

**WYOMING STATE BOARD OF NURSING
BOARD MEETING MINUTES**

January 26, 27, 28, 2000

PUBLIC SESSION

The Wyoming State Board of Nursing held its regularly scheduled meeting on January 26, 27, 28, 2000, in the Barrett Building 4th Floor Conference Room, 2301 Central Avenue, Cheyenne, WY.

CALL TO ORDER

1. CALL TO ORDER

The meeting of the Wyoming State Board of Nursing was called to order at 8:00 a.m., January 26, 2000, in the Barrett Building 4th Floor Conference Room by Veronica Taylor, board president.

ROLL CALL

1.1. ROLL CALL

President Veronica Taylor took the roll call.

Board Members Present:

Veronica Taylor, RN, President, Gillette
Judith Knight, RN, APN, Vice President, Laramie
Karla Roich, LPN, Secretary, Rock Springs
Janice McCoy, RN, PhD, Board Member, Riverton
Patricia Fritz, RN, Board Member, Basin
Patti Ellis, LPN, Board Member, Pinedale
Beth Evans, PhD, Consumer Board Member, Cheyenne

Staff Present:

Cheryl Koski, RN, Executive Director
Mary Calkins, RN, Compliance Officer
Mary Schaper, RN, Nurse Practice Consultant
Paula Shepherd, Examination Coordinator
Fran Hawkins, Management Services Officer
Angela Dougherty, Attorney General's Office

Visitors Present: (January 26, 2000)

Kacey Amen, UW student, Casper
Cathy Murphy, UW student, Cheyenne
Janalee Madsen, UW student, Laramie
Amy Taylor, UW student, Laramie
Nancy Halsey, UW student, Laramie
Maureen Young, Care Coordinator, Casper
Emily Lyon, Nursing Mgr., Rock Springs
Kay Wagner, State Survey Agent, Cheyenne

Vereen Bebo, Program Director, Cheyenne
Eileen Oldenberg, RN, retired, Cheyenne
Rita Ballas, RN, Garden Square, Casper
Sharon Skiver, Garden Square, Casper
Christie James, Park Place, Casper
Linda Gudmundsen, RN, WSTS, Lander
Mike Stadick, Bd of Pharmacy, Casper
Richard Johnson, Pharmacist, Casper
Liz Mallery, SE Wy Mental Health, Cheyenne
Doris Lucas, SE Wy Mental Health, Cheyenne
Judith Randall, RN, Laramie Co School Dist 1, Cheyenne
Anne Cybulski, RN, WDH-DOA
Joe Nies, Ombudsman, WY Senior Citizens
Shaun Guft, CES, CEO, Riverton
Mark Black, Director, NOWCAP, Casper
Les Blake, CCC, Lander
Joe Howard, CES Director, Riverton
Carol Peterson, WY Dept. of Education, Cheyenne
Mary Rapp, School Nurse, Cheyenne
Donna Spatz, Educational Assistant, Cheyenne
Jeff Gardner, Ark Regional Services, Laramie
David Heath, Ark Regional Services, Laramie
Deb Barnes, RN, Supervisor, Cheyenne
Keith Goodenaugh, State Senator, Casper
Kathern Paxton, Rehab Mgr, Ark, Laramie
Marilyn Patton, Dept of Admin., Cheyenne
Wayne Johnson, DDD, Cheyenne
Lynn Yeager, LCSD, Cheyenne
Deborah Gillette, Bd of Medicine, Cheyenne
Cay Godtfring, RN, Showboat, Lander
Judy Carter, Admin., Showboat, Lander
JoAnn Blevins, DOH, Cheyenne
Sharon Kelsey, Comm. Living Dir., MCE, Cheyenne
Rozella Rice, School Nurse, WSNA Rep., Cheyenne
Nanette Hruska, RN, School Nurse, BOCES, Thermopolis
Ruth Summers, Ex Dir, RSP of Wyo.
Zelma McMullan, RN, School Nurse, Cheyenne
Chris Bartholomen, RN, School Nurse
Jackie Whitehead, School Nurse, Alta Vista, Cheyenne
Pam Frank, Secretary, Anderson, Cheyenne
Carol Palmer, Educational Assistant, Anderson, Cheyenne
Janice Ayala, Pointe Frontier, Dir., AL, Cheyenne
Les Pozsgyi, Dept of Family Services, Cheyenne
Linda Collins, Dept. of Family Services, Cheyenne
Cathie Ruten, Reg. Admin., CMS, Cheyenne
Yvonne Tremayne, Dir of Nsg, CMS, Rawlins
Sherrie Hunter, Mktg Dir., Cheyenne
Tracy Blake, Community Dir., Cheyenne
Colleen Walker, Gen Mgr., Aspen Winds, Cheyenne
Ramona Gaeswood, Dir. Of Special Ser., Cheyenne
Jeanine Niemoller, Admin., Extended Care Unit, Laramie
Dan Lex, Dir., Quality HC Assn., Cheyenne

Bob Clabby, Supt., WSTS, Lander
Sharon Rumfield, Regional Ameritus Corp.

