

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

September 21-22, 2016

The Nevada State Board of Nursing Board meeting was called to order by President, Jay Tan, DNP, RN, APRN at 8:30 a.m. on September 21, 2016, at SpringHill Suites Marriott, 2989 Paradise Road, Las Vegas, Nevada 89109.

MEMBERS PRESENT

Jay Tan, DNP, RN, APRN, President
Mary-Ann Brown, MSN, RN, Vice-President
Deena McKenzie, RN MSN, CNML, Secretary
Susan VanBeuge, DNP, APRN, FNP-BC, CNE, FAANP, RN, Member
Rick Carrauthers, LPN, Member
Jacob Watts, CNA, Member
Sandra Halley, Consumer Member

OTHERS PRESENT

Cathy Dinauer, MSN, RN, Executive Director
Fred Olmstead, General Counsel
Kimberly A. Arguello, Deputy General Counsel
Dean Estes, CPM, Director of Finance and Technology
Catherine Prato, PhD, MSN, RN, Director of Nursing Education
Sam McCord, BSN, RN, Director Nursing Practice
Hillary Murphy, Executive Assistant

CALL TO ORDER– 8:32 a.m.

PUBLIC COMMENT: There was no public comment provided at the beginning of the meeting.

APPROVAL OF CONSENT AGENDA: It was moved and seconded to approve the Consent Agenda, identified as items: A.1., A.5., D.1.e-i., D.1.l-u., and D.2.a-n with the exception of A.1., D.1.f., D.1.q., D.1.h., and D.1.l. **MOTION CARRIED.**

A. BOARD GOVERNANCE AND ADMINISTRATION

1. Approval of the July 20-22, 2016 Board meeting minutes: It was moved and seconded that the minutes be approved with corrections.
2. Executive Director Report: C. Dinauer presented this agenda item. She updated the Board on the Governor's Prescription Drug Abuse Summit, the workforce survey for online applications, the Enhanced Nurse Licensure Compact, and staffing.
3. Review and discussion regarding statistics and trends for APRN Audits: C. Prato presented this agenda item. She reviewed the current audit policy and procedure and statistics related to the compliance of APRN audits.
4. Review, discussion, and action regarding proposed APRN postgraduate equivalencies for psychiatric and mental health nurse practitioner policy: F. Olmstead presented this agenda item. He reviewed the history behind this policy and answered Board member questions. The Board suggested this policy be reviewed by the APRN Advisory Committee and stakeholders and revised accordingly. It was moved and seconded the

Board not accept the proposed policy as written. MOTION CARRIED. Following the motion, Cindy Pitlock, NAPNA Legislative Liaison, informed the Board that NAPNA's opinion on this agenda item is that only certified psychiatric mental health nurse practitioners are qualified to release legal holds.

5. Review, discussion, and action regarding FY16/17 Goals and Objectives: This item was approved under the consent agenda.
6. Review statistics and trends related to scope of practice inquiries: S. McCord presented this agenda item. He reviewed the new presentation of this item and provided the Board with an update related to scope of practice inquiries.
7. Review and discussion Nurse Licensure Compact Fiscal Note: C. Dinauer presented this agenda item. She reviewed the fiscal impact note as provided by NCSBN for the implementation of the Enhanced Nurse Licensure Compact, which indicates a \$189,000 income loss.
8. Review, discussion, and action regarding July 2017 Board Meeting Date: H. Murphy presented this agenda item. She requested the Board review a date change for the July 2017 Board Meeting due to a meeting space conflict. It was moved and seconded the Board change the July 2017 Board Meeting dates to be July 25-27, 2017. MOTION CARRIED.
9. Review, discussion and action regarding NCLEX study plan requirements: C. Prato presented this agenda item. She reviewed the history of this agenda item and indicated the liability of having Board Staff review and approve NCLEX study plans. It was moved and seconded the Board omit the requirement contained in NAC 632.165(2). MOTION CARRIED.
10. Review, discussion, and possible action regarding APRN controlled substance prescribing guidelines: K. Arguello presented this agenda item. She reviewed the history behind this policy and answered Board member questions. The Board suggested this policy be reviewed by the APRN Advisory Committee and stakeholders and revised accordingly. Following this agenda item, Cindy Pitlock, NAPNA Legislative Liaison, provided comments related to this agenda item and stated that NAPNA wants to be included on this discussion.

