

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

THE ATWOOD BUILDING
550 WEST 7TH AVENUE, SUITE 1270
ANCHORAGE, AK
BOARD OF NURSING
MEETING MINUTES

October 21-23, 2015

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, 12th Floor, Conference Room 1270, in Anchorage, Alaska.

Wednesday, Oct 21, 2015

Agenda Item 1 CALL TO ORDER

Denise Valentine, MS, RN, ANP, Chairperson, called the meeting to order at 9:00 a.m.

Roll Call

Those present, constituting a quorum were:

- Denise Valentine, MS, RN, ANP, Chair, Anchorage
- Julie Gillette, Secretary, Public Member, Fairbanks
- Sharyl Toscano, PhD, MS, BS, RN-CPN, RN Anchorage
- Jennie Grimwood, Public Member, Cordova
- Carrie Miller, LPN, Juneau
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage joined the meeting telephonically at 9:25 AM.
- One RN seat is vacant

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

- Janey Hovenden, Director Department of Commerce, Community, and Economic Development (telephonically)
- Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development (telephonically)
- Angela Birt, Chief Investigator
- Michelle Wall-Rood, Investigator III
- JoAnne Williamson, Investigator III
- Ed Riefle, Senior Investigator

- John Clark, Special Project Investigator
- Sonya Lipkur, Probation Monitor
- Lisa Maroney, Licensing and Records Supervisor
- Madeleine Henderson, Licensing Examiner
- Sandi Fredrickson, Nurse Consultant Board Staff

Agenda

The agenda was accepted as submitted.

Introductions

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

- Beth Farnstrom, RN, Alaska Nurses Association Representative
- Pat Reynaga, RN, Anchorage, Providence Alaska Medical Center (telephonically)
- Laura Sarcone, CNM, APRN Alliance Co-Chair
- Lynn Hartz, FNP, Alaska Nurse Practitioner Association (ANPA)
- Dennis Murray, ASHNA

The new Nurse Consultant, Sandi Frederickson was introduced. We are very happy to welcome her on board.

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

Agenda Item 1D

Ethics Report

Denise Valentine and Julie Gillette attended the NCSBN Annual Convention in Chicago, IL and filled out the appropriate paperwork. Sharyl Toscano attended the NCLEX meeting and filled out the appropriate paperwork.

No other members had ethics reports to submit.

Agenda Item 2A

CONSENT AGENDA

The consent agenda was discussed.

A motion was duly made by Jennie Grimwood, seconded by Carrie Miller, and carried unanimously with 4 ayes to accept the consent agenda.

Agenda Item 2A1 Minutes, July 8-10, 2015

The July, 2015, minutes were not previously approved or posted.

On a motion duly made by Jennie Grimwood, seconded by Julie Gillette, and carried unanimously with 4 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, approve the July minutes with an amendment to agenda item 5H.

Agenda Item 2A2 Licensing Examiners' Report & NCLEX Quarterly Report

The Board reviewed the NCLEX Quarterly report and Licensing Examiner's Report.

Agenda Item 2A3 CNA Program Quarterly Reports

The Board reviewed & discussed the Nurse Aide Licensing Examiner's & CNA Program Quarterly Reports.

Agenda Item 2B INFORMATION EXCHANGE

Staff Members Lisa Maroney and Madeleine Henderson were present to observe the meeting learn operations in the absence of an Executive Administrator. There have been no qualified applicants to replace Dr. Sanders.

Denise Valentine has continued to volunteer assisting the Board with operations until an Executive Administrator is hired. She discussed her report from the Annual NCSBN Convention in Chicago.

Sharyl Toscano has assisted the Board with operations on a few occasions.

Julie Gillette and Sharyl Toscano presented reports from NCSBN NCLEX meetings they attended. Sharyl Toscano also presented report from the NCSBN CORE committee meeting of which she is now a member.

Other items of interest reviewed: the NCCA Accreditation Renewal & Use of "As Needed" Range Orders for Opioid Analgesics in the Management of Pain.