Visitors Present: (January 28, 2000)

Beth Ryan, Dir., Interim Healthcare, Cheyenne
Stacy Lonsdale, CSR, Interim Healthcare, Cheyenne
Kateyn Cooper, Cheyenne
Brittney Barnhart, student, Laramie
Jo Barnhart, mother, Cheyenne
Jennifer Main, UW student, Laramie
Windy Smith, UW student, Laramie
Lori Reed, RN, House Supv., MTHC, Cheyenne
Clair Clark, CNA, MTHC, Cheyenne
Jana Lieurance, LPN, MTHC, Cheyenne
Sharron Bilkee, RN, Lifecare, Cheyenne
Cary Robertson, RN, DNS, MTHC, Cheyenne
Tara Weber, RN, SDC/ADNS, MTHC, Cheyenne
Shiela Johnson, CNA, Cheyenne
Jena Mines, UW student, Laramie

**DECLARATION OF
QUORUM**

1.2. DECLARATION OF QUORUM

President Taylor declared a quorum present.

**REORDERING OF THE
AGENDA**

2. REORDERING OF THE AGENDA

By consensus, the agenda was accepted with flexibility, including the written additions and deletions submitted by Cheryl Koski, Executive Director.

**BOARD MEETING
MINUTES**

3. APPROVAL OF MEETING MINUTES

3.1. MINUTES OF THE NOVEMBER, 1999, BOARD MEETING

By consensus, the minutes of the November, 1999, Board Meeting were approved with corrections.

ADMINISTRATIVE ISSUES

4. ADMINISTRATIVE ISSUES

4.1. ADMINISTRATIVE RULES AND REGULATIONS

4.1.1. Letter to Gay Woodhouse dated 11/24/99

The board reviewed the letter submitted by Attorney General Gay Woodhouse regarding the proposed rule changes to Chapter IV, and Ms. Woodhouse's recommendation that criteria for the written plan of practice and collaboration be included in the Administrative Rules and Regulations.

**4.1.2. Letter from Governor Geringer dated 11/24/99
Approving Rule Changes**

The board reviewed the letter received from Governor Geringer approving all rule changes except Chapter IV.

4.1.3. Management Council Members

The board reviewed the letter from LSO regarding the Management Council's action on the Board of Nursing's proposed rules. ED Koski informed the Board that although the Governor and LSO approve rule changes, the Management Council also has authority to review and suggest changes to the Board's proposed rules.

**4.1.4. Letter from Dan Pauli, LSO, dated 12/15/99
Tabling Board of Nursing Rules**

The board reviewed the letter from Dan Pauli, LSO, regarding The Management Council's meeting schedule on reviewing the Board's proposed rules.

**4.1.5. Letter to Carole Shotwell, BOM, dated 12/15/99
Requesting Input on Criteria for Written Plan
of Practice and Collaboration**

The board reviewed the letter to Carole Shotwell requesting written comments concerning the proposed criteria for a written plan of practice.

**4.1.6. Letter to Ann Enlow, Chair, APN Council, dated
12/23/99, Requesting Input on Criteria for
Written Plan of Practice and Collaboration**

The Board reviewed the letter to Ann Enlow regarding proposed criteria for a written plan of practice.

**4.1.7. Letter from Carole Shotwell, BOM, dated 12/28/99
Stating She Would Collate Responses After
01/17/00**

The board reviewed the reponse from Carole Shotwell, indicating she would compile comments from the members of the Board of Medicine regarding Chapter IV, and submit them to the Board of Nursing shortly after January 17, 2000.

**4.1.8. Letter to Dr. Tipton, dated 01/06/00, Concerning
Rules and Regulations**

The board reviewed the letter to Dr. Harry Tipton, detailing correspondence about the proposed rules

concerning APNs. The letter also included an invitation to Dr. Tipton to attend the open meeting January 26 regarding unlicensed assistive personnel.

President Taylor assured Dr. Tipton that he will be kept informed during the rule making process.

