

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING

Atwood Building
550 West Seventh Ave. Room 1270
Anchorage, AK

BOARD OF NURSING

Board of Nursing Minutes
August 6-7, 2018

By authority of AS 08.01.070(2) and in compliance with the professions of AS 44.62, Article 6, a meeting of the Board of Nursing was held in the Atwood Building 550 W. 7th Ave., Ste. 1270 Anchorage, AK 99501

Monday August 6, 2018

CALL TO ORDER

Called the meeting to order at 9:00

Agenda Item 1

Roll Call

Those present, constituting a quorum were:

- Chair: Jennifer Stuke LPN, Wasilla
- Secretary: Wendy Thon, MSN, APRN, FNP-C, FAANP, Eagle River
- Educator: Joe Lefleur, MSN Ed, RN, Ketchikan
- RN Member: Starla Fox, RN, Dillingham
- RN Member: Sharyl Toscano PhD, MS, RN-CPN, Anchorage
- Public Member: Linda Hutchings, Soldotna
- Public Member: Note this seat is currently vacant

Staff present from the Division of Corporations, Business and Professional Licensing:

- Gail Bernth MSN, APRN, Executive Administrator
- Lisa Maroney, Licensing Supervisor
- Madeleine Henderson, Licensing Examiner

Members of the Public in attendance:

- Beth Farnstrom, AaNA
- Lynn Hartz, APRN Alliance
- Jessica Hubbard, RN Fairbanks

- Stephanie Wrightsman-Birch President Elect APRN Alliance
- Dennis Murray, ASHNHA
- Sonia Lipker, Senior Investigator
- Greg Francois, Chief Investigator

Agenda Review

Agenda Modifications

On a motion made by Linda Hutchings, seconded by Joe Lefleur and carried with 6 ayes it was,
RESOLVED that the agenda be accepted with the following changes:
Agenda Item #8 - Add the national NCLEX report

Ethics Disclosures: Joe Lefleur was appointed program chair for the AAS program for the next 3 years. He has also been appointed to the NCSBN NCLEX committee.

Agenda Item 2: Public Testimony

- Stephanie Wrightsman-Birch comments on the APRN application check list. The opening paragraph needs the word licensure and not authorization. Some of the wording is grammatically awkward. The American College of Midwives needs to change to the American Midwifery Certification Board. The American Association of Critical-Care Nurses (AACN) recognize the Adult Gero Clinical Nurse Specialist, Pediatric Clinical Nurse Specialist, and the Neonatal Clinical Nurse Specialist. The APRN alliance thanks Gail for all of the hard work and the Board of Nursing support for the Alliance.
- Beth Farnstrom, AaNA- Thanked the board for addressing regulation 12 AAC 44. 620 and changing the 30 hour professional activities effect date. She also thanks Gail for her newsletter article noting the continuing education requirement changes. She appreciates the availability of the board book on the website prior to the meeting. It would be appreciated to have public Wi-Fi available during the meeting. Agenda # 12, the eNLC, in regards to the recent increase in nursing licensing fees, renewal cost for a license could potentially end up \$318.00. Looking over indirect expenditures, which the board has no control, but she requests the board to note Fy 18, by the end of the third quarter it was higher than for the whole year of 2016.
- Dennis Murray- thanked the Board for the June 25 meeting to help the CRNA issue and resolve the glitch.

Agenda Item 3: Regulation 12 AAC 44.321 Checklists and Applications

The board reviewed applications and checklists as required per regulation 12 AAC 44.321. The APRN application checklist needs to change authorization to licensure. It is also noted that some verbiage is awkward on the checklist but come directly from regulations.

The APRN preceptorship registration application required preceptor qualifications to be added after the recent regulation changes requiring the license to be unencumbered and specifying the role of the preceptor.

The RN/LPN by examination, RN/LPN by endorsement, and RN/LPN by reinstatement checklist removed the requirement for a photograph and added a reminder for the examiner to do a final application review before licensing.