Agenda Item 3 ADJUDICATION

On a motion duly made by Sharyl Toscano, seconded by Jennie Grimwood, and carried unanimously with 5 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 member Lisa Maroney remained during the session.

The board entered into executive session at 9:36 am.

The board came out of executive session for break at 10:56 am.

The board reconvened from break at 11:05 am.

On a motion duly made by Sharyl Toscano, seconded by Julie Gillette, and carried unanimously with 5 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 member Lisa Maroney remained during the session.

The board entered into executive session at 11:06 am.

The board came out of executive session at 12:05 pm.

The board recessed for lunch at 12:05 pm.

The board reconvened from lunch at 1:00 pm.

Agenda Item 4 LICENSURE

Agenda Item 4A APRN Alliance Report

Laura Sarcone, CNM, co-chair of the APRN Alliance, addressed the Board. There was one meeting on September 12th. The APRN track at the ANPA Conference on September 18, 2015, was a success. An all-day facilitated long term planning session is scheduled October 24th. The 3rd Annual Legislative and Pharmacology update will be held on January 9, 2016. SB 53 passed the Senate last session. It's in Labor & Commerce committee. There are two potential candidates for consideration for an APRN position on the Board of Nursing. A letter will be submitted Nov 1st. The APRN Alliance requested the Board review

how it addresses continuing education hours for clinical management of patients and advanced pharmacotherapeutics and to review 12 AAC 44.420(a)(3) to include national certification as evidence of competency.

Agenda Item 4B

Proposed Regulation Change – temporary permits

Telephonically Jennifer Bryner, Director of Nursing, Petersburg Hospital, Operations Manager, ASHNHA, Janey Hovenden, Director Department of Commerce, Community, and Economic Development and Sara Chambers, Operations Manager, Division of Corporations, Business and Professional Licensing, address this topic.

Ms. Bryner identified license approvals over the summer took 6-8 weeks creating cancellations and delays in medical services.

Lisa Maroney, Board staff, said the problems have been resolved and the licensing process is only taking one week. Additional personnel have been put in place to expedite the processing of applications. Incomplete applications are largely the reason for delays.

Director Sara Chambers agreed the extended time to procure a license over the summer was unusual and measures have been taken to correct the problem. She stated the Expedited Review form recently created was helpful in accelerating approvals. A checklist will be placed on the website to ensure applicants know exactly what the Board requirements are for applications.

Agenda Item 4C

NCSBN Nurse Licensure Compact (NLC)

Representative Seaton's letter was discussed and a copy of the revised NCSBN NLC bylaws dated May 4, 2015 was provided. The Board does not see the necessity for Alaska to become a NLC Due the financial losses, the cost of hiring a NLC commissioner to operate the program, labor union concerns with the compact.

Agenda Item 4D

Licensure Delay

The Board reviewed causes for delays in licensing and this situation has been resolved. Jennifer Bryner, Operations Manager, ASHNHA, and Sara Chambers, Operations Manager, Division of Corporations, Business and Professional Licensing, addressed this topic in agenda item 4B. A new form "Request for Expedited

Review of Health Care Professional Application” was introduced by Director Chambers.

On a motion duly made by Julie Gillette, seconded by Sharyl Toscano, and carried unanimously with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, approve the new State of Alaska Form 08-4664 Request for Expedited Review of Health Care Professional Application dated 8/10/15.

Agenda Item 4E

Overview of NCSBN Member Board Data 2003-2013

The Board reviewed national data from NURSYS (2003-2013) covering trends in discipline, board actions, and type of data in NURSYS.

The board recessed for break at 2:26 pm.

The board reconvened from break at 2:45 pm.

Board Member Tom Hendrix left the meeting at 2:27 PM for a post conference with his students.

Agenda Item 5

PRACTICE

Agenda Item 5A

Alaska Nursing Action Coalition

Andrea Manning, Co-Chair Leadership Action Team, and Steering Committee addressed the Board. All 50 states have a coalition. ANAC has two recommendations as priority for Alaska nursing: 1) remove scope of practice barriers for APRNs and 2) enable nurses to lead change to advanced health.

