

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

January 20-22, 2016

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, January 20, 2016

Agenda Item 1 CALL TO ORDER

Denise Valentine, MS, RN, ANP, Chairperson, called the meeting to order at 9:03 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, Anchorage
- Tina Gillis, RN, Bethel
- Jennie Grimwood, Public Member, Cordova
- Carrie Miller, LPN, Juneau (telephonically)
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage (telephonically)

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

- Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development
- Jasmine Bautista, Investigator III
- JoAnne Williamson, Investigator III
- Michelle Wall-Rood, Investigator III
- Ed Riefle, Senior Investigator
- Sonia Lipker, Probation Monitor
- Madeleine Henderson, Licensing Examiner

- Shalome Cederberg, Boards and Commissions
- Jen Jensen, Licensing Examiner

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
- Tracey Wiese, ANP, DNP, FNP-BC, PMHNP-BC APRN-A, ANPA Co-Chair
- Pat Reynaga, RN, Anchorage, Providence Alaska Medical Center
- Laura Sarcone, CNM, APRN Alliance Co-Chair
- Lynn Hartz, FNP, Alaska Nurse Practitioner Association (ANPA)
- Dennis Murray, Senior Program Officer, ASHNHA
- Kathleen Frederick, Chief Administrative Law Judge
- Harriet Milks, Assistant Attorney General

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

Agenda Item 1D Ethics Report

Board Member, Sharyl Toscano, attended the CORE NCSBN meeting in Chicago 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 Julie Gillette, seconded by Jennie Grimwood, and carried unanimously with 5 ayes to accept the consent agenda.

Agenda Item 2A1 Minutes, October 21-23, 2015

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

On a motion duly made by Jennie Grimwood, 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 October 21-23, 2015 minutes.

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. The following schools will receive letters of concern from the Board: Alaska Job Corps Palmer, ASD Service Anchorage, AVTEC Anchorage, Bethel, Caregiver Training Academy, Chugiak/Eagle River, PWSCC Cordova, Mat Su Career & Tech HS, Petersburg General Hospital, UAS Ketchikan, and Wrangell Medical Center.

Agenda Item 2B INFORMATION EXCHANGE

Staff Member Jen Jensen was present to observe the meeting and assist with the operations of the meeting.

This is Chair Denise Valentine's last meeting. Up to this point, she has been volunteering time with the Board until an Executive Administrator is hired. She worked with ASHNHA and addressed Representative Seaton's NLC legislation and the Board's opposition to the legislation. Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development, stated that legislation had not been filed at this time. Rep. Seaton and Rep. Wool submitted bills for the medical board compacts.

Board Member, Sharyl Toscano, briefed the NCSBN CORE meeting information. A logic model for the NLC was performed. Alaska is not a border state and there could be more people coming to Alaska without state licenses than there would be Alaskans seeking NLC licensing to work in other states. There is a CORE webinar available March 4, 2016, at 1:00 p.m. CST for Board staff and Investigators.

The Board discussed the letter for the American Midwifery Certification Board requirements.

The Board is welcoming a new Executive Administrator (EA.) Sara Chambers announced an EA was hired yesterday, Gail Bernth from Minnesota, who is a former Alaska Board of Nursing Member.

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)(2) for the purpose of reviewing cases and reports by the investigative team and the paralegal (if appropriate). Board staff member Jen Jensen remained during the session.

The board entered into executive session at 9:38 am.

The board came out of executive session for break at 9:42 am.

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(d)(1) for the purpose of reviewing an administrative law judge decision. Board staff member Jen Jensen remained during the session.

The board entered into executive session at 9:42 am.

Board Member, Carrie Miller, joined telephonically at 10:02 am.

The board came out of executive session at 10:02 am.

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)(2) for the purpose of reviewing cases and reports by the investigative team and the paralegal (if appropriate). Board staff member Jen Jensen remained during the session.

The board entered into executive session at 10:03 am.

The board came out of executive session for break at 11:20 am.

The board reconvened from break at 11:25 am.

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

RESOLVED that the Alaska Board of Nursing enter into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing cases and reports by the investigative team and the paralegal (if appropriate). Board staff member Jen Jensen remained during the session.

The board entered into executive session at 11:26 am.

The board came out of executive session at 11:42 pm.

Agenda Item 3 ADJUDICATION (Continued)

On a motion duly made by Julie Gillette, 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 Decision of the Administrative Law Judge, in OAH # 14-2118-NUR and case # 2014-001614, Dixie Deacon, hereby upholds the decision of the Administrative Law Judge and adopts this decision as final under the authority of AS 44.64.060(e)(1). Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with AS 44.62.560 and Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

On a motion duly made by Jennie Grimwood, 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 # 2015-001055, regarding 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.

