

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC
DEVELOPMENT DIVISION OF CORPORATIONS, BUSINESS, AND
PROFESSIONAL LICENSING
Atwood Building
550 West Seventh Ave. Room 12
Anchorage, AK

Board of Nursing Minutes

August 3rd and 4th
2022

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., Suite 1550 Anchorage, Alaska

Wednesday, August 3, 2022

CALL TO ORDER

Chair Danette Schloeder called the meeting to order at 9:00 a.m.

Agenda Item 1: Roll Call

Those present constituting a quorum were:

- Chair RN Member: Danette Schloeder, RN, Anchorage -PRESENT
- APRN Member: Wendy Monrad, APRN, RN, Anchorage - PRESENT
- Public Member: Julie Tisdale, Wasilla – PRESENT
- RN Member: Lena M. Lafferty, RN, Anchorage - PRESENT
- LPN Member: Jody Miller, Haines – PRESENT
- Educator Member: Vacant
- Public Member: Vacant

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

- Tessa Walker Linderman, DNP, RN Executive Administrator
- Kelly Olson, RN Nurse Consultant

Members of the Public in attendance via Zoom:

- Riley Stump, Nurse Graduate Student
- Brianna McMillan
- Beth Farnstrom
- Gail Foode
- Denis Brakora
- Megan Johnson
- Lynn Van Vactor
- Jennifer Privoznik

- Courtney Taber
- Nikki Holmes
- Savannah Cartright
- Colleen Bridge
- Genevieve Daniels
- Jared Kosin
- Hilliard Petis
- Sheri Whitehorn
- Marianne Murray
- Jody M
- Jacys
- Katrina Ottesen
- Greta Wade
- Sandra Woods
- Marianne Johnstone-Petty
- Marisa Bune
- Jessica Estes
- Suzanne Sievers
- Wendy William
- Cathy Winfree
- Arturo
- Denise Brakora
- Andrea
- Courtney TAber

Agenda Review

On a motion made by, Wendy Monrad, seconded by Lena Lafferty and carried with 5 Ayes, it was **RESOLVED** that the Alaska Board of Nursing approve the agenda for the August 3rd and 4th, 2022, meeting.

Ethics Disclosures: NONE

Agenda Item 2: Public Testimony

- Jared Kosin, President and CEO of Alaska Hospital and Health Care Association, discussed his support and encourage the State of Alaska to join the Nurse Licensure Compact.
- Hillard Petis – Encouraged the State of Alaska to look into a new category of caregiver, Nurse Technician.
- Theresa Lyons, NP – Discussed her frustration with the delay of Nurses receiving their Nurse Practitioner License.
- Marianne Murray – Thanked the Board their work on the Accreditation Process at APU
- Colleen Bridge – Asked the Board what the public can do to support the Board of Nursing and the State at the Board of Nursing
- Beth Farnstrom inquired if the Board of Nursing could look into temp agencies to acquire staff

to assist with the back log of applications.
Public Testimony was closed at 9:48am

Agenda Item 3: Licensing Reports, RN and CNA

- Madeleine Henderson – reviewed the 4th quarter 2022 Licensing Report.
- The total number of licenses, 22,042 is up from the prior year, same quarter. The number of applications has also increased, which has almost doubled the work load for the State employees to keep up with the applications coming in. The division is currently short staffed.
- Board Member Wendy Monrad discussed that the public is concerned on the length of time it has taken on applications, and what as a Board we can do to help with the process. The lengthy application process is due to a staff shortage.
- Applications can log into the system at any time to see their application status and to see if there is any additional information that is needed from the applicant.

Agenda Item 4: CNA Licensing Report

- Kelly Olsen reviewed the 5 programs that did not achieve the 80% annual pass rate. Letters will be issued to those programs
- Katrina Ottesen, Clinical Educator at SEARHC discussed expanding their current CAN program in Wrangell and adding a second location in Sitka

On a motion made by Danette Schloeder and seconded by Wendy Monrad and carried with 5 ayes, it was RESOLVED that the Board approves SEARHC Wrangell nurse aide training program to expand to Sitka on provisional status.

Break: 9:50 a.m.

Return: 10:30 a.m.

Agenda Item 5: School Nurse Discussion – The Board discussed CAN’s in schools serving as Health Assistants. Reg 12AAC 44.815 – must be performing CNA duties, 160 hours of these duties may go towards the license requirements.

Discussion from the Board is that the Health Assistant may not be working under a RN.

Emergency Medication Guide – The Board discussed a summary of the changes to include an updated list of emergency medication – Midazolam, Diazepam and Naloxone.