**4.1.9. Letter from Dan Pauli, LSO, dated 01/05/00,
Approving Rules and Regulations, Chapters 1-3
And 5-8**

The Board reviewed the letter from Dan Pauli, LSO, to the Governor, regarding approval by the Management Council of Chapters I through III, and V through VIII.

4.2. Proposed Rules and Regulations

4.2.1. Chapter IV

The board reviewed Chapter IV, and the suggested changes are attached to this report. These must again go out for public comment.

**4.2.1.1. Letter from Marsha Siegel dated 01/11/00,
concerning Criteria for Written Plan**

The board reviewed the letter from Marsha Siegel concerning her input on the criteria for a written plan.

The board disagreed with the suggestion to combine Section 2 and Section 3 under "Standards of Practice", Chapter IV, p.6. The consensus of the Board was to leave the above mentioned sections separate. Ms. Siegel's comments will be addressed after the public comment period.

**4.2.1.2. E-Mail from Marsha Siegel to APN Council re
BON and BOP Rules**

The board reviewed the letter from Marsha Siegel to the APN Council regarding Board of Nursing and Board of Pharmacy proposed rule changes. A thank you letter will be sent, and comments will be addressed after the public comment period.

**4.2.1.3. Wyoming Medical Society Newsletter for Month
of December Concerning APN Rules and Pharmacy
Rules**

The board reviewed the WMS December newsletter concerning rule changes by this board and the Board of Pharmacy.

4.2.1.4. Wyoming Medical Society Newsletter for Month of January Concerning APN Rules

The board reviewed the WMS January newsletter concerning APN rule changes. The Board noted that the BON suggestions are based on the BON proposal with additional supervisory comments in the APN Plan of Practice and Collaboration.

4.2.1.5. Letter from Rich Johnson, Wyoming Medical Society dated 9/17/91 Concerning APN Rules And Collaborative Plan

The board reviewed the 1991 letter from Rich Johnson, Wyoming Medical Society, concerning APN rules and collaborative plan.

4.2.1.6. Sample Written Plans of Practice and Collaboration for FNPs and CRNA

ED Koski informed the board that a sample written plan of practice is being sent to FNPs and CRNAs.

4.2.1.7. Letter from Marcia Dale, Dean, UW School of Nursing

The Board reviewed the letter from Marcia Dale regarding "collaboration" in the proposed rule changes.

4.2.1.8. E-Mail from Mary Burman

The Board discussed the e-mail from Mary Burman, and will take her comments under advisement.

4.2.2. Chapter VI

4.3. Board of Pharmacy Rules and Regulations

4.3.1. Agenda for Board of Pharmacy Meeting and Public Hearing

The Board of Nursing did not receive notification of a public hearing regarding the Board of Pharmacy rule changes. The agenda for the public hearing meeting, which is being held January 26 and 27, was discussed by the board.

4.3.2. Board of Pharmacy Proposed Rules Concerning Collaborative Practice

The Board of Nursing reviewed the current Board of Pharmacy Rules regarding collaborative practice.

The Board of Nursing will attend the public hearing concerning the proposed Board of Pharmacy Rules. A letter will be drafted by Cheryl Koski concerning including APNs in the Board of Pharmacy proposed rules regarding collaborative practice with pharmacists.

4.3.3. Board of Pharmacy Proposed Rules Dated 8/99

The board reviewed the August 1999 proposed rules of the Board of Pharmacy.

4.4. Educational Programs

4.4.1. Letter from NLNAC to Dr. Steve Maier, President, Northern Wyoming Community College District denying request for Separate Accreditation for Gillette and Sheridan Nursing Programs

ED Koski talked to Trudy Munsick, and Ms. Munsick indicated they will rewrite the curriculum at both schools to combine the separate accreditations into one. Both programs will be reviewed in 2003 by NLNAC.

4.4.2. Letter and Resolution from Judith Vasey, Wyoming Community College Commission regarding Dept. of Veterans Affairs and Requirement for BSN

The Board discussed the letter from Judith Vasey, and concurred with her comment that the AD program should not be devalued. The board supports all levels of nursing. The board believes the proposed practice of the VA to hire BSN only nurses is an employment issue and is not a regulatory issue.

4.4.3. Nursing Education Program Grading Form

The board discussed the nursing education program grading form submitted by Jan McCoy. Ms. McCoy explained the point system to the board, and stated it needs to be applied to see if it works. It was suggested the first page title be renamed to "Nursing Education Program Review."

