

# Nevada State Board of **NURSING**

## BOARD MEETING MINUTES March 27-28, 2013

The Meeting of the Nevada State Board of Nursing was called to order by President, Tish Smyer, DNSc, RN, at 9:00 a.m. on March 27, 2013 at Tamarack Junction 13101 S. Virginia St. Reno, NV 89511

### **MEMBERS PRESENT**

Tish Smyer, DNSc, RN, President  
Rick Carrauthers, LPN, Vice President  
Rhigel Tan, DNP, RN, APN, Secretary  
Jennifer Snidow, CNA, Member  
Sandra Halley, Consumer Member  
Cathy Dinauer, MSN, RN, Member

### **MEMBERS ABSENT**

Mary-Ann Brown, MSN, RN, Member

### **OTHERS PRESENT**

Debra Scott, MSN, RN, FRE, Executive Director  
Chris Sansom, MSN, RN, Director of Operations  
Fred Olmstead, General Counsel  
Gail Trujillo, Executive Assistant  
Kathleen Reynolds, Compliance Coordinator  
Dean Estes, Director of Finance and  
Rhoda Cope, IT Assistant  
Roseann Colosimo, PhD, MSN, RN, Education Consultant (3/27)  
Patty Shutt, Site Operations Supervisor (3/27)  
Cynthia Peterson, Investigator (3/28)  
Chief Deputy Attorney General Keith Marcher, Board Counsel

**CALL TO ORDER** – 9:00 a.m.

**PUBLIC COMMENT** – There were no public comments at the beginning of the meeting.

### **APPROVAL OF CONSENT AGENDAS**

It was moved and seconded to approve the Consent Agenda, identified as items: A.1., C.2., C.4., D.2.a.-t., D.3.a.-b., D.7.a.-b., D.8.a.-b. Items removed: D.7.a. & D.8.b. MOTION CARRIED.  
C. Dinauer recused from D.2.n.

ACTION

### **A. BOARD GOVERNANCE AND ADMINISTRATION**

1. Approval of Board meeting minutes: January 8-9, 2013 and February 13, 2013: Approved under the Consent Agenda.

2. Review statistics and trends: Board members reviewed information regarding statistics and trends in scope of practice inquiries, licensure, certification, discipline and investigations, and compliance.
3. Progress report on FY12/13 Goals and Objectives: D. Scott reviewed the report and informed the Board of the most recent progress related to the achievement of Board goals and objectives.
4. Financial statements (quarterly report): D. Estes presented the progress of the FY12/13 financial report, answering questions from the Board members.
5. Review, discussion and action regarding the election of Board Secretary: It was moved and seconded to appoint Jay Tan, RN Member as Board Secretary.
6. Review, discussion and action regarding SB320, revising provisions governing medical care in schools: Dana Balchunas, Washoe County School District (WCSD) representative gave testimony to the Board regarding SB320. She provided that while WCSD supports the idea of the Bill, which is to ensure that students with chronic illnesses get reasonable care, they disagree that the school nurse is not identified in the Bill as the delegate for that care. Bobbi Shanks, Nevada Association of School Nurses representative, added that current legislation allows school nurses in Nevada to provide this care and they are already doing it on a daily basis. Sheila Story, a school nurse from Carson City, explained that this would take away personnel from their current positions and would require a large amount of responsibility for a non-medically trained person. Diane Elmore, a past school nurse, explained that the danger in a non-medically trained person administering medication to a student is extremely high and may outweigh any benefit to the student. F. Hillerby, Legislative Liaison, explained that the Board may offer a suggestion to amend the Bill to include school nurses as the delegate for the care to be provided to students. The Board expressed that they agreed with the theory of the bill but opposed the exclusion of school nurses as the delegator. It was moved and seconded that the Board oppose SB320 as written. MOTION CARRIED. J. Tan opposed.