B. LICENSURE PROGRAMS – No Business.

C. CERTIFICATION PROGRAMS – No Business.

D. DISCIPLINE PROGRAMS

1. Applications (initial and renewal in question) – No business
 - a. This item was removed from the agenda.
 - b. Carter, Robert, CNA Applicant: The applicant was present. It was moved and seconded the Board accept the application for certification. MOTION CARRIED.
 - c. Ludwig, Michael, RN Applicant: The applicant was present. It was moved and seconded the application for licensure. MOTION CARRIED.
 - d. Wyatt, Elihu, RN Applicant: The applicant was present. It was moved and seconded the Board accept the application for licensure and ordered that she successfully complete Board approved courses in the Nevada Nurse Practice Act and Stress Management within six months or the application will be automatically denied, and that denial be published and reported to all appropriate agencies.. MOTION CARRIED.

- e. Cortez, Jovita, CNA025562: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
- f. This item was removed from the agenda.
- g. Cheru, Zenebework CNA025322: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
- h. Santos, Annette, CNA011175: The applicant was present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
- i. Curtiss, Sharon, CNA025585: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
- j. Durisseau, David, CNA applicant: The applicant was present. It was moved and seconded the Board accept the application for certification and ordered that he successfully complete Board approved courses in the Nevada Nurse Practice Act and Stress Management within six months or the application will be automatically denied, and that denial be published and reported to all appropriate agencies.
MOTION CARRIED.
- k. Ennis, Kenya, CNA011772: The applicant was present. It was moved and seconded the Board deny the renewal application for certification for violation of NRS 632.347 (1)(a) fraudulent application, (1)(b) criminal convictions, and (1)(e) controlled substances and/or alcohol. MOTION CARRIED.
- l. This item was removed from the agenda.
- m. Davis, Tavon, CNA025085: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
- n. Manalo, Belinda, CNA020084: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
- o. This item was removed from the agenda.

- p. Realmuto, Vanessa, CNA013432: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
 - q. Clarke-Like, Bridgette, CNA022963: The applicant was present. This agenda item was continued.
 - r. Haner, Shelley, CNA028672: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
 - s. Hawkins, Amanda, CNA021301: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
 - t. Semeta, Sally-Ann, CNA024983: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
 - u. McColl, Cristina, CNA020173: The applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and published and reported to all appropriate agencies. Approved under the Consent Agenda.
 - v. Dolce, Herve, CNA000942: The applicant was present. It was moved and seconded the Board accept the application for licensure and Agreement for Probation for three years for violation of NRS 632.347 (1)(b) criminal convictions and (1)(e) controlled substances and/or alcohol. MOTION CARRIED.
2. Settlement agreements
- a. Miller, Sandra, RN19910: Agreement for Reprimand and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (25) failing to observe/report and/or (27) customary standards of practice. Accepted under the consent agenda.
 - b. Culver, Pamela, LPN16089: Agreement for Reprimand and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (20) inaccurate recording, falsifying, and (40) medication error. Accepted under the consent agenda.
 - c. Pesaresi, Douglas, RN24400: Agreement for Reprimand and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (8) failing to safeguard, (27) failing to perform nursing functions in a

