



Board Retreat Buffalo, Wyoming

1. Meeting called to order, Tuesday, July 6, 2010
2. Roll Call
3. Meeting turned over to Brittany Ashby with Align for board training
4. Board Strategic Planning
5. Adjourned at 4:30 p.m.
6. Reconvened Wednesday, July 7, 2010
7. Board Strategic Planning
8. Meeting adjourned 12:00 to reconvene at 10:00 a.m. July 8, 2010.

I. Meeting called to order on July 8, 2010 at 10:25 a.m. at 1810 Pioneer Ave, Cheyenne, WY 82002

a. In Attendance:

President Kellie Clausen
Secretary Marguerite Herman
Member Carrie Deselms
Senior Assistant Attorney General Bob Walters
Executive Director Dr. Mary Kay Goetter

Vice President Tracy Wasserburger
Member Kim Williamson
Member Lee Caruthers
Assistant Attorney General Sean Chambers
Assistant Executive Director Todd Berger

Absent

Member Marcie Burr

b. Declaration of quorum by AAG Sean Chambers

Visitors:

Jennifer Yatco from Administration and Information (A & I) spoke with board in regards to options for wireless connectivity for boardroom.

Option 1: Agency owned wireless. Option has not support for hardware or software.

Option 2: Agency purchased. Agency purchases hardware and software at 140% if value but IDT owns and supports. Future purchases are paid for with additional 40% paid which covers depreciation costs.

Other costs include wiring from Bresnan/Qwest from nearest wiring point. Cost could range from \$5,000.00 to \$25,000.00 for installation depending on length of fiber that needs to be installed to reach building.



Considerations – Lease is up on building in 2012, and cost.

Budget consideration will be considered, may require a budget exception request. Wireless is necessary to speed up internet connections, allow access to Web site and Members Only area of Web site, and create efficiencies for those in the boardroom.

Action: Cindy Stillahn, Fiscal and HR Coordinator will research availability of funds and determine if a B-11 is necessary. She will ensure that information technology budget considerations are reviewed for the next biennium.

II. Reordering of Agenda

SAAG Walters added Settlement Agreement for Mary Reese.

Added Executive Session working lunch to be complete by 1:00.

III. Approval of Minutes

Motion to approve teleconference minutes from 05/28/2010 by Member Deselms and seconded by Member Williamson.

Motion carried 6-0-0-1, minutes approved.

IV. Licensing

- a. Statistics were reviewed.

V. Fiscal

- a. Budget update:

Ms. Stillahn provided reports for board to review.

Action Items:

Ms. Stillahn will look into more details of how our funding is allocated.

Statutory Laws: Fees and WSBN funds for other causes



AAG Chambers discussed that agencies have come to the board requesting funding for various projects and entities. The board needs to determine its purpose and if providing funds to an agency is within its scope.

Items to be considered in determination are:

1. Per Article 16 Section 6; a board cannot give or lend its credit to any individual association.
2. The board should conduct an analysis of any request:
 - a. Show that giving money/credit to an entity creates some public benefit.
 - b. Is the public benefit obvious
 - c. Board's purpose is to protect the public. Will the money be used in a way that protects the public?
 - d. Does the request fit with the strategic plan of the board
 - e. The board is a regulatory agency. Does the funding conflict with the board upholding its duties as a regulator

Any agency proposal would need thorough review in order to determine if money could be given. In addition, statutory requirements would need clarification. The board must not dilute its resources, power, and strength. The board provides other means of support.

VI. Compliance and Discipline

a. Report

i. Statistics

Review of third quarter statistics: 155 applications required review, only 36 needed to be deferred to Application Review Committee (ARC).

Action: Executive Assistant Roberts, will add a copy of the application review matrix to the board orientation.

- ii. SAAG Walters explained that the process for completing disciplinary actions has become much more efficient than in the past. He has a tracking mechanism in place to ensure that nothing is missed. The Settlement Agreements have sped up the process and there has been positive feedback from the defense attorneys because of this process improvement.

The board was notified that there are 12 matters to be discussed in the September 2010 meeting. In addition, there are seven cases scheduled for hearing in January 2011.



Motion to enter executive session to discuss contracts with attorney by Member Williamson 11:45. Motion seconded by Member Caruthers.

Motion carried 6-0-0-1, board enters executive session.

Meeting resumes at 1:35

Compliance and Discipline continued

iii. AWEC Employees

Dr. Goetter is working to making these permanent positions instead of At-Will.

iv. Posting Discipline documents on website

Dr. Goetter notified the board that all Settlement Agreements since 2000 are in the process of being posted to the website.

Discussion took place regarding the posting of notice of administrative hearings to the website to be transparent in our mission of public protection.