The retired status application checklist requires verification that the license is not under active investigation.

On a motion made by Wendy Thon and seconded by Linda Hutchings: with 6 ayes it was **RESOLVED** that the Board of Nursing approve the following checklists for final pertaining to be used by licensing examiners to license

- Checklist form OL-707 dated 8/2018 pertaining to retired nurse
- Checklist form OL-466 dated 8/2018 pertaining to APRN preceptor registration
- Checklist Form 08-4260 dated 8/2018 pertaining to APRN initial registration
- Checklist form 08-4308 dated 8/2018 pertaining to RN / LPN exam application
- Checklist form 08-4262 dated 8/2018 pertaining to RN / LPN reinstatement application
- Checklist form 08-4259 dated 8/2018 pertaining to RN/LPN endorsement application

On a motion made by Sharyl Toscano and seconded by Joe Lefleur with 6 ayes it was **RESOLVED** that the Board of Nursing repeal regulation 12 AAC 44.321 Review of Applications

The reasons are as follows:

- Regulation project with public notice is not cost effective means to approve an application checklist
- Changing a regulation takes time and then more time is needed to update the application and have the checklist approved through another regulation project.
- This is an administrative procedure and not a matter of public safety. Regulations are in place to protect public safety and division staff must follow those regulation

The intent is to have the board review applications and checklists after any regulations change and adopt the checklist by formal motion. This plan will be developed into a board governance policy.

Agenda Item 4: BON Lists Maintenance per Regulation:

A review of regulations determined the board is required to maintain several lists. The following lists were reviewed by the board.

- Approved Nursing Education Programs in Alaska (AS 08.68.280)
- Recognized Advance Practice Registered Nurse Certifications (12 AAC 44.420)
- Continuing Education Nursing Accrediting Agencies (12 AAC 44.610)
- Approved Certified Nurse Aide Training Programs (12 AAC 44.835)

On a motion made by Wendy Thon and seconded by Linda Hutchings, with 6 ayes it was **RESOLVED** that the Board of Nursing approve the following lists that are required by statute and regulation: As amended

- 08.68.330 Approved Nursing Education Programs in Alaska
- 12 AAC 44.420 Recognized Advance Practice Registered Nurse Certifications

- **AAC 44.835 Approved Certified Nurse Aide Training Programs**
- **12 AAC 44.610 Continuing Education Nursing Accrediting Agencies**

Let the record reflect that the BON is in recess at 10:21

Let the record reflect that the BON is in session at 10:44

Agenda Item 5: PDMP Board Report

Laura Carrillo, PDMP Administrator, presented a general report to the board. The board members had no questions about the report. Guidance was sought from the board regarding licensees that hold a DEA registration and have not registered with the PDMP and licensees who have not registered with PDMP are now required to so. It was discussed if the Board wants to allow for a grace period before the licensee would be sent over to investigations for noncompliance.

If the Board does want a grace period, how long after becoming a new APRN? Some APRN's may be granted authority to prescribe controlled substances but never get a DEA registration or write a prescription.

Discussion occurred about the information available in three different databases – PDMP, CBPL, and DEA registration. It will be important for the licensing examiner to add the date when controlled substance authority was granted. Controlled substance prescriptive authority is issued before a DEA registration is obtain and a person may have controlled substance prescriptive authority and not have a DEA registration.

Greg Francois, Chief Investigator and Sonia Lipker Senior Investigator are seeking guidance on how the Board would like to proceed with licensees that haven't complied with the PDMP requirements.

To assist and encourage APRNs to register with the PDMP, the APRN new application will have information and a reminder that once you receive a DEA registration number you must apply for a PDMP number before prescribing. The APRN renewal application will not allow them to renew controlled substance prescribing authority without stating they have registered with the PDMP or they do not hold a DEA registration number.