Agenda Item 5B

RN Administered Moderate/Procedural Sedation – Bartlett Regional Hospital

Gail Moorehead, Staff Development Coordinator, addressed the Board and outlined the program. Michelle Van Kirk explained the procedures and medications that will be used.

The Board was concerned about the need for specific procedures pertaining to the pediatric population. The hospital needs a specific training plan for the entire population addressing the immediate availability of respiratory staff. The Board would like changes submitted with the Director of Nursing’s signature.

On a motion duly made by Julie Gillette, seconded by Jennie Grimwood, and carried unanimously with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, approve the Education Program for RN administered Moderate/Procedural Sedation at Bartlett Regional Hospital under the supervision of Michelle Van Kirk, BSN, RN, CSRN. The pediatric population needs a specific procedure submitted for the emergency room that includes a second licensed provider in the room. C.1.1. of the plan will be amended to state a respiratory therapist will be in attendance during the PS&A. The LIP needs to be immediately available for interruptable procedures to attend to the airway if necessary.

Board Member Tom Hendrix rejoined the meeting at 3:45 PM.

Agenda Item 5C

Nurse Administered Propofol (NAP) in Colorectal Cancer Screening Suite

Laura Mullin, Interim Chief Nurse Executive, ANMC, addressed the Board. She reported on the Endoscopy department. Services provided were previously approved by the Board. The location is changing to an ambulatory center.

On a motion duly made by Julie Gillette, seconded by Carrie Miller, and carried unanimously with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, approve Nurse Administered Propofol (NAP) in the Colorectal Cancer Screening Clinic Endoscopy Suite of the ANMC campus Ambulatory Surgery Center located on the first floor of the Alaska Spine Institute building. The Board requests an annual report of the program for the next two years.

Agenda Item 5D

Procedural Sedation Report – South Peninsula Hospital

Linda Stearns, RN, provided the Board a one year update for the Procedural Sedation Program. The Board was pleased and requested an annual report of their status with the changes in 2016.

The board recessed at 4:20 pm to resume the meeting on October 22, 2015.

Thursday, October 22, 2015

Agenda Item 1 CALL TO ORDER

Denise Valentine, MS, RN, ANP, Chairperson, called the meeting to order at 9:00 a.m.

Roll Call

Those present, constituting a quorum were:

- Denise Valentine, MS, RN, ANP, Chair, Anchorage
- Julie Gillette, Secretary, Public Member, Fairbanks
- Sharyl Toscano, PhD, MS, BS, RN-CPN, RN Anchorage
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage
- Jennie Grimwood, Public Member, Cordova
- Carrie Miller, LPN, Juneau
- Tina Gillis, RN, Bethel

Tina Gillis, the new RN member from Bethel was present and we offered introductions. This was her first official day as a board member.

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

- John Clark, Special Project Investigator
- Sonya Lipkur, Probation Monitor
- Jasmine Bautista, Investigator III
- Michelle Wall-Rood, Investigator III
- JoAnne Williamson, Investigator III
- Charles Ward, Paralegal (telephonically)
- Lisa Maroney, Licensing and Records Supervisor
- Madeleine Henderson, Licensing Examiner
- Sandi Fredrickson, Nurse Consultant Board Staff

Agenda

The agenda was adopted as submitted.

Introductions

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

- Beth Farnstrom, RN, Alaska Nurses Association Representative
- Pat Reynaga, RN, Anchorage, Providence Alaska Medical Center (telephonically)
- Laura Sarcone, CNM, APRN Alliance Co-Chair
- Lynn Hartz, FNP, Alaska Nurse Practitioner Alliance (ANPA)
- Dennis Murray, ASHNHA (telephonically)

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

Public Testimony

The Board entered into public testimony at 9:05 am.