- manner consistent with established or customary standards and (33) abuse of a patient. Accepted under the consent agenda.
- d. Keil, Raquel, CNA010963: Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active certificate. Accepted under the consent agenda.
 - e. Nalzarro, Jocelyn, RN45314: Agreement for Fine for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (26) violation of state/federal nursing law/regulation. Accepted under the consent agenda.
 - f. Lee, Linda, RN76528: The Board accepted the Respondent's voluntary surrender of license. Accepted under the consent agenda.
 - g. Lundstrom, Cristin, RN86611: Agreement for Probation for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, and NAC 632.890 (11) positive drug screen as a condition of employment. Accepted under the consent agenda.
 - h. Comer, Tamra, RN47198: Agreement for Suspension and Probation for violation of NRS 632.320 (1)(e) uses any controlled substances, dangerous drugs or intoxicating liquor, (1)(g) unprofessional conduct, (1)(o) failing to comply with a Board order and NAC 632.890 (36) failing to comply. Accepted under the consent agenda.
 - i. Leslie, Cristal, LPN15913: 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 a Board order and NAC 632.890 (36) failing to comply. Accepted under the consent agenda.
 - j. Lewis, Pamela, RN58679: Agreement for Reprimand and Continuing Education for violation of 632.320 (1)(g) unprofessional conduct and NAC 632.890 (24) failing to collaborate with health care team and (27) customary standards of practice. Accepted under the consent agenda.
 - k. Molinari, Sharon, RN49316: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (37) practice without an active license. Accepted under the consent agenda.
 - l. Padernal, Cynthia, LPN10677: Agreement for Probation for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, and NAC 632.890 (16) failing to properly document controlled substances and (27) customary standards of practice. Accepted under the consent agenda.
 - m. Halvorsen, Meri-Margaret, RN83201: Agreement for Probation Extension for violation of NRS 632.347 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct and NAC 632.890 (36) failing to comply. Accepted under the consent agenda.
 - n. Duren, Tomi, RN5014: Agreement for Probation for violation of NRS 632.320 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, (1)(o) failing to comply with a Board order and NAC 632.890 (36) failing to comply. Accepted under the consent agenda.
 - o. Mentaberry, Heather, RN75779: Agreement for Suspension and Probation for violation of 632.320 (1)(e) uses any controlled substances, dangerous drugs or intoxicating liquor, (1)(g) unprofessional conduct, (1)(o) failing to comply with a

Board order and NAC 632.890 (36) failing to comply. Accepted under the consent agenda.

- p. Smith, Leah, RN56305: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, (1)(o) failing to comply with a Board order and NAC 632.890 (36) failing to comply. Accepted under the consent agenda.
3. Successful completion of probation – No Business
4. Reinstatement of licensure/certification
- a. Finn, Lori, RN35063: The applicant was present. S. McCord presented this agenda item. Upon review of the reinstatement application and Agreement for Probation, which the applicant signed. It was moved and seconded that the Board accept the reinstatement application and Agreement for Probation. MOTION CARRIED.
5. Formal administrative hearings
- a. Frank, Wanda, RN80945: The Respondent was present. F. Olmstead was present on behalf of the Board. It was moved and seconded that the Board find the Respondent in violation of NRS 632.347 (1)(a) fraudulent application and (1)(m) action in another state. It was ordered that Respondent must take and complete continuing education on the Nevada Nurse Practice Act and critical thinking. It was ordered that these courses must be completed within thirty days or the Respondent's license be suspended without further proceedings and the disciplinary action be permanent and published to all appropriate national data banks. It was further ordered that Respondent pay all fines owed to Boards of Nursing within sixty days or her license be suspended without further proceedings and the disciplinary action be permanent and published to all appropriate national data banks. MOTION CARRIED.
 - b. Bird, Millicent, RN63885: The Respondent was present through counsel, Tracy L. Singh, Esq. At the time of the hearing, T. Singh presented a Voluntary Surrender of License in Lieu of Other Disciplinary Action, which was signed by the Respondent. It was moved and seconded that the Board accept the Voluntary Surrender of License in Lieu of Other Disciplinary Action. MOTION CARRIED.
 - c. Nulph, Raymond, RN78316: The Respondent was not present. At the time of the hearing, K. Arguello presented an email from the Respondent requesting a continuance. It was moved and seconded that the Board continue this matter to the January Board Meeting. MOTION CARRIED.
 - d. Imