



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

Teleconference Meeting Minutes

June 4, 2012

877-278-8686; pin 517378

WSBN

1810 Pioneer Ave

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.

Board: President Tracy Wasserburger, Vice President Carrie Deselms, Secretary Cindy Woods

Members: Marcie Burr, Marguerite Herman, Lori Johnson, Donna Nurss

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, Assistant Attorney General Jessica Frint, Senior Assistant Attorney General Bob Walters

I. Opening

a) Call to Order

President Wasserburger called to order the meeting of the Wyoming State Board of Nursing at 9:00 a.m. on June 4, 2012 by means of teleconference.

b) Roll Call

Secretary Woods conducted a roll call.

Board Members Present:

Tracy Wasserburger, RNC, NNP, President

Carrie Deselms, MSN, APRN, FNP-BC, Vice President

Cindy Woods, BSN, RN, BC, Secretary

Marcie Burr, RN, HSA, CCHP, Board Member
Marguerite Herman, BA, MAT, MMC, Consumer Board Member
Lori Johnson, LPN, Board Member
Donna Nurss, MS, APRN, BC, Board Member

Members Absent:

None

Staff Present:

Mary Kay Goetter, Executive Director,
Todd Berger, Assistant Executive Director
Amanda Roberts, Executive Assistant
Ken Nelson, Senior Assistant Attorney General
Jessica Frint, Assistant Attorney General

Visitors Present:

None

c) **Declaration of Quorum**

Quorum declared by SAAG Nelson.

II. Old Business

a) **Rules and Nursing Practice Act – *Policy Making (Chapter 5 Rules)***

The Board discussed previously circulated public comments and responses and had a roundtable discussion about the comments.

- 47 individuals commented during the open comment period to the proposed changes to Chapter 5's fee structure.
- Additionally, the Wyoming Nursing Association (WNA) submitted the results of a survey of their members regarding the changes to Chapter 5. 18% of the WNA's membership responded to the survey. 47.4% were in favor of the changes and 52.6% were opposed.
- Some of the specific comments the Board discussed included: the Board should conduct an internal audit of its operating expenses and practices over a period of time, expenditures the Board incurs for mainly soundless complaints, specialty recognition for CNA II and MA-C, and the fee structure is far too high in a single year.

The Board revisited the previously proposed fee increase of \$ 20, \$40, \$60, and \$80. SAAG Nelson and AAG Frint advised the Board that such increases would bring the total increase higher than what was submitted for notice and public comment and would result in the need for an additional public comment period.

The Board discussed the need for some fee increase to offset the increasing cost of operations. Licensing fees (both initial and renewal) have not been increased for over 12 years. Operating costs have increased during that same period of time. No action at this time would greatly deplete the reserve fund, and place future boards in a difficult financial situation. The Board discussed that under Wyoming statute that fees are required to be in an amount to ensure the administration of the regulation of the practice of nursing. The renewal period is in October, so any decision needs to be made before then.

The Board discussed the pros and cons of having one large fee increase vs. having several smaller fee increases. The advantages to having one large increase are (1) that funds generated would offset the ongoing deficiency that currently exists between funds generated from fees and expenses (2) the Board could reassess the budget situation at a later date. The disadvantage of the one-time large increase is that the majority of the licensees that commented were opposed to a significant increase. The advantages to have several smaller fee increases are (1) the majority of the licenses that commented were opposed to large fee increases, and smaller, gradual increases might be more favorable, (2) the Board can reassess the budget needs over the next 8 years and if the increases that occurred are sufficient, then the Board could consider not imposing the later increases, and (3) the phased implement plan would reduce the number of future rule making processes for future boards. The disadvantages of the several smaller fees are (1) the continual increase of fees every biennium and (2) a delay in achieving a balanced budget.

Motion: Secretary Woods moved to eliminate additional fees for licensure add-ons for CNA II, MAC, LPN IV Therapy and extend the phased increase for both renewal and initial license fees to 2020.

AAG Frint raised a point of order and asked that the motion be split into two separate motions to allow board members to vote on each motion individually.

Secretary Woods withdrew her motion.

Motion: Secretary Woods moved to eliminate additional fees for licensure add-ons for CNA II, MAC, LPN IV Therapy under Section 3 (b)(i)(A)(V). The motion was seconded and passed without dissent. (7-0-0-0)

Motion: Secretary Woods moved to extend the phased increase for fees from 2016 to 2020.

Point of Clarification – Secretary Woods was asked if the extended phase increase would include both initial and renewal fees.

Secretary Woods clarified her motion to include both initial and renewal fees be extended in a phased increase from 2016 until 2020.

Discussion

- The floor was yielded to Mr. Berger to discuss extending the phased increase to 2020 and the impact it would have on the operating budget. The Board questioned Mr. Berger about percentage increases over the proposed phased implementation period.
- The proposed extension of the phased implement plan would allow the Board to increase revenue to meet expenses over time and to gradually improve financial position while diminishing impact to licensees. Also, it would allow more time to research revenue options (statutory changes to assess costs, fining authority, fees for nurses in monitoring program, etc.) and adjust for future economic situations.
- The Board identified areas of the budget that require large spending (i.e. lease, contested case hearings), and ways to decrease those expenses.
- The Board would need to continue to draw on fund balance to meet operating expenses but will slow the rate at which deficit increases.
- Onetime fee increase is a short term fix and places a burden on future board members by continuing to operate in a deficit spending pattern.
- Increases each biennium for 8 years may be viewed unfavorably by licensees.
- Smaller increases were requested during comment period and could be achieved in an extended phased implement plan. Also smaller increases may help licensees prepare for increases over time.
- The Board noted that the increases must cap at the initial proposed amount for both initial and renewal fees without going over the amount in the original proposal.

The motion was seconded and passed with Ms. Herman dissenting. (6-1-0-0)

The Board adopted the remainder of the rule changes as proposed as put out for notice and public comment.

III. Executive Session

***Motion:** Vice President Deselms moved to enter executive session at 10:05 a.m. for personnel reasons. This motion was seconded and approved without dissent. (7-0-0-0)*

The Board returned to public session at 10:55 a.m.

IV. Adjournment

President Wasserburger adjourned the meeting at 10:55 a.m. The next general meeting will be at the July Board meeting in Cheyenne, Wyoming, July 9 – 12, 2012.

Minutes submitted by: Amanda Roberts, Executive Assistant

Minutes approved by: Tracy Wasserburger, President

Cindy Woods, Secretary