

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC
DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING
ATWOOD BUILDING
550 W. 7TH AVE., SUITE 1270

BOARD OF NURSING
MEETING MINUTES

January 16 – 18, 2013

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 Suite 1270 of the Atwood Building in Anchorage, Alaska.

Wednesday, January 16, 2013

Agenda Item 1 CALL TO ORDER

Beth Farnstrom, BSN, RN, Chairperson, called the meeting to order at 9:00 a.m.

Roll Call

Those present, constituting a quorum were:

- Beth Farnstrom, BSN, RN, Chairperson, Anchorage
- Denise Valentine, MS, RN, ANP, Vice Chair, Anchorage
- Kevin Dougherty, Public Member, Anchorage
- Julie Gillette, Public Member, Wasilla
- Hannah Espera, LPN, Anchorage
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage was present telephonically.

Erin Evans, MS, RN, Secretary was excused.

Hannah Espera, LPN is the new member of the board. She shared some of her nursing history with the Board. The Board is very appreciative to have her.

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

- Nancy Sanders, PhD, RN, Executive Administrator
- Jo Anna Williamson, Investigator III
- Colleen Nelson, Investigator III
- Jasmine Bautista, Investigator III

Agenda

The agenda was adopted as amended.

Introductions

Guests present in the room throughout the day offered self-introductions. Some of those introduced included:

- Pat Reynaga, RN, Providence Alaska Medical Center
- Lynn Hartz, FNP, Anchorage, ANPA
- Mora Walsh, RN student
- Annalise Cornejo, RN student
- Pat Senner, AaNA

See visitor sign in sheet for additional guests present throughout the day.

Agenda Item 1D Ethics Report

- No Board members had any ethic reports to submit.

Agenda Item 2A CONSENT AGENDA

The Board reviewed the consent agenda.

On a motion duly made by Kevin Dougherty, seconded by Julie Gillette, and passed unanimously, it was

RESOLVED the Board of Nursing for the State of Alaska adopts the Consent Agenda as written.

Note: the October 2012 Board of Nursing minutes were approved by the Board of Nursing members electronically and were posted on the website.

Agenda Item 2B INFORMATION EXCHANGE

Informational items were reviewed and discussed by the Board. Nancy Sanders reported that 77% of the RNs, 87.5% of the ANPs and 80.0% of the CRNAs renewed.

The CNA Instructor Seminar went very well with plans already in motion to meet again next year. Dr. Sanders attended the meeting. There was no cost to the Board as the BP Energy Center was utilized.

Chair Beth Farnstrom, RN discussed her attempts to communicate with Director Becky Hulbert about the new interpretation of the travel policy and how this policy impacts the BON attending NCSBN offerings. No response has been received as of today.

Denise Valentine, ANP, will work with the APRN Alliance on the APRN Consensus Model. The Alliance includes members from each advanced practice role (ANP, CRNA, CNM and CNS).

Tom Hendrix, PhD, RN, reports the board needs to be aware of LPNs educated in the Philippines applying for LPN licensing. Dr. Sanders states that is why the Alaska uses CGFNS and TOEFL to verify the foreign educated nurses.

Dedication Education Unit has been developed to have more students under control of one instructor. UAA has started utilizing this model. This will be discussed further at the April 2013 meeting.

Agenda Item 3

ADJUDICATION

On a motion duly made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, enters into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing cases and reports presented by the investigative team.

The board entered into executive session at 9:34 am.

The board recessed for a break at 11:10.

The board reconvened from break at 11:19 am.

The board came out of executive session at 12:21 pm.

The board recessed for lunch at 12:24 pm.

The board reconvened from lunch at 1:15 pm.

Agenda Item 5G

PRACTICE

Alaska RESPOND program

Le May Hupp, RN, joined the board to discuss the Alaska Respond program. Kevin Dougherty, PM, also provided some information for the Board to consider. Licensed health professionals voluntarily sign up for the program. Alaska Respond is broader than the original Nurse Alert program that consisted of only LPNs, RNs, and ANPs. Alaska Respond does allow new graduates to volunteer. Currently there are 635 nurses who have volunteered: 43 ANPs, 560 RNs, and 25 LPNs. Kevin Dougherty will be the Board contact for this program.

Agenda Item 5C RN's taking X-Rays Annual Report

Sheri Cox from Cross Road Medical Center presented the annual report regarding RN's employed at CRMC who have been approved and taking plain film x-rays during 2012. There was a 7.5% retake rate for 2012.