The board, by consensus, agreed to use the Program Review form presented and pilot it this coming fall.

ED Koski advised the board that nursing education programs have asked when concerns can be fixed and she said by the next annual report (60 days following graduation of the program). The board agreed with this time frame.

4.5. National Council of State Boards of Nursing

4.5.1. HIPDB

4.5.1.1. HIPDB Reporting Format

The board was informed by ED Koski that all DC cases have been sent to HIPD. The reporting procedures submitted by HIPDB were received by the board.

4.5.1.2. Correspondence Concerning QA Reports

The board discussed the letters received regarding HIPB reporting procedures from the National Council.

4.5.1.3. Authorization to Release Historical Disciplinary Data

The question arose regarding pursuing nurse aides on the data bank. The HIPDB is looking into placing nurse aides on the data bank.

4.5.1.4. Entity Registration Form

The HIPDB/NPDB registration form was reviewed by the board.

4.5.2. Area I Meeting

ED Koski advised the board that some donations have been received for door prizes and welcome totes. The Board will sponsor the hospitality room in the condo. Two state vans have been reserved for the trip to Jackson. The board should fill out their registration forms if they are planning to attend.

4.5.2.1. Direct Bill Authorization - Area I Meeting

The Board reviewed the letter written by Cheryl Koski to the Auditor's Office requesting direct bill authorization for the Area I Meeting in Jackson on March 16 & 17, 2000.

4.5.3. Authorization to Test - Chauncey Group

4.5.3.1. Letter to Chauncey Group dated Dec. 29, 1999, Changing Test Period to 90 Days

ED Koski explained to the board that a change in the validity period for candidates taking the NCLEX was necessary because there was an overlap of their NCLEX eligibility to take the exam with the board's five year limit from the date of graduation to take the exam. The

board concurred with the request to NCLEX to change a candidate's validity period from 999 days to 90 days. This means that the applicant would have to reapply to NCLEX if he/she does not take the exam within the 90 day eligibility period.

**4.5.4. Letter of Appointment to Executive Officer
Fellowship Program Advisory Group**

The Board congratulated ED Koski on her appointment to the National Council's Executive Officer Fellowship Program Advisory Group. Her term expires August 2000.

4.5.4.1. Memo from NCSBN Regarding Pat Benner as Speaker

The board reviewed the letter from the National Council advising that Dr. Patricia Benner would conduct a day workshop for the Executive Officer Leadership development portion of the EO Forum. ED Koski will attend an Executive Officer Leadership Task Force meeting in Chicago January 31, 2000.

4.5.5. NCSBN Meeting Schedule for February

4.5.5.1. Executive Office Forum

ED Koski will attend the National Council Executive Officer Forum in Chicago on February 25, 2000.

4.5.5.2. Mutual Recognition Summit

ED Koski will represent the Board at the Mutual Recognition Summit in Chicago on February 26, 2000. The board asked that board attorneys put together questions regarding mutual recognition that Ms. Koski can present at this meeting.

**4.5.6. Nominees for NCSBN Office or Committee on
Nominations**

The Board reviewed information from the National Council regarding nominees for NCSBN office or Committee on Nominations. The deadline for submission of nominee information is April 21, 2000.

4.6. Wyoming Professional Assistance Program

4.6.1. Voting Member - Jackson Waters

Jackson Waters, who is a registered professional nurse in Rock Springs, has been appointed to serve as the WSNB board representative on the Wyoming Professional Assistance Program Board. Mr. Waters did attend the WPAP Retreat.

4.6.2. Renewal of Licensure for Nurses in WPAP

ED Koski explained the procedure for renewal for nurses who are enrolled in the WPAP, as set forth in a letter to Beverly Stalder, Director, WPAP, dated 11/23/99.

4.6.3. Second Quarterly Report for September 1, 1999 - November 30, 1999 - BON

The board reviewed the quarterly report covering the period of 9/1/99 through 1/30/99 submitted by WPAP. Of the 23 contracted participants, 11 are nurses.

4.6.4. WPAP Quarterly Report October-December, 1999

The board reviewed the quarterly report covering the period of 10/99 through 12/99 submitted by WPAP. Of the 26 contracted participants, 12 are nurses.

4.6.5. Letter of Resignation - Bev Stalder

The board discussed the resignation letter of Beverly Stalder, Professional Director, WPAP. Ms. Stalder's resignation becomes effective February 29, 2000. Ms. Stalder included with her letter the planned advertisement of the position opening of Professional Director for WPAP, which was planned to be distributed to professional organizations and newspapers on December 3, 1999.