The Board also discussed updated definitions and an updated best practice determination

On a motion made by Wendy Monrad and seconded by Lena Lafferty. and carried with 5 Ayes It is resolved that the Board of Nursing for the State of Alaska accepts the “State of Alaska Medication Administration: Guide for Training Unlicensed School Staff” as presented to the Board. This medication administration course will be part of the State of Alaska School Health Manual.

Agenda Item 6: UAF LPN Program Approval

- Cathy Winfree, RN, presented. There will be 8 – 10 students who will attend the first program

On a motion made by Wendy Monrad, and seconded by Lena Lafferty, and carried with 5 Ayes . It is resolved that the Alaska Board of Nursing grants provisional approval to University of Alaska Fairbanks Licensed Practical Nurse Program.

Lunch Break

11:40am to 1:00pm

Agenda Item 7: Telehealth Discussion

- Marisa Bune, RN. President of the APRN Alliance, announced that the Telehealth Regulation was signed into law on July 13th 2002.
- The Board reviewed the Telehealth Nurse Workgroup meeting with proposed changes to the Bill

Agenda Item 8: Advisory Opinion Review

- The Board reviewed pages 1 – 8 and discussed recommendations and changes. The Board will continue to review the Advisory Opinions at the next Board meeting, and will make a motion at the next meeting that covers all the changes

Agenda Item 9: Annual Report Approval

- Tessa Walker Linderman, DNP, RN Executive Administrator -reviewed the annual report

On a motion made by Wendy Monrad, and seconded by Jody Miller and passed with 5 Ayes. It is resolved that the Alaska Board of Nursing approved the FY 2022 Annual Report.

Agenda item 10: Elections

- Lena Lafferty made a motion to defer elections until the March 2023 Board of Nursing meeting. Jody Miller 2nd the motion, and the motion was carried with 5 ayes.

Break 2:52pm

Back 3:00pm

Agenda Item 11 – Dialysis Facility Presentation

- Wendy Schrage, Fresenius – Through Zoom, the Board viewed a presentation from a dialysis lab. 17 states currently use this dialysis process.
Chair Danette Schloeder suggested that the Board open a regulation project to review the Dialysis presentation

On a motion made by Lena Lafferty and 2nd by Julie Tisdale and passed with 5 ayes, the Board of Nursing is in recess until Thursday, August 4th at 9:00am.

THURSDAY, August 4th, 2022 CALL TO ORDER

Chair Danette Schloeder called the meeting to order at 9:00am

Call to Order, Roll Call and Introductions

Those present constituting a quorum were:

- Chair RN Member: Danette Schloeder, RN, Anchorage -PRESENT
- APRN Member: Wendy Monrad, APRN, RN, Anchorage - PRESENT
- Public Member: Julie Tisdale, Wasilla – PRESENT
- RN Member: Lena M. Lafferty, RN, Anchorage - PRESENT
- LPN Member: Jody Miller, Haines – PRESENT
- Educator Member: Vacant
- Public Member: Vacant

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

- Tessa Linderman Walker, Executive Administrator
- Kelly Olson, RN Nurse Consultant

Members of the Public in attendance

- Beth Farnstrom
- Cheryl Mandala
- Christine Sargent
- Colleen Bridge
- Greta Wade, RN
- J. Bautista
- JAcys
- Jody M
- Jennifer Privoznik
- Josh Hardy
- Savannah Courtright
- Shonzflo
- Genevieve Daniels
- Greg Francois
- Gail Foode
- Peggy Hempelmann
- Deborah Lowenthal
- Marianne Johnstone-Petty
- Marianne Murray
- Melissa Reed

Agenda Item 12: Investigations – Executive Session

On a motion made by Danette Schloeder seconded by Lena Lafferty, and carried with 5 Ayes it was agreed that the Alaska Board of Nursing enter into Executive Session at 9:06am, 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 members are to remain during the session.

Let the record reflect that the Board of Nursing moved into Executive Session at 9:06 a.m. The door is locked, only Board members, Board staff and the investigative team are present.

The Board came out of Executive Session at 9:17am

Debra Graciani and Division attorney, Harriet Milks addressed the Board.

Danette Schloeder made an ethics disclosure that she knows many witnesses in this case through her work at Providence. She stated she can be fair and impartial in making a decision on this case. Neither party objected to Chair Schloeder participating.

Danette Schloeder made a motion, which was seconded by Julie Tisdale and was carried with 5 ayes, that the Board of Nursing enter into a deliberative session under AS 44.62.310(d) solely to make a decision in the following adjudicatory proceedings:

In the Matter of Debra Rena Graciani

Board Case Number 2016-000744

Office of the Administrative Hearing Case Number 20-0083-NUR

The parties, their attorneys all members of the Board's staff and all members of the public will be excluded from deliberative session.