On a motion duly made by Jennie Grimwood, 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 # 2015-000075, Jessica Dawn Darnell, license number NUR R 29245, 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 Darnell'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 Sharyl Toscano, seconded by Tina Gillis, 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 #2013-001636 and # 2015-001867, Peggy Ede, license number NUR R 11453, 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 Peggy Ede'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 Sharyl Toscano, seconded by Tina Gillis, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the License Surrender, Case #2015-002108, James E. Gruebner, Registered Nurse License #NUR R 32106, 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 Jennie Grimwood, and carried unanimously with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Registered Nurse application for Carey Hunziker, Case No. 2015-000924, does hereby deny the application in accordance with AS 08.68.270(1) and 12 AAC 44.770(31).

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

RESOLVED that the Board of Nursing for the State of Alaska, having examined the License Surrender, Case #2015-002179, Mujawamaria S. Johnson, Registered Nurse License #NUR R 30395, 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 Jennie Grimwood, seconded by Tina Gillis, 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 # 2015-001651, Lacey N. Jones, License Practical Nurse 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 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 Sharyl Toscano, 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 # 2015-002061, Stephan D. Koehler, license 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 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 Jennie Grimwood, 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 # 2015-001808, Kelsey McMahan, Nurse License #NUR-P-105654, 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 Kelsey McMahan'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 Jennie Grimwood, seconded by Tina Gillis, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the License Surrender, Case #2014-000968, Kevin N. Miller, Registered Nurse License #NUR P 5293, 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 Tina Gillis, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the License Surrender, Case #2015-001790, Nina M. Seale, Practical Nurse License #NUR P 7172, 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 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 # 2015-001788, David M. Showalter, Registered Nurse License #NUR R 103887, adopts the Consent Agreement and Decision and Order in this matter with a modification to stay \$2,000 of the \$2,500 fine.

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 Sharyl Toscano, 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 # 2015-000135, Monica G. Sizemore, license number NUR P 7156, 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 Sharyl Toscano, 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 License Surrender, case number 2015-001955, Angie M. Tolbert, Registered Nurse license #NUR R 26003, 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 Tina Gillis, 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 # 2015-001950, Kang Gatkuoth, 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 certification, 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 Jennie Grimwood, 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 certificate surrender, case number 2015-001978, Jasmine Hibbert, certificate # NUA A 14352, adopted the certificate surrender in this matter.

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

On a motion duly made by Julie Gillette, 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 Certified Nurse Aide by Examination application for Kimberly G. Kirkman, Case No. 2015-001016, does hereby deny the application in accordance with AS 08.68.334(1)(2).

On a motion duly made by Sharyl Toscano, 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 certificate surrender, case number 2015-001853, Vera T. Reutov, certificate # NUA A 4935, adopted the certificate surrender in this matter.

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

On a motion duly made by Jennie Grimwood, 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 # 2015-002089, Samantha M. Tolbert, Certified Nurse Aide 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 certification, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement.

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.

The board recessed for lunch at 12:01 pm.

The board reconvened from lunch at 1:00 pm.

Agenda Item 4 LICENSURE

Agenda Item 4A APRN Alliance Report

Laura Sarcone, CNM, past co-chair APRNA, introduced Tracey Wiese, ANP, DNP, FNP-BC, PMHNP-BC, the incoming co-chair of the APRNA.

Tracey Wiese stated there were three meetings since the October Board meeting. The APRN-A track at the ANPA Conference will be Friday, September 23, 2016 at Captain Cook Hotel.

Laura Sarcone briefed SB 53 APRN legislation will be introduced in Juneau Jan 25, 2016, in the House Labor and Commerce Committee. This bill will bring us into compliance with the NCSBN model.

Tracey said nurse practitioners are actively looking into creating legislation to allow Nurse Practitioners to sign death certificates and they have the support of the Medical Examiner's Office.

The APRN would like to discuss the Board's process for clinical management CEU requirements.

Lynn Hartz, FNP, APRN Alliance, addressed the Board and proposed repealing AAC 44.440(f). She expresses that the credentialing bodies already require CEUs for clinical management and pharmacology. Board regulation of this is duplication of this requirement.

Board Member Tom Hendrix had to leave the meeting telephonically at 1:30 pm.

Agenda Item 4B Certification Requirements

Board Member Sharyl Toscano discussed certification requirements.

Agenda Item 4C DON/CNO Update

Jennifer Bryner, Director of Nursing, Petersburg Hospital, Operations Manager, ASHNHA, discussed the licensing process. She is concerned the delay in licensing is not resolved. ASHNHA proposes using temporary licenses to prevent future delays and is open to other plans.

Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development, stands by the staff's assertion licenses are being processed in 1-2 days which is an improvement over this past summer delays. The Board still receives a large number of incomplete applications. Lisa Maroney developed an informal checklist to help an applicant and employer with the process of applying and provide clarity to the requirements. The application was reviewed and the department is considering requiring less information on the application.

Ms. Chambers briefed that temporary license is not a fast track to licensing. It is being proposed to roll the cost for processing a temporary license into the application fee making thus making it a nonrefundable fee.