On a motion made by Wendy Thon and seconded by Sharyl Toscano, carried with 6 ayes,

RESOLVED that the Board of Nursing:

- **For New APRN Graduates and/or New APRN Applicants with controlled substance prescriptive authority and a new DEA registration number but have NOT registered with the PDMP to have a grace period of 120 days to register with the PDMP from the date controlled substance authority was granted.**
- **For APRNs with controlled substance prescriptive authority for a period of time and may have just received a DEA registration number, the PDMP coordinator will ask for a copy of the DEA registration to determine the issue date of the DEA registration and if within 120 days of grace it is accepted. If outside of the 120 days of grace, refer to investigations.**

- For current APRN licensee with controlled substance authority, DEA number, and not registered with the PDMP send a letter of information from the EA saying to register with PDMP. This is effective until December 1, 2018. After that date, refer the licensee to investigations.
- An APRN with controlled substance prescriptive authority and EA registration after renewal or after the 120-day grace period and has failed to register with the PDMP refer to investigations. A civil fine of \$1000 is recommended.
- An APRN with controlled substance prescriptive authority and no DEA registration number on the DEA registration data base is not considered in violation of the PDMP requirements and is moot.

Agenda Item 7: Review of Public Comment from Proposed Regulations

Board members reviewed the public comment received from proposed regulation changes to 12 AAC 44.400 requirements pertaining to initial licensure of APRNs and repealing 12 AAC 44.321(3) pertaining to the checklist for CRNAs and placing them under the proposed APRN application and checklist. The comments received were mostly favorable. The board noted continued confusion regarding the continuing education requirements.

On a motion made by Linda Hutchings and seconded by Wendy Thon and carried with 6 ayes, **RESOLVED** that the Board of Nursing reviewed public comment and approves the following proposed regulations. This action is not expected to require an increased appropriation.

- **12 AAC 44.321 Review of Applications**
The intent of this regulation change is to adopt by reference the updated checklists used for review of applications.
- **12 AAC 44.400 Requirements for Initial Licensure**
The intent of this regulation is to amend the initial licensure requirements to practice as an advanced practice registered nurse and to require CRNAs to have pathophysiology, pharmacology, and physical assessment after January 1, 2016.
- **AND that the Board of Nursing adopt checklist form 08-4260 dated 5/2018 pertaining to APRN initial licensure for final formatting and use by the licensing examiners to issue licenses.**

Let the record reflect that the BON is in recess at 12:04

Let the record reflect that the BON is in session at 1:02

Agenda Item 6: Division Report

Director Janey McCullough and Administrative Officer Melissa Dumas were present via teleconference to discuss FY 18 3rd quarter financial reports. The end of the year report is not available and will take a few more weeks to finalize.

Board members asked questions regarding indirect expenses that were answered.

Agenda Item 3 - Revisited

On a motion made by Wendy Thon, seconded by Starla Fox and carried with 6 ayes, it was **RESOLVED to bring back Agenda Item #3 for discussion.**

The purpose of bringing Agenda Item 3 back to the table is to improve the wording in the motion to repeal regulation 12 AAC 44.321 Review of Applications. The current regulation 12 AAC 44.321 requires that application checklists are placed into regulation and require public noticing. The new regulations took effect 5/16/18 and require new checklists be formatted. The board would like to repeal 12 AAC 44.321 as a regulations project with public notice is not a cost effective means to approve an application checklist, the need for a checklist in regulation is redundant since licensure standards are already in place in regulation, and the checklists are more appropriately an administrative process. The intent is to have the board review applications and checklists as the regulations change and adopt the check sheets by formal motion per the board governance policies.

On a motion made by Linda Hutchings, seconded by Wendy Thon and carried with 5 ayes, 1 abstention, it was

RESOLVED to change the wording in the motion to:

The reasons are:

- **A regulations project with public notice is not a cost effective means to approve an application checklist**
- **Changing a regulation takes time and then more time is needed to update the application and have the checklist approved through another regulation project**
- **The need for a check sheet in regulation is redundant since licensure standards are already in place in regulation, and check sheets are more appropriately an administrative process.**

The APRN checklist form 08-4260 dated 5/2018 received public comment and was reviewed and approved by the board. After review, the board adopts form 08-4260 dated 8/2018 as the checklist for APRN initial applications. The intent and items reviewed have not changed; only formatting and clarification changes exist between the 5/2018 and 8/2018 versions. The board will seek division guidance on adopting checklists to be used to approve applications while at the same time repealing the regulation to require the checklists.

