

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

Atwood Building
550 West Seventh Ave. Room 12
Anchorage, AK

Board of Nursing Minutes
February 16-17, 2022

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., Suite 1550 Anchorage, Alaska

Wednesday, February 16, 2022

CALL TO ORDER

Chair Danette Schloeder called the meeting to order at 9:02 a.m.

Agenda Item 1: Roll Call

Those present constituting a quorum were:

- Chair RN Member: Danette Schloeder, RN, Anchorage -PRESENT
- Public Member: Shannon Connelly, Palmer - PRESENT
- APRN Member: Wendy Monrad, APRN, RN, Anchorage - PRESENT
- Public Member: Julie Tisdale, Wasilla – PRESENT
- RN Member: Lena Martinez Lafferty, RN, Anchorage - PRESENT
- LPN Member: Vacant
- Educator Member: Vacant

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

- Tessa Walker Linderman, DNP, RN Executive Administrator
- Madeleine Henderson, Licensing Examiner
- Joan Green, Nurse Consultant
- Melissa Dumas, Division Director
- Jun M., Regulation Specialist
- Lisa Sherrill, PDMP Program Manager
- Laura Carillo, Executive Administrator Pharmacy Board

Members of the Public in attendance via Zoom:

- Marcy Custer, Retired RN
- Beth Farnstrom
- Lynn Van Vactor

- LaMay Hupp
- Peggy Hempelmann
- Sheri Whitehorn
- Teri Doughfman
- Tina Rein
- Colleen Bridge
- Halee Jordan
- Jeannie Monk
- Manda Rink
- Tyler McMichael

Agenda Review

On a motion made by Shannon Connelly, seconded by Julie Tisdale and carried with 5 Ayes, it was **RESOLVED** that the Alaska Board of Nursing approve the agenda for the February 16-17, 2022, meeting.

Ethics Disclosures: NONE

Agenda Item 2: Public Testimony

- Lynn Van Vactor – thanked the Board for all their hard work
- Beth Farnstrom – discussed the difficulty of retired nurses not being able to meet the required Professional activity hours
- LaMay Hupp – discussed the difficulties of retired nurses not being able to meet the required Professional Activity hours and would like the Board to consider waiving the requirement before the next license renewals.
- Colleen Bridge – – discussed the difficulty of retired nurses not being able to meet the required Professional activity hours
- Tina Rein – Discussed the emergency approval of the CNA Program
- Peggy Hempelmann - Thanked the Board for addressing the Professional Activity Hours concerns

Ended Public Testimony at 9:35a.m.

Agenda Item 3: Professional Activity Hours

- Tessa Walker Linderman mentioned that in 2018, the Board increased the Professional Activity hours,
- Board members Danette and Wendy discussed that they could not find research to conclude that 60 Professional Activity Hours was better than 30

On a motion made by Julie Tisdale and seconded by Danette Schloeder and carried with 5 ayes, it was **RESOLVED** that the Board of Nursing opens a regulation project to enact changes to 12 AAC 44.620, to reduce professional activity hours from 60 to 30.

The motion passed with no further discussion.

Agenda Item 4: Licensing Report for Nursing, Nurse Aide and CNA Program Update

- Madeleine Henderson presented on the NUR Report, licensing summary
- Joan Green reviewed testing results

On a motion made by Wendy Monrad and seconded by Danette Schloeder and carried with 5 ayes, it was RESOLVED that the Board approves Denali Center NA training program provisional status be removed and they become a State of Alaska approved nurse aide training program.

The motion passed with no further discussion.

Break: 10:36 a.m.

Return: 11:00 a.m.

Agenda Item 5: APRN Alliance Statute Project re: DNR and POLST

Marianne Johnstone-Petty presented on POLST. She reviewed the current forms.
The goal is for APRN's to have signing ability on the POLST forms
Marianne would like the Board to write a letter of support on changing regulations so that APRN's can sign POLST forms

Lunch break: 11:48p.m.

Return: 1:00p.m.

Agenda Item 6: Telehealth Regulations Discussion

- Marisa Bune presented and update on Telehealth regulations
- Legislation is currently in process

Agenda Item 7: Division Report

- Sara Chambers presented to the Board:
 - Legislative update
 - House Bill 265- Telehealth
 - Financial Statements

Agenda Item 8: LPN Military Education Subcommittee Update

- Lena Lafferty presented. Regulations were reviewed by the Board

On a motion made by Wendy Monrad and seconded by Lena Lafferty and carried with 5 ayes, it was RESOLVED that the Board of Nursing approves the drafted regulation language and opens a regulation project to enact changes to 12 AAC 44.290 & 44.305, regarding LPN military education.