Laura Sarcone, CNM, Co-Chair APRN Alliance, began public testimony. The Alaska Nurse Practitioner Association met last night to discuss the audit review in the ANP reauthorization process. Both this organization and the APRN Alliance reiterated a desire for transparency on the definition of advanced pharmacotherapeutics education allowed for reauthorizations.

Jennifer Bryner, Operations Manager, ASHNHA, stated she understands and appreciates the licensing backlog licenses been resolved for 30-40% of the applications completed. She is concerned about delays with the other 70% of applications. She requested the board prepare a report with historical data for length of days from application to license using data from 2013-2014, as well at the first three quarters of 2015 with a follow up of the 4th quarter to include mean and range. She asked if we could include the top 5 reasons for delays. She'd like to know the complete/incomplete rate of applications over the past few years. The Board requested she submit her request in writing so we can best respond.

Pat Reynaga addressed the board speaking for Providence Alaska Medical Center and spoke in favor of the board changing regulations for temporary licenses. Each month, four to five nurse applicants have been affected by the delays with the current application process. She asked if the applicants could get written permission from the board or employer to allow assistance to the applicant to resolve issues. The Board requested that Ms. Reynaga provide her request in writing and provide information from January 2015 to recent of how many applicants have experienced delays in licensing.

Sharon Sutherland, South Peninsula hospital in Homer addressed the board. She stated on-line renewals are helpful. Hospital and nursing home leaders experiencing delays in the licensing processing are seeing an impact with patient care and safety. She supports the NLC. Finger printing may be causing delays.

Lisa Maroney said we do not wait for finger print results to issue licenses. Licenses can be revoked if a criminal record is discovered. California applicants do receive temporary licenses due to the length of time it takes to process a permanent license.

Chair Valentine requested hospitals submit numbers to the board of how many applicants are experiencing delays so we can understand how wide spread this problem is. Jennifer Bryner suggested the state should focus on the 70% of licenses still needing to be processed. The information can be released from the state as aggregate information. Individual information is confidential.

Beth Farnstrom, RN, Alaska Nurses Association Representative, spoke about the delays. California applicants experienced delays. North Carolina applicants did not. The cause could be requirements or lack of them in states a previous license was held. Alaska did away with printed card licenses because they could be reproduced. Also, some out of state applicants want to be hired before applying for a license. Ms. Farnstrom added trying to use the BON website on an iPhone does not allow entry to all links. The IT department will look into it.

Public testimony ended at 9:35 am.

Agenda Item 3

ADJUDICATION

On a motion duly made by Sharyl Toscano, seconded by Julie Gillette, and carried unanimously with 5 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 paralegal team.

The board entered into executive session at 9:37 am.

The board came out of executive session at 10:48 am.

The board recessed for break at 10:48 am.

The board reconvened from break at 11:00 am

Agenda Item 5 PRACTICE

Agenda Item 5E Proposed Regulation Changes

The Board reviewed regulation changes to be presented for public comment.

The board recessed for lunch at 12:05 pm.

The board reconvened from lunch at 1:05 pm.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried unanimously with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, approve the following regulation changes: Amend 12 AAC 44.135(b), amend 44.290(a)(1)(A), amend 44.290(c), add 44.300, amend 44.305(a)(1)(F), amend 44.305(a)(1)(H) and change graduated to graduate in first sentence, amend 44.305(a)(3), amend 44.317.title and (a), amend 44.322 add new section 44.322.(a)(b)(1)(2)(c), amend 44.400(a)(6)(E), amend 44.400(g)(1), add 44.400(h)(1)(2)(3)(i), amend 44.440(i), repeal 44.460(b)(2), add 44.470(4)(5), add 44.500(c)(d)(e)(f) and change all references of “advance practice nurse” to “CRNA”, amend 44.510(a), add 44.540(4)(5), amend 44.610(a)(1), amend 44.610(d), amend 44.620(a)(1), amend 44.620(a)(2)(D), amend 44.630, amend 44.800(a)(2), amend 44.805(4), amend 44.810(a)(1)(A)(B)(C)(2)(3)(4), amend 44.815(c), amend 44.820(a), add 44.830(b)(9), amend 44.830(d), add 44.870(b)(29), repeal 44.945(b), amend 44.965(e) and delete “the ongoing of”, amend 44.966(c), repeal 44.966(h)(3), repeal 44.970(14), amend 44.980 title and (a), repeal 44.980(b), repeal 44.990(28).