On a motion made by Wendy Thon, seconded by Starla Fox and carried with 5 ayes, 1 abstention, it was **RESOLVED to adopt checklist form 08-4260 dated 8/2018 pertaining to APRN initial application for final formatting and use by licensing examiners to issue licenses.**

For clarification, the board desires to place application checklists into board governance policies pending the required regulation changes of adoption and repeal.

On a motion made by Wendy Thon, seconded by Linda Hutchings, and carried with 6 ayes it was **RESOLVED to place application checklists into board governance policies as noted below:**

ISSUE	ACTION	NOTES/AUTHORITY
Application Checklists	The board is to review application and application checklists used by applicant and licensing examiners to issue a license. The checklist is to be approved by motion.	Repeal regulation 12AAC44.321 Review of Applications

Agenda Item 8: Licensing Reports NCLEX Results-Quarter 4

The board received a new NCSBN NCLEX national report provided by Sharyl Toscano. National NCLEX pass rates were reviewed along with the Alaska NCLEX pass rates. The reports were reviewed and accepted by the board.

Agenda Item 9: CNA Program Report and Statistical Reports

The CNA program reports and testing result reports were reviewed and accepted by the board.

Agenda Item 10: UAP Medication Course

Regulations delegation of administration of medication which is required to be Board approval. Would like the Board to approve the EA to review courses from NCSBN. Look at approving an NCSBN model for UAP's; however, all aspects of the course needs to be reviewed and who can take the course needs to be considered.

On a motion made by Linda Hutchings and seconded by Joe Lefleur and carried with 5 ayes and 1 abstain, **RESOLVED that the Board of Nursing give the Executive Administrator or Nurse Consultant the opportunity to investigate the options to revising 12 AAC 44.965.**

Let the record reflect that the BON is in recess at 2:10
 Let the record reflect that the BON is in session at 2:25

Agenda Item 11: CEU acceptable provider request: AAPA

The American Academy of Physician Assistants (AAPA) continuing education standards closely follow with American Nurses Credentialing Center (ANCC) standards. They have requested to be added to the list of approve providers for continuing education for all nursing license types.

On a motion made by Wendy Thon, seconded by Joe Lefleur, and carried with 5 ayes, 1 nay,

RESOLVED that the Board of Nursing accept the American Academy of Physician's Assistants as an approved provider for continuing education for all license types.

Agenda Item 12: eNLC

The enhanced Nurse License Compact was discussed. It was determined that a legal opinion of whether the state may enact it can be sought at the time proposed legislation is introduced. The board does not intend to propose legislation requesting the eNLC and is aware that outside groups may propose the legislation. Concern was expressed about the potential cost to licensees and the impact on the workforce.

One difference between the eNLC and Alaska requirements is the educational requirement of graduation from national accredited nursing school required by the Alaska Board of Nursing and board approved nursing education programs required by the eNLC. Approximately 20 states require national accreditation and many have joined the eNLC. Continuing education requirements vary among the states.

Currently 30 states are members of the compact. An issue in the past was Alaska giving up some sovereignty to meet some of the eNLC requirements.

The investigative impact / cost is an unknown.

Discussion occurred of how to seek licensees' opinion about joining the eNLC. The last time a survey was done at the time of renewal the poor return rate did not allow the survey to be useable. Would it be possible for ASHNA, AANA, APRN Alliance to do a survey of their members. It is recognized that the results could be biased pending on who did the survey.