Agenda Item 2B5 INFORMATION EXCHANGE

NCSBN Council Connector information regarding licensure and discipline data was reviewed. Alternative to discipline programs for substance abuse, leadership perspective series, and NCSBN calendar of events were reviewed.

Tom Hendrix has left the meeting for professional teaching obligations.

Agenda Item 5E PRACTICE

Proposal to increase ANP scope of practice to include. Infant circumcision.

Kristin Birdsong ANP, Dr Susan Soto, Stephanie Fox ANP, Dr. Merriellis Johnson joined the board to consider ANP Kristin Birdsong's proposal to expand her practice to perform infant circumcision. The board directed ANP Birdsong to the Board of Nursing website to review and follow the information to submit for the requested expansion. Policy and procedures for the organization also need to be submitted.

Agenda Item 2B4 INFORMATION EXCHANGE

Legislation regarding telemedicine practices in Ohio was discussed. No action was taken. The NCSBN talking points regarding military training exceptions for licensure were discussed. Medics and corpsman are not prepared to take the NCLEX exams according to Alaska regulations.

Dr. Sanders commented that in the recent news 43% of new RN graduates have been unable to find employment.

The board recessed for a break at 2:48 pm.

The board reconvened from break at 3:00 pm.

Agenda Item 3 ADJUDICATION

Members of the Board that are present and voting are Julie Gillette, Hannah Espera, Kevin Dougherty, Denise Valentine and Beth Farnstrom.

On a motion duly made by Kevin Dougherty, seconded by Denise Valentine, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-000441, Annette Alessi, CNA certificate # NUA A 2256, adopted 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 certificate, 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 Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska based upon the Division of Corporations, Business and Professional Licensing's motion and memorandum filed in support thereof, the Board finds that Jill Benson (Benson) CNA certificate # NUA A 11005, Case # 2011-000198, was properly served with the Accusation in this matter, that Benson has not filed a notice of defense or requested a hearing, and that a factual basis exists for revocation of Benson's Certified Nurse Aide Certificate.

On a motion made by Denise Valentine, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-001374, Patricia L Edmunds, CNA # NUA A 3675 adopted 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 certificate, 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 Hannah Espera, seconded by Julie Gillette, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of , having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-001120, Kristal L Hammack, CNA certificate # NUA A 6107 adopted 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 certificate, 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 Kevin Dougherty, seconded by Denise Valentine, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-001073, Annie C Macklin, LPN license # NUR P 6839 adopted 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.

On a motion made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-001184, Dana G. Ruottinen, CNA certificate # NUA A 13348 adopted 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 certificate, 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 Denise Valentine, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska denied Shawn Valka, NA applicant, Case # 2011-001173 as per AS 08.68.334(1)(5)(D).

On a motion made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-000871, Christine Y Bentley, LPN license # NUR P 6488 adopted 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.

On a motion made by Denise Valentine, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2012-000579, Tina Patrick, temporary CNA certificate # NUA T 3386 adopted 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 certificate, 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 Denise Valentine, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska denied Diane MacDonald's application for an RN license, Case # 2013-000053, based on AS 08.68.270(1).

On a motion made by Hannah Espera, seconded by Julie Gillette, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2013-000120, Jazelle A. Nillo, lapsed RN license # NUR R 26329 adopted 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.

On a motion made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska denied the application for RN License reinstatement for Michael Mohl, surrendered RN license # NUR R 26584, Case # 2012-001307 per AS 08.68.270(3) (7) & (8).

On a motion made by Kevin Dougherty, seconded by Julie Gillette, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the proposed Consent Agreement, Decision and Order, under Case # 2011-001038, in the matter of Pamela Arthur, RN license # NUR R 10451, adopted the Consent Agreement, Decision and Order in this matter.

On a motion made by Julie Gillette, seconded by Denise Valentine, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the voluntary surrender signed by Jane Buchanan, Case # 2011-001168, RN license # NUR R 19309 hereby adopted the Voluntary Surrender in this matter.

On a motion made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent Agreement, Decision and Order, under Case # 2011-001210, in the matter of Florence N Davies, RN license # NUR R 20435, adopted the Consent Agreement, Decision and Order in this matter.

