

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

Atwood Building
550 West Seventh Ave. Room 1270
Anchorage, AK

BOARD OF NURSING

Board of Nursing Minutes
May 21-23, 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. 1270 Anchorage, AK 99501.

Tuesday, May 21, 2019

CALL TO ORDER

Chair Joe Lefleur called the meeting to order at 9:32 a.m.

Agenda Item 1

Roll Call

Those present, constituting a quorum were:

- Educator, Chair: Joe Lefleur, MSN Ed, RN, Ketchikan
- RN Member: Danette Schloeder, RN Anchorage attended Via Zoom
- Public Member: Shannon Connelly, Palmer
- APRN Member: Wendy Monrad, APRN, RN, Anchorage
- Public Member: Julie Tisdale, Anchorage
- RN Member: Note this seat is currently vacant
- LPN Member, Secretary: Emily Henry, LPN, Anchorage-Excused

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
- Melissa Dumas, Administrative Officer

Members of the Public in attendance or telephonically:

- Laura Sarcone CNM, APRN Alliance
- Marianne Murray, UAA DNP, MSN, Ed, RN
- Roxanne Lefleur, RN
- Marianne Murray, Director, School of Nursing UAA
- Joe Green
- Dianne Wall, UAA
- Deb Kiley, APRN
- Kathy Buche
- Donna Phillips, Alaska Nurses Association
- Sharon Liska, Providence Alaska Medical Center
- Lee Anne Carrotues, UAA
- Lynn VanVacter, ASHNA
- Bridget Roughneen, Providence Alaska Medical Center

Agenda Review

On a motion made by Shannon Connelly, seconded by Wendy Monrad and carried with 5 ayes it was, **RESOLVED that the amended agenda for the day be accepted.**

Ethics Disclosures:

None

Agenda Item 2: Public Testimony

Topics: brief history of telehealth in Alaska

Public Testimony ended 9:52 a.m.

Agenda Item 3A: CNA Program Reports/CNA Exam Pass Rates/Sites Visit Reports:

Joan Green, Nurse Consultant, discussed the CNA program pass rates, licensing statistics and site visits for Prince William Sound Community College, Cordova, UAS-Sitka, Petersburg Medical Center, Petersburg, Wrangell Medical Center, Wrangell, UAS-Ketchikan, UAS-Juneau.

On a motion made by Shannon Connelly, seconded by Julie Tisdale, and carried with 5 ayes, it was **RESOLVED that the Board of Nursing for the State of Alaska approves the following nurse aide training programs for the next 2 years: at Prince William Sound Community College, Cordova, UAS-Sitka, Petersburg Medical Center, Petersburg, Wrangell Medical Center, Wrangell, UAS-Juneau Programs for the next 2 years. This motion also includes that UAS-Ketchikan nurse aide training program not be approved because the program has deficiencies cited during their visit which need to be corrected**

before they can be approved for 2 more years. UAS-Ketchikan's program status will be reviewed at the August 2019 meeting.

On a motion made by Shannon Connelly, seconded by Julie Tisdale, and carried with 5 ayes, it was **RESOLVED: The Board of Nursing for the State of Alaska approves University of Alaska Anchorage/Matsu College's provisional status be removed and they become State of Alaska approved nurse aide training program.**

A name change for Wrangell Medical Center nurse aide program to SEARCH Wrangell.
Public Testimony ended 10:01 a.m.

Agenda Item 3B: Nursing Licensing Report

Lisa Maroney, Licensing Supervisor, discussed the NCLEX pass rates for the Nursing programs and licensing statistics.

Recess for break at: 10:07 a.m.
Returned from break at: 10:23 a.m.

Agenda Item 4: Division Update

Melissa Dumas, Administrative Officer presented the division report including review of revenue and expenditures and answering Board questions.

Agenda Item 5: Advisory Opinion on APRN closing practice requirements

Beth Farnstrom, Nurse Consultant presented a licensee's question "what does the Board require when an APRN is closing their practice"? A discussion lead to a draft regulation being written and a motion duly made by Shannon Connelly and seconded by Wendy Monrad, and carried by 5 Ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska send the draft regulation to the regulation specialist.

Agenda Item 6: 12 AAC 44.945 Administration of herbal and non herbal nutritional supplement

Joe Lefleur, Chair and Wendy Monrad APRN member lead the discussion on regulation 12 AAC 44.945 draft received from the regulation specialist.