Discussion occurred about bring Jim Puente from NCSBN to a board meeting to provide a presentation and answer questions if the board was leaning towards joining the compact. The board did not reach a consensus about contacting Jim Puente.

The executive administrator is to provide a summary of the eNLC at the next board meeting. The board did not want Jim Puente to provide a summary. The board will readdress this issue in January if any eNLC compact legislation is filed.

No action was taken

Agenda Item 13: NCSBN Annual Meeting Preparation

The board reviewed the materials provided regarding the upcoming NCSBN Annual Meeting. No action was taken and the AK delegates are to use their discretion in voting. Sharyl Toscano is the alternate delegate if Jennifer Stucky or Gail Bernth are unable to participate. Sharyl Toscano has been nominated for and is running as a candidate for a Board of Director position.

Agenda Item 14: Board Business

Dates were set for the next meeting in 2019 as:

February 20-22 in Juneau

May 21-23 in Anchorage

August 7-9 in Anchorage

November 13-15 in Fairbanks

NCLEX Item review is available during the November board meeting. Joe Lefleur and Jennifer Stukey are interested in reviewing the exam. The board provided to direction that the preference is to have a meeting in Fairbanks. If Fairbanks is not available, then to review the NCLEX items.

EA questions:

A request was received for an RN to use volunteering as a court appointed special advocate (CASA) as uncompensated professional activities.

On a motion made by Wendy Thon, seconded by Starla Fox, and carried with 5 ayes, 1 nay it was **RESOLVED that the Board of Nursing accept CASA volunteer hours as an uncompensated professional activity.**

Discussion in occurring in communities having difficulties hiring RN school nurses if a CNA could be placed into the school instead. Board members noted that there is a need for an LPN program in the state. It was also noted that some communities are using paramedics in schools in place of nurses.

On a motion made by Wendy Thon, seconded by Sharyl Toscano and carried with 4 ayes, 1 nay, and 1 abstention it was

RESOLVED that the Board of Nursing is adding to the advisory opinion list that it does not support the use of a CNA working in the capacity of assistant school nurses.

Let the record reflect the Board of Nursing recessed 3:45 p.m. to return 9 am tomorrow and enter into executive session.

Tuesday August 7, 2018

CALL TO ORDER

Called the meeting to order at 9:00

Agenda Item 1

Roll Call

Those present, constituting a quorum were:

- Chair: Jennifer Stukekey LPN, Wasilla
- Secretary: Wendy Thon, MSN, APRN, FNP-C, FAANP, Eagle River
- Educator: Joe Lefleur, MSN Ed, RN, Ketchikan
- RN Member: Starla Fox, MSN, MBA, RN, Dillingham
- RN Member: Sharyl Toscano PhD, MS, RN-CPN, Anchorage
- Public Member: Linda Hutchings, Soldotna
- Public Member: Note this seat is currently vacant

Staff present from the Division of Corporations, Business and Professional Licensing:

- Gail Bernth MSN, APRN, Executive Administrator
- Lisa Maroney, Licensing Supervisor
- Robert Auth, AAG
- Judge Cheryl Mandala , role as mediator to provide board guidance
- Mr. Otterson, Attorney
- Sonia Lipker, Senior Investigator
- Jennifer Summers, Investigator
- Shyla Consola, Investigator
- Christina Bond, Investigator, Probation monitor

Agenda Review

No changes were made to the agenda

Executive session

On a motion duly made by Wendy Thon, seconded by Joe Lefleur and carried with 6 ayes, it was **Resolved that the Alaska Board of Nursing enter into executive session in accordance with AS 44.63.310(c) for the purpose of discussing case # 2014-002078 consistent with the order dated 4/10/18. Licensee and his attorney, investigator and assistant general, mediator, and board staff will remain.**

Let the record reflect that the Board of Nursing moved into executive session at 9:05 a.m.
The door is locked, only board members and board staff are present.

Let the record reflect that the Board of Nursing is out of executive session 10:00

Let the record reflect that the Board of Nursing moved back into executive session at 10:02 a.m.