On a motion made by Julie Gillette, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent

Agreement, Decision and Order, under Case # 2012-000504, in the matter of Stellina Hegngi, RN license # NUR R 27813, adopted the Consent Agreement, Decision and Order in this matter.

On a motion made by Hannah Espera, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Voluntary Surrender of Registered Nurse license # NUR R 20540, Nancy M. Hill, Case # 2012-000515, hereby adopted the surrender in its entirety.

On a motion made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Voluntary Surrender signed by Jennifer Jaissle, in Case # 2011-001226, hereby adopted the Voluntary Surrender of RN license # NUR R 9224 in this matter.

On a motion made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent Agreement, Decision and Order, under Case # 2011-001234, in the matter of Carol L. Kampen, RN license # NUR R 7999, adopted the Consent Agreement, Decision and Order in this matter.

On a motion made by Hannah Espera, seconded by Denise Valentine, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent Agreement, Decision and Order, under Case # 2011-001250, in the matter of Kelly Keays, RN license # NUR R 25459, adopted the Consent Agreement, Decision and Order in this matter.

On a motion made by Kevin Dougherty, seconded by Julie Gillette, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Voluntary Surrender signed by Louise Leonard, in Case # 2011-001249, hereby adopted the Voluntary Surrender of RN license # NUR R 4611 in this matter.

On a motion made by Julie Gillette, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent Agreement, Decision and Order, under Case # 2012-000551, in the matter of Judith M. Lindenfelser, ANP authorization # NUR U 338, adopted the Consent Agreement, Decision and Order in this matter.

On a motion made by Denise Valentine, seconded by Kevin Dougherty and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having reviewed the Motion and Memorandum to Reinstate Nurse Aide Certificate filed by the Division of Corporations, Business and Professional Licensing, and accompanying exhibits, hereby acknowledges that Ms. Vaiu Mauga has verified her completion of at least 24 hours of continuing education completed between April 1, 2008 and March 31, 2010 and further has paid a civil fine of \$500.00 in accordance with the Board's Order of Default and Finding of Fact, Conclusions of Law and Final Decision, adopted on the Board on October 19, 2011 and effective on November 26, 2011.

Therefore, the Alaska Board of Nursing orders the following:

- 1. Ms. Mauga's Nurse Aide Certificate # NUA A 10347 is reinstated for the 2010-2012 license period.**
- 2. Ms. Mauga's certificate shall be subject to mandatory audit requirements where satisfactory documentation to verify completion of continuing competency activities must be received and approved by the Board, or its designee, prior to its renewal. This requirement will remain in effect until Ms. Mauga's certificate has been renewed subject to this mandatory audit requirement for two renewal periods.**

On a motion made by Kevin Dougherty, seconded by Denise Valentine, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent Agreement, Decision and Order, under Case # 2012-000522, in the matter of Carol A McRae, RN license # NUR R 22220, adopted the Consent Agreement, Decision and Order in this matter.

Tom Hendrix PhD, RN joined the board telephonically and is a voting member.

On a motion made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska hereby adopted the Imposition of Civil Fine in the matter of Yvonne Carol Stevenson, ANP authorization # NUR U 530, Case # 2012-000746. The Board has determined that this violation of professional licensing statutes and regulations can be resolved with a civil fine of \$500.00.

This Imposition of Civil Fine takes effect immediately upon signature of this Order in accordance the approval of the Board.

On a motion made by Denise Valentine, seconded by Hannah Espera, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the proposed Consent Agreement, Decision and Order, under Case # 2012-000536, in the matter of Tina Stinebaugh, RN license # NUR R 26751, adopted the Consent Agreement, Decision and Order in this matter.

Let the record reflect that the Board Chair signed all the original documents.

Agenda Item 3F Regulatory Action Pathway

The board reviewed the NCSBN Regulatory Action Pathway. The board agreed to have Dr Sanders present the pathway to the investigators review the tool to see if this is something that will aide with the board's work.

Agenda Item 3G Withdrawing applications when under investigation

The Board will review the application to ensure this motion is conveyed on the application so the applicant will be fully informed that this action will be taken.

On a motion made by Kevin Dougherty, seconded by Tom Hendrix and carried unanimously

RESOLVED that the Board of Nursing for the State of Alaska determines that, effective immediately, RN, LPN, CNA, ANP and CRNA applications found to be fraudulent per AS 08.68.270(1) or AS 08.68.334(1) may not be withdrawn.