ACTION

## **B. LICENSURE PROGRAMS**

1. Review and discussion of the letter received from the Philippines Department of Health: R. Colosimo reviewed the Board's history with LPN applicants educated in the Philippines. Currently, the Board denies licensure to these applicants because their education does not meet Nevada's regulatory requirements. In addition, a meeting was held with the Commission on Graduates of Foreign Nursing Schools (CGFNS) to discuss this issue and subsequently Board staff received a letter confirming that the decision to deny LPN education is supported by the Philippine Department of Health. R. Tan stated he was pleased with the evidenced based information supporting the Board's decisions.
2. Review, discussion and action regarding revisions to the Issuance of Temporary License to Graduates Who Have Passed NCLEX Policy: R. Colosimo reviewed the current policy that allows staff to issue temporary licenses to new graduates once they have passed the National Council Licensure Examination (NCLEX) and the Board has received at least one fingerprint report from the Criminal History Repository. The proposed revision would remove the requirement that Board staff receive one fingerprint report prior to the issuance of the temporary license. She added that in some cases graduates pass the NCLEX but do not have a fingerprint report returned to the Board so they are forced to quit their jobs because they no longer have an interim permit and have not been issued a permanent license. R. Colosimo added that nursing students are required to complete a background check prior to admittance into a nursing program and Board staff completes a NURsys check prior to issuing a license. Board Members asked for additional information regarding the fingerprinting process,

temporary license status and the amount of fraudulent applications. R. Colosimo explained that fingerprint reports take roughly 2-4 months to be returned to the Board and the temporary license would be issued for 6 months only. C. Sansom added that the number of fraudulent applications for exam applicants is extremely low and this policy does not apply to applicants answering “yes” to any of our screening questions unless they have been cleared by investigations. D. Scott added that the policy could be amended to require fingerprints be submitted to the Board or the Department of Public Safety before the temporary license is issued. It was moved and seconded the Board approve the policy revision and include the requirement that the Board must have received documentation showing fingerprints have been submitted to the Criminal History Repository for processing prior to the issuance of a temporary license. MOTION CARRIED.

ACTION

**C. CERTIFICATION PROGRAMS**

1. Review and discussion regarding the implementation of Medication Aide-Certified regulations: R. Colosimo informed the Board that the Nevada Health Care Association is hoping to attach an amendment to a bill allowing MA-Cs to administer controlled substances. R. Colosimo explained the Board would be kept apprised of the progress on this initiative. D. Scott added that this was not part of the initial intent of the MA-C regulations and the history has been reviewed with members of the association.
2. Review, discussion and action regarding the initial staff survey of Milan Institute-Sparks Nursing Assistant Training Program: Approved under the Consent Agenda.
3. Review, discussion and action regarding the Nevada Department of Education, Office of Career, Technical and Adult Education request for approval of the Nursing Assistant Standards: R. Colosimo explained that the standards arose from a magnitude of hard work completed by a committee consisting of many certified nursing instructors throughout Nevada. The standards were reviewed and determined to be in compliance with NSBN’s model curriculum. The Board commended the committee for their hard work and agreed that the committee be recognized for their hard work. It was moved and seconded the Board approve the Nevada Department of Education, Office of Career, Technical and Adult Education’s Nursing Assistant Standards as in compliance with Nevada regulations. MOTION CARRIED.
4. Review, discussion and action regarding Mountain View Health and Rehabilitation, Nursing Assistant Training Program staff resurvey: Approved under the Consent Agenda.
5. This item was removed from the agenda.

ACTION

**D. DISCIPLINE PROGRAMS**

1. Applications (initial and renewal in question)
  - a. Ketron, Heidi, RN applicant: Applicant was not present. It was moved and seconded the Board deny the application for licensure for violation of NRS 632.320 (1)(b) criminal conviction and order the denial become part of the applicant’s permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
  - b. Walker, Kelly, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure and the Agreement for Monitoring for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction and (1)(e) controlled substances and/or alcohol. MOTION CARRIED.
  - c. Jacobs, Michael, LPN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.