On a motion made by Wendy Thon, seconded by Joe LeFleur and carried with 6 ayes it was **RESOLVED that the Alaska Board of Nursing enter into executive session in accordance with AS 44.62.310(d)(1), and Alaska Constitutional Right to Privacy Provision, for the purpose of discussing case 2014-002078 consistent with order 4/10/18. Mediator is to remain in the room. All others are to leave the room.**

Let the record reflect that the Board of Nursing is out of executive session at 10:30

Let the record reflect that the Board of Nursing moved back into executive session at 10:37 to discuss remain investigative cases. The door is locked, only board members and board staff are present.

Let the record reflect that the Board of Nursing moved out of executive session 11:52

Board Education

Sonia Lipker, Senior Investigator presented and discussed the Board disciplinary guideline sheet of disciplinary sanctions.

For board member reviews, the worksheet is revised to make it more case specific and board members need be more descriptive on why the recommendation was made. Case precedent and consistently is very important and it will be documented on the new work sheet.

Amber Whaley has accepted a senior investigator position for non-health care cases within the Division.

Let the record reflect that the BON is in recess at 12:15

Let the record reflect that the BON is in session at 12:23

On a motion duly made by Sharyl Toscano, seconded by Joe Lefleur and carried with 6 ayes it was **RESOLVED that the Board of Nursing for the State of Alaska move to vacate the 4/10/18 suspension of license in Case # 2014-002078 and modify the consent agreement adopted 10/22/14 as modified 1/19/17 to end the probationary period effective today, 8/7/18, in light the following factors:**

- that this was a self-report;
- that patient care has never been a concern; and
- In light of the specific, unique, mitigating factors particular to this case.

On a motion duly made by Wendy Thon, seconded by Starla Fox and carried with 6 ayes, it was **RESOLVED that the Alaska Board of Nursing enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing cases and reports by the investigative team. Board staff is to remain during the session.**

On a motion duly made by Joe Lefleur, seconded by Starla Fox and carried with 6 ayes, it was **RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement, Decision and Order under Case # 2017-000500, in the matter of Kelly L. Olson,**

Registered Nurse License # NURR24904, adopts the Consent Agreement, Decision and Order in this matter.

The Consent Agreement, decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Alaska Board of Nursing

On a motion duly made by Joe Lefleur, seconded by Wendy Thon and carried with 6 ayes it was **RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement, Decision and Order under Case # 2017-000617, in the matter of Jennifer Swift, Advance Nurse Practitioner License # NURU1296, adopts the Consent Agreement, Decision and Order in this matter.**

The Consent Agreement, decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Alaska Board of Nursing

On a motion duly made by Joe Lefleur, seconded by Wendy Thon and carried with 1 ayes and 5 nays it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement, Decision and Order under Case # 2018-000281, Certified Nurse Aide Shawna Kruger, Temporary Certification # 130313, adopts the Consent Agreement, Decision and Order in this matter.

The Consent Agreement, decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Alaska Board of Nursing

The Division may enforce the Consent Agreement by immediately suspending Shawna Kruger's license, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement

On a motion duly made by Joe Lefleur, seconded by Sharyl Toscano and carried with 6 ayes it was **RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement, Decision and Order under Case # 2017-000543 regarding Registered Nurse Florence S. Burton license # NURR2347 adopts the Consent Agreement and Decision and Order in this matter.**

The Consent Agreement, decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Alaska Board of Nursing.

The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement.

On a motion duly made by Wendy Thon, seconded by Linda Hutchings and carried with 4 ayes and 2 nays it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement, Decision and Order under Case # 2017-000251, Carol Gross, license # NURR36964, hereby adopts the Consent Agreement and Decision and Order in this matter.

The Consent Agreement, decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Alaska Board of Nursing.

The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement.