4.6.6. WPAP Retreat

The Board discussed the WPAP Retreat of January 15, 2000.

It was decided to table hiring a director at this time. WPAP is seeking more funding. It was determined that WPAP needs a business plan, which they will pursue developing. Files will be transferred to Dr. Toews' office for a few months. Mary Calkins will stay in touch and keep the board informed on changes.

4.7. Unlicensed Assistive Personnel and Medication Administration

4.7.1. Meeting With Concerned Agencies and BON - 1/26/00: 2:00-4:00 p.m.

Because of the concerns of the board over the problem of unlicensed assistive personnel (UAP) and medication administration, the board asked interested participants to attend an open meeting to dialog concerns and the effect this problem has on nursing in Wyoming and public safety.

Representative groups attending this meeting included assisted living, Dept. of Education (school nurses), Dept. of Health, disabilities, correctional facilities, mental health, hospitals, long term care, legislators, and Dept. of Family Services.

President Taylor welcomed those in attendance, and introduced the board members. Ms. Taylor divided the participants into 9 representative groups, and asked for comments from each representative as she called on them by group. The first group called was Dept. of Education, including school nurses, administration, and educational assistants.

Carol Peterson gave the board a handout which spells out how schools monitor medication administration.

The school districts have no rules or guidance for monitoring. Schools just use OSHA guidelines, etc. School nurses would like assistance with specific rules for monitoring medication administration.

Judy Randall, School District #1, advised that there are 32 school buildings and 18 school nurses. The secondary schools each have 1 full time nurse. They are unable to cover all buildings to give medication every day, so they have to use unlicensed personnel. There are protocols which the unlicensed personnel follow. The administrator of the building determines who gives the medication, usually the secretary in the office, or some other office personnel. The nurse is responsible for training, and would be held accountable in case of error, but the person who administers is not free of responsibility. There are incident reports filled out for medication errors. The parents are notified, the doctor if necessary, and the individual who made the error must fill out the incident report.

Nan Hruska, representing NW BOCES, Thermopolis, brought what she stated was "an old AG opinion", but indicated they have the AG working on a new opinion. They have a residential and school setting together. There are some nurses in the residential setting, and they have a 4 hour medication course given at the school for unlicensed personnel.

Donna Spots, an educational assistant, is concerned with liability in giving medications. She would like more training on what to look for when giving medications. It is not clear where the liability lies in case of errors, with the school, with the nurse, or the unlicensed personnel.

Jackie Whitehead, Laramie Co. District #1, asked if the

subject was only about medication administration or other procedures. Ms. Whitehead stated that the school she is assigned to has multi-handicapped students, who require many medical procedures such as suctioning, bladder catheterization, etc. She is concerned that if there is no sub during her absence, can she train other teachers to do some of these procedures.

President Taylor pointed out that the board has no jurisdiction over unlicensed personnel. The jurisdiction is only over RNs, LPNs, and CNAs. The concern of the board is that in the school setting, the nurse is requested to train personnel delegated by the principal to give medication, thus making the nurse liable. Concerns also include the safety of the public.

President Taylor next called on the group representing geriatrics, including long term care, assisted living, and retirement centers.

Colleen Walker, Aspen Wind Assistant Living, requested clarification on whether CNAs can assist a resident with their medication, and the extent of that assistance. There are cost implications if the nurse has to be available for medication administration 24 hours a day. Ms. Walker understood that LCCC at one time offered a 60 hour training course, but understood it had now been closed.

President Taylor asked Ms. Walker if she was referring to the care staff member training course, which she indicated she was. Board member Jan McCoy indicated she was on the original committee in developing curriculum. This was approved, but the only school teaching this course is Central Wyoming College, and this is primarily for the State Training School.

President Taylor stated that one of the issues is that there are no rules and regs either by the Dept. of Health or the Board of Nursing that address a care staff member, so until we decide, or if we decide from this information that this is something we should pursue further, we can't direct you to use care staff members.

Ms. Walker stated that 29 other states have medication aides, so when is Wyoming going to start. Ms. Walker indicated she is in favor of having care staff members.

Kay Wagner, Wyoming State Survey Agent, spoke about surveys that identify wrongful administration of medication. This is a big problem around the state. CNAs are being allowed to administer medications. It is a problem in assisted living and boarding homes. Ms. Wagner stated that there is a clear definition of

"assist" in the administration of medication by unlicensed personnel.