Ms. Chambers briefed that a long term non-permanent position has been added as a license examiner to the expedite licensing process. This position may become permanent in the future. Expedited requests to process licenses will need to be generated from an employer with a justification.

Board Member, Tina Gillis, participated in conversations but was recused from voting due to her ASHNHA affiliation. Ms. Gillis recommended building the temporary license into the regular licensing process so that there would be one fee and no refunds.

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

RESOLVED that the Board of Nursing for the State of Alaska, after reviewing the RN/LPN Endorsement Application for Licensure Checklist, RN/LPN Exam Application for Licensure Checklist, and Request for Expedited Review of Health Care Professional Application Checklist, recommend continuing current practices in temporary or permanent licensure at this time. We support the divisions fee analysis for the removal of the temporary licensing fee.

Agenda Item 4D

LPN Flushing PICC Lines AO Review

Patricia Burke-Peters, MSW, First Choice Home Health Care Board was scheduled to present this topic and was not present. Written material was reviewed and used as a basis for a decision.

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, uphold the September 1997 LPN Advisory Opinion that prohibits an LPN from flushing a PICC line. It is also outside of the scope of practice for an LPN to perform dressing changes in conjunction with this procedure.

The board recessed for break at 3:00 pm.

The board reconvened from break at 3:15 pm.

Agenda Item 5 PRACTICE

Agenda Item 5A Nitrous Oxide Analgesia L/D ANMC

Laura Sarcone, CNM, briefed the Board on the ANMC Nitrous Oxide Program in Labor & Delivery. She recommends that RNs set up equipment and do patient monitoring. Currently, the doctor or midwife sets it up but can become busy and unable to monitor the patient.

The Board requested a follow up on the status of this program in one year.

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 continuation of the Nitrous Oxide Program in the Labor and Delivery Department at ANMC and approve the changed informed consent to patient education document and allow the RNs to set up nitrous oxide equipment.

Agenda Item 5B RN/LPN Perform Limited Radiographs

James North, Radiology Director, Tanana Chiefs Conference, is requesting that RNs and LPNs be allowed to perform limited radiographs in Galena, Tok, and Nenana under direction of an ordering provider. This service would be provided when no other alternative for radiology is immediately available in these remote locations.

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 Scope of Expansion for RNs working for the Tanana Chiefs Conference in Galena, Nenana, and Tok to allow for limited radiograph imaging under supervision of a qualified credentialed provider when no other alternative is immediately

available. The Board requires an annual report on the program in 2017.

Agenda Item 5C Expanded Scope of Practice

Barbara Briggs, RN, requested she be allowed an expanded scope of practice to offer micropigmentation services to women who have alopecia or are scarred from breast cancer procedures. The Board does not have jurisdiction over this service. The Board asked that Ms. Briggs not use her title as a nurse to conduct tattooing. The Board appreciates her offering this service to breast cancer survivors.

Agenda Item 5D Cross Roads Medical Center – X-Ray Report

Elizabeth Bengtson, RN, joined the Board telephonically and provided a written report regarding RNs performing plain film x-rays in 2015. The standard for proficiency is less than 15% retake record. All nurses are meeting the standard. The Board requested another report in January, 2017.

The board recessed at 4:51 pm to resume the meeting on January 21, 2016

Thursday, January 21, 2016

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, Anchorage
- Tina Gillis, RN, Bethel
- Jennie Grimwood, Public Member, Cordova
- Carrie Miller, LPN, Juneau (telephonically)
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage

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

- Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development
- Ed Riefle, Senior Investigator

- Charles Ward, Paralegal (telephonically)
- Lisa Maroney, Licensing and Records Supervisor
- Madeleine Henderson, Licensing Examiner
- Jen Jensen, Licensing Examiner
- Sandi Fredrickson, RN, 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)
- David Hyberg, Director of Nursing at Providence
- Tracey Wiese ANP, DNP, FNP-BC, PMHNP-BC APRN-A, ANPA Co-Chair
- Katherine Hardy, ANP, APRNA Co-chair
- Laura Sarcone, CNM, APRN Alliance Co-Chair
- Dennis Murray, Senior Program Officer, ASHNHA

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

Public Testimony

The Board entered into public testimony at 9:03 am.

Laura Sarcone, Co-Chair APRN Alliance, introduced Kathrine Hardy, ANP, another co-chair of the Alliance.

Gemma Gardioli, Heidi Jensen, and Chelsea from Catholic Native Ministries spoke about Detox facilities shortages. They believe LPNs can perform CIWAs. They support a review of our regulations. It is difficult to retain RNs at a 24/7 Detox Center. Feb 15th or 29th at St Anthony's Catholic Parish there will be a meeting addressing these concerns.

Mary Holman, CRNA, ANMC, asked that regulations be reworded to adopt the new CRNA language. The Scope of Practice document needs the updated concise paragraph that captures the CRNA duties and that they can work independently.

Becky Hultberg, President & CEO, ASHNHA, addressed the licensing delays. They appreciate the work that had been done but in her opinion, the full extent of the problem has not been addressed.