On a motion duly made by Starla Fox, seconded by Linda Hutchings and carried with 4 ayes 2 nays it was **RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement, Decision and Order under Case # 2017-000810, regarding Registered Nurse Wendy Perkins license # NURR25315, hereby adopts the Consent Agreement and Decision and Order in this matter.**

The Consent Agreement, decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Alaska Board of Nursing.

The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement.

On a motion made by Joe Lefleur, seconded by Wendy Thon and carried with 6 ayes it was **RESOLVED that the Board of Nursing for the State of Alaska, having examined the Surrender of license under Case # 2017-000829, in the matter of Kay Turner, Certified Nurse Aide Certificate No. 11080, adopts this surrender of License in this matter.**

The Surrender of License takes immediately effect upon signature of the Order in accordance with the approval of the Alaska Board of Nursing.

On a motion duly made by Wendy Thon, seconded by Linda Hutchings and carried with 6 ayes it was **RESOLVED that the Board of Nursing for the State of Alaska, having considered the request from Jessica Swaner, License # 129468, to modify probation requirements of the Consent Agreement, adopted on May 9, 2018. The Board hereby modifies the following terms of the Consent Agreement to permit Ms. Swaner to satisfy the probation requirements of Drug Tests (enumerated with the Proposed Decision and Order, Paragraph 'L') of her Consent Agreement to include the option of hair in addition to urine and blood tests. Other terms, conditions and reporting requirements of the Consent Agreement remain unchanged.**

The Board of Nursing for the State of Alaska, having examined this Order, regarding Case # 2018-000491, pertaining to Jessica Swaner, agrees to modify the existing Consent Agreement, effective immediately upon signature of this Order in accordance with the approval of the Board of Nursing.

On a motion duly made by Joe Lefleur, seconded by Linda Hutchings, and carried with 5 ayes, 1 nays it was

RESOLVED that the Board of Nursing for the State of Alaska, at its meeting August 7, 2018, the Board of Nursing for the state of Alaska considered a request from Margo Wesley for early release from the 5 year probation required under her January 29, 2015 Consent Agreement. Ms. Wesley is a Registered Nurse in the State of Alaska and holds license NURR 13519, first issued on April 30, 1990 and will lapse unless renewed on November 30, 2018. In light of specific unique mitigating factors particular to this case, including 100% compliance with the Consent Agreement in true self-reporting.

The Board of Nursing for the State of Alaska agrees to release Margo Wesley from the terms of her 2015 Consent Agreement after 4 years of compliance, effective September 25, 2018.

On a motion duly made by Wendy Thon seconded by Linda Hutchings and carried with 6 ayes it was **RESOLVED** that the Board of Nursing for the State of Alaska, at its meeting on August 7, 2018, the Board of Nursing for the State of Alaska considered a request from Mary Dewees for release from the 5 year probation required under her October 23, 2013 Consent Agreement. Ms. Dewees is a RN in the State of Alaska and holds license NURR34587, first issued on July 18, 2012 and will lapse unless renewed on Nov. 30, 2018
In October 16, Ms. Dewees moved to Montana; the Montana Board of Nursing adopted an Agreement with Conditions consistent with the Alaska agreement. While Ms. Dewees resides in Montana she remained in compliance with the Montana Agreement.
Ms. Dewees currently resides in Virginia. On August 29, 2017 the Virginia Board of Nursing adopted an Agreement with conditions consistent with the Alaska Agreement. Ms. Dewees remained compliant with the Virginia Agreement; she satisfied and was released from the terms and conditions of that Agreement on July 13, 2018.
The Board of Nursing for the State of Alaska acknowledges Ms. Dewees compliance with the monitoring requirements in both Montana and Virginia, and agrees to give her time credit towards her Alaska Agreement.

The meeting adjourned at 12:45 p.m. until November 2018 in Anchorage or Fairbanks.

Respectfully submitted,



Gail Bernth
Executive Administrator
Alaska Board of Nursing

Date: October 2, 2018

Approved:



Jennifer Stukey, Chair
Alaska Board of Nursing