The administrative law judge will be invited to remain with the Board during the deliberative session

The Board entered into deliberative session at 9:37am

The Board came out of deliberative session at 10:54am

On a motion made by Lena Lafferty and seconded by Wendy Monrad and carried with 5 ayes it was determined that the Alaska Board of Nursing adopt the proposed decision in the office of administrative hearing case number 20-0083-NUR as its final decision in this matter.

On a motion made by Danette Schloeder seconded by Lena Lafferty, and carried with 5 Ayes it was agreed that the Alaska Board of Nursing enter into Executive Session at 10:56am, 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 members are to remain during the session.

The Board came out of Executive session at 11:39am

Read Orders on the record

Lyudmila Tadzhibayev

On a motion made by Danette Schloeder and seconded by Lena Lafferty, carried with 5 ayes, it was determined nurse aide certificate was denied due to alleged violations of section 08.68.334 (1) and 12 AAC 44.870(b)(27) under unprofessional conduct.

Michelle Scott

On a motion made by Lena Lafferty, seconded by Jody Miller, and carried with 5 ayes,

The Board of Nursing for the State of Alaska has considered the request from Michelle Scott License # 124903 to modify probation requirements of her Consent Agreement, adopted on August 4th, 2022, the board hereby modifies the following terms of that Agreement:

- Ms. Scott made a request to the Board for modification of the Alaska residency requirement of Paragraph A: Duration of Probation. The Board has granted a change of residency to allow probation to continue to toll while not residing in the State of Alaska

The Board of Nursing for the State of Alaska, having examined this Order, regarding Case No. 2021-000132 agrees to modify the existing Consent Agreement, effective immediately upon signature of this Order in accordance with the approval of the Board of Nursing

Jennifer Russell

On a motion made by Danette Schloeder, seconded by Wendy Monrad carried with 3 ayes and 2 nays in the matter of NURR 34932, it was determined the board of Nursing accepts the request for continuing education exemption.

Jocelyn Marliol

On a motion made by Lena Laferty, and seconded by Julie Tisdale, and carried with 5 ayes

IT IS HEREBY ORDERED that default be entered against Respondent and that Respondent’s nurse aide certificate, No. 114875, is revoked.

Under AS 44.62.550 and 12 AAC 44.880, the Board will allow Respondent to apply for reinstatement of this certification **after one year** has elapsed following the effective date of this Decision and Order.

Under this provision, any reinstatement of Respondent’s nurse aide certificate shall be conditioned subject to:

- 1) Payment of a civil fine in the amount of \$480.00 for Respondent's repeated failure to respond to requests for documentation;
- 2) Mandatory audit to monitor compliance with continuing education requirements, where satisfactory documentation to verify Respondent's completion of the required continuing education activities must be received and approved by the Board or its designee prior to processing the renewal/reinstatement of her nurse aide certification. This requirement will remain until Respondent's nurse aide certification been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

Trina Allen

On a motion made by Lena Laferty and seconded by Jody Miller, and carried with 5 ayes.

The Alaska Board of Nursing, having examined the Voluntary Surrender of Registered Nurse License, *In the matter of Trina L. Allen*, registered nurse license No. 146937, Case No. 2021-001253, hereby adopts the surrender in its entirety, effective immediately.

Jana Atkinson

On a motion made by Lena Laferty and seconded by Wendy Monrad, and carried with 5 ayes

The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-001255, *In the matter of JANE K. ATKINSON*, registered nurse license No. NURR35510, adopts this Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license without further action by the Board. This Consent Agreement, Decision and Order takes effect immediately upon signature of this Order with approval of the BOARD OF NURSING

Bertrand Britt

On a motion made by Lena Laferty and seconded by Danette Schloeder, and carried with 5 ayes

The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-001198, *In the matter of BERTRAND E. BRITT JR*, registered nurse license No. NURR27666, adopts this Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license without further action by the Board. This Consent Agreement, Decision and Order takes effect immediately upon signature of this Order with approval of the BOARD OF NURSING

Judy Go

On a motion made by Lena Laferty and seconded by Wendy Monrad, and carried with 5 ayes

The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-001123, *In the matter of JUDY G. GO*, registered nurse license No. 118104, adopts this Consent Agreement, Decision and Order in this matter. Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license

Vicky Halladay

On a motion made by Lena Laferty and seconded by Wendy Monrad, and carried with 5 ayes.

The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-001137, *In the matter of VICKIE R. HALLADAY*, registered nurse license No. NURR28922, adopts this Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license without further action by the Board. This Consent Agreement, Decision and Order takes effect immediately upon signature of this Order with approval of the BOARD OF NURSING

Caitlin Kovachevich

On a motion made by Lena Laferty and seconded by Wendy Monrad, and carried with 5 ayes.