The motion passed with no further discussion.

Agenda Item 9: Dialysis Nursing Delegation Request

- Wendy Schrage presented

Recessed at 3:32 p.m. Until February 17th at 9:00a.m.

THURSDAY, February 17th, 2022, CALL TO ORDER

Chair Danette Schloeder called the meeting to order at 9:00a.m.

Agenda item 10: Call to Order, Roll Call & Introductions

Those present, constituting a quorum were:

- Chair RN Member: Danette Schloeder, RN Anchorage -PRESENT
- Public Member: Shannon Connelly - PRESENT
- APRN Member: Wendy Monrad, APRN, MSN, Anchorage - PRESENT
- Educator Member: Vacant
- Public Member: Julie Tisdale, Wasilla - PRESENT
- RN Member: Lena Lafferty, RN, Anchorage - PRESENT
- LPN Member: Vacant
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Staff present from the Division of Corporations, Business and Professional Licensing:

- Tessa Linderman Walker, Executive Administrator
- Madeleine Henderson, Licensing Examiner
- Joan Green, Nurse Consultant
- Sonia Lipker, Investigator
- Christina Bond, Investigator
- Jennifer Summers, Investigator
- Joel Dolphin, Investigator
- Marilyn Zimmerman, Division Paralegal
- Karina Medina, Investigator
- Brian Surprise -Paralegal

Members of the Public in attendance via Zoom

- Becky Kruse
- Beth Farnstrom
- Colleen Bridge
- Manda Rink
- Richard Moses
- Sheri Whitehorn
- Teri Doughfman
- Viva Esquibel

Agenda Item 11: Investigations – Executive Session

On a motion made by Danette Schloeder seconded by Wendy Monrad, and carried with 5 Ayes it was agreed 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.

Let the record reflect that the Board of Nursing moved into Executive Session at 9:08 a.m. The door is locked, only Board members, Board staff and the investigative team are present.

Read Orders on the record

Jennifer Ellis - On a motion made by Danette Schloeder and seconded by Shannon Connelly and carried with 5 ayes, it was resolved that the ALASKA BOARD OF NURSING 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 distribution of this decision.

Viva Esquibel – On a motion made by Lena Lafferty and seconded by Danette Schloeder and carried with 4 ayes, it was resolved that the Alaska Board of Nursing reinstate the nursing license of Viva Esquibel with the following conditions 5 year consent a Consent Agreement to include random drug and alcohol testing; quarterly employer and self reporting; substance abuse counseling, AA/NA meetings; restriction from controlled substances; supervised practice; and restricted remote work locations. and Decision and Order in this matter.

Lee Reynolds

On a motion made by Lean Lafferty, 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. 2019-001413, Lee A. Reynolds, Registered Nurse license number NURR34537, 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.

Maisee Xiong

On a motion made by Lean Lafferty, seconded by Danette Schloeder and carried with 5 Ayes, it was RESOLVED that The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-000377, *In the matter of MAISEE XIONG*, nurse aide certificate No. 107144, adopts this Consent Agreement, Decision and Order.

If there is a violation of any part of this Consent Agreement, Decision and Order, the Division may enforce it by immediately suspending Respondent's license without any additional order from the Board or without a prior hearing.

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

David Michels

On a motion made by Lean Lafferty, seconded by Danette Schloeder and carried with 5 Ayes, it was RESOLVED that The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order under Case No. 2021-000896, *In the matter of DAVID H. MICHELS*, registered nurse license No. NURR17793, adopts this Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license without further action by the Board.

This Consent Agreement, Decision and Order takes effect immediately upon signature of this Order with approval of the BOARD OF NURSING.

Florence Kuzuguk

On a motion made by Danette Schloeder, seconded by Shannon Connelly, and carried with 5 Ayes, it was RESOLVED that **IT IS HEREBY ORDERED** that default be entered against Respondent and that Respondent's nurse aide certificate, No. 126176, is revoked.

Under AS 44.62.550 and 12 AAC 44.880, the Board will allow Respondent to apply for reinstatement of this certification **after one year** has elapsed following the effective date of this Decision and Order.

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

- 1) Payment of a civil fine in the amount of \$480.00 for Respondent's repeated failure to respond to requests for documentation; and
- 2) Mandatory audit to monitor compliance with continuing education requirements, where satisfactory documentation to verify Respondent's completion of the required continuing education activities must be received and approved by the Board or its designee prior to processing the renewal/reinstatement of her nurse aide certification. This requirement will remain until Respondent's nurse aide certification been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

Nicole Mereigh

On a motion made by Danette Schloeder, seconded by Julie Tisdale and carried with 5 Ayes, it was RESOLVED that **IT IS HEREBY ORDERED** that default be entered against Respondent and that Respondent's nurse aide certificate, No. 108743, is revoked.