On a motion duly made by Shannon Connelly, second by Wendy Monrad, and carried with 4 ayes, it was **RESOLVED that the Board of Nursing for the State of Alaska send 12 AAC 44.945 to the regulation specialist to change the word OR to AND for consistency throughout the regulation, (a)(5) add ensure current expiration date. (a)(6) add in house pharmacist or consultant pharmacy. Send the amended regulation out for public comment.**

Recess for lunch 11:45 a.m.

Return from lunch 1:01 p.m.

Agenda Item 7: 12 AAC 44.380 APRN grandfathering

Joe Lefleur, Chair and Wendy Monrad APRN member lead the discussion on regulation 12 AAC 44.380. NCSBN was posed this question and their response: "As of the present date (and extending back to last year) there is no new grad who can become an APRN without being certified in one of the four roles and six populations described in the Consensus Model. The advanced emergency certification, for example, is not available for licensure and instead is a specialty for someone who is already an APRN. Exams no longer exist for those outside the roles and the populations of: neonatal, pediatrics, psychiatric mental health, women's health, family across the lifespan, and adult/gerontology. LACE is still considering what to do with new population requests but at this time no changes have been made."

On a motion duly made by Wendy Monrad, second by Shannon Connelly, and carried with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska update the current education advisory opinion with the wording from NCSBN Campaign for APRN consensus Guidelines for Grandfathering APRNs by Endorsement.

Agenda Item 8: APRN Certification Survey

Joe Lefleur, Chair and Wendy Monrad APRN member lead the discussion on APRN certificate survey. This was informational only.

Agenda Item 9: 12 AAC 44.925 Telehealth

Jun Maquis, Regulation Specialist in attendance via teleconference. A few changes requested by the Board will be sent back to the regulation specialist.

Agenda Item 10: 12 AAC 44.446 Loss of prescriptive authority

Jun Maquis, Regulation Specialist in attendance via teleconference. A few changes requested by the Board will be sent back to the regulation specialist.

Recessed for a break 2:29 p.m.

Returned from break 2:49p.m.

Agenda Item 12: Review and complete draft of 2019 Annual Report

Worked on the Board's Strategic Plan

Recessed at 4:32 p.m. until May 22, 2019 at 9 a.m.

Wednesday, May 22, 2019

CALL TO ORDER

Called the meeting to order at 9:02 a.m.

Agenda Item 1

Roll Call

Those present, constituting a quorum were:

- Educator, Chair: Joe Lefleur, MSN Ed, RN, Ketchikan
- RN Member: Danette Schloeder, RN Anchorage attended Via Zoom
- Public Member: Shannon Connelly, Palmer
- APRN Member: Wendy Monrad, APRN, RN, Anchorage-excused absence
- Public Member: Julie Tisdale, Anchorage
- LPN Member, Secretary: Emily Henry, LPN, Anchorage
- RN Member: Note this seat is currently vacant

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

- Lisa Maroney, Licensing Supervisor
- Beth Farnstrom, Nurse Consultant
- Joan Green, Nurse Consultant
- Sonia Lipker, Senior Investigator
- Christina Bond, Investigator III
- Jennifer Summers, Investigator IIII
- Amber Whaley, Senior Investigator

Members of the Public in attendance:

- Cynthia Booher, UAA
- Banu Mufele, UAA
- Lynn VanVector, ASHNA
- Donna Phillips, AaNA

Agenda Review

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

RESOLVED that the amended agenda for the day be accepted.

Agenda Item 13: Public Testimony

Began at 9:07 a.m.

Topics addressed by presenters: communicating with the community, ASHNA support of nursing compact, temporary licensing, support of LPN to RN pathway, need for LPNs in the workforce

Public testimony closed at 9:35 a.m.

Agenda Item 11: Discussion on LPN Military Training

Discussion lead by Joe Lefleur, Chair. Emily and Joe will look at the 3 NCSBN approved LPN equivalency programs with LPN education requirements of Alaska. They will recommend if there is a need for a scope of practice course like some states require the military educated person to take prior to taking the NCLEX-PN. Follow up of their findings at the August meeting.

Agenda Item 14 Template for Annual School of Nursing Reports –

Joe Lefleur reviewed a template that could be used for the annual school of nursing report due by October 1st to the Board. Add a number 9 to address accreditation expiration date and accrediting organization to template.

On a motion duly made by Emily Henry, seconded by Shannon Connelly, and carried with 5 ayes, it was **RESOLVED that the Board of Nursing for the State of Alaska adopt the Annual School of Nursing Report Template.**

The Board staff will distribute to schools of nursing for use by the October 1, 2019 deadline.

Recess for break at: 9:48 a.m.

Returned from break at: 10:05 a.m.

