

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

Atwood Building
550 West Seventh Ave. Room 1550
Anchorage, AK

BOARD OF NURSING

Board of Nursing Minutes
April 17-18, 2019

By authority of AS 08.01.070(2) and in compliance with the professions of AS 44.62, Article 6, a meeting of the Board of Nursing was held in the Atwood Building 550 W. 7th Ave., Ste. 1550 Anchorage, AK 99501.

Wednesday, April 17, 2019

CALL TO ORDER

Called the meeting to order at 9:00 a.m.

Agenda Item 1

Roll Call

Those present, constituting a quorum were:

- Chair, appointed Educator: Joe Lefleur, MSN Ed, RN, Ketchikan
- Secretary, LPN Member: Emily Henry, LPN, Anchorage
- RN Member: Danette Schloeder, RN Anchorage
- Public Member: Shannon Connelly, Palmer
- Public Member: Julie Tisdale, Anchorage

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

- Lisa Maroney, Licensing Supervisor
- Beth Farnstrom, Nurse Consultant
- Joan Green, Nurse Consultant
- Jun Maiquis, Regulation Specialist
- Greg Francois, Chief Investigator

Members of the Public in attendance:

- ALJ Pederson
- Carrie Doyle, DNP, Providence Hospital

- Laura Sarcone, APRN Alliance
- Marianne Murray, DNP, MSN, Ed, RN
- Tabi Jayd, MSN, MHA, RN
- Josh Birchinella, Charter College
- Jane Erickson, ANA
- Marianne Murray, UAA
- Theresa, Student AMNC
- Jessica Gundelfinger

Agenda Review

On a motion made by Emily Henry, seconded by Danette Schloeder and carried with 5 ayes it was,
RESOLVED that the agenda be accepted

Ethics Disclosures: Chair Joe Lefleur reported he is an educator with UAA, Ketchikan. No other board members had anything to report.

Agenda Item 2: Charter College School of Nursing Annual Report

UAA School of Nursing Annual Report

**Agenda Item 3: Reviewed draft Template for Annual School of Nursing Reports
 Revise template draft and revisit at May 2019 Board meeting**

**Agenda item 5: Evaluating Scope of Practice Questions/Division correspondence on CBD oil
 CBD Oil was tabled for August 2019 board meeting. Due to FDA conference on May 31, 2019
 discussing CBD use**

Recess for break at: 10:06 a.m.

Returned from break at 10:21. a.m.

Agenda Item 4: UAP Medication Administration Course

Chair Joe Lefleur and Nurse Consultant Joan Green Presented Power point course that is currently on website along with the pre- and posttests.

Chair Joe Lefleur will update the power point presentation for approval at the May 2019 board meeting

Recess for break at: 11:07 a.m.

Returned from break at 11:20. a.m.

Agenda item 6 Executive Session

Entered into Executive Session 11:22 a.m.

On a motion duly made by Emily Henry, seconded by Danette S, and carried 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), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing the Administrative Law Judge's proposed decision**

The door is locked, only board members and ALJ are present.

The board returned to the record, out of executive session at 11:47 a.m.

On a motion duly made by Emily Henry, seconded by Julie Tisdale, and carried with 4 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 No. 2017-000924, 2018-00061, 2019-000215, Margaret C. Hughes, license numbers NURR34644, adopted the amended Consent Agreement and Decision and Order in this matter.

The Amendment to Consent Agreement takes effect immediately upon signature of this Order in accordance with the approval of the Board of Nursing. All other terms of the Consent Agreement in Case No. 2017-000924 shall remain in full force and effect

The Division may enforce the Amendment to Consent Agreement and Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement other than for a violation of Paragraphs A, Q, or T. The Division may enforce the Amendment to Consent Agreement and Consent Agreement by immediately revoking Respondent's license, without an additional order from the Board of Nursing or without a prior hearing for a violation of the Consent Agreement Paragraphs A, Q, or T.

Recess for lunch at: 11:50 p.m.

Returned from lunch at: 1:01 p.m.

Public Testimony

Laura Sarcone provided the board with some history on the APRN alliance and offered any assistance with regulation projects

Agenda Item 8: Proposed Regulation Projects

Reviewed 12 AAC 44.321 repeal of application check list

Approved by the board and will be forwarded to Jun Maiquis, Regulations specialist.

Reviewed Telehealth

Reviewed 12 AAC 44.925, 44.990 standards of practice for telehealth

Reviewed and amended by the board and will be forwarded to Jun Maiquis, Regulations Specialist.

Recess for break at: 2:40 p.m.

Returned from break at 2:56. p.m.

Agenda Item 8 : continuation of Proposed regulation projects

Agenda Item 8e, 12 AAC 44.380 APRN grandfathering table till May 2019 Board meeting.

Agenda Item 8f: Reviewed 12 AAC 44.945 Administration of herbal and non-herbal nutritional supplements

Discussion had will readdress and continue in May 2019

Agenda Item 11: CBPI Letter to boards re: CBD use

Informational

Will readdress in August 2019 after the FDA meeting on May 31, 2019 public hearing about CBD use.