ACTION

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- ACTION d. Dennison, Olivia, CNA applicant: Applicant was not present. It was moved and seconded the Board accept the application for certification and the Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction. MOTION CARRIED.
- ACTION e. Buonpane, Kristen, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure and the Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction and (1)(m) action in another state. MOTION CARRIED.
- ACTION f. Lendon, Madonna, CNA applicant: Applicant was present. It was moved and seconded the Board deny the application for certification for violation of NRS 632.320 (1)(b) criminal conviction, (1)(m) previous Board action and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

2. Settlement agreements

- a. Tumanan, Charity, RN36242: Agreement for Fine of \$700 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
- b. Amsden, Anna, RN16168: Consent Agreement for Fine of \$200 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
- c. Page-Dayton, Candace, CNA009173: Consent Agreement for Fine of \$100 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
- d. Ashley, Delbert, CNA001595: Consent Agreement for Fine of \$100 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
- e. Rees, Kristine, RN64763: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, (1)(o) failing to comply with Board order, NAC 632.890 (18) diversion of equipment and/or drugs and (36) failing to comply. Accepted under the Consent Agenda.
- f. Potesta, Christine, RN30876: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, (1)(o) failing to comply with Board order and NAC 632.890 (36) failing to comply. Accepted under the Consent Agenda.
- g. Warden, Susan, RN29326: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (2) practicing beyond scope, (24) failing to collaborate and (27) customary standards of practice. Accepted under the Consent Agenda.
- h. Atkin, Daniel, RN37530: Contract for Temporary Voluntary Surrender of License for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (g) unprofessional conduct, NAC 632.890 (21) obtain, possess, furnish prescription drugs without authorization and (27) customary standards of practice. Accepted under the Consent Agenda.
- i. Clemmer, Megan, RN69253: Agreement for Monitoring for violation of NRS 632.320 (1)(b) criminal conviction. Accepted under the Consent Agenda.

- j. Alumbaugh, Barbara, CNA000730: Consent Agreement for Fine of \$100 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
  - k. Allen, Patricia, RN13321: Consent Agreement for Fine of \$200 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
  - l. Delain, Sheila, CNA003336: Consent Agreement for Fine of \$100 Renewal Applicant for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. Accepted under the Consent Agenda.
  - m. McLachlan, Charlotte, RN57764: Agreement for Reprimand and fine of \$1300 and class for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Accepted under the Consent Agenda.
  - n. Woellhof-Heinz, Katherine, RN21977: Agreement for Monitoring for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction and (1)(e) controlled substances and/or alcohol. Accepted under the Consent Agenda.
  - o. Sheehan, Kristie, LPN11959: Agreement for Reprimand for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (10) positive drug screen on duty. Accepted under the Consent Agenda.
  - p. Ugaban, Isabel, LPN11835: Agreement for Reprimand and classes for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (22) patient abandonment. Accepted under the Consent Agenda.
  - q. Velandria, Flordelyn, RN47993: Agreement for Reprimand for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (16) failing to properly document controlled substances and (27) customary standards of practice. Accepted under the Consent Agenda.
  - r. Danna, Theresa, CNA002264: Agreement for Reprimand for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice. Accepted under the Consent Agenda.
  - s. Burgner Fraczek, Karri, RN37671, APN000925: Agreement for Probation for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (27) customary standards of practice, (29) sexual contact with a patient and (42) professional boundaries. Accepted under the Consent Agenda.
  - t. Lee, Stewart, RN60697: Contract for Temporary Voluntary Surrender of License for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (g) unprofessional conduct, NAC 632.890 (9) impaired practice and (18) diversion of equipment and/or drugs. Accepted under the Consent Agenda.
3. Successful completion of probation
- a. Monlux, Roxanne, RN27610: Termination of probation approved under the Consent Agenda.
  - b. Leach, Montie, RN22721: Termination of monitoring approved under the Consent Agenda.
4. Reinstatement of licensure/certification – No business
5. Formal administrative hearings
- a. Anastassatos, Tracy, RN29119: Respondent was present. It was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, and NAC 632.890 (37) practicing without an active license. It was moved and seconded the respondent be fined \$300, that she take and successfully complete a Board approved

legal ethics in nursing course and the National Council of State Boards of Nursing Nevada Nurse Practice Act course to be completed within ninety days or the license is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

b. Barrow, Neeka, RN70611: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(m) action in another state. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

c. Benedict, Sandra, RN31679: Respondent was not present. It was moved and seconded the Board close the complaint. MOTION CARRIED.