Agenda Item 3H Nurse Alert Feature of Nursys

This system informs other boards of nursing that an applicant is under investigation. The Nursys feature shall be activated by a board of nursing when there is significant investigative information about the license. The Board will continue to review this system to see if this is an appropriate tool for the Alaska Board of Nursing and will check with the investigators for their input.

Agenda Item 4A 2013 NCLEX Passing Standard

The NCLEX passing standard will be increased as of April 1, 2013 from the -0.16 logits to 0.00 logit. This change is in response to changes in the U.S. health care delivery and nursing practice that have resulted in the greater acuity of clients seen by entry-level RNs.

The board recessed at 4:15 pm. until January 17, 2013 at 9:00 a.m.

Thursday, January 18, 2013

Agenda Item 1 CALL TO ORDER

Beth Farnstrom, BSN, RN, Chairperson, called the meeting to order at 9:00 a.m.

Roll Call

Those present, constituting a quorum were:

- Beth Farnstrom, BSN, RN, Chairperson, Anchorage

- Denise Valentine, MS, RN, ANP, Vice Chair, Anchorage
- Kevin Dougherty, Public Member, Anchorage
- Julie Gillette, Public Member, Wasilla
- Hannah Espera, LPN, Anchorage
- Tom Hendrix PhD, RN, Anchorage joined the meeting telephonically.

Erin Evans, MS, RN Secretary is excused.

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

- Nancy Sanders, PhD, RN, Executive Administrator
- Cathy Winfree, RN, Fairbanks, CNA Program Evaluator
- Jo Anna Williamson, Investigator III
- Colleen Nelson, Investigator III

Agenda

The agenda was adopted as amended.

Introductions

Guests present in the room throughout the day offered self-introductions. Some of those introduced included:

- Pat Reynaga, RN, Providence Alaska Medical Center
- Pat Senner, RN, AaNA
- Carrie Doyle, CNS, Director of Nursing Practice, PAMC & Chair of the Alaska CNS Association
- David Herman, Charter College

Public Testimony

The board entered into public testimony at 9:02 am.

Public Testimony ended at 9:36 am.

Pat Reynaga informed the Board that the scheduled October 2013 BON meeting in Fairbanks has the same dates as the Alaska Federation of Natives, which causes a shortage of resources such as hotel room, rental cars, etc. in Fairbanks.

Carrie Doyle, CNS, addressed the board regarding CNS (Clinical Nurse Specialist). Carrie will supply more information to the Board about CNS and their preparation so the Board may be informed of how the advanced education of CNSs aligns with the NCSBN APRN Consensus Model.

Pat Senner, RN from the Alaska Nurse Association (AaNA) explained that there are two separate boards within AaNA, one is a union board (Labor Counsel) and the other is a public board. AaNA is committed to continuing with professional practice. The union division needs some business development. A nurse does not need to be a union member to be a part of AaNA. The Fly-In will be February 26-28th in Juneau.

Agenda Item 6A Nursing Program Yearly Pass Rates

Dr Sanders reviewed the pass rates for AVTEC, UAA-AAS, UAA-BS programs. All organizations have 89% and above NCLEX pass rates.

Agenda Item 6B AVTEC LPN Program Annual Report

Dick Harrel, Alexis Klapproth, and Lisa Wilke, RN joined the Board to discuss the Annual Report. Twenty LPNs are being trained annually. The program has implemented the use of iPads for textbooks and has increased the use of simulation technology.

Agenda Item 6C AVTEC AAS Program Annual Report

Keenan Casteel, RN, presented the AAS program annual report. The first class of 10 students will graduate March 29, 2013. AVTEC is in the process of obtaining full accreditation. The program had a visit by the Council on Occupational Education in December. There were no recommendations or negative findings, but the official report has not been distributed. Offering AAS degrees has changed the status of the institution.

Agenda Item 6E Charter College Annual Report

David Herman presented the annual report for Charter College. Charter College is also applying for national accreditation. Charter College is planning an RN to BSN program for the future. NLNAC and CCNE applications are being pursued. The timeline for initiation of the AAS program is July 1. Advertising will begin in March.

Agenda Item 6D UAA Annual Report

Dr Barb Berner presented the UAA annual report. The Department Chairs are in a curriculum meeting. UAA SON is considering curriculum changes to better align the AAS and BS programs. One of the issues is the pre-requisites between the BS and AAS

programs.UAA SON is also going to “beef up” the RN to BSN program by distance delivery.