Regulation changes will be sent out for public comment.

Agenda Item 6 EDUCATION

Agenda Item 6A Charter College AAS ACEN Site Visit

Janice Floyd, DON, addressed the Board and discussed the ACEN visit, accreditation has been recommended. She addressed simulation in nurse education. She proposed simulating 25% of the training to include OB and pediatric training. There have been 16 of 18 graduates take the board test and they have a 100% pass rate.

The Board requested Charter College report again next year.

Agenda Item 6B AVTEC CNA & LPN Programs

Ben Eveland, AVTEC Division Director (telephonically), and Ray Espera, Director of Nursing addressed the Board. Mr. Eveland said the state asked them to switch gears. The LPN program cohort will be completed in November and future classes will placed on hold due to funding issues. The RN program was previously terminated. The CNA program will continue through Healthcare Academy. Mr. Espera said the LPN program has a 75% first time pass rate for 2015. There is a proposal to offer a mock skills lab due to the time elapse between program completion and testing in order to improve the CNA pass rates.

AVTEC will provide their next report in January 2016.

Agenda Item 6C CNA Programs

Sandi Frederickson, Nurse Consultant, addressed the Board regarding new program applications for a Nursing Assistant Program at Providence Valdez Medical Center and Nelle's Nursing Assistant Program Anchorage. She provided program updates for Trinion Quality Services, Inc. and the Alaska Job Corp in Palmer plan to increase pass rates.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried unanimously with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, provide provisional approval for the Nursing Assistant Program at Providence Valdez Medical Center with Christopher Johnson, RN, and Sally Flores, RN, as an instructors and approve the new syllabus for Nursing Assistant Trade for the Alaska Job Corps in Palmer.

Agenda Item 6D CMS Information R/T Care of Persons with Dementia

Sandi Frederickson, Nurse Consultant, addressed the CMS recommendation on long term care facilities for dementia training and prevention of abuse.

Agenda Item 3 ADJUDICATION

On a motion duly made by Sharyl Toscano, seconded by Carrie Miller, and carried unanimously with 4 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 member Lisa Maroney remained during the session.

The board entered into executive session at 2:15 pm.

The board came out of executive session for break at 3:25 pm.

The board reconvened from break at 3:45 pm.

Agenda Item 3 ADJUDICATION (Continued)

On a motion duly made by Julie Gillette, and seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2015-001146, Leahna G. Bagley, license number NUR R 38874, 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.

On a motion duly made by Julie Gillette, seconded by Jennie Grimwood, and carried with 0 ayes, 6 nays it was

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

Decision and Order, Case # 2015-001055, Angela K. Clemmons, license number NUR R 36118, 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.

Motion failed.

On a motion duly made by Julie Gillette, 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 and Proposed Decision and Order, Case # 2015-000989, Kellie Cook, license number NUR R 28097, 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.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2015-001308, Gary Dalton, license #NUR P 100271, 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.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2015-000979, Amber L. Johnson, license number NUR R 34521, 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.

On a motion duly made by Julie Gillette, seconded by Carrie Miller, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2015-000668, Curtis Kimmins, license number NUR T 10327, 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.

On a motion duly made by Julie Gillette, and seconded by Tom Hendrix, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the License/Certificate Suspension, case number 2015-001563, Esther V. Lloyd, Nurse License #NUR P 7130 and Nurse Aide Certification NUA A 12511, adopted the License & Certificate Suspension in this matter.