ACTION

d. Borges, Brittany, CNA026836: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (2) practicing beyond scope and (27) customary standards of practice. It was moved and seconded the respondent be reprimanded, fined \$100 and that she take and successfully complete a Board approved legal ethics in nursing course, the National Council of State Boards of Nursing Nevada Nurse Practice Act course and a fall prevention course to be completed within ninety days or the certificate is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

e. Bower, Janette, RN05464: Respondent was not present. It was moved and seconded the Board accept the Agreement for Reprimand, fine of \$200 and classes for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. MOTION CARRIED.

ACTION

f. Breland, Crystal, RN68721: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next available meeting. MOTION CARRIED.

ACTION

g. Cole, Jamie, RN61511: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(m) action in another state. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for ten years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

h. Cyphert-Beller, Constance, RN18411: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (2) practicing beyond scope and (16) failing to properly document controlled substances. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

i. Dyer, Barbara, RN14038: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(o)

ACTION violation of a Board order. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

j. Eckert, Cheryl, RN17321: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (2) practicing beyond scope and (27) customary standards of practice. It was moved and seconded the Board revoke the respondent's license. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

k. Hughes, Gary, RN54040: Respondent was present with counsel. It was moved and seconded the Board accept the stipulation of facts on the record and find the respondent guilty of violating NRS 632.320 (1)(a) fraudulent application and (1)(m) action in another state. It was moved and seconded that the respondent be reprimanded, that he submit quarterly documentation of compliance with the Florida Board of Nursing payment plan and that he take and successfully complete a Board approved legal ethics in nursing course and the National Council of State Boards of Nursing Nevada Nurse Practice Act course to be completed within ninety days or the license is automatically suspended without further proceedings until all requirements are completed. It was further ordered that he be audited for continuing education on his next two renewal cycles. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

l. Larson, Christine, RN31937: Respondent was not present. It was moved and seconded the Board accept the Agreement for Probation for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol and (1)(g) unprofessional conduct. MOTION CARRIED.

ACTION

m. Lepore, Valerie, RN14805: Respondent was present with counsel. It was moved and seconded the Board accept the Agreement for Probation for violation of NRS 632.320 (1)(a) fraudulent application and (1)(b) criminal conviction. MOTION CARRIED.

ACTION

n. McClure, Susan, RN12148: Respondent was not present. It was moved and seconded the Board accept the Agreement for Probation for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (16) failing to properly document controlled substances and (27) customary standards of practice. MOTION CARRIED.

ACTION

o. McNeil, Sabrina, CNA027147: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (10) positive drug screen on duty and (27) customary standards of practice. It was moved and seconded the Board revoke the respondent's certificate. Respondent may not apply for reinstatement for three years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

p. Muriente, Rosalina, CNA017239: Respondent was present with counsel. It was moved and seconded the Board accept the Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.890 (27) customary standards of practice and (39) pattern of conduct demonstrates failure to protect public. MOTION CARRIED.