Each program graduated approximately 100 nurses in the last year. The AAS graduated 100 and has 19 sites across the state. The BS program graduated more than 100 students.

Rural AAS nursing graduates are finding jobs. This is a little more challenging in urban areas although these findings are anecdotal. Nursing workforce data are being gathered by an outside agency.

There is a high attrition rate for new nurses in the lower 48. This area needs to be explored in the Alaska health care environment.

DNP program continues to be developed. Three outside reviewers were enlisted to review the plans. The courses are ready to go to the Curriculum Committee. The UAA Administration is supportive of starting the program. Additional funding is required to hire additional graduate faculty.

A \$280,000 HERSA grant was awarded to Jill Janke, Chair of the Graduate Program, to help with the MSN program students. UAA SON has also developed a partnership with Alaska Psychiatric Institution to help fund a psych/mental health faculty member.

The board recessed for a break at 10:30 am.

The board returned from break at 10:45 am.

Agenda Item 3I Adjudication

Disciplinary Matrix was discussed with draft matrix developed.

The board recessed for lunch at 11:58 pm.

The board reconvened from lunch at 1:00 pm.

Agenda Item 6F Education

Alaska Career College

A letter from ACC reports they are looking for a new facility. The AAS nursing program is currently “on hold”.

Agenda Item 6G CNA Program Evaluations

After reviewing the yearly education program summary it was noted that Alaska Job Corp and Kodiak College will be receiving letters from Dr Sanders concerning their pass rates of first time test takers in the CNA programs. The regulation requires an 80% annual pass rate for first time test takers.

Cathy Winfree joined the board telephonically to discuss the Prince William Sound Community College Valdez clinical site review.

On a motion made by Denise Valentine, seconded by Tom Hendrix and carried unanimously,

RESOLVED that the Board of Nursing for the State of Alaska approved the continuation of the Prince William Sound Community College Valdez CNA program. The Board also approved Lois Platt, RN, Stephanie Doyel, RN, and Julie Silkett, RN as instructors for the program.

Agenda Item 6 Program approval

Hannah Espera is making the distinction that she is representing the Board of Nursing during this motion.

On a motion made by Denise Valentine, seconded by Hannah Espera and carried unanimously,

RESOLVED that the Board of Nursing for the State of Alaska approved the ongoing educational programs of AVTEC-LPN, AVTEC-AAS, UAA-AAS, BS, and MS programs.

Agenda Item 2B2 Information Exchange

Beth Farnstrom, RN chairperson reviewed Board culture taken from Nonprofit Board Answer Book from Board Source.

The Board discussed and agreed to stay in Anchorage, AK during the October 23-25, 2013. The board will also spend some informal time as a work session on October 23, 2013.

Agenda Item 5 Practice

The board reviewed proposed statute changes and continued work on the disciplinary matrix.

The board recessed for a break at 2:57 pm.

The board reconvened from break at 3:11 pm.

Agenda Item 5D RN administration of Ketamine for refractory pain

Greg Motongna, MD, Andie Posey, RN, Colleen Bevas, Phil Sanders, pharmacy director, Zelinda Aldrechta-East joined the Board to discuss RNs administering the low dose ketamine drip for pain and how the issues is reflected in the 2009 advisory opinion. Judy Dearborn, CRNA also added to the discussion. The Board requested an expanded scope of practice proposal for RNs to administer low dose ketamine for pain management.

The board of recessed at 4:10 pm to resume the meeting on January 18, 2013.

Friday, Jan 18, 2013

Agenda Item 1 CALL TO ORDER

Beth Farnstrom, BSN, RN, Chairperson, called the meeting to order at 9:00 a.m.

Roll Call

Those present, constituting a quorum were:

- Beth Farnstrom, BSN, RN, Chairperson, Anchorage
- Denise Valentine, MS, RN, ANP, Vice Chair, Anchorage
- Kevin Dougherty, Public Member, Anchorage
- Julie Gillette, Public Member, Wasilla
- Hannah Espera, LPN, Anchorage
- Tom Hendrix PhD, RN, Anchorage joined telephonically

Erin Evans, MS, RN Secretary is excused.