Action: All board members will think about adding this information to the website since it is only an allegation prior to the hearing. Discussion will resume at the September board meeting.

v. Status of Licensees who have signed Settlement Agreements, not yet approved by board

Member Deselms moved that Settlement Agreements are not final until approved by the board. Vice-President Wasserburger seconded.

Discussion took place regarding Settlement Agreements that have been signed but not completed. Some licensees have chosen to recant prior to the board approving the Settlement Agreement.

Motion carries 6-0-0-1

vi. Board education on disciplinary committee decisions

Discussion deferred

vii. Rule authority of “notice of warning”

Discussion took place regarding the rule authority of the Notice of Warning. Currently a letter of awareness or advisement is sent. Section 32-21-122 Section (e) states: This act does not require the board of nursing to act upon violations of the provisions of the act whenever, in the board's opinion, the public interest will be served adequately by a suitable written notice of warning to affected parties.

Action: The term LOA (letter of awareness) will be changed to NOW (notice of warning) to provide consistency with the rules.



b. ARC Report

Dr. Goetter stated that all complaints prompt the original application and subsequent renewal applications to be pulled and examined as well, so that if an applicant was granted licensure with a positive criminal background history, it is noted in the complaint investigation. SAAG Walters has had input on the clarification of items. Teleconferencing has been very beneficial to the review process.

c. DC Report

SAAG Walters has been helpful to the committee in understanding the concept of clear and convincing evidence to reach a decision.

A new decision sheet has been created to help DC members determine what violations, if any, have occurred and what the evidence is.

Dr. Goetter asked the board to consider a discipline matrix.

d. Nurse Monitoring Program

i. Update

Patti Hefflin, Compliance Consultant gave an update to the board regarding the progress of the Nurse Monitoring Program.

A client handbook has been created which includes information including expectations, rights and responsibilities, forms, monitoring agreements and contact information.

Ms. Hefflin explained how CertaTrust works with the program for monitoring and that there are no costs for the board associated with using CertaTrust.

Ms. Hefflin explained the requirements for reporting and monitoring and the timeframes involved.

ii. Name of Program

The name of the program will be the "Nurse Monitoring Program".

e. Board education presentation

AAG Chambers provided a PowerPoint presentation about examination of complaints and clear and convincing evidence, as well as aggravating and mitigating factors.

f. WPAP

i. First Quarter Report

ii. WPAP has made an offer to continue a monitoring program for the board in exchange for \$14,000.00 per year for the monitoring of nurses not known to the board.

Motion made by Member Deselms that the WSNB respectfully decline the offer from WPAP and reaffirm the board decision from April to not renew its contract as of June 30, 2010. Motion seconded by Vice President Wasserburger.

Motion carries 6-0-0-1



Action: Dr. Goetter will write a letter to Jackson Waters and the WPAP Board of Directors.

III Settlement Agreements

a. Settlement Agreement, Stipulation and Order

- i. Docket No. 09-182 & 09-274; Tracy Farinelli, RN #25032

Discipline Committee – Dr. Goetter, Marcie Burr

Motion made by the discipline committee to accept the Settlement Agreement stating that if Ms. Farinelli returns to Wyoming to practice, she must notify the board and the board reserves the right to require tests and monitoring.

The board reviewed the Settlement Agreement.

Motion carried 6-0-0-1

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders. No disciplinary action was taken.

- ii. Docket No. 08-9-228; Lucille Schmidt, CAN #19953

Discipline Committee – Marcie Burr, Kim Williamson, Dr. Goetter

Motion made by the disciplinary committee to accept the Settlement Agreement providing LOR and treatment which Ms. Schmidt has completed.

The board reviewed the Settlement Agreement.

Motion carried 5-0-1-1 with Member Williamson abstaining

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

- iii. Docket No. 08-9-334; Sarah Wilson, RN #26682

Discipline Committee – Dr. Goetter, Marcie Burr

Motion made by the disciplinary committee to accept the Settlement Agreement providing for LOR. Ms. Wilson has asked for LOR to be reduced to LOA.

The board reviewed the Settlement Agreement

Motion carried 6-0-0-1

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

- iv. Docket No. 09-055; Natalie Carter, RN #26682



Disciplinary Committee – Dr. Goetter, Kim Williamson

Motion made by the disciplinary committee to accept the Settlement Agreement providing for voluntary surrender.

The board reviewed the Settlement Agreement.

Motion carried 4-0-2-1 with President Clausen and Member Williamson abstaining.

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

v. Docket No. 09-10-542; Ramah Jackson, CAN #9170

Disciplinary Committee – Dr. Goetter, Kim Williamson

Motion made by the disciplinary committee to accept the Settlement Agreement providing for voluntary surrender.