Sharon Sutherland, Director of Patient Care, South Peninsula Hospital, expressed concern about the length of time it takes to receive a license. She offered examples and would like to explore an action plan to expedite the licensing process.

David Hyberg, Director of Nursing, Providence Extended Care Center, attended yesterday's meeting but is concerned about the 70% incomplete records causing delays. He is short staffed and concerned about safety.

Jennifer Bryner, ASHNHA, members are saying its taking weeks to get licensed. She'd like the Boards action plan.

Pat Reynaga, Providence, the discipline data base on the website has not been updated since previous to the October meeting. Carrie Miller will ensure the updates are done.

Public testimony ended at 9:35 am.

Agenda Item 3

ADJUDICATION

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

RESOLVED that the Alaska Board of Nursing enter into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing cases and reports by the investigative team and the paralegal (if appropriate). 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 10:21 am.

The board reconvened from break at 10:40 am.

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

RESOLVED that the Alaska Board of Nursing enter into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing cases and reports by the investigative team and the paralegal (if appropriate). Board staff member Lisa Maroney remained during the session.

The board entered into executive session at 10:40 am.

The board came out of executive session at 11:50 am.

The board recessed for lunch at 11:50 am.

The board reconvened from lunch at 1:00 pm.

Agenda Item 6 EDUCATION

Agenda Item 6A Charter College AAS ACEN Site Visit

Janice Floyd, MSN, DON, briefed the Board on the Provisional Report. Cohort 5 began on November 16, 2015, with 36 students. One class graduated in April, 2015, with 18 students. Sixteen have taken the NCLEX with a 100% pass rate
Charter College received ACEN candidacy Status June 29, 2015, and the initial site visit was October 12-14, 2015. The survey team recommended accreditation.

The Board requested Charter College report again next year.

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

RESOLVED that the Board of Nursing for the State of Alaska, provide continued provisional approval for the Charter College RN AAS Program.

Agenda Item 6B UAA Programs Annual Report

Barb Berner, EdD, Director & Faculty, and Maureen O'Malley, Associate Professor, Associate Director, BS/MS Programs, addressed the board. There are 13 distance UAA Associate Degree sites. The NCLEX scores are high. The Fairbanks program is going to become a BS program this fall for students in rural areas.

In 2015, the Baccalaureate Nursing Program shifted from a semester to a trimester schedule. The size of admission cohorts

was increased from 32 to 40 students. There is a 24-month delayed admission list.

The Masters program was revised to offer either Nursing Education or Administration. The program is on-line. The Masters to DNP program had 6 students and 4 students remain full time.

Recruiting qualified nursing faculty is a challenge at UAA and nationwide and is the largest limiting factor to nursing enrollments. Last year the school was unable to fill vacant positions.

There is still a waiting period to attend but it is not as long as previous years. Currently, there are 190 applicants for 64 AAS positions.

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 UAA AS, BS, Graduate Programs.

Agenda Item 6C AVTEC CNA & LPN Programs

Reynaldo Espera, RN, Director of Nursing and Ben Eveland, Director (telephonically,) and Becky Daines, RN, addressed the Board. There is still an interest to have an LPN program and there is a waiting list. NA program pass rates were low on skills program. Critical skills lab hours were expanded and the lab opened more frequently for practice prior to testing.

AVTEC will provide their next report in July 2016.

Agenda Item 6D CNA Programs

Sandi Frederickson, RN Nurse Consultant, addressed the Board regarding the Pioneer Extended Care Center, KPC/KPBSD, Soldotna Program, plans for the upcoming program site visits, the Nurse Aide Instructor Conference Update, and LTC meeting reports. She briefed the Board on various instructor positions.

The following new programs need site visits: ATC Kotzebue, Bethel, and UAF-Nome.

The following programs are high risks: CTA (76% pass rate,) Job Corps (70% pass rate,) and UAS Ketchikan (65% pass rate with 17 students.)

In a comparison to other schools nationwide, Alaska is doing well. First time test takers have a 95% pass rate.

The Board requested future reports reflect pass rates for the written and skills portions at the next meeting. An additional column should reflect how many students passed both the written and skills portions the first time.

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

RESOLVED that the Board of Nursing for the State of Alaska, provide provisional approval for the Pioneer Extended Care Center, dba Alaska CNA Program and Marcus Murchison, RN, be approved as an instructor after his one year of LTC experience as an RN (March 24, 2016.)

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

RESOLVED that the Board of Nursing for the State of Alaska, accepts the program change for Kenai Peninsula College/KPBSD Soldotna.

Agenda Item 5 PRACTICE

Agenda Item 5E UAA Student Sobriety Monitoring

Maureen O'Malley, PhD, RN, addressed the Board about students who need sobriety treatment. They would like the Board to consider the successful time a student participates in a sobriety program to be counted towards their one year documented sobriety when applying for their license. The school provides random drug testing and counseling to the student for a modest fee. The students are monitored for sobriety the rest of their time as students. The program is self-supporting.