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

- Nancy Sanders, PhD, RN, Executive Administrator
- Misty Frawley, Admin. Officer, Division CBPL
- Sarah Chambers, Program Coordinator , Division CBPL
- Don Habeger, Director, Division CBPL
- Jo Anna Williamson, Investigator III
- Jasmine Bautista, Investigator III

Agenda

The agenda was adopted as amended.

Introductions

Guests present in the room throughout the day offered self-introductions. Some of those introduced included:

- Pat Reynaga, RN, Providence Alaska Medical Center
- Carrie Doyle, CNS, Alaska CNS Association
- Jenna Edmondson, CNO, Fairbanks Memorial Hospital
- Dennis Murray, ASHNA
- Jennifer Bryner, CNO, Petersburg General Hospital

Public Testimony

The board entered into public testimony at 9:05 am.
Public testimony ended at 9:35 am.

Jennifer Bryner, RN, expressed her appreciation for the regulation changes regarding sites where nurse aides can have clinical experiences. She expressed that ASHNHA CNO/DON committee will work with the Board to decrease the hindrances to CNA instructors.

Rosemary Craig, RN, Director of Risk Management at Alaska Regional Hospital, requested clarification of re-bolusing of certain medications for epidurals. The board will put this on the April agenda to discuss this topic.

Agenda Item 5A Practice

Brenda Cook, RN from South Central Foundation, presented the CMA training/error rate. There have been no medication errors involving an ANP delegating to CMAs since July 2012. Ninety eight percent of the CMAs have passed the medication training. Dr. Sanders commended Brenda Cook with the follow through with the request of the board.

Agenda Item 5B Proposed regulation changes

Brenda Cook submitted suggestions of changes of the current regulations addressing the delegation of medications in 12 AAC 44.966. The board worked on this proposed regulation change.

The board recessed for a break at 10:18 am.

The board reconvened from a break at 10:30 am.

Agenda Item 7A Organization

Fiscal Issues

Misty Frawley, Sarah Chambers and Director Habeger joined the board to discuss fiscal issues. The Board continues to struggle deciphering the new budget report.

11:07a.m. Tom Hendrix has left the meeting due to professional obligations.

Agenda Item 7B Director Report

Director Habeger presented his report to the board.

1. Legislation of interest –
 - a. HB 53 opiate prescriptions sponsored by Rep Wes Keller. Prescriptions for opioids over 120 mg of morphine equivalents will require consultation of a pain specialist,
 - b. SB8 and HB6 – pharmacy community believes aggressive audits are being addressed,
 - c. HB 7 sponsored by Rep. Donny Olson would give limited scope of prescriptive authority to naturopaths.
2. Travel policy – travel has to be expensed and revenue that comes in to the division needs to be accounted for in the travel expenditures. The Board again explained that Dr. Sanders has monies available to her at no cost to the State through NCSBN. This new interpretation of the travel policy requires more work for Dr. Sanders and others to request to attend an NCSBN offering. There are very limited travel funds available. In addition, the accounting time is unneeded.
3. The budget still needs some clarification/simplicity so the Board will know if they are in compliance with the fiscal responsibility that the board carries. The Board is looking at numbers from 1st quarter of FY2013.
4. Can the board lobby? Or is it an individual who lobbies? Chair Beth Farnstrom stated that Board members are volunteers. Director Habeger recommends sharing one's role on the State Board with Legislators if the board takes a stand on a piece of legislation. The Board can then express support or concerns as a Board. If the Board does not take a stand, then the board member can lobby a legislator as an individual rather than as member of the Board.
5. The Board shared with Director Habeger that it is meeting in Anchorage in October rather than Fairbanks due to the limited

- resources in Fairbanks during that time. This is only a single occurrence and the Board plans to travel to Fairbanks in 2014.
6. The October 2012 final minutes were posted on our website instead of posting draft minutes several weeks after the meeting instead of waiting until the next Board meeting in January to approve them. The Board is taking this action to increase Board transparency and responsiveness.
 7. A nurse from VA addressed the ease of Alaska renewals. Beth Farnstrom expressed her appreciation to Nancy Sanders for her diligent work to make renewals a success.
 8. Director Habeger asked about the LPN scope of practice in the setting of detox settings. This was addressed in the October, 2012 minutes on page 10.
 9. A new LPN, Hannah Espera, has joined the Board. She was introduced to Director Habeger.

The board recessed for lunch at 12:00 pm.

The board resumed from lunch at 1:00 pm.

Agenda Item 3 Adjudication

On a motion made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously.