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

On a motion duly made by Julie Gillette, seconded by Jennie Grimwood, 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 and Proposed Decision and Order, Case # 2015-000508, Alana Parkinson, license number NUR R 34118, 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.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried with 5 ayes, 1 nay it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2015-001585, Zingre Perry, license number NUR R 33863, 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.

On a motion duly made by Julie Gillette, and seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Voluntary License Surrender, case number 2015-000551, Cynthia Proveaux, license #NUR R 30506, adopted the License Surrender in this matter.

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

On a motion duly made by Julie Gillette, 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 and Proposed Decision and Order, Case # 2015-000072, Jeanette Rodriguez-Torres, license number NUR R 19826, adopts the Consent Agreement and Decision and Order in this matter with an amendment to stay a portion of the fine in the amount of \$2,500.

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 duly made by Julie Gillette, 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 and Proposed Decision and Order, Case # 2015-000637, Tommie J. Wagner, license number NUR P 7101, 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.

On a motion duly made by Julie Gillette, and seconded by Jennie Grimwood, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Surrender of Licensed Practical Nurse, Rhonda Waldron, # NUR P 6389, Case No. 2014-001286 by the

parties hereby adopts the Surrender of license and authorization in this matter.

On a motion duly made by Julie Gillette, seconded by Jennie Grimwood, 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 and Proposed Decision and Order, Case # 2015-000376, Daniel Ray Willard, license #NUR P 5269, 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.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2014-002318, Jeffrey T. Wright, license number NUR R 25119, 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.

On a motion duly made by Julie Gillette, seconded by Sharyl Toscano, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-001598, in the matter of Kathy Bates, certified nurse aid certificate NUA A 4993, 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 Board of Nursing.

On a motion duly made by Julie Gillette, seconded by Carrie Miller, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Certified Nurse Aide application for Jayson V. Fernandez, Case No. 2015-000830, does hereby deny the application in accordance with AS 08.68.334(1) and 12 AAC 44.770(31).

On a motion duly made by Julie Gillette, and seconded by Tom Hendrix, and carried unanimously with 4 ayes and 2 nays, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case #2014-000598, Maria Christine Gonzales, certificate number NUA A 8837, 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.

On a motion duly made by Julie Gillette, and seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case #2014-001042 and 2015-001333, Jasmine Hibbert, certificate number NUA A 14352, 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.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, and carried with 5 ayes and 1 nay, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2014-000599, Rebeca Jackson, certificate number NUA A 6579, 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 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 duly made by Julie Gillette, seconded by Carrie Miller, and carried unanimously with 3 ayes and 4 nays, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2015-001016, Kimberly G. Kirkman, CNA Applicant, 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 certificate, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement.

Motion Fails

On a motion duly made by Sharyl Toscano, and seconded by Carrie Miller, and carried unanimously with 5 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-000131, in the matter of Ren Bell, Certificate No. NUA A 11455, adopts the Consent Agreement, Decision and Order in this matter.

This Consent Agreement, Decision and order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.

On a motion duly made by Sharyl Toscano, and seconded by Julie Gillette, and carried unanimously with 5 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-000553, in the matter of Debra Campbell, NUR P 2653, adopts the Consent Agreement, Decision and Order in this matter.

This Agreement shall be effective immediately upon its adoption by the Board.

On a motion duly made by Sharyl Toscano, and seconded by Tina Gillis, and carried unanimously with 5 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the Voluntary Surrender of Registered Nurse License, in the matter of Ellen Halvorson, Registered Nurse License number NUR R 35148, Case Number 2015-001254, hereby adopts the surrender in its entirety, effective immediately.

On a motion duly made by Sharyl Toscano, and seconded by Carrie Miller, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-000125, in the matter of Miriam Joshua, certified nurse's aide certificate No. NUA A 13069, adopts the Consent Agreement, Decision and Order in this matter.

This Consent Agreement, Decision and order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.

On a motion duly made by Sharyl Toscano, and seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-001315, in the matter of Christi

Land, NUR U 1334, 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 Board of Nursing.