Sharon Rumfield, Regional for Ameritus Corporation, stated their company uses a bubble pack system from Senior Meds, Senior Meds educates and trains their employees. This is done company-wide, and it works very well for them. Ms. Rumfield feels that for assisted living, it would be a good idea to look at the bubble pack system.

Paula Harvey also described the bubble pack system. Paula Harvey indicated that she felt that this system is as safe as any system she has seen.

Carol Peterson stated that because students are on medication for a short period of time, the medication would have to be repackaged, etc., and it does not appear to be a solution for schools.

Janice Ayala, Director, Pointe Frontier, indicated that PRX uses local pharmacies, so it is possible that short term packages could be available. Medication is overnighted. If medication is not used, and returned in the bubble pack, the patient is credited.

Rita Bows, Garden Square, indicated their medication is color-coded, and the bubble packs are obtained through a local pharmacy company in Casper. Sharon Skiver, Garden Square, further explained their procedure in the use of bubble packs. Rita Bows teaches a class including the five "R"s to their CNAs. There have been very few medication errors. The class is 8 hours.

Richard Johnson, Pharmacist, Casper, addressed the fact that when CNAs are allowed to help residents with their pills, they need to have training in knowing the patients, knowing general status, watching for significant change that could be caused by the medication they are taking, and report to the appropriate person.

Shawn Griffin, Community Entry Services, Riverton, working with developmentally disabled adults, stated that they are interested in care staff members due to cost implications. He had several questions regarding time lines on when they would be allowed to use care staff members, or not use, who would be allowed to be a care staff member, what training they would need, how would it be determined who needs assistive unlicensed personnel, etc. He asked for directions and help regarding using and regulating care staff members.

Linda Gudmundson spoke about the start of the care staff

member at the State Training School. There were not sufficient nurses available, and the need was there for care staff members. The School has 100 CSMs, and they give all medications except for Schedule II.

The other participants who spoke expressed similar concerns and it was generally agreed that unlicensed assistive personnel are needed in Wyoming.

President Taylor asked the group if they had come to any solutions after hearing this discussion. Chris Bartholomew spoke about public safety and the training the nurse has gone through to effectively make judgments in the administration of medication. The nurse's role should never cease to be the most important in the administration of medication.

President Taylor observed that there is a wide variance in the suggested training of care staff members, and this issue will have to be looked at. There is a wide variety of need in the use of care staff members, but guidelines, if developed, should be universal in order to have consistency in practice.

Participants indicated interest in working on developing guidelines, and those who signed the volunteer list will be contacted.

Dr. Clabby volunteered to contact the Department of Health for guidance in writing care staff member rules.

An outline will be sent out to each representative for their input on how their agency is handling the problem of unlicensed assistive personnel.

President Taylor thanked those in attendance for their good response and interest, and indicated that the board's intentions are to pursue the legalities of this issue and assure the safety of the public.

Retiring board member Jan McCoy will head an ad hoc committee made up of the following representatives: Cheryl Koski, Kay Wagner, Ruth Summers, Linda Gudmundsen, Cathie Ruten, Carol Peterson, Rozella Rice, Senator Keith Goodenough, Les Pozsgi, and Colleen Walker. It is intended to have a meeting prior to the March board meeting. Major issues to be covered are supply and demand, cost, liability, safety, judgment calls, policies and procedures with no grey areas.

4.7.2. Meeting with ALF's

Dr. Mary Calkins reported on the Assisted Living Facility Regulation Meeting on January 21, 2000, in

Casper. Dr. Calkins reported that the meeting was very positive. The issue of care staff members was discussed, with the safety of patients being the primary concern. Everyone agreed that they have to comply with the rules regarding unlicensed assistive personnel assisting with self-administration of medications.

The following items are letters received from persons who could not attend the meeting, and were reviewed by the board:

- 4.7.3. E-mail from Suzey Delger concerning UAPs
- 4.7.4. E-mail from Legacy Homes Assisted Living and Adult Day Care
- 4.7.5. E-mail from Kathy Cleary, School Nurse
- 4.7.6. E-mail from Chris Smalley, School Nurse
- 4.7.7. E-mail from Kristy Thompson, School Nurse
- 4.7.8. E-Mail from Julie Catellier, School Nurse
- 4.7.9. Letter from Lisa Garstad, Administrator, Sugarland Ridge
- 4.7.10. Letter from Elaine Kozisek, Veteran's Home, Wyoming
- 4.7.11. Letter and attachments from Lisa Garstad, Sugarland Ridge
- 4.7.12. Letter from Gary Rood, Sugarland Ridge
- 4.7.13. E-Mail from Donna Spatz and Carole Palmer

4.8. Budget

4.8.1. BON Budget for Months Ending December 31, 1999

The board reviewed and approved the budget submitted, and commented that it was clear and easy to read.