The board reviewed the Settlement Agreement

Motion carried 4-0-2-1 with Member Williamson and President Clausen abstaining

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

vi. Docket No. 09-448; Mary Reese, RN #20557

Disciplinary Committee – Dr. Goetter, Kim Williamson

Motion made by the disciplinary committee to accept the Settlement Agreement providing for conditional license and requirement of participation in monitoring program.

The board reviewed Settlement Agreement

Motion carried 5-0-1-1 with Member Williamson abstaining

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

vii. Docket No. 09-258; Melanie Jobe; APRN 27454.1008

Disciplinary Committee – President Clausen, Dr. Goetter

Motion made by the disciplinary committee to accept the Settlement Agreement providing for LOR and stayed suspension of prescriptive authority.

The board reviewed Settlement Agreement

Motion carried 5-0-1-1 with President Clausen abstaining



Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

viii. Docket No. 05-6-186; Wendy King, APRN 18437.722
Disciplinary Committee - Kim Williamson

Motion made by the disciplinary committee to accept the Settlement Agreement providing for conditional license.

The board reviewed Settlement Agreement

Motion carried 3-2-1-1 with Member Williamson abstaining and President Clausen abstaining but becoming the vote to break a 2-2 tie.

Action: Ms. Martinez will obtain required signatures for all approved Settlement Agreements, Stipulations and Orders and report discipline to NPDB and HIPDB as applicable.

Meeting adjourned July 8, 2010 at 5:20 p.m.

Meeting called to order July 9, 2010 at 9:05 a.m.

VII. Education

- a. Summary of education programs FYI
- b. Education Advisory Committee Report

Member Deselms reported that the committee met in Casper in May

Action: Member Deselms will take this information back to the committee.

All motions made by the Education Committee:

c. Casper College

Motion for the board to:

- Accepts the annual report by Casper College as submitted.
- Acknowledges Jolene Knaus for her years of exemplary service to nursing education in Wyoming.
- Congratulates Kelli Politte on her new position as director of the nursing program at CC.
- Recognizes the increase in CC's student retention rate.
- Congratulates CC on the addition of a PN program scheduled to begin Summer 2011.

Motion carried 6-0-0-1

d. Laramie County Community College

Motion for the board to:

- Accept the site visit interim report follow up as well done.
- Recommend that LCCC explore ways to better utilize financial aid resources to help students meet scholastic goals.



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- Commend LCCC on well-written rubrics for LCCC core ability items notes that progress reports on master's degree completion plans for faculty, submitted to the WSBN as part of the follow up report, were not signed by the program director. The board would like to be assured that five-year plans to earn master's degrees are being monitored and supported by nursing program administrators.

Motion carried 6-0-0-1

e. Northern Wyoming Community College District – Gillette/Sheridan

Motion for the board to:

The board

- Accept the annual report by the Northern Wyoming College District (Sheridan and Gillette colleges) as submitted.
- Congratulate Judy McDowell on her retirement and subsequent continued presence at NWCCD. Her knowledge of the program will be invaluable to students and faculty.
- Congratulate Louise Posten, Interim DON at Gillette College.
- Congratulate Phyllis Puckett, Interim DON at Sheridan College
- Congratulate Norine Kasperik on her retirement.

Motion carried 6-0-0-1

f. Northwest College

Motion for the board to:

- Accept the annual PN report by Northwest Community College as submitted.
- Commend the director of Northwest's nursing program on efforts to restructure the program and the success to date.

Motion carried 6-0-0-1

g. University of Wyoming

Motion for the board to:

- Acknowledge receipt of the faculty qualification sheet for Wendy Pehringer.

Motion carried 6-0-0-1

h. Nursing Education Summit Summary

The Oregon Consortium presented its model for all schools of nursing coming together and agreeing to utilize a common curriculum.

A discussion was held regarding how to offer effective clinical experiences that are available statewide.

VIII. Practice

a. APRN Advisory Committee

A meeting has not been held due to scheduling difficulties and availability of APRN AC Members. Due to his current board position as Committee Facilitator, there is a need to replace Mr. Berger as CNS representative on the committee. There may be a need to replace other members based on availability

b. MD Concerns about APRN



A physician contacted WSBN about how to determine who is an APRN and if they are qualified for certain types of patients. This mirrors a concern that the Board of Medicine has brought forth before to WSBN.

Action: The Executive Director responded to the physician who wrote the board. The Executive Director and President Clausen will continue to communicate with the Board of Medicine to address their concerns. KNurse will continue to be updated for better search capabilities.

c. Advisory Opinion 05-153; Removal of Peritoneal Dialysis Catheter
Discussion tabled for further research

d. Advancing the Education Preparation of RNs
CRMC has decided to put together a critical ground transport ambulance
Discussion in regards to Board of Cooperative Educational Services (BOCES) School question pertaining to the dispensing of medication.