On a motion duly made by Julie Gillette, and seconded by Sharyl Toscano, and carried unanimously with 6 ayes, it was

The Board of Nursing for the State of Alaska, examined a request dated September 22, 2015, to modify Case # 2015-001393, Anna Leigh, license number #NUR R 16910 and hereby deny her request.

On a motion duly made by Sharyl Toscano, and seconded by Carrie Miller, and carried with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-001309, in the matter of Sandra Mahoney, NUR U 942, 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 Board of Nursing.

On a motion duly made by Sharyl Toscano, and seconded by Tom Hendrix, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the Voluntary Surrender of Registered Nurse License, in the matter of Amy Marinelli, Registered Nurse License number NUR R 19925, Case Number 2015-001397, hereby adopts the surrender in its entirety, effective immediately.

On a motion duly made by Sharyl Toscano, and seconded by Julie Gillette, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the Voluntary Surrender of the nurse practitioner's authorization in the matter of Bonnie McMahan, Alaska Nurse Practitioner authorization NUR U 259, Case Number 2015-

001343, hereby adopts the surrender in its entirety, effective immediately.

On a motion duly made by Sharyl Toscano, and seconded by Tina Gillis, and carried with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the proposed Consent Agreement, Decision and Order, under Case # 2015-001400, in the matter of Kathryn Rabung, Registered Nurse’s License No. NUR R 34257, 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 Board of Nursing.

On a motion duly made by Sharyl Toscano, and seconded by Tom Hendrix, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the Voluntary Surrender of the Registered Nurse License, in the matter of Wanda Sutterer, Registered Nurse License NUR R 16327, Case Number 2015-001572, hereby adopts the surrender in its entirety, effective immediately.

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

Let the record reflect there were no Ex-Parte communications during the discussion of these orders.

Agenda Item 5F

RN Administration of Ketamine & Propofol

The Board of Nursing re-examined the ‘Registered Nurse Administration of Sedating and Anesthetic Agents.’ advisory opinion originally adopted 10-9-09 and upholds it with the following updates submitted 1-21-15: 1) RN’s may not perform deep sedation. 2) The medication used to accomplish minimal or moderate sedation is left to the clinical judgment of the LIP. The Board removed the following sentence from the Advisory Opinion: “Anesthetic agents (such as Propofol, Etomidate, etc...) would not be appropriate for the purpose of anxiolysis.”

Agenda Item 5G

Core Report

Denise Valentine, Board Chair, discussed the CORE report.

The board recessed at 4:45 pm to resume the meeting on Friday, October 23, 2015.

Friday, October 23, 2015

Agenda Item 1 CALL TO ORDER

Denise Valentine, MS, RN, ANP, Chairperson, called the meeting to order at 9:00 a.m.

Roll Call

Those present, constituting a quorum were:

- Denise Valentine, MS, RN, ANP, Chair, Anchorage
- Julie Gillette, Secretary, Public Member, Fairbanks
- Sharyl Toscano, PhD, MS, BS, RN-CPN, RN Anchorage
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage
- Jennie Grimwood, Public Member, Cordova
- Carrie Miller, LPN, Juneau
- Tina Gillis, RN, Bethel

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

- Janey Hovenden, Director Department of Commerce, Community, and Economic Development (telephonically)
- Martha Hewlett, Administration Officer (telephonically)
- Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development (telephonically)
- Sonya Lipkur, Probation Monitor
- Lisa Maroney, Licensing and Records Supervisor

Agenda

The agenda was adopted as amended.

Introductions

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

- Beth Farnstrom, RN, Alaska Nurses Association Representative
- Laura Sarcone, CNM, APRN Alliance Co-Chair
- Lynn Hartz, FNP, Alaska Nurse Practitioner Alliance (ANPA)

Public Testimony

The board entered into public testimony at 9:04 am.

Lynn Hartz, FNP, discussed the cost of sending regulation changes to the nurses throughout the state. She suggested putting the regulation proposals in her correspondence to peak interest and instruct nurses on how to participate in the process. She provided information on NCSBN Model Rules for License Renewals.