Agenda Item 9: Review of NCLEX PN Test Plan

No action

Agenda Item 10: Holding Nurses to their highest level of licensure

Discussion

Reviewed agenda for April 18, 2019 meeting

Recess at 4:00 pm

Thursday April 18, 2019. Alaska Board of Nursing

CALL TO ORDER

Called the meeting to order at 9:00 a.m.

Those present, constituting a quorum were:

- Chair, appointed Educator: Joe Lefleur, MSN Ed, RN, Ketchikan
- Secretary, LPN Member: Emily Henry, LPN, Anchorage
- RN Member: Danette Schloeder, RN Anchorage
- Public Member: Shannon Connelly, Palmer
- Public Member: Julie Tisdale, Anchorage

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

- Lisa Maroney, Licensing Supervisor
- Beth Farnstrom, Nurse Consultant
- Joan Green, Nurse Consultant
- Jun Maiquis, Regulation Specialist
- Marilyn Zimmerman, Paralegal, Phone
- Greg Francois, Chief Investigator
- Sonja Lipker, Senior Investigator III
- Jennifer Summers, Investigator III
- Joel Dolphin, Investigator III
- Christina Bond, Investigator III
- Amber Whaley, Senior Investigator III

- Joel Dolphin, Investigator III
- Shyla Consalo, Investigator III
- Billy Homestead, Investigator II

Members of the Public in attendance:

- Carrie Doyle, DNP, Providence Hospital, phone
- Laura Sarcone, APRN Alliance
- Jeremy Hoffman, AaNA

Agenda Review

On a motion to approve revised agenda made by Emily Henry, seconded by Danette Schloeder and carried with 5 ayes it was,

RESOLVED that the Revised agenda be accepted

Agenda Item 13: Board Training on Investigations/ Disciplinary Guidelines Matrix

Sonja presented to board, reviewed and amended, the Disciplinary Guidelines

Recess for break at: 10:15 a.m.

Returned from break at 10:34. a.m

Agenda Item 13: Board Training on Investigations/ Disciplinary Guidelines Matrix

Continued review of Disciplinary Guidelines Matrix

Recess for break at: 11:05 a.m.

Returned from break at 11:15. a.m

Entered into Executive Session at 11:15 a.m

Executive session

On a motion duly made by Dannette Schloeder, seconded by Emily Henry, and carried 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 members are to remain during the session.

The door is locked, only board members and board staff are present, recorder and phone turned off, zoom not connected.

The board returned to the record, out of executive session at 12:16 p.m

Recessed to lunch

Returned from lunch at 1:40 p.m.

ADJUDICATION:

On a motion duly made by Emily Henry, seconded by Danette Schloeder, and carried with 4 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 No. 2018-001241, Deborah J. Merchant, Licensed Practical Nurse, 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 Emily Henry, seconded by Julie Tisdale, and carried with 4 ayes it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement an Proposed Decision and Order, Case no. 2018-000180, John L. Brassell III, license number 124091, 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 Danette Schloeder, seconded by Emily Henry, and carried with 4 ayes it was **RESOLVED** that the Board of Nursing for the State of Alaska, having examined the Consent Agreement an Proposed Decision and Order under Case No. 2018-001111, in the matter of Mary E. Swanson, nurse aide certificate No. NUAA4454, Adopts this Consent Agreement, Decision and Order.

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

On a motion duly made by Shannon Connelly, seconded by Emily Henry, and carried with 4 ayes it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement an Proposed Decision and Order under Case No. 2018-001113, in the matter of Joanna M. Carpluk, nurse aide certificate No. NUAA14002, Adopts this Consent Agreement, Decision and Order.

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

On a motion duly made by Shannon Connelly, seconded by Emily Henry, and carried with 4 ayes it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement an Proposed Decision and Order, Case No. 2018-000138, Walter L Tanner, license number NURR29382 and 142533, 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 Tisdale, seconded by Emily Henry, and carried with 4 ayes it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement an Proposed Decision and Order, Case No. 2018-001314, Jennifer H. Mabry, license number NURR11672, 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 Danette Schloeder, seconded by Emily Henry, and carried with 4 ayes it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement an Proposed Decision and Order, Case No. 2019-000345, Michael Mohl Respondent license number NURR26584, 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.

The request for consideration for early reinstatement by Kimberly Kirkup, license number NURR38518 was unanimously denied with 5 Ayes.

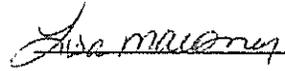
Chair signed all of the original orders.

On a motion made by Danette Schloeder, seconded by Emily Henry and carried with 5 ayes it was, to move forward draft of Regulations of Loss of Prescriptive authority and notifications to DEA/PDMP to Jun Maiquis, Regulations Specialist.

Board Business and Meeting Evaluation and wrap up
Reviewed Board of Nursing Annual Report
Reviewed Executive Administrators job description.

The meeting adjourned at 2:30 p.m. until May 21, 2019, in Anchorage.

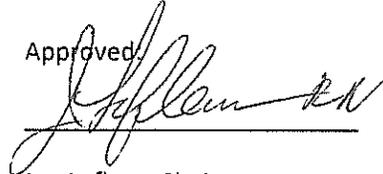
Respectfully submitted,



Lisa Maroney
Licensing Supervisor
Alaska Board of Nursing

Date: 5/16/19

Approved,



Joe Lefleur, Chair
Alaska Board of Nursing