ACTION

q. O'Connor, Martin, RN61688, CRNA000348: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(o) violation of a Board order. It was moved and seconded the Board

revoke the respondent's license and certificate. Respondent may not apply for reinstatement for two years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- r. Park, Aimee, CNA027065: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice. It was moved and seconded the certificate be suspended until the respondent submits a urine drug screen to a Board approved provider, is evaluated by the Professional Evaluations Group and returns to the Board within ninety days or the certificate is automatically revoked for one year without further proceedings. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

ACTION

- s. Paul, Karlin, RN46876: Respondent was not present. It was moved and seconded the Board grant a continuance of this matter to the next available meeting. MOTION CARRIED.
- t. Peters, Kathleen, CNA026345: Respondent was not present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active certificate. It was moved and seconded the respondent be fined \$200 and that she take and successfully complete the National Council of State Boards of Nursing Nevada Nurse Practice Act course within six months or the certificate is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- u. Riha, Robin, RN40670: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. It was moved and seconded the respondent be reprimanded, fined \$200 and that she take and successfully complete a Board approved legal ethics in nursing course, the National Council of State Boards of Nursing Nevada Nurse Practice Act course and a bioterrorism course to be completed within thirty days or the license is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

ACTION

- v. Sawaya, Janine, RN05533: Respondent was not present. It was moved and seconded the Board accept the Agreement for Reprimand, Fine of \$200 and classes for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. MOTION CARRIED.
- w. Signore, Leah, CNA016589: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (36) violation of board order. It was moved and seconded the Board revoke the respondent's certificate. Respondent may not apply for reinstatement for five years. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

- x. Storer, Joann, RN58552: Respondent was not present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of



- ACTION
- violating NRS 632.320 (1)(m) action in another state. It was moved and seconded the Board close the complaint. MOTION CARRIED.
- y. Umuna, Iheanyi, RN46194: Respondent was not present. Pursuant to NAC 632.923, it was moved and seconded the Board find the respondent guilty of violating NRS 632.320 (1)(a) fraudulent application and (1)(m) action in another state. It was moved and seconded the respondent be reprimanded, that the license be suspended until the respondent submits proof of compliance with his court order for child support and he takes and successfully completes a Board approved legal ethics in nursing course and the National Council of State Boards of Nursing Nevada Nurse Practice Act course. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- z. Whitaker, Lauri, RN25658, APN000734: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(a) fraudulent application. It was moved and seconded the respondent be reprimanded, and that she take and successfully complete a Board approved legal ethics in nursing course, and the National Council of State Boards of Nursing Nevada Nurse Practice Act course within six months or the license and certificate is automatically suspended without further proceedings until all requirements are completed. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- aa. Williams, Shana, RN64612: Respondent was not present. It was moved and seconded the Board close the complaint. MOTION CARRIED.
- ACTION
- bb. Childress, Melinda, RN17357: Respondent was present. It was moved and seconded the Board accept the Stipulation of Facts and Liability and find the respondent guilty of violating NRS 632.320 (1)(o) violation of Board order. It was moved and seconded the respondent be reprimanded, that she take and successfully complete a Board approved legal ethics in nursing course, the National Council of State Boards of Nursing Nevada Nurse Practice Act course, that monitoring be extended for an additional year and that any urine drug screen results, other than negative, shall result in automatic suspension of license and the respondent returns to the Board. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
- cc. Vance, Shannon, RN40888, APN000872: Respondent was present with counsel. It was moved and seconded the Board accept the Voluntary Surrender of License/Certificate in Lieu of Other Disciplinary Action as stated on the record for violation of NRS 632.320 (1)(o) violation of Board order. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION
6. Board-directed investigations – No business
7. Ratification of staff denials – NRS 632.320 (1)(a) fraudulent applications
- a. O'Brien, Kaylah, CNA applicant: Applicant was present. It was moved and seconded the Board ratify the staff denial of the application for certification for violation of NRS 632.320 (1)(a) fraudulent application, (1)(b) criminal conviction and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.
- ACTION

- b. Proge, Dawn, RN applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of the application for licensure for violation of NRS 632.320 (1)(a) fraudulent application, (1)(m) action in another state and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.