Action: The board will wait to see how the Board of Pharmacy responds to these practice questions and dilemmas.

Suggestion was made that school reports that do not have issues become part of consent agenda.

Action: Education Committee will provide an agenda that differentiates between consent items and items that need further board discussion and input.

President Clausen reported that subsequent to meeting with the Board of Medicine, we will develop a Task Force for regulation of Unlicensed Assistive Personnel.

Motion made by Member Williamson to create a committee with the Wyoming Board of Medicine to examine unlicensed medical assistants, seconded by Member Deselms.

Motion carries 6-0-0-1

Action: Dr. Goetter to communicate with the Board of Medicine Executive Director Kevin Bohnenblust about exploring how other states co-regulate Medical Assistants.

President Clausen put forth the idea that an annual executive roundtable be held inviting former board presidents and key stakeholders.

Motion made by Member Caruthers for the board to establish an annual Executive Roundtable inviting all former presidents of the board to meet annually. Motion seconded by Member Williamson.

Motion carries 6-0-0-1



Action: Executive Assistant Roberts to obtain contact information for past WSBN Presidents and set up annual meeting for Dr. Goetter and current board President to meet with the board's past leaders.

IX. Nurse Practice Act

- a. Legislative Committee Report:
- NPA proposed change: Assess punitive damages for non-practice violations and/or failure to show for a hearing (collecting attorney fees from no-show Respondents).
 - NPA proposed change: APRNs limited/restricted from prescribing for self or family.
 - Rule proposed change: Continued competence defined to require evidence of actual nursing practice, not just continuing education for license applications & renewals.

Action: AAG Chambers will draft information for submitting a bill for rule changes.

X. Rules and Regulations

- a. Chapters 1, 3, and 7

Chapter updates have been approved and signed by the Governor.

Action: Ms. Roberts and Mr. Berger will create new hard copies of the NPA and AR&R for the board and board staff. Member Herman will notify public that there have been updates to the Nurse Practice Act.

- b. List of Desired changes

XI. NCSBN Reports

- c. Report on APRN Roundtable: President Clausen
- d. EO Seminar: Dr. Goetter

Action: Ms. Roberts will scan and distribute an article from New York Board in regards to advancing the education preparation of RNs.

- e. Attorney Investigator Workshop
- f. Substance Use Disorder Conference: Dr. Goetter
- g. Unlicensed Assistive Personnel Seminar: Members Williamson & Herman
- h. Delegate Assembly and Future Meetings: Dr. Goetter and President Clausen

Five members are attending the Delegate Assembly with Member Herman being the only consumer candidate on the ballot for the NCSBN Board of Directors.



XII. Completion of Outstanding Items

Dr. Goetter notified the board that she will be out July 12-16, 2010 performing military duty as well as for two weeks in October. Dates will be provided when they are determined.

XIII. Strategic Planning

Future board meetings will have strategic planning the afternoon of the Wednesday session. Board meeting agendas will now follow the strategic plan. Board staff will seek source for board education on interpreting financial reports.

Feedback on Board Retreat and Align Training

The board expressed that the retreat was extremely successful and necessary for strategic planning. A request has been made that future retreats be held in conjunction with a board meeting so that no additional travel is required.

The board expressed that the Align training could have been provided more efficiently and for a lower cost.

Dr. Goetter stated that she received a call from Mr. Dan Perdue with the Wyoming Hospital Association in regards to the board's position on joining the Nursing Compact Licensure Association (NLCA).

Action: The board will consider joining when all of the other member states are following consistent and standardized process for criminal background checks. Wyoming will not join at present due to the safety threat to Wyoming citizens; a nurse with a compact license has not necessarily gone through a criminal background check and consistent set of uniform core licensure requirements sine the current states in the NLCA are not at all following the same guidelines and rules.

Motion made by President Clausen to return to executive session to discuss staff contracts at 2:10, seconded by Member Lee.

Motion carried 6-0-0-1

Motion made by Vice President Wasserburger to increase the salary of Dr. Goetter to \$100,000.00 per year. Motion seconded by Member Carruthers.

Motion Carried 6-0-0-1

Teleconference to review meeting minutes July 27, 2010 at 12:00 p.m.

A teleconference will be tentatively scheduled the third Tuesday following every regularly scheduled board meeting in the future to review and approve the minutes.



Meeting Minutes
Wyoming State Board of Nursing

President: Kellie Clausen

A reminder was given by President Clausen that phone calls and text messages need to be kept to a minimum during board meetings.

Motion made by Member Williamson to adjourn meeting. Motion seconded by Member Carruthers
Motion carried 6-0-0-1

Meeting Adjourned at 3:05 p.m.

Minutes submitted for approval by: Amanda Roberts, Executive Assistant on 07/12/2010