Under AS 44.62.550 and 12 AAC 44.880, the Board will allow Respondent to apply for reinstatement of this certification **after one year** has elapsed following the effective date of this Decision and Order.

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

- 1) Payment of a civil fine in the amount of \$480.00 for Respondent's repeated failure to respond to requests for documentation; and
- 2) Mandatory audit to monitor compliance with continuing education requirements, where satisfactory documentation to verify Respondent's completion of the required continuing education activities must be received and approved by the Board or its designee prior to processing the renewal/reinstatement of her nurse aide certification. This requirement will remain until Respondent's nurse aide certification been renewed/reinstated subject to this mandatory audit

requirement for two certification periods.

Carolyn Welle

On a motion made by Danette Schloeder, seconded by Shannon Connelly and carried with 5 Ayes, it was RESOLVED that **IT IS HEREBY ORDERED** that default be entered against Respondent and that Respondent's nurse aide certificate, No. 117121, is revoked.

Under AS 44.62.550 and 12 AAC 44.880, the Board will allow Respondent to apply for reinstatement of this certification **after one year** has elapsed following the effective date of this Decision and Order.

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

- 1) Payment of a civil fine in the amount of \$480.00 for Respondent's repeated failure to respond to requests for documentation; and
- 2) Mandatory audit to monitor compliance with continuing education requirements, where satisfactory documentation to verify Respondent's completion of the required continuing education activities must be received and approved by the Board or its designee prior to processing the renewal/reinstatement of her nurse aide certification. This requirement will remain until Respondent's nurse aide certification been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

Renee Westerberg

On a motion made by Danette Schloeder, seconded by Wendy Monrad and carried with 5 Ayes, it was RESOLVED that **IT IS HEREBY ORDERED** that default be entered against Respondent and that Respondent's nurse aide certificate, No. NUAA7614, is revoked.

Under AS 44.62.550 and 12 AAC 44.880, the Board will allow Respondent to apply for reinstatement of this certification **after one year** has elapsed following the effective date of this

Decision and Order.

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

- 1) Payment of a civil fine in the amount of \$480.00 for Respondent's repeated failure to respond to requests for documentation; and
- 2) Mandatory audit to monitor compliance with continuing education requirements, where satisfactory documentation to verify Respondent's completion of the required continuing education activities must be received and approved by the Board or its designee prior to processing the renewal/reinstatement of her nurse aide certification. This requirement will remain until Respondent's nurse aide certification been renewed/reinstated subject to this mandatory audit requirement for two certification periods.

John Hepler

On a motion made by Danette Schloeder, seconded by Shannon Connelly and carried with 5 Ayes, it was RESOLVED that The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order, under Case No. 2021-000337, *In the Matter of JOHN R. HEPLER*, 112694, adopts the Consent Agreement, Decision and Order in this matter.

The fine is reduced to \$250.00

A violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska practical nurse license without further action by the Board.

This Consent Agreement, Decision and Order shall be effective immediately upon its adoption by the Board.

Kimberly Dostal

On a motion made by Wendy Monrad, seconded by Julie Tisdale and carried with 5 Ayes, it was RESOLVED that The Alaska Board of Nursing, having examined the Voluntary Surrender of Registered Nurse License, *In the matter of Kimberly P. Dostal*, registered nurse license No. NURR16309, Case No. 2021-0001057, hereby adopts the surrender in its entirety, effective immediately.

Hayleigh Jones

On a motion made by Wendy Monrad seconded by Lena Lafferty and carried with 5 Ayes, it was RESOLVED that **IT IS HEREBY ORDERED** that default be entered against Respondent and that Respondent's nurse aide certificate, No. 130769, is revoked.

Under AS 44.62.550 and 12 AAC 44.880, the Board will allow Respondent to apply for reinstatement of this certification **after one year** has elapsed following the effective date of this Decision and Order.

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

- 1) Payment of a civil fine in the amount of \$480.00 for Respondent's repeated failure to respond to requests for documentation; and
- 2) Mandatory audit to monitor compliance with continuing education requirements, where satisfactory documentation to verify Respondent's completion of the required continuing education activities must be received and approved by the Board or its designee prior to processing the renewal/reinstatement of her nurse aide certification. This requirement will remain until Respondent's nurse aide certification been renewed subject to this mandatory audit requirement for two certification periods.