12 AAC 44.090 (d)

Dr. Marianne Murray, Director of UAA School of Nursing requested the Board to review a candidate for their OB position. After a brief discussion, the Board agreed that Chantal Hawk does meet the requirement to be a qualified faculty person at UAA in the OB position.

Agenda Item 15 UAP Medication Administration Course-

Chair Lefleur requested members to review the 149 slides tonight. This item will be readdressed on Thursday.

Agenda Item 16: Review remedial course as required in 12 AAC. 44. 300 (g)

The Board reviewed the remedial course for approval. On a motion duly made by Emily Henry, seconded by Shannon Connelly, and carried with 5 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska approve the ReMar Online Academy NCLEX RN PN Review and add to the board approved remedial course list.

Recess for break at 10:53 a.m.

Returned from break at 11:09 a.m.

Agenda Item 10: 12 AAC 44.446 Loss of prescriptive authority

Revision from regulation specialist reviewed. On a motion duly made by Emily Henry, seconded by Shannon Connelly, and carried with 5 ayes, it was

RESOLVED the Board of Nursing for the State of Alaska approve 12 AAC 44.446 draft and to send out for public comment.

Regulation Changes Questionnaire completed by the Board.

Agenda Item 9: 12 AAC 44.925 Telehealth

Revision from regulation specialist reviewed. On a motion duly made by Emily Henry, seconded by Shannon Connelly, and carried with 5 ayes, it was

RESOLVED the Board of Nursing for the state of Alaska approve 12 AAC 44.925 draft and to send out for public comment.

Regulation Changes Questionnaire completed by the Board.

Agenda Item 12- Continue- complete 2019 Annual Report

Board worked on the Annual Report

Recess for lunch at: 12:06 p.m.

Returned from lunch at: 1:06 pm.

Wendy Monrad has joined the Board.

Agenda Item 17 Executive Session*No public allowed

On a motion duly made by Wendy Monrad, 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, reports by the investigative team. Board staff is to remain during the session.

Let the record reflect that the Board of Nursing moved into executive session at 1::07 p.m. The door is locked, only board members and board staff are present.

The board returned to the record, out of executive session at 2:00 p.m. Emily Henry has left the meeting.

ADJUDICATION

On a motion duly made by Julie Tisdale, seconded by Wendy Monrad, and carried with 4 ayes and 0 opposed, 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. 2018-000806, Ashley J. Sommer, 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 Shannon Connelly, seconded by Julie Tisdale, and carried with 4 ayes and 0 opposed, it was

RESOLVED that The Board of Nursing for the State of Alaska, having adopted the Amended Consent Agreement and Proposed Decision and Order for Walter L. Tanner, license numbers NURR29382 and 142533, on April 18, 2019, hereby adopts this Amended Order to denote the correct case number of 2019-000138 for the Consent Agreement and Decision and Order in this matter. All terms of the Consent Agreement and Decision and Order remain unchanged.

On a motion duly made by Shannon Connelly, seconded by Wendy Monrad, and carried with 4 ayes and 0 opposed, it was

RESOLVED that The Board of Nursing for the State of Alaska, having examined the Surrender of License, Registered Nurse License #114656, issued to Michelle E. Dunkel, related to activities in Case No. 2017-000863, adopts the Surrender of License in this matter. This Surrender of License takes effect immediately upon signature of this Order in accordance with the approval of the Board of Nursing.

Discussion on Valaree Nilsen resulted in Investigator Lipker will follow up with the paralegal.

On a motion duly made by Wendy Monrad, seconded by Julie Tisdale, and carried with 4 ayes and 0 opposed, it was

RESOLVED that The Board of Nursing for the State of Alaska, having examined the Surrender of license, Registered Nurse License number 115062, issued to Peter J. Pall, related to activities in Case No. 2017-000957 adopts the Surrender of License in this matter. This Surrender of License takes effect immediately upon signature of this Order in accordance with the approval of the Board of Nursing.

On a motion duly made by Wendy Monrad, seconded by Shannon Connelly, and carried with 4 ayes and 0 opposed, it was

RESOLVED that The Board of Nursing for the State of Alaska, having examined the license surrender, case numbers 2016-001134 & 2017-000552, Virginia E. Werthwein, license number NURR11749, adopts 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.

On a motion duly made by Julie Tisdale, seconded by Wendy Monrad, and carried with 4 ayes and 0 opposed, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Surrender of License, Registered Nurse License #NURR35089, issued to Naiara C. Taylor, related to activities in Case Nos. 2018-000139, 2019-000348, 2019-000366 adopts the Surrender of License in this matter. This Surrender of License takes effect immediately upon signature of this Order in accordance with the approval of the Board of Nursing.