The Board appreciates the program the school has developed.

The board recessed for break at 2:45 pm.

The board reconvened from break at 3:00 pm.

Agenda Item 3 ADJUDICATION (Continued)

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

IT IS HEREBY ORDERED that Default is entered against Ms. Janae Brown and that Ms. Brown's Nurse Aide Certificate Number NUA A 11394 is revoked Case Number 2015-000090.

In accordance with AS 44.62.550 and 12 AAC 44.880, the Board will allow Ms. Brown to apply for reinstatement of this certification after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Brown's nurse aide certificate shall be conditioned subject to:

Payment of a civil fine in the amount of \$500 for Ms. Brown's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Brown's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Brown's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

The Board finds Ms. Brown's certificate in default and thereby revokes certificate NUA A 11394, effective immediately.

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

IT IS HEREBY ORDERED that Default is entered against Ms. Jaclyn Cole and that Ms. Cole's Nurse Aide Certificate Number NUA A 12609 is revoked Case Number 2015-000106.

In accordance with AS 44.62.550 and 12 AAC 44.880, the Board will allow Ms. Cole to apply for reinstatement of this certification after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Cole's nurse aide certificate shall be conditioned subject to:

Payment of a civil fine in the amount of \$500 for Ms. Cole's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Cole's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Cole's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

The Board finds Ms. Cole's certificate in default and thereby revokes certificate #NUA A 12609, effective immediately.

On a motion duly made by Julie Gillette, seconded by Tom Hendrix, 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 # 2015-001461, in the matter of Rickey Crawford, Registered Nurse License #NUR R 28953, 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 Tina Gillis, and carried unanimously with 6 ayes, it was

IT IS HEREBY ORDERED that Default is entered against Ms. Cheryl Duncan and that Ms. Duncan's Nurse Aide Certificate Number NUA A 00059 is revoked Case Number 2015-000143.

In accordance with AS 44.62.550 and 12 AAC 44.880, the Board will allow Ms. Duncan to apply for reinstatement of this certification after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Duncan's nurse aide certificate shall be conditioned subject to:

Payment of a civil fine in the amount of \$500 for Ms. Duncan's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Duncan's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Duncan's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

The Board finds Ms. Duncan's certificate in default and thereby revokes certificate #NUA A 00059 effective immediately.

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

IT IS HEREBY ORDERED that Default is entered against Ms. Kim J. Edwards and that Ms. Edwards' Nurse Aide Certificate Number NUA A 11992 is revoked Case Number 2013-001264.

In accordance with AS 44.62.550 and 12 AAC 44.880, the Board will allow Ms. Edwards to apply for reinstatement of this certification after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Edwards' nurse aide certificate shall be conditioned subject to:

Payment of a civil fine in the amount of \$500 for Ms. Edwards' repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Edwards' completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Edwards' nurse aide

certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

The Board finds Ms Edward's certificate in default and thereby revokes lapsed certificate #NUA A 11992, effective immediately.

On a motion duly made by Julie Gillette, and 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 # 2015-001561, in the matter of Linda Faulkner, License No. NUR U 1403, 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 Julie Gillette, and seconded by Jennie Grimwood, and carried unanimously with 6 ayes, it was

RESOLVED that the Alaska Board of Nursing, having examined the Voluntary Surrender of Certified Nurse Aide's Certificate No. 12156, in the matter of Respondent Adam Fitzgerald, Case Number 2015-000127, hereby adopts the Voluntary Surrender of Certified Nurse's Aide Certificate No. 12156 and Order in this matter, effective immediately.

The Voluntary Surrender, 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 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 # 2015-000099, in the matter of Regina Galindez, Certified Nurse Aide Certificate NUA A 11811, 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 Julie Gillette, seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

IT IS HEREBY ORDERED that Default is entered against Ms. Clara R. George and that Ms. George's Practical Nurse License Number NUR P 5762 is revoked Case Number 2011-000647.

In accordance with AS 44.62.550 and 12 AAC 44.785, the Board will allow Ms. George to apply for reinstatement of this license after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. George's practical nurse license shall be conditioned subject to:

Payment of a civil fine in the amount of \$1,500 for Ms. George's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. George's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her practical nurse license. This requirement will remain until Ms. George's practical nurse license has been renewed/reinstated subject to this mandatory audit requirement for two license periods.

The Board finds Ms George's license in default and thereby revokes license #NUR P 5762 effective immediately.

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 proposed Consent Agreement, Decision and Order, under Case # 2015-001498, in the matter of Sara Gress, License # NUR U 1068, 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 Julie Gillette, 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 # 2013-001279, in the matter of Susan Hoschar, Certified Nurse Aide Certificate NUA A 7637, 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 Julie Gillette, 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 # 2015-001687, in the matter of Alicia Howland-Easton, Registered Nurse License #NUR R 28432, 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 Julie Gillette, seconded by Tom Hendrix, and carried unanimously with 6 ayes, it was

IT IS HEREBY ORDERED that Default is entered against Ms. Annette Jenkins and that Ms. Jenkins' Practical Nurse License Number NUR P 5617 is revoked Case Number 2015-000540.