Nancy Moore

On a motion made by Wendy Monrad seconded by Lena Lafferty and carried with 5 Ayes, it was RESOLVED that The Alaska Board of Nursing, having examined the Consent Agreement, Decision and Order, under Case No. 2021-001117, *In the Matter of NANCY E. MOORE*, registered nurse license No. NURR7047, adopts the Consent Agreement, Decision and Order in this matter.

Any violation of this Consent Agreement, Decision and Order may result in the immediate suspension of Respondent's Alaska registered nurse license without further action by the Board.

This Consent Agreement, Decision and Order shall be effective immediately upon signature of this Order with approval of the ALASKA BOARD OF NURSING.

Melissa Templin

On a motion made by Wendy Monrad, seconded by Lena Lafferty and carried with 5 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 Nos. 2021-000212, Melissa Leigh Templin, license number 159875, 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.

The Division may enforce the 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.

Sara Dunlap

On a motion made by Wendy Monrad, seconded by Lena Lafferty and carried with 5 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 Nos. 2021-000304, Sara J. Dunlap, license number NURR21049, 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.

The Division may enforce the 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.

Jodi Wolcuff

On a motion made by Shannon Connelly seconded by Wendy Monrad 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 Nos. 2021-000457, Jodi Janee Wolcuff, license number 110551, 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.

The Division may enforce the 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.

Paris Stephens

On a motion made by Shannon Connelly, 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 Nos. 2021-000407, Paris Stacey Stephens, license number NURR35423, 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.

The Division may enforce the 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.

Deborah Crowe

On a motion made by Julie Tisdale seconded by Shannon Connelly 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 Nos. 2021-000289, Deborah A. Crowe, license number NURU1244, 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.

The Division may enforce the 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.

Michelle Fisher

On a motion made by Julie Tisdale, seconded by Lena Lafferty and carried with 4 ayes, it was RESOLVED that the Board of Nursing for the State of Alaska, denies and emergency courtesy license to Michelle Fisher due to alleged violations on Sec. 08.68.270 (1) grounds for denial, suspension or revocation and 12 AAC 44.770 (31) unprofessional conduct.

All original orders were signed by the Chair.

Break: 10:54am

Return: 11:06am

Agenda Item 12: NCSBN Education Update

- The Board discussed the NCSBN Alaska Education Report.

Agenda Item 13: Nursing Program Annual Reports

- Alaska Pacific University – Amy Trembly presented updates on the LPN, AND RN-BSN programs
- Charter College – Tabi Jayd presented
- University of Alaska Anchorage – Carla Hagen, PhD presented

Break for lunch 12:00pm

Return from lunch 1:00pm

Agenda Item 14: Regulations Projects

- The Board reviewed public comment on Military Courtesy Licensing and English Proficiency Requirements.
- The Board discussed starting regulations projects on LPN military education training and reducing professional activity hours from 60 to 30

On a motion made by Julie Tisdale, seconded by Danette Schloeder and carried with 5 Ayes, it was **RESOLVED** that the State of Alaska Board of Nursing adopts the regulation changes to **12 AAC 44.312**, regarding temporary military courtesy licenses or certificates to be made permanent as proposed and publicly noticed.

On a motion made by Julie Tisdale seconded by Danette Schloeder and carried with 5 Ayes, it was **RESOLVED** that the State of Alaska Board of Nursing adopts the regulation changes to **12 AAC 44.290, 44.305, 44.400, 44.800, & 44.805**, regarding English proficiency requirements to be made permanent as proposed and publicly noticed.

Agenda Item 15: Xray Scope in Rural Settings

- Jennifer Fielder presented about the scope of practice and how this would benefit rural hospitals. No Board action was taken

Agenda Item 16: PDMP Update

- Lisa Sherrell presented

Agenda Item 17: Emergency Courtesy License Discussion

- Tessa Linderman Walker and the Board discussed the number of licenses issued so far

Meeting Adjourned

On a motion made by Shannon Connelly, seconded by Lina Lafferty, and carried with 5 Ayes, the State of Alaska Board of Nursing adjourned at p.m. Until May 2022, or for any special meetings that occur before then

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jessa W. J.", positioned above a horizontal line.

Executive Administrator, Alaska Board of Nursing

Approved:

Date: 3/18/2022

DocuSigned by:

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A DocuSigned digital signature block. It includes the text "DocuSigned by:", a handwritten signature "Danette Schloeder" in blue ink, and a long alphanumeric hash "FEB9B10D96F9400..." below the signature.

Chair, Alaska Board of Nursing