



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

Special Teleconference Meeting Minutes

March 6, 2013

3:00 p.m.

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.

Voting Numbers on all decisions and motions are as follows:

In Favor – Opposed – Abstaining – Absent

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

Members: Marcie Burr, Lori Johnson, Donna Nurss

Staff: Executive Director Cynthia LaBonde, Executive Assistant Tambra Shafer

Attorney General's Office: Assistant Attorney General Jessica Frint, Senior Assistant Attorney General Bob Walters

Opening

a) Call to Order

President Wasserburger called to order the meeting of the Wyoming State Board of Nursing at 3:03 p.m. on March 6, 2013 via teleconference.

b) Roll Call

President Wasserburger 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

Lori Johnson, LPN, Board Member

Donna Nurss, MS, APRN, BC, Board Member

Members Absent:

Marcie Burr, RN, HSA, CCHP, Board Member
Vacant, Public Consumer Member

Staff Present:

Cynthia LaBonde, Executive Director
Lesa O'Dell, Practice & Education Consultant
Tambra Shafer, Executive Assistant
Laura Rowe, NMP Manager/Nurse Investigator
Victoria Pike, Nurse Investigator
Jessica Frint, Assistant Attorney General
Bob Walters, Senior Assistant Attorney General

Visitors Present:

None

President Wasserburger welcomed the new Practice and Education (P&E) Consultant/Compliance and Discipline Manager, Lesa O'Dell. She thanked the P&E Committee for all the extra work they have done covering the questions while the position was vacant.

c) Declaration of Quorum

Quorum declared by AAG Frint.

d) Approval or Reordering of Agenda

By consensus, the agenda was accepted with the following changes:

- McMillan - Voluntary Surrender was removed from the agenda because the agreement was not signed.
- Evans - Modified Conditional License removed from the Consent Agenda for discussion.
- Heitz - Request for Reinstatement removed from the Consent Agenda for discussion.

AI#01 Consent Agenda

Settlement Agreements/Stipulations

1. Amberlee Albright, CNA Applicant, (Reprimand)
2. Lori Tanner, RN Applicant, (Conditional License)
3. Joseph Iverson, RN #27673, (Conditional License)
4. Margaret Ibeto, RN #28728, (Reprimand)
5. Scott Bezold, LPN #7111, (Suspension)
6. Tammy Gollyhorn, LPN #6133, (Conditional License)

Motion: Vice President Deselms moved to accept the consent agenda with the changes listed above. This motion was seconded by Secretary Woods and passed without dissent. (5-0-0-1)

Request for Modified Conditional License - Jennifer Evans RN #17181

President Wasserburger relinquished the floor to Vice President Deselms. Secretary Woods recused herself from discussion and decision of the case.

SAAG Walters presented the background on this case.

- Respondent is subject of prior conditional license
- She has been enrolled in NMP Program and compliant with all requirements of the program
- If permitted to practice under a conditional license, she would be restricted from practicing in clinical setting where drugs are stored on site

Motion: Member Nurss moved to approve the settlement agreement for the modified conditional license. This motion was seconded by Member Johnson and passed without dissent. (3-0-2-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.) (DC- TW; CW abstain/MB absent)

Request for Reinstatement - Tanie Heitz, RN #31197

Vice President Deselms relinquished the floor to President Wasserburger.

SAAG Walters presented the background on this case.

- In January 2011, the Board approved a settlement agreement and order for a conditional certificate (CNA) for Heitz
- In June 2012, Heitz applied for an RN license
- In October 2012, the Board approved a settlement agreement and ordered a conditional license (RN) for Heitz
- In January 2013, Heitz petitioned to have conditions and restrictions from her RN license removed and to have her RN license fully reinstated.

Motion: Secretary Woods moved to enter executive session to discuss the right to practice of a professional person. This motion was seconded by Vice President Deselms and passed without dissent. (5-0-0-1)(Member Johnson did not participate or join the executive session and Secretary Woods kept minutes.)

The Board entered executive session at 3:20 p.m.

The Board returned to public session at 3:41 p.m.

Motion: Member Nurss moved to deny request for RN Heitz request for reinstatement. This motion was seconded by Secretary Woods and passed without dissent. (4-0-1-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.)(DC- LJ/MB, MB-absent)

AI#02 Rules Update

AAG Frint presented an update to the Board regarding Chapter 8 - Discipline Rules.

- At the January Meeting, the Board voted to approve the proposed draft rules of Chapter 8 and proceed with rule-making.
- On February 20, 2013, the notice and comment period began and will close on April 8, 2013.
- A copy of the proposed rule changes and additional information can be found on the Board of Nursing's website.
- Comments, either electronically or written, can be sent to the Board Office
- At this time, no comments have been received.

SAAG Walters stated that he would like to discuss the application and discipline matrix at the April Board meeting.

AI#03 Administrative Matters

Unlicensed Practice – School Nurse

Executive Director LaBonde presented information to the Board on an unlicensed practice matter involving a school nurse in a rural school district. Currently, a hold is placed on her file in the licensing database. At this point the school nurse will need to apply for relicensure and not simply renew her license because the 60 day grace period for renewing late has expired. Executive Director LaBonde presented the Board with three options to consider:

- Option 1 - Approve application and fees and signed Letter of Reprimand then release hold on license
- Option 2 - Schedule another teleconference after application is received to review case and decide on Letter of Reprimand
- Option 3 - Wait until April Board Meeting to review case and decide course of action

***Motion:** Member Nurss moved to approve and allow the hold on the application be lifted if accompanied with a signed Letter of Reprimand.*

Discussion

- Are any students in jeopardy by not having the school nurse available?
- Unlicensed Practice is a serious violation of the Nurse Practice Act and is not taken lightly by the Board.
- There is a need for education and reminders for those practicing as school nurses and the importance of renewing.

The motion was seconded by Vice President Deselms and passed without dissent. (5-0-0-1)

Action: President Wasserburger directed this topic be placed on the April Board meeting Agenda.

SAAG Walters volunteered to contact the Executive Director of the Wyoming Professional Teaching Standards Board to present the information to prevent this reoccurrence.

Motion to Reconsider - Request for Modified Conditional License - Jennifer Evans RN #17181

***Motion:** Vice President Deselms moved to reconsider request for modified conditional license for RN Evans. This motion was seconded by Member Johnson and passed without dissent. (3-0-2-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.) (DC- TW; CW abstain/MB absent)*

President Wasserburger relinquished the floor to Vice President Deselms.

***Motion:** Vice President Deselms moved to enter executive session to discuss the Right to Practice of a Professional Person. This motion was seconded by Member Johnson and passed without dissent. (3-0-2-1)(President Wasserburger and Secretary Woods did not join the executive session and Member Johnson kept minutes.)*

The Board entered executive session at 4:16 p.m.

The Board returned to public session at 4:30 p.m.

***Motion:** Member Johnson moved to approve the settlement agreement for RN Evans's modified conditional license. This motion was seconded by Member Nurss and failed. (0-3-2-1) (In accordance with Board Rules and Regulations, members of the Disciplinary Committee abstained from voting.) (DC- TW; CW abstain/MB absent)*

Vice President Deselms relinquished the floor to President Wasserburger.

Adjournment

President Wasserburger adjourned the meeting at 4:33 p.m. The next general meeting will be at 9:00 a.m. on April 8-11, 2013 in 130 Hobbs Ave, Suite B, Cheyenne, WY 82009.

Minutes submitted by: Tambra Shafer, Executive Assistant

Minutes approved by: Tracy Wasserburger, President

Cindy Woods, Secretary