Entered into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing cases and reports by the investigative team.

The board entered into executive session at 1:01 pm.

The board reconvened after being in executive session at 1:13 pm.

On a motion made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously.

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2013-000147, Epifania Balmaceda, lapsed RN license # NUR R 6621 adopted 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 and additional order from the Board of Nursing or without a prior hearing, for the violation of the Consent Agreement.

Voting members present were Julie Gillette, Hannah Espera, Kevin Dougherty, Denise Valentine and Beth Farnstrom.

The Board chair Beth Farnstrom signed the original document.

Agenda Item 3 Adjudication

The board continued to work on the disciplinary matrix.

On a motion made by Denise Valentine, seconded by Julie Gillette, and carried unanimously,

As per AS 08.68.340, effective immediately, the Board of Nursing for the State of Alaska accepts the updated disciplinary matrix for unlicensed practice. This matrix is for expired or lapsed certificates, licenses, or authorizations under the jurisdiction of the Board of Nursing.

On a motion made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously it was,

RESOLVED the Board of Nursing for the State of Alaska in Case # 2012-000746, Yvonne Carol Stevenson, ANP authorization NUR U 530, rescind the motion previously made regarding this matter.

On a motion made by Denise Valentine, seconded by Hannah Espera, and carried unanimously, effective immediately,

RESOLVED that the Board of Nursing for the State of Alaska accepts the updated disciplinary sanctions dated January 18, 2013. (A copy will be attached to these minutes)

Julie Gillette, Hannah Espera, Kevin Dougherty, Denise Valentine, and Beth Farnstrom were present to vote.

On a motion made by Beth Farnstrom, seconded by Denise Valentine, and carried unanimously,

RESOVED that the Board of Nursing for the State of Alaska requires the Executive Administrator attend all NCSBN offerings as the Executive is responsible to keep the Board informed of national trends related to regulatory issues.

Julie Gillette, Hannah Espera, Kevin Dougherty, Denise Valentine, and Beth Farnstrom were present to vote.

Agenda Item 5

Practice

Mark Hickey, lobbyist for the AaNA, joined the Board to discuss HB 53 that addresses a consultation requirement with a pain specialist with respect to the prescription of opiates under certain circumstances. Similar legislation has passed in other states. The purpose of the bill is to address what the sponsor of the bill, Rep. Keller, states is “widespread abuse of opiates”. The Medical Board has raised some concerns.

The BON concerns are:

- the added expense to the public to seek a specialist,
- the delay in care attempting to be seen by a limited number of pain specialists.
- Pain specialists are mainly located in Southcentral AK (Anchorage and Mat-Su).
- CRNAs are not included in the bill and CRNAs have education to be pain management specialists
- CRNAs have been recognized by Medicare and other insurance providers as pain management specialists, and
- PAs are not mentioned in the bill
- The drug monitoring system is running out of funds,
- The author’s definition of a pain specialist, and
- There is no sponsor statement in the bill.

Julie Gillette will discuss the bill with Representative Keller.

Agenda Item 8

Governance

Members of the board completed the board meeting evaluation. The assignment reminder list was also addressed.

The board adjourned at 4:23 pm until April 3, 2013 in Juneau, Alaska.

Respectfully submitted

*Nancy Sanders, PhD, RN
Executive Administrator
Alaska Board of Nursing*

Approved:

*Beth Farnstrom, RN
Chairperson
Alaska Board of Nursing*

Date: _____

Alaska Board of Nursing
PROPOSED DISCIPLINARY SANCTIONS
 Effective 1/18/2013

| APPLICATION ISSUE: | PROPOSED DISCIPLINARY SANCTION(S): |
|--|---|
| <p>Non-Reported Criminal History (minor misdemeanor(s)/non barrier in nature)</p> | <p>Process application, if no fraud, deceit, or misrepresentation was established.</p> <p>Informal, non-disciplinary cautionary letter in the applicant's licensing file from the Board of Nursing's Executive Administrator.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
| <p>Non-Reported Criminal History (higher misdemeanor(s) &/or felony (felonies) and/or crime(s) listed under 12 AAC.44.705)</p> | <p>If any either 08.68.270(1), 08.68.334(1), 08.68.270(2), or 08.68.334(2) is determined, <i>reprimand and fine</i>. Fine guidelines are as follows: CNA: \$500 LPN: \$1,000 RN: \$2,500 CRNA/ANP: \$5,000</p> <p>If any either 08.68.270(1), 08.68.334(1), 08.68.270(2), or 08.68.334(2) along with 12 AAC.44.705 is determined, <i>denial of licensure or certification</i>.</p> <p>If not determined, process application with an informal, non-disciplinary cautionary letter in the applicant's licensing file from the Board of Nursing's Executive Administrator.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
| <p>Non-Reported Disciplinary Action in another state (non-patient care related)</p> | <p>If violation is determined, <i>reprimand and fine</i>. Fine guidelines are as follows: CNA: \$500 LPN: \$1,000 RN: \$2,500 CRNA/ANP: \$5,000</p> <p>If not determined, process application with an informal, non-disciplinary cautionary letter in the applicant's licensing file from the Board of Nursing's Executive Administrator.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |

Alaska Board of Nursing
PROPOSED DISCIPLINARY SANCTIONS
 Effective 1/18/2013

| APPLICATION ISSUE: | PROPOSED DISCIPLINARY SANCTION(S): |
|---|---|
| <p>Non-Reported Disciplinary Action in another state (patient care related/substance abuse and/or diversion)</p> | <p>If violation is determined, <i>denial of license</i>.</p> <p>If not determined, process application with an informal, non-disciplinary cautionary letter in the applicant's licensing file from the Board of Nursing's Executive Administrator.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
| <p>Reported/Declared Substance Abuse History (1-5 years)</p> | <p>Standard five (5) year substance abuse probation, which is adjusted to reflect previous amount of documented treatment/sobriety by applicant.</p> <p>(i.e. Applicant already has two (2) years of documented treatment/sobriety. Applicant will be put on a three (3) year substance abuse Consent Agreement.)</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
| <p>Reported Criminal History (misdemeanor(s) and/or felony (felonies), and crime(s) listed under 12 AAC.44.705)</p> | <p>If a crime listed under 12 AAC.44.705, <i>denial of license or certification</i>.</p> <p>Other misdemeanor(s) and/or felony (felonies), possible probation monitoring with discipline to commensurate with the severity of the criminal conviction(s).</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |

Alaska Board of Nursing
PROPOSED DISCIPLINARY SANCTIONS
 Effective 1/18/2013

| SUBSTANCE ABUSE/DIVERSION ISSUE: | PROPOSED DISCIPLINARY SANCTION(S): |
|--|---|
| <p>Mandatory Reported or Other Source Reported. (may include employer suggested self report or self report w/fear of employer reporting)</p> | <p>One year license/certification suspension (six months suspended with six months stayed).</p> <p>If while suspended, licensee/certificate holder is compliant, stayed 6 months will hold. If non-compliant, stay is lifted and the full year of suspension will be served.</p> <p>**Stayed six months portion will have mandatory restricted employment with completely no access to controlled substances.</p> <p>Five (5) year total standard substance abuse Consent Agreement with added Reprimand.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
| <p>Mandatory Reported or Other Source Reported with a drug diversion aspect and no patient harm. (may include employer suggested self report or self report w/fear of employer reporting)</p> | <p>One year license/certification suspension</p> <p>Five (5) year total standard substance abuse Consent Agreement and added Reprimand</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
| <p>Mandatory Reported or Other Source Reported with a drug diversion aspect and patient harm or potential for patient harm. (may include employer suggested self report or self report w/fear of employer reporting)</p> | <p>Up to revocation of license/certification or voluntary surrender of license/certification.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |

Alaska Board of Nursing
PROPOSED DISCIPLINARY SANCTIONS
Effective 1/18/2013

| | |
|--|---|
| <p>Self-Reported Substance Abuse/Dependence. (no drug diversion)</p> | <p>Standard five (5) year substance abuse Consent Agreement.</p> <p>One year license/certification suspension, but no suspension period served, stayed status only.</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
|--|---|

| | |
|---|--|
| <p>Self Report Substance Abuse/Dependence with a drug diversion aspect.</p> | <p>Standard five (5) year substance abuse Consent Agreement with added Reprimand and fine (stayed).</p> <p>One year license/certification suspension, but no suspension period served, stayed status only.</p> <p>Fine guidelines are as follows: CNA/LPN: \$1,000 RN: \$2,500 CRNA/ANP: \$5,000</p> <p><i>Discipline to be commensurate with the severity of the violation.</i></p> |
|---|--|