4.8.2. Biennial Budget Request - BON

Fran reviewed the current budget as well as the budget submitted to the legislature for the next biennium. Fran explained cost allocation, and indicated that it would likely go up.

4.9. AWEC Position

ED Koski indicated to the board that the AWEC position should be filled by a highly qualified person, and that the hiring salary may have to be set higher than usual. If this position is made permanent in the future, then everything is in place to retain the person holding the AWEC position. The board approved a salary of \$10 per hour.

The board was advised that Leslie Levensgood's position is considerably below market according to information received from the budget analyst from A&I, and possibly

something should be done to bring it up to their analysis of market. The board agreed to wait for Leslie's evaluation to see what they will do with her salary.

Staff advised the board that the computer conversion has not been made from Dbase to Access. The office is linked to Access and Dbase at this time. Upon completion of January renewals, the conversion will be made. It is possible that some data could be lost in the conversion, so it will not be made until there is assurance that everything is working as it should.

4.10. Board Meeting Schedule 2000

The Board set the following meeting dates for 2000-2001:

March 27, 28, 29, 2000

June 14, 15, 16, 2000

September 25,26,27, 2000 (out of town meeting - Cody)

November 15, 16, 17, 2000

January 24,25,26, 2001 (Election of Officers)

The following Board officers were unanimously elected to serve as officers on the Wyoming Board of Nursing for the year 2000:

President - Veronica Taylor

Vice President - Judith Knight

Secretary/Treasurer - Beth Evans

The following Board members were appointed to the Disciplinary Committee:

Pat Fritz, Basin

Patti Ellis - Pinedale

Beth Evans - Cheyenne (orienting)

4.11 Recognition Jan McCoy for Years of Service to Board

Jan McCoy was recognized by the board for her six years of service and her valuable contributions as a board member She will be missed, both as a board member, and as a good friend.

5.0. Scope of Practice Issues

5.1. Healthcare Staffing Solutions

The letter received from Healthcare Staffing Solutions regarding their request for this board to consider offering the NCLEX in Spanish was discussed.

5.2. Telephonic Nursing - National Jewish Medical and Research Center

The board discussed the letter received from National Jewish Medical and Research Center concerning telephonic nursing. The board reaffirmed their position that nurses must be licensed in the State of Wyoming to do telephonic nursing.

DISCIPLINARY ISSUES

6.0. DISCIPLINARY ISSUES

APPLICATION REVIEWS

6.1. APPLICATIONS FOR FULL BOARD REVIEW

6.1.1. CNA APPLICANT, Case #99-203

Upon review of the application and after discussion, the board voted to grant certification to Case # 99-203, certified nurse aide applicant.

The vote on the above matter was 7-0-0.

6.1.2. CNA APPLICANT, Case #99-204

Upon review of the application and after discussion, the board voted to deny certification to Case #99-204, certified nurse aide applicant.

The vote on the above matter was 7-0-0.

6.1.3. CNA APPLICANT, Case #00-001

Upon review of the application and after discussion, the Board voted to grant certification to Case #00-001, certified nurse aide applicant.

The vote on the matter was 7-0-0.

6.2. REVIEW & AFFIRMATION OF DC ACTION (JANUARY 27, 2000)

President Taylor closed the meeting to the public, and directed that the Disciplinary Committee present their findings and recommendations. In addition, the Committee reported that the Office of the Attorney General had concurred in writing with their recommendations. At the completion of the presentation, the Board deliberated on the recommendations. The Board came out of Executive Session and the President declared the meeting open to the public and voted on the following decisions:

6.2.1. DISMISSAL

The Board voted to affirm the Disciplinary Committee's recommendation to dismiss the allegations against:

Case No. 99-172, RN
Case No. 99-199, RN
Case No. 99-200, LPN
Case No. 99-189, RN

The vote on the above decision was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with Board Rules and Regulations.

6.2.2. TAG AND FILE

The Board voted to affirm the Disciplinary Committee's recommendation to tag internally the files of:

Case No. 99-175, CNA

The vote on the above decision was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with Board Rules and Regulations.

6.2.3. LICENSURE /CERTIFICATION

The Board voted to affirm the Disciplinary Committee's recommendation to license/certify:

Case No. 99-210, CNA
Case No. 99-229, CNA
Case No. 99-237, CNA

The vote on the above decision was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with the Board Rules & Regulations.

