2019.
 - Will invite public to April 2019 presentation by NCSBN CEO David Benton
 - Discussed speaker, date and location of 2019 strategic plan



AI #14 Executive Session – Right to Practice

Motion: Motion made by SD and seconded by CDC at 4:34 p.m. to enter into Executive Session for Legal Advice and Right to Practice for Kate Thompson, APRN #1383, Docket No. 17-18-165-SH/WWN. Motion passed (5-0-2-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting and did not attend Executive Session.) (DC:SH, WWN).

Board entered into executive session 4:35 p.m.

Board returned to public session 4:55 p.m.

Motion: Motion made by SD and seconded by KC at 4:56 p.m. to issue a Stayed Letter of Reprimand (SLOR) with an education requirement to Kate Thompson, APRN #1383, Docket No. 17-18-165-SH/WWN. Motion passed (5-0-2-0). (In accordance with Board rules, members of the Disciplinary Committee abstained from voting and did not attend Executive Session.) (DC:SH/WWN).

Meeting adjourned at 4:58 p.m.

Minutes submitted by: Caitlin Casner, Office Support Specialist II

Minutes reviewed by: Cynthia LaBonde, Executive Director
Victoria Pike, Compliance and Discipline Manager
Helen Byrd, Board Secretary

Board Approved on: 11/8/2018