The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-001225, *In the matter of CAITLIN M. KOVACEVICH*, registered nurse license No. NURR36556, adopts this Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate

suspension of Respondent's Alaska registered nurse license without further action by the Board. This Consent Agreement, Decision and Order takes effect immediately upon signature of this Order with approval of the BOARD OF NURSING

Shari Weiss

On a motion made by Lena Laferty and seconded by Julie Tisdale, and carried with 5 ayes.

The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-001279, *In the matter of SHARI L. WEISS*, registered nurse license NURR30602, adopts this Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license without further action by the Board.

This Consent Agreement, Decision and Order takes effect immediately upon signature of this Order with approval of the BOARD OF NURSING.

Christina Axmaker

On a motion made by Lena Laferty and seconded by Jody Miller, and carried with 4 ayes.

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2021-000114, Christina Louise Axmaker, registered nurse license number NURR36825, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

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

Robyn Umbarger

On a motion made by Lena Laferty and seconded by Julie Tisdale, and carried with 4 ayes.

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed

Decision and Order, Case No. 2022-000197, Robyn Lee Umbarger, license number NURP3957, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

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

Jennifer Ann Kroyer

On a motion made by Lena Laferty and seconded by Jody Miller, and carried with 4 ayes.

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case Nos. 2019-000436 and 2021-001095, Jennifer Ann Kroyer, license number NURR36663, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

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

Nicole Spinner

On a motion made by Lena Laferty and seconded by Wendy Monrad, and carried with 4 ayes,

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2021-001309, Nicole Marie Spinner, license number 165231, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

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

Alice Nanuk-Morry

On a motion made by Lena Laferty and seconded by Wendy Monrad, and carried with 4 ayes,

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case Nos. 2021-001026, Alice P. Nanuk-Morry, license number 154099, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

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

Erin Peterson

On a motion made by Lena Laferty and seconded by Julie Tisdale, and carried with 4 ayes

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2021-000670, Respondent, license number 154987, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board.

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

Morgan Shannon

On a motion made by Lena Laferty and seconded by Jody Miller and carried with 4 ayes

The Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case No. 2021-001015, Respondent, license number 138238, adopts the Consent Agreement and Decision and Order in this matter.

This Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the 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

AGENDA ITEM 13 -License and Division Presentation

Joy Hartleb presented the investigation report

Karina Medina – presented the Probation report

Agenda Item 15 – PDMP Report

Lisa Sherrell presented an update on the facilities that are currently using the PDMP, which is now live.

Break for Lunch at 12:06pm

Return from Lunch at 1:00pm

Agenda Item 16 – Next Gen NCLEX Presentation

Jason Schwartz presented an update on the Next Generation NCLEX launch, which is scheduled for April 1st 2023

Agenda Item 17 - Alternative to Discipline

Riley Stump, RN a Nurse Graduate Student provided a presentation about alternatives to discipline for Nurses that struggle with Substance Use Disorder.

On a motion made by Danette Schloeder and seconded by Lena Lafferty carried with 5 ayes it is resolved that the board opens a regulation project to create an Alternative to Discipline program for nurses in Alaska with substance misuse.

Agenda Item 18 – New Statutes Review

- **Tessa Walker Linderman & Wendy Monrad will work on drafting regulations for the new statutes to discuss with the Board in November.**

Agenda Item 19 – Licensing Regulations

Tessa Linderman Walker, Executive Administrator, reviewed the proposed changes to the Regulations regarding licensing, English proficiency, APRN requirements and APRN renewal.

On a motion made by Danette Schloeder and seconded by Lena Lafferty, and carried with 5 ayes, It is resolved that the Board opens a regulation project on the licensing regulations discussed by the Board.

Agenda Item 20 Current Regulations Projects

Harriet Milks discussed the need for civil fines to be in regulation. It was decided more time was needed to determine what the fine schedule should be.

Tessa Linderman Walker discussed the current regulation projects regarding temporary permits and nursing employment hours. Public comment was reviewed.

On a motion made by Danette Schloeder and seconded by Lena Lafferty, carried with 5 ayes it is resolved that the Board is adopting emergency regulations to be made permanent to 12 AAC 44.305 to allow for attestation of 320 hours of nursing-related employment as publicly noticed.

On a motion made by Danette Schloeder and seconded Judy Miller, carried with 5 ayes

It is resolved that the Board is adopting emergency regulations to be made permanent to 12 AAC 44.320 regarding temporary permits as publicly noticed

Meeting Adjourned

On a motion made by Wendy Monrad, seconded by Lina Lafferty, and carried with 5 Ayes, the State of Alaska Board of Nursing adjourned at p.m. Until November 2022, or for any special meetings that occur before then

Respectfully submitted,

DocuSigned by:

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Executive Administrator, Alaska Board of Nursing

Approved: 8/16/2022

Date: 8/16/2022

DocuSigned by:

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Chair, Alaska Board of Nursing