Beth Farnstrom, Alaska Nurses Association, is against the NLC. Propofol is a concern. Consider using sedating agents that have a reversal agent that is safer for the public and the nursing staff. Mandate nurses sign up for listserv when they apply for their renewal applications. It would ensure they have access to information.

Carrie Doyle called in support of regulation changes for temporary licenses.

Leann Horn, Director Senior Services Providence, ASHNHA appreciates the additional staff to expedite license processing. Feels more can be done with temporary licensures. She would like the board to have an alternate method of temporary licensing in emergency shortage situations to fast track nurses to areas of critical shortage.

Sharon Sutherland, South Peninsula Hospital, Director of Nursing and Patient Care Services, appreciates the work of Denise Valentine and Lisa Maroney. She supports Jennifer Bryner's summary and supports expediting temporary licensing.

Shannon Updike, Ketchikan Medical Center, thanked the board for working on the backlog of licenses. She supports changing the temporary licensure procedures as presented by Jennifer Bryner. Licensing delays caused critical shortages over the summer in Ketchikan.

The Board discussed nurses using medical marijuana. Nurses need to comply with state and borough laws when considering using or selling marijuana. Nurses need to be aware of federal law restrictions and not work while impaired.

Public testimony ended at 9:35 am.

Agenda Item 7A&B ORGANIZATION

The Board met with Director Janey Hovenden, Division of Operations Manager Sara Chambers, and Administrative Officer Martha Hewlett (telephonically.)

The Board discussed the budget highlighting the travel budget.

Fee analysis were addressed by Director Hovenden. She presented a spreadsheet that explained current revenue and proposed revenue by the board and division. Both Director Hovenden and Director Chambers believe we have a healthy surplus. Fees will be analyzed annually.

Status of recruitments was briefed by Director Chambers. We have a Nurse Consultant I, Sandi Frederickson, and we are still trying to recruit an Executive Administrator. The position is currently advertised at Workplace Alaska. We have another licensing examiner on a long term non-permanent basis to alleviate licensing processing delays.

Plans for covering the Executive Administrator duties. Lisa Maroney has done an extraordinary amount of work. Board members, if possible, need to help with the workload. Board members helping need to have an appropriate background to assist with the expertise and have no conflict of interest. The Board would like to have scope of practice questions directed to Lisa Maroney. She will continue to defer to Denise Valentine as needed. Sandi Frederickson is in need of further training and experience in her current position thus does not have the experience to address scope of practice questions.

Temporary license proposal from ASHNHA was discussed. The Board had some concerns with aspects of the proposal. Director Chambers said we need to look at statutes, manpower, and the current process to seek resolutions.

The board recessed for a break at 11:20 am.

The board reconvened from break at 11:30 am.

Agenda Item 3 ADJUDICATION

On a motion duly made by Sharyl Toscano, seconded by Jennie Grimwood, and carried unanimously with 4 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 member Lisa Maroney remained during the session.

The board entered into executive session at 11:32 am.

The board came out of executive session at 11:41 am.

On a motion duly made by Julie Gillette, and seconded by Tom Hendrix, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the requests for early probation release of Registered Nurse Sandra A. Kriese case number 2012-000882, Registered Nurse Mary Alice DeWees, Case Number 2013-002266, and Licensed Practical Nurse Roderick Ellington, Case Number 2014-002078, hereby denies their requests.

Agenda Item 8 GOVERNANCE

Proposed meeting dates were discussed and adjusted, meeting evaluation forms were completed, and the assignment reminder list was reviewed.

The board adjourned at 12:07 pm until January 20-22, 2016 in Anchorage, Alaska.

Respectfully submitted,

s/
Lisa Maroney
Licensing Supervisor
Alaska Board of Nursing

Approved:

s/
Denise Valentine, MS, RN, ANP, Chair
Alaska Board of Nursing

Date: _____