In accordance with AS 44.62.550 and 12 AAC 44.785, the Board will allow Ms. Jenkins to apply for reinstatement of this license after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Jenkins' practical nurse license shall be conditioned subject to:

Payment of a civil fine in the amount of \$1,500 for Ms. Jenkins' repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Jenkins' completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her practical nurse license. This requirement will remain until Ms. Jenkins' practical nurse license has been renewed/reinstated subject to this mandatory audit requirement for two license periods.

The Board finds Ms. Jenkin's license in default and thereby revokes license #NUR P 5617, effective immediately.

On a motion duly made by Julie Gillette, 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 # 2015-000122, in the matter of Tanya Martin, Certified Nurse Aide Certificate NUA A 13416, 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 Julie Gillette, seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

IT IS HEREBY ORDERED that Default is entered against Ms. Linda A. Monroe and that Ms. Monroe's Practical Nurse License Number NUR P 6001 is revoked Case Number 2013-002217.

In accordance with AS 44.62.550 and 12 AAC 44.785, the Board will allow Ms. Monroe to apply for reinstatement of this license after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Monroe's practical nurse license shall be conditioned subject to:

Payment of a civil fine in the amount of \$1,500 for Ms. Monroe's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Monroe's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her practical nurse license. This requirement will remain until Ms. Monroe's practical nurse license has been renewed/reinstated subject to this mandatory audit requirement for two license periods.

The Board finds Ms. Monroe's license in default and thereby revokes license #NUR P 6001, effective immediately.

On a motion duly made by Julie Gillette, and seconded by Jennie Grimwood, 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 # 2015-001475, in the matter of Danny Montoya, Registered Nurse License #NUR R 28953, 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 Julie Gillette, seconded by Tom Hendrix, and carried unanimously with 5 ayes and 1 recusal board member Carrie Miller, it was

IT IS HEREBY ORDERED that Default is entered against Mr. David W. Muldoon and that Mr. Muldoon's Practical Nurse License Number NUR P 5186 is revoked Case Number 2015-000615.

In accordance with AS 44.62.550 and 12 AAC 44.785, the Board will allow Mr. Muldoon to apply for reinstatement of this license after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Mr. Muldoon's practical nurse license shall be conditioned subject to:

Payment of a civil fine in the amount of \$1,500 for Mr. Muldoon's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Mr. Muldoon's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of his practical nurse license. This requirement will remain until Mr. Muldoon's practical nurse license has been renewed/reinstated subject to this mandatory audit requirement for two license periods.

The Board finds Mr Muldoon's license in default and thereby revokes license #NUR P 5186, effective immediately.

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

IT IS HEREBY ORDERED that Default is entered against Ms. Melina M. Munoz and that Ms. Munoz's Nurse Aide Certificate Number NUA A 13502 is revoked Case Number 2015-000108.

In accordance with AS 44.62.550 and 12 AAC 44.880, the Board will allow Ms. Munoz to apply for reinstatement of this certification after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Munoz's nurse aide certificate shall be conditioned subject to:

Payment of a civil fine in the amount of \$500 for Ms. Munoz's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Munoz's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Munoz's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

The Board finds Ms Munoz's certificate in default and thereby revokes certificate #NUA A 13502, effective immediately.

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

IT IS HEREBY ORDERED that Default is entered against Ms. Anne Rainbolt and that Ms. Rainbolt's Practical Nurse License Number NUR P 6741 is revoked Case Number 2015-000543.

In accordance with AS 44.62.550 and 12 AAC 44.785, the Board will allow Ms. Rainbolt to apply for reinstatement of this license after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Rainbolt's practical nurse license shall be conditioned subject to:

Payment of a civil fine in the amount of \$1,500 for Ms. Rainbolt's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Rainbolt's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her practical nurse license. This requirement will remain until Ms. Rainbolt's practical nurse license has been renewed/reinstated subject to this mandatory audit requirement for two license periods.

The Board finds Ms Rainbolt's license in default and thereby revokes license #NUR P 6741, effective immediately.

On a motion duly made by Julie Gillette, and seconded by Jennie Grimwood, 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 # 2015-001398, in the matter of J'Ann Riggs, Registered Nurse License No. NUR R 16411, 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 Julie Gillette, seconded by Tina Gillis, and carried unanimously with 6 ayes, it was

IT IS HEREBY ORDERED that Default is entered against Mr. Brian L. Sexton and that Mr. Sexton's Practical Nurse License Number NUR P 6581 is revoked Case Number 2015-000541.

In accordance with AS 44.62.550 and 12 AAC 44.785, the Board will allow Mr. Sexton to apply for reinstatement of this license after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Mr. Sexton's practical nurse license shall be conditioned subject to:

Payment of a civil fine in the amount of \$1,500 for Mr. Sexton's repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Mr. Sexton's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of his practical nurse license. This requirement will remain until Mr. Sexton's practical nurse license has been renewed/reinstated subject to this mandatory audit requirement for two license periods.

