



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

Regular Board Meeting Minutes

April 11-13, 2016

Board of Medicine Board Room

130 Hobbs Avenue, Suite A

Cheyenne, WY 82002

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

Officers: President Cindy Woods (CW), Vice President (VP) Donna Nurss (DN), Secretary Marjory Christiansen (MC)

Board Members: Kathy Cromer (KC), Sue Howard (SH), Charlotte Mather (CM)

Staff: Executive Director (ED) Cynthia LaBonde, Compliance & Discipline Manager Victoria Pike (VP) RN, Kara Aguirre (KA),

Attorney General's Office: Assistant Attorney General (AAG) Jessica Frint (JF)

Tuesday, April 12, 2016

Opening

Call to Order

President Woods called to order the meeting of the Wyoming State Board of Nursing at 8:05 a.m. on April 12, 2016 in the Wyoming Board of Medicine Board Room, Cheyenne, WY.

Introduction of Charlotte Mather, RN as our newest Board Member. Welcome.

Board Members Present:

Cindy Woods (CW), BSN, RN-BC, President

Donna Nurss (DN), MS, APRN, PMHNP-BC, Vice President

Marjory Christiansen (MC), MSN, RN, CEN, Board Member

Kathy Cromer (KC), LPN, Board Member

Susan Howard (SH), MSN, RN-BC, Board Member

Charlotte Mather, (CM), RN, Board Member

Staff Present:

Cynthia LaBonde (CL), Executive Director
Kara Aguirre (KA), Legal Assistant
Victoria Pike (VP) Nurse Monitoring Program/Compliance & Discipline, Licensing Mgr.
Lori Hart, Practice & Education Consultant (via phone)
Linnie Cough (LC), Meeting Minutes
Cindy Stillahn, Fiscal/HR Coordinator
Tasha Selfridge, Support Staff

Attorney General's Office:

Jessica Frint (JF), Assistant Attorney General (AAG)
Bob Walters (BW), Senior Assistant Attorney General
(SAAG)

Visitors Present

Sean Chambers, Office of Administrative Hearings (OAH)
Teresa Wright
Marguerite Herman,
Kassondra Culver, CNA
Kathy Kendrick, Court Reporter

AI#01 Committee of the Whole (COW) Work Session

(No Board action will be taken, topics for discussion only)

- a. Application Review Committee (SH)
 1. Revisions to Chapter 2 ongoing.
 2. Criminal background check for nurse re-licensure that have lapsed.
 3. Deeming vs. CNA testing
 4. Review ARC changes – Tier II and Tier III recommendations
 5. Next Meeting: 5/2/16

- b. Legislative Committee (SH)
 1. Enhanced Nurse licensure compact & APRN Compact Rules & Implementation
 2. Chapter 8 Changes/Crosswalk ongoing
 3. Next meeting: 5/19/16 at noon
 4. Nurse license renewal change from a 2 to 4 year cycle. ED to share data with Board regarding possible 4 year renewal cycle.

- c. Practice and Education Committee (DN)
 1. North West College (NWC) Practical Nurse (PN) Annual Education Report was discussed.
 2. Advisory Opinion – Practicing Below the Highest level of Licensure/Recognition
 3. Chapter 9 – revision in progress with plan to have ready for October Board meeting approval.

4. Policies and Procedures – need Board approval.
- d. Conference Reports
 1. 2016 Mid-Year Meeting March 14-16, 2016 (CL/CW both attended)
 2. 2016 NCSBN APRN Roundtable, April 5, 2016 (DN attended)
 3. Nurse Licensure Compact (NLC) Forum, April 8, 2016 (CL attended)
 - e. July Meeting Preparation
 1. To be held July 11, 2016 at Joint Readiness Command Center, Cheyenne. Program to include:
 - a. Board Professional Development – “Alternative to Discipline”
 - b. Strategic Plan Development
 - f. October Board Meeting Preparation
 1. For October meeting, consider travel to an alternate location.
 - a. Rock Springs discussed as a location.
 - g. Educational Opportunities
 1. Wyoming Nursing Education Summit Casper, May 16-17, 2016, (CL/LH/MC)
 2. IT/Operations Conference, May 24-25, 2016 (JR)
 3. Discipline Case Management Conference, June 6-8, 2016 (MC? /LO)
 4. EO Summit, Stowe, VT, June 25, 26, 2016 (CL)
 5. 2016 NCSBN Annual Meeting, August 17-19, 2016, (CL/SH/MC? /VP?)
 6. 2016 NCSBN NCLEX Conference, September 12, 2016, (MC?)
 7. Wyoming Nursing Summit, Casper, September 22-23, 2016 (CL/CM/MC/SH)
 8. 2016 INRC Symposium, October 4-5, 2016 (CL/DN?)
 9. 2016 NCSBN Scientific Symposium, October 6, 2016 (CL? /DN?)

10:21 a.m. Break.

WSBN Board Quarterly Business Meeting

Meeting called to order at 11:03 a.m. by President Woods.

Roll call taken by ED LaBonde:

1. President, RN representative, Cindy Woods, Wheatland
2. Vice President, APRN representative, Donna Nurss, Casper
3. RN Administrative representative, Charlotte Mather,
4. RN Education representative, Marjory Christiansen, Casper
5. RN representative, Sue Howard, Gillette
6. LPN representative, Kathy Cromer, Cheyenne
7. Consumer Representative, vacant

Declaration of a Quorum

A Quorum was declared by Jessica Frint, AAG at 11:05 a.m.

AI#02 – Standing Committee Reports & Recommendations/Board Actions

- a. Application Review committee – (SH)
 1. Tier II & III policies were presented and discussed.

Motion: Member Christiansen moved to approve the Tier II & III policies. Member Mather seconded the motion and the Board approved the motion. The motion passed without dissent. (6-0-0-0)

- b. Legislative Committee (SH)
 1. Charges for the Legislative and Disciplinary Committees were discussed.

Motion: Member Nurss moved to approve the charges for the Legislative and Disciplinary Committees. Member Christiansen seconded the motion and the Board approved the motion. The motion passed without dissent. (6-0-0-0)

- c. Practice and Education Committee – (DN)
 1. NWC PN Annual Education Report was presented.

Motion: Member Howard moved to accept and approve the Annual Education Report. Member Christiansen seconded the motion and the Board approved the motion. The motion passed without dissent. (6-0-0-0)

2. Advisory Opinion – Practicing Below the Highest Level of Licensure/Recognition (DN)
(For discussion only, no action)

AI#03 Consent Agenda (CW)

Motion: Member Christiansen moved to approve items on the Consent Agenda. Member Cromer seconded the motion and the Board approved. The motion passed without dissent. (6-0-0-0)

- a. Approval of Minutes
 1. March 10, 2016 Teleconference Board Meeting Minutes
- b. Executive Session Meeting Minutes
 1. February 16, 2016/ 2:40 p.m. (Right to Practice – Hultman) (MC)
 2. February 16, 2016/ 2:48 p.m. (Right to Practice – Cooper) (MC)
 3. February 29, 2016/ 12:25 p.m. (Right to Practice – Moore) (CW)
 4. February 29, 2016/ 12:44 p.m. (Right to Practice – Becenti) (MC)
 5. March 10, 2016/ 2:29 p.m. (Right to Practice – Marquez) (MC)
- c. Settlement Agreements/Stipulations
 1. Sylvia Prejean, CNA #25821, Case No. 15-029-MC/SH (VS)
 2. Kristi Kluck, RN #20324, Case No. 15-059-DN (Conditional)
 3. Denise Schuler, RN #17722, Case No. 15-16-103-MTX (LOR)

- d. Notice of Warnings
 - 1. Case No. 15-083-DN, RN
 - 2. Maryum Pitts, LPN #8355, Case No. 14-15-283-MTX
- e. Dismissals
 - 1. Case No. 15-16-107-MTX, CNA
 - 2. Case No. 15-102-MTX, APRN
- f. Tier III- Licensure/Certification with Notice of Warning
 - 1. Case No. 15-16-120-KC, CNA applicant
- g. Licenses/Certificates Issued

AI#04 Executive Session – Right to Practice (JF) (not used)

AI#05 Executive Session – Legal Advice (JF)

***Motion:** At 11:14 a.m., Member Howard moved to enter Executive Session for legal advice. Member Cromer seconded the motion. The motion was passed without dissent. (6-0-0-0) Member Christiansen took minutes during executive session.*

The Board returned to public session at 1:03 p.m.

AI#06 Special Licensing Requests – Reinstatements (VP)

Victoria Pike (VP) Nurse Monitoring Program/Compliance & Discipline/Licensing Mgr presented the following cases for reinstatement:

a. Randal Parent, LPN #4968, Case No. 12-13-163-DN

***Motion:** Member Christiansen moved to reinstate Randal Parent, LPN #4968, Case No. 12-13-163. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstain from voting.) (DC:DN)*

b. Carol McDonald, RN #27084, Case Nos. 10-11-328 & 11-040-SH

***Motion:** Member Christiansen moved to reinstate Carol McDonald, RN #27084, Case No. 10-11-328 & 11-040. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:SH)*

c. Lori Tanner, RN #31671, Case No. 12-13-185-MC

***Motion:** Member Howard moved to reinstate Lori Tanner, RN #31671, Case No. 12-13-185. Member Nurss seconded the motion and the motion passed without dissent. (5-0-1-0) (In*

accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:MC)

AI#07 Executive Session – Right to Practice (not used)

AI#08 Administrative Report (CL)

- a. Update: Board/Staff
 1. No eligible candidate has been identified for the public Board member vacancy.
 2. Tasha Selfridge has been hired as support staff for the Practice & Education Department.
 3. Lori Hart has returned as the Practice & Education Consultant.
- b. Update: WSBN Collaboration Tour
 1. Nurse for a day at the Legislative Days, included CL and CW.
- c. Resolution for regular meetings
 1. Board approved resolution at last meeting.
 2. Need Board action to approve a regular meeting.

Motion: Member Howard moved to approve the Resolution for setting the Regular Board meeting for January 10, 2017. Member Christiansen seconded the motion and the motion passed without dissent. (6-0-0-0)

- d. Policy & Procedure review/approval – Board & Office
 1. ED LaBonde presented all the Board & Office policies noting changes.

Motion: Member Nurss moved to approve the Board and general office policies as presented. Member Christiansen seconded the motion and the motion passed without dissent. (6-0-0-0)

AI#09 Fiscal/HR Report (CS)

Cindy Stillahn presented the fiscal report through March 31, 2016. Areas of comment included:

- a. Budget
 1. Revenue and expenditures for first quarter 2016.
 2. Fiscal comparison with previous biennium.
 3. 900 series, money in other areas that may be moved to accommodate unplanned hearing expenses.
- b. 2016 PMI midyear evaluations
 1. Individual staff goals reviewed by managers and they are on track.
- c. Policy & Procedure review/approval – Board & Office

Motion: Member Christiansen moved to accept the Fiscal/HR report as presented. This motion was seconded by Member Cromer and the motion passed without dissent. (6-0-0-0)

AI#10 Licensing Report (VP)

Victoria Pike presented her reports on:

- a. Productivity/Statistics-
Ms. Pike reported a total of 969 applications. Currently have a 24-48 hour turn-around for licenses being issued.
- b. Renewal preparations – renewal runs 10/1/16 – 12/31/16.
 1. Renewal audits.
 - a. CEU competencies.
 - b. CNA’s who complete application and fees before being issued a license.

Motion: Member Christiansen moved to approve the Licensing report as presented. This motion was seconded by Member Cromer and the motion passed without dissent. (6-0-0-0)

AI#11 Compliance and Discipline Report (VP)

VP presented the following:

- a. Productivity/Statistics Report
- b. Nurse Monitoring Program – going very well with WPAP, they are easy to work with.
- c. NEW Policy & Procedure review/approval – old policies to be reviewed in July.

Motion: Member Christiansen moved to approve the Compliance & Discipline report as presented. Member Cromer seconded the motion and the motion passed without dissent. (6-0-0-0)

AI#12 Practice & Education Consultant Report (LH)

LH presented the following via phone:

- a. Productivity/Statistics – many questions from all nurses.
- b. Policy & Procedure review/approval (approved – reviewed at P&E Committee)

Motion: Member Christiansen moved to approve the P&E reports as presented. Member Cromer seconded the motion and the motion passed without dissent. (6-0-0-0)

AI#13 Orders for Board Approval – (JF)

JF, AAG, presented the following:

- a. Bonnie Asay, CNA #23020, Case No. 15-074-CW

Motion: Member Christiansen moved to approve the Board Order for Bonnie Asay, CNA #23020, and Case No. 15- 074-CW. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:CW)

- b. Lacey LeBlanc, CNA Applicant, Case No. 14-15-262-DN

Motion: Member Howard moved to approve the Board Order for Lacey LeBlanc, CNA Applicant, Case No. 14-15-262-DN. Member Christiansen seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:DN)

- c. Karis Bresach, CNA Applicant, Case No. 14-15-300-MB

Motion: *Member Christiansen moved to approve the Board Order for Karis Bresach, CNA Applicant, Case No. 14-15-300-MB. Member Cromer seconded the motion and the motion passed without dissent. (6-0-0-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:MB) Marcie Burr no longer on the Board.*

- d. Sandra Cooper, CNA #2024, Case No. 15-16-108-MTX

Motion: *Member Nurss moved to approve the Board Order for Sandra Cooper, CNA #2024, Case No. 15-16-108-MTX. Member Christiansen seconded the motion and the motion passed without dissent. (6-0-0-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:MTX)*

- e. Megan Hultman, CNA #20349, Case No. 15-16-109-MTX

Motion: *Member Christiansen moved to approve the Board Order for Megan Hultman, CNA #20349, Case No. 15-16-109-MTX. Member Cromer seconded the motion and the motion passed without dissent. (6-0-0-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:MTX)*

- f. Thomas Moore, RN #36320, Case No. 15-16-114-MC

Motion: *Member Howard moved to approve the Board Order for Thomas Moore, RN #36320, Case No. 15-16-114-MC. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:MC)*

- g. Jennifer Marquez, RN #31654, Case No. 15-16-122-SH

Motion: *Member Christiansen moved to approve the Board Order for Jennifer Marquez, RN #31654, Case No. 15-16-122-SH. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:SH)*

- h. Randal Parent, LPN #4968, Case No. 12-13-163-DN

Motion: *Member Christiansen moved to approve the Board Order for Randal Parent, LPN #4968, Case No. 12-13-163-DN. Member Cromer seconded the motion and the motion was passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:DN)*

- i. Carol McDonald, RN #27084, Case Nos. 10-11-328 & 11-040-SH

Motion: Member Christiansen moved to approve the Board Order for Carol McDonald, RN #27084, Case Nos. 10-11-328 & 11-040-SH. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:SH)

- j. Lori Tanner, RN #31671, Case No. 12-13-185-MC

Motion: Member Howard moved to approve the Board Order for Lori Tanner, RN #31671, Case No. 12-13-185-MC. Member Mather seconded the motion and the motion passed without dissent. (5-0-1-0) (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:SH)

The Board meeting recessed at 4:31 p.m.

Wednesday, April 13, 2016

The Board meeting reconvened at 8:20 a.m. President Woods called the meeting to order.

AI#14 Public Forum –

Marguerite Herman, past WSBN Board member and now a member of the State School Nurse Consultant Project, spoke about the project and asked for Board support. Marguerite was accompanied by Teresa Wright, a school nurse and advocate for the project.

AI#15 Hearings - At 9:05 a.m. President Woods turned the floor over to Hearing Examiner, Sean Chambers, from the Office of Administrative Hearings (OAH).

- a. Jennie Becenti, CNA #14457, Case No. 14-152-KC
SAAG Bob Walters presented the case of Jennie Becenti. Ms. Becenti was not present. The Board will take the matter under advisement and will issue a decision at a later date.
- b. Maryum Pitts, LPN #8355, Case No. 14-15-283-MTX
This case was moved to the Consent Agenda.
- c. Kassondra Culver, CNA Applicant, Case No. 15-061-DN
SAAG Bob Walters presented the case of Kassondra Culver. Ms. Culver was present and spoke on her own behalf. The Board members asked questions. Mr. Chambers stated that the Board will take the matter under advisement and will issue a decision at a later date.

The Board took a break at 10:08 a.m.

The Board was back in session at 10:33 a.m.

Executive Session – Right to Practice (JF)

Motion: At 10:33 a.m., Member Nurss moved to enter into Executive Session for the

right to practice of a professional person. Member Howard seconded the motion. The motion passed without dissent. (6-0-0-0)

The Board returned to public session at 10:57 a.m.

- a. Jennie Becenti, CNA #14457, Case No. 14-152-KC

Motion: Member Howard moved to deny the motion for Default Judgment in the matter of Jennie Becenti, CNA #14457, Case No. 14-152-KC. Member Mather seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:KC)

Motion: Member Howard moved to suspend Jennie Becenti, CNA #14457, Case No. 14-152-KC certificate until she submits to a Substance Abuse Evaluation and show proof of completion of the recommended treatment. Member Mather seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:KC)

- b. Kassondra Culver, CNA Applicant, Case No. 15-061-DN

Motion: Member Howard moved to deny the application of Kassondra Culver, CNA Applicant, Case No. 15-061-DN. Member Christiansen seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:DN)

AI#17 Statistical Analysis for 2015, Prosecuting Attorney (BW)

SAAG Walters presented a summary of cases that came before the prosecuting attorney in 2015. The Board members had several questions and thanked Mr. Walters for his extensive report.

AI#18 Orders for Board Approval, continued – (JF)

Motion: At 12:03 p.m. Member Cromer moved to enter into Executive Session for legal advice. Member Howard seconded the motion and the motion passed without dissent. (6-0-0-0)

The Board returned to public session at 1:35 p.m.

- a. Shari Romero, RN #21612, Case No. 13-096-MB/CW

1. Findings of Fact, Conclusions of Law and Order Denying Respondent's Renewed Motion for Summary Judgment

Motion: Member Howard moved to approve the Order for Shari Romero Denying Respondent's Renewed Motion for Summary Judgment. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:CW)

2. Findings of Fact, Conclusions of Law and Order Denying Respondent's Motion for Directed Verdict Pursuant to Rule 52(c)

Motion: *Member Howard moved to approve the Order for Shari Romero Denying Respondent's Motion for Directed Verdict. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:CW)*

3. Findings of Fact, Conclusions of Law, and Order Reprimanding and Conditioning License

Motion: *Member Howard moved to approve the Order for Reprimanding and Conditioning the License of Shari Romero. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:CW)*

4. Findings of Fact, Conclusions of Law and Order Denying Respondent's Motion for Stay of Imposition of Sanction

Motion: *Member Howard moved to approve the Order for Shari Romero Denying Respondent's Motion for Stay of Imposition of Sanction. Member Cromer seconded the motion and the motion passed without dissent. (5-0-1-0). (In accordance with the Board Rules, members of the Disciplinary Committee abstained from voting.) (DC:CW) _*

Minutes submitted by: Linnie Cough

Minutes reviewed by: Kara Aguirre, Legal Assistant

Cynthia LaBonde, Executive Director

Marge Christiansen, Board Secretary

Minutes Approved on: June 9, 2016