All original orders were signed by the Chair.

Agenda Item 9: 12 AAC 44.925 Telehealth

Discussion about how telehealth has worked for board members. Wording to include (within) Alaska.

Send to Regulation specialist for addition of words.

Agenda item 12: Complete 2019 Annual Report

Board continued with the annual report. Including questions for Board member who is included in the Executive Administrator's interview.

The board recessed at 2:54 p.m. until Thursday, May 23, 2019 at 9 a.m.

Thursday, May 23, 2019

CALL TO ORDER

Called the meeting to order at 9:07 a.m.

Roll Call

Those present, constituting a quorum were:

- Educator, Chair: Joe Lefleur, MSN Ed, RN, Ketchikan
- RN Member: Danette Schloeder, RN Anchorage attended Via Zoom
- Public Member: Shannon Connelly, Palmer
- APRN Member: Wendy Monrad, APRN, RN, Anchorage
- Public Member: Julie Tisdale, Anchorage
- LPN Member, Secretary: Emily Henry, LPN, Anchorage
- RN Member: Note this seat is currently vacant

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

- Lisa Maroney, Licensing Supervisor
- Beth Farnstrom, Nurse Consultant
- Joan Green, Nurse Consultant
- Sara Chambers, Director
- Greg Francois, DCCED/CBPL

- Michelle Taylor & Jacob Savage with Frenesius Medical Center
- John Bitney, lobbyist for Frenesius Medical Center
- Kim Skipper, staff to Sen. C. Birch
- Erin Shine, staff to Rep. J. Johnston
- Tammie Perreault, U.S. Department of Defense
- Lynn VanVector, chair of Alaska State Hospital and Nursing Home Association (ASHNHA)
- Zoom attendee Karen Scoggins, chair of DON/CMO Committee with ASHNHA
- Zoom attendee named Jeremy

- Donna Phillips Alaska Nurses Association
- Kim Kluckman Alaska Nurses Association
- Jacob Savage Frenesius Medical Center'
- Laura Sarcone APRN Alliance
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Agenda item 18: eNLC

Presented by Jim Puente, NCSBN, Director, Nurse Licensure Compact and Joey Ridenour, RN, MN, FAAN , Arizona Executive Director, NLC commissioner

Power point presentation was shared with the Board and stake holders in the room and by Zoom. Board members were given an opportunity to ask questions during the presentation. The public had opportunity for questions and answers. A handout titled Alaska Questions & Answers prepared by NCSBN was distributed to all in attendance in the room. This new compact has been in effect since January of 2018. There are now 33 states in the nurse compact with 11 more in various stages of legislation. The legislators of a state must agree to the contract which is a binding. When a state joins the compact the state must agree to all of the compact model language. A nurse's home state is where she lives and files her taxes. The nurse must be in good standing with her home state to apply for a compact license. Any nurse who is under discipline is not eligible for a compact license. A nurse must meet the licensing requirements of her home state. The practice is where the patient is located. The compact nurse follows the practice act of the state she is practicing in.

If there is a complaint filed, the state where the incident occurs investigates the complaint. That state pays for the investigation. The home state will be notified of the investigation and the home state will take licensing action and the compact license will be changed to a home state license only. Discipline will be reported to Nursys.

An example of another compact is a driver's license.

Recess for break at: 10:11 am

Returned from break at 10:22 am.

Continuation of Agenda item 18-eNLC

Recess for lunch at 12:38 p.m.

Returned from lunch at 1:46 p.m.

Regulation 12 AAC 44.990 (33)

A patient in another location (within Alaska) with or without...

On a motion duly made by Emily Henry, seconded by Wendy Monrad, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska send 12 AAC 44.990 (33) back to the regulation specialist to add the wording within Alaska after the wording: a patient in another location and then send out to public comment.

CNA program approval led by Joan Green and Brigette Felton, Providence Seward Mountain Haven nurse aide training program.

On a motion duly made by Shannon Connelly, seconded by Emily Henry, and carried with 6 ayes, it was

RESOLVED that the Board of Nursing for the State of Alaska give s Providence Seward Mountain Haven provisional approval of their nurse aide training program and gives authorization for them to conduct training until the board’s final decision on the application for approval.

Agenda item 12- complete 2019 Annual Report

Agenda item 19: Wrap up/evaluation/Task list

The board adjourned at 2:23 p.m. until August 7, 2019

Respectfully submitted,



Lisa Maroney

Licensing Supervisor
Alaska Board of Nursing

Approved:



Danette Schloeder RN,

Chair Alaska Board of
Nursing

Date: 8/7/19