8. Ratification of staff denials – NRS 632.320 (1)(b) convictions

- a. Kalista, Andrea, RN applicant: Applicant was not present. It was moved and seconded the Board ratify the staff denial of the application for licensure for violation of NRS 632.320 (1)(b) criminal conviction, (1)(m) action in another state and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. Approved under the Consent Agenda.
- b. Davis, Carla, CNA applicant: Applicant was present. It was moved and seconded the Board ratify the staff denial of the application for certification for violation of NRS 632.320 (1)(b) criminal conviction, and order the denial become part of the applicant's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

9. Special Action

- a. Peirce, Joshua, RN66315: Respondent was present. It was moved and seconded the Board grant the request for reconsideration. It was moved and seconded the request to reduce the term of probation be denied. MOTION CARRIED.
- b. Glass House Counseling Agency, LLC: It was moved and seconded the Board approve the outpatient treatment/aftercare provider application. MOTION CARRIED.
- c. McGrogan, Angelique, CNA applicant, RN applicant: Respondent was present with counsel. It was moved and seconded the Board grant the request for reconsideration. It was moved and seconded the Board rescind the previous denials and accept the application for licensure and order one year of practice probation for violation of NRS 632.320 (1)(b) criminal convictions. It was moved and seconded the disciplinary action become part of the respondent's permanent record and be published and reported to all appropriate agencies. MOTION CARRIED.

ACTION

ACTION

ACTION

**E. EDUCATION**

1. Review and discussion of the G-4 NCLEX pass rates for 2012 and current trends: R. Colosimo explained that Nevada's G-4 NCLEX pass rates ranked second in the nation in 2012. The first quarter of 2013 will end March 31, 2013 and all fully approved schools are doing well. Nevada's provisional programs are also doing well with Everest College leading at 100% with 11 test takers. Nevada Career Institute is currently at 90% with 9 out of 10 students passing and Breckinridge at ITT is at 71% with 5 out of 7 students passing. R. Colosimo added that Breckinridge at ITT will attend the May Board meeting due to current clinical issues and no qualified director.
2. Review, discussion and action regarding Touro University's request for removal of conditional status and permission to admit nursing students: R. Colosimo informed the Board that Touro University was placed on conditional status in January 2011 due to two consecutive years of G-4 NCLEX pass rates below 80%. Additionally, Touro University's G-4 NCLEX pass rate in 2011 remained below 80%, a show cause letter was received from Commission on Collegiate Nursing Education (CCNE) in May 2012 and Touro University's master's degree in nursing program accreditation was withdrawn. Subsequently, Touro University ended 2012 with a 91% pass rate and has received a letter from CCNE granting 5 year accreditation for its BSN

program. Touro University is now in compliance with Nevada regulation requirements for full approval. D. Elmore added that Touro University hopes to begin admitting students into its program. She explained that a maximum of 128 students would be enrolled in the program and added that admission standards would be strictly adhered to. She explained that Touro University has five full-time and two part-time faculty members with experience and many applicants for its DNP program are good candidates to teach at the undergraduate program. D. Elmore concluded that Touro University will have 15-17 full-time faculty when all cohorts are in place. R. Tan cautioned D. Elmore about the importance of seasoned faculty and that, in order to produce safe nurses, faculty must be able to sustain their leadership. R. Carrauthers asked D. Elmore to address one of the findings in the CCNE report indicating that administrators were teaching too many classes and that D. Elmore also had teaching responsibilities. D. Elmore explained that she occasionally teaches only in the event of an illness or emergency. T. Smyer asked if arrangements had been made through the consortium for clinical placements and D. Elmore assured the Board that they will have placements. T. Smyer expressed a concern that the CCNE report highlighted a constant turnover in nursing administration totaling six administrators and two additional administrators have been hired after the report was issued. R. Carrauthers, R. Tan and T. Smyer agreed that the G-4 NCLEX pass rates need to be sustainable, patient safety is a great concern and recommended that each cohort does not exceed 24 students. R. Colosimo recommended that once students are admitted, a survey be completed to ensure compliance. It was moved and seconded the Board remove Touro University's conditional status, advance the program to Full Board Approval, to approve student admissions of 24 students per cohort for 3 cohorts per year and that a survey be completed by Board staff six months after students are admitted. MOTION CARRIED.