The Board finds Mr. Sexton's license in default and thereby revokes license #NUR P 6581, effective immediately.

On a motion duly made by Julie Gillette, seconded by Jennie Grimwood, 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 # 2015-000085, in the matter of Linda Smith, Certified Nurse's Aide #NUA A 8125, 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 Tina Gillis, and carried unanimously with 6 ayes, it was

IT IS HEREBY ORDERED that Default is entered against Ms. Stephanie Williams and that Ms. Williams' Nurse Aide Certificate Number NUA A 12866 is revoked Case Number 2015-000102.

In accordance with AS 44.62.550 and 12 AAC 44.880, the Board will allow Ms. Williams to apply for reinstatement of this certification after one year has elapsed following the effective date of this decision.

Under this provision, any reinstatement of Ms. Williams' certification shall be conditioned subject to:

Payment of a civil fine in the amount of \$500 for Ms. Williams' repeated failure to respond to requests for documentation;

Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Williams' completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her certificate. This requirement will remain until Ms. Williams' nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

The Board finds Ms. William's certificate in default and thereby revokes certificate #NUA A 12866, effective immediately.

On a motion duly made by Julie Gillette, 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 # 2015-001303, in the matter of Vicie Zielinski, Registered Nurse License No. NUR R 27008, 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.

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 Proposed Regulation Changes

The Board discussed regulation changes. A retired nurse cannot actively practice nursing.

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

RESOLVED that the Board of Nursing for the State of Alaska, approve the following regulation changes: 12 AAC 44.135(b), 44.290(a)(1)(A), 44.290(c), 44.300 (g), 44.305(a)(1)(F), 44.305(a)(1)(H), 44.305(a)(3), 44.311(a)(b)(1)(2)(c), 44.317.title and (a), 44.400(a)(6)(E), 44.400(g)(1), 44.400(h)(1)(2)(3)(i), 44.440(i), repeal 44.460(b)(2), 44.470(4), 44.500(c)(d)(e)(f), 44.510(a), 44.540(4)(5), 44.610(a)(1), 44.610(d), 44.620(a)(1), 44.620(a)(2)(D), 44.630, 44.800(a)(2), 44.805(4), 44.810(a)(1)(A)(B)(C)(2)(3)(4), 44.815(c), 44.820(a), 44.830(b)(9), 44.830(d), 44.870(b)(29), repeal 44.945(b), 44.965(e), delete 44.966(c), repeal 44.966(h)(3), repeal 44.970(14), 44.980 title and (a), repeal 44.980(b), repeal 44.990(28).

On the record, the Board of Nursing paid special attention to the cost of private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

The board recessed at 4:50 pm to resume the meeting on Friday, January 22, 2016.

Friday, January 22, 2016

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, Anchorage
- Tina Gillis, RN, Bethel
- Jennie Grimwood, Public Member, Cordova
- Carrie Miller, LPN, Juneau (telephonically)
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage

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

- Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development
- Lisa Maroney, Licensing and Records Supervisor
- Jen Jensen, Licensing Examiner

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
- Pat Reynaga, RN, Anchorage Providence
- Carrie Doyle, ACNSA, Providence

Agenda Item 5F Proposed Regulation Changes (Continued)

A motion was duly made by Julie Gillette, seconded by Sharyl Toscano, and carried unanimously by 6 ayes, to amend the motion previously adopted to now read:

RESOLVED that the Board of Nursing for the State of

Alaska, approve the following regulation changes: 12 AAC 44.135(b), 44.290(a)(1)(A), 44.290(c), 44.300 (g), 44.305(a)(1)(F), 44.305(a)(1)(H), 44.305(a)(3), 44.311(a)(b)(1)(2)(c), 44.317.title and (a), 44.400(a)(6)(E), 44.400(g)(1), 44.400(h)(1)(2)(3)(i), 44.440(i), repeal 44.460(b)(2), 44.470(4), 44.500(c)(d)(e)(f), 44.510(a), 44.540(4), 44.610(a)(1), 44.610(d), 44.620(a)(1), 44.620(a)(2)(D), 44.630, 44.800(a)(2), 44.805(4), 44.810(a)(1)(A)(B)(C)(2)(3)(4), 44.815(c), 44.820(a), 44.830(b)(9), 44.830(d), 44.870(b)(29), repeal 44.945(b), 44.965(e), delete 44.966(c), repeal 44.966(h)(3), repeal 44.970(14), 44.980 title and (a), repeal 44.980(b), repeal 44.990(28).

On the record, the Board of Nursing paid special attention to the cost of private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Public Testimony

The board entered into public testimony at 9:07 am.