6.2.4 ADVISORY LETTER

The Board voted to affirm the Disciplinary Committee's recommendation to issue an advisory letter to:

Case No. 99-178, CNA
Case No. 99-216, CNA
Case No. 00-002, CNA
Case No. 00-006, CNA
Case No. 99-195, CNA
Case No. 99-201, CNA
Case No. 99-219, CNA

The vote on the above decision was 5-0-2. The members of the Disciplinary Committee were absent from voting in

accordance with Board Rules and Regulations.

6.2.5. PROCEED WITH DISCIPLINE

The Board voted to affirm the Disciplinary Committee's recommendation to proceed with discipline against:

- Case No. 99-186(b), RN
- Case No. 99-213, CNA
- Case No. 99-215, CNA
- Case No. 99-199, RN
- Case No. 99-218, RN
- Case No. 99-240, RN
- Case No. 99-189, RN
- Case No. 99-221, RN
- Case No. 99-246, RN

The vote on the above decision was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with Board Rules and Regulations.

6.2.6. Recertification

None to consider.

6.2.7. Voluntary Surrender

The Board voted to accept the voluntary surrender of licensure/certification of:

- Case No. 99-202, Teresa Gaylord, LPN
- Case No. 98-129, Violet Dominiack, CNA
- Case No. 99-238, Margaret Martinez, RN

The vote on the above decision was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with Board Rules and Regulations.

HEARINGS

6.3. HEARINGS TO SHOW CAUSE (Hearings Occurred January 28, 1999)

6.3.1. CHARLES PRICE, DOCKET #99-007, HEARING TO SHOW CAUSE WHY HIS CERTIFICATION SHOULD NOT BE REVOKED

Charles Price did not appear at the hearing.

The Board heard the testimony and reviewed the evidence presented.

As a result of the administrative hearing, a motion was made and seconded to issue a letter of reprimand to Charles Price, RN, License No.193521, Docket No. 99-007 for violating W.S. 33-21-146(a)(iii)(A)(E).

The vote on the matter was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with Board Rules and Regulations.

6.3.2. BRITTANY BARNHART, Docket #99-117, CNA, HEARING TO SHOW CAUSE WHY HER CERTIFICATION SHOULD NOT BE REVOKED

Brittany Barnhart, CNA, did appear at the hearing.

The Board heard the testimony and reviewed the evidence presented.

As a result of the administrative hearing, a motion was made and seconded to revoke the certificate of Brittany Barnhart, CNA, Certificate No. 9868, Docket No. 99-117 for violation of W.S. 33-21-146(a)(iv)(A) and Chapter 7, Section II (b)(i).

The vote on the matter was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with the Board Rules and Regulations.

6.3.3. SHEILA JOHNSON, CNA, Docket #99-168, HEARING TO SHOW CAUSE WHY HER CERTIFICATION SHOULD NOT BE REVOKED

Ms. Johnson did appear at the hearing.

The Board heard the testimony and reviewed the evidence presented.

As a result of the administrative hearing, a motion was made and seconded to issue a letter of reprimand, emphasizing the importance of correct, accurate documentation to Sheila Johnson, CNA, Certificate No. 5481, Docket No. 99-168.

The vote on the matter was 5-0-2. The members of the Disciplinary Committee were absent from voting in accordance with Board Rules and Regulations.

6.4. Board Reconsideration

None to consider.

6.5. OFF CONDITIONAL LICENSURE

None to consider.

6.6. ACTIONS FINALIZED

6.6.1. Letters of Reprimand

- 6.6.1.1. Kay Hartley, LPN, Case #99-121
- 6.6.1.2. Annette Hernandez, CNA, Case #99-041

6.6.2. Stipulated Agreements/Conditional Licensure

- 6.6.2.1. Stephanie Moshier, CNA, Case #99-39
- 6.6.2.2. Janene Hildebrandt, RN, Case #99-174
- 6.6.2.3. Annette Quammen, RN, Case #98-043
- 6.6.2.4. Janelle Millman, RN, Case #99-194

6.7. Withdrawal of Application

None to consider.

ADJOURNMENT

ADJOURNMENT

Having no further business to come before the Board, the meeting was adjourned by President Taylor at 5:00 p.m. on January 28, 2000.

Submitted by:

//Signed//

 Paula Shepherd, Recorder

//Signed//

 Veronica Taylor, RN, President

//Signed//

 Judith Knight, RN, Vice President

//Signed//

 Karla Roich, LPN, Secretary