ACTION

3. Review, discussion and action regarding revisions to the English Proficiency Exam Policy: R. Colosimo explained that the policy revision eliminates the International English Language Testing System (IELTS) as an approved English proficiency examination provider. This is being requested because of its inflated pass rates compared to the other examinations. In addition, the policy would require internationally educated endorsement applicants licensed within the immediately preceding 5 years to pass an English proficiency examination. R. Carrauthers and R. Tan agreed that this was extremely important for patient safety. It was moved and seconded the Board approve the English Proficiency Exam Policy as revised. MOTION CARRIED.

ACTION

4. Review, discussion and action regarding revisions to the International Graduate Licensure Policy: R. Colosimo explained that the policy revision will require international graduates to provide proof of licensure in their country of education as a requirement for licensure in Nevada. During a meeting with CGFNS, she was informed that adding this requirement is extremely important and will help identify fraudulent education programs around the world. R. Colosimo clarified that this policy would be required for all applicants that did not graduate within the United States or the six U.S. territories. In response to Board member questions, R. Colosimo clarified that licensure would only be required from countries that provide licensure. It was moved and seconded the Board approve the International Graduate Licensure Policy as revised. MOTION CARRIED.

ACTION

5. Review and discussion of Nevada's fully approved nursing programs' annual reports: R. Colosimo stated that Nevada's fully approved schools are leading the way and again expressed her congratulations for their 2012 G-4 NCLEX pass rates. Additionally, all schools continued to maintain their nursing accreditation. R. Colosimo explained that the biggest change is that three programs have undergone a change in program director. The three interim directors are Deborah Ain at College of Southern Nevada, Jody Covert at Truckee Meadows Community

College and Sherrilyn Coffman at Nevada State College. All three interim directors have great support systems in place. The Board expressed their appreciation for the excellent leadership in our nursing programs and the work being done by faculty.

6. Review, discussion and action regarding the APN Transcript Evaluation Policy: R. Colosimo informed the Board that she has been receiving unusual transcripts from APN applicants showing transferred core courses, core courses by exam or 24 graduate credits taken in one semester. Board members were provided with examples of transcripts for review. R. Colosimo added that this policy will allow her to request additional documentation when questionable transcripts are received. The Advanced Practice Advisory Committee reviewed the policy and recommended Board approval. R. Tan added that it is known in the community that students are working full-time and taking 24 graduate credits creating patient safety concerns. Board members discussed additional issues including, online graduate programs and students “observing” during clinical, rather than receiving actual hands-on clinical experiences. T. Smyer added that Nevada cannot rely on accreditation to protect patients because the transcripts in question are coming from accredited programs. The Board encouraged R. Colosimo to bring any documents that appear suspect to the Board to ensure patient safety. It was moved and seconded the Board approve the APN Transcript Evaluation Policy. MOTION CARRIED.

ACTION

7. Review, discussion and action regarding appointment to the Education Advisory Committee: It was moved and seconded the Board appoint Carrie O’Reilly, PhD, MSN, RN29751 and Patsy L. Ruchala, DNSc, RN46039 to the Education Advisory Committee. MOTION CARRIED.

ACTION

#### **F. NURSING PRACTICE**

1. Review, discussion and action regarding the reappointment to the Advanced Practice Advisory Committee: It was moved and seconded the Board re-appoint Arthur Savignac, RN58181, CRNA000326 to the Advanced Practice Advisory Committee. MOTION CARRIED.
2. Review, discussion and action regarding appointment to the Nursing Practice Advisory Committee: It was moved and seconded the Board appoint Tracey McKinney, RN54886 and Marilyn Jeanne Hesterlee, RN14083 to the Nursing Practice Advisory Committee. MOTION CARRIED.

ACTION

ACTION

**PUBLIC COMMENT** – There were no public comments at the end of the meeting.

#### **ADJOURNMENT**

The meeting was adjourned at 3:20 p.m. on March 28, 2013.