Beth Farnstrom, Alaska Nurses Association, said the smart phone app for the BON still needs improvement to access files such as meeting minutes and regulation changes. She proposed the temporary license regulations be repealed and suggested assembling a small task force between ASHNHA and the BON between now and the March meeting to develop a plan to expedite licenses while protecting the public. She thanked Denise Valentine and Carrie Miller for their service.

Carrie Doyle, Women's Health CNS is asking for women's health changes in the regulation. At previous BONs we discussed a regulation change and it did not make this last round of approved regulation changes. The Board sees the urgency in adding verbiage for the Women's Health CNS. Carrie thanked Denise Valentine and Carrie Miller for their service.

Sara Chambers addressed the women's health CNS issue. She said the Board can adopt a statement that the Board shall accept until a particular date an application that met all other criteria to prevent bureaucratic delays in licensing.

Laura Sarcone, APRN Alliance, expressed appreciation for the regulation changes. She discussed SB 98, An Act Relating to Diagnosis, Treatment and Prescription Drugs Without an Examination by a Physician, a Telehealth Bill will be heard this Wednesday. This bill allows physicians in other states to prescribed medications via telehealth to patients in Alaska. The Alliance supports the BON AO pertaining to this subject.

Emily Stevens expressed disappointment with the licensing process decision. She would like to have a task force to establish a standard practice. She stated traveling nurse companies do not want to send nurses to Alaska due to licensing difficulties.

Sharon Updike, Ketchikan Medical Center, has staffing demands and challenges hiring nurses because of the BON licensing process. She plans to hire 52 nurses and she's concerned about the time the process takes.

Helen McGaw, Kotzebue, mirrored the comments from the previous two presenters. She gave an example of a traveler nurse waiting 4 months for a license. Kotzebue's location makes it difficult to fill vacant positions in a timely manner.

Public testimony ended at 9:36 am.

Agenda Item 7A&B ORGANIZATION

The Board met with Sara Chambers, Operations Manager, Department of Commerce, Community, and Economic Development.

Ms. Chambers introduced Gail Bernth, the new Executive Administrator, who joined telephonically. She will start March 1, 2016.

The Board discussed the budget. Ms. Chambers thanked the Board for its motion on temporary license fees. The Board is in an excellent fiscal position.

Sharyl Toscano is on the CORE NSCBN Committee. The travel process is cumbersome because Board members deal with the NSCBN travel department and the state travel office. The CORE meetings are quarterly and always in Chicago. Can this process be streamlined?

Governor Walker issued a travel freeze due to budget constraints. The Board needs to evaluate how it affects the ability to attend meetings in and out of state. Out of state travel requires an additional level of approval.

The Board discussed going electronic for future meetings.

Recruitment for a long term non-permanent license examiner for two years is underway. The Governor recognizes the Board's staffing shortage. The Office Assistant should be upgraded due to the duties of the position.

There are four healthcare Bills this legislative session and SB53 will affect the BON. The hearing is this Monday, January 25, 2016. Board Member Julie Gillette will participate. The Board supports this Bill.

Ms. Chambers thanked Denise Valentine and Carrie Miller for their service on the Board.

Lisa Maroney briefed a licensing application issue regarding questions 4 and 5 on the application. The Board will dedicate time at the next meeting to analyze the form.

The board recessed for a break at 10:49 am.

The board reconvened from break at 11:05 am.

Agenda Item 3 ADJUDICATION (Continued)

Withdrawal of application process. Some applicants have answered "no" on criminal background questions deliberately and then withdrawn the application when the background check finds a felony or misdemeanor. The applicant then gets a refund and refiles answering yes.

The Board does not want applicants to have the ability to withdraw after investigators have found the discrepancy. The Board wants to be consistent and safe to practice. In January, 2013, the Board previously approved denying withdrawal of the applicant when a discrepancy is found. This item will be added to the next regulation project.

Agenda Item 4E Licensure – Military Retiree Training Licensure

The Board discussed the challenge military corpsman have in attempting to seek employment as LPNs or CNAs in Alaska. A letter from Paul Bennetts suggested documenting training via the DD Form 214 to eliminate the current process.

The Board evaluated the request for military medical technicians and corpsman to take the LPN examination and based on the NSCBN requirements. According to regulations, Mr. Bennetts would need to attend an accredited program that provides a degree prior to taking the NCLEX. Institutions should decide what credits and training will be counted toward a degree.

Agenda Item 8 GOVERNANCE

Agenda Item 8A Elections

Elections were held for Board Chairperson, Vice Chair and Secretary.

On a motion duly made by Tom Hendrix, seconded by Tina Gillis, and carried unanimously with 4 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska nominate and elect Julie Gillette as Chairperson, Sharyl Toscano as Vice Chair, and Jennie Grimwood as Secretary.

Agenda Item 8B&C Meeting Evaluation

Meeting evaluation forms were completed, and the assignment reminder list was reviewed.

Proposed meeting locations were discussed and adjusted. Due to budget constraints and high Board changeover the next Board meeting will be held in Anchorage instead of Juneau.

The board adjourned at 11:41 am until March 9-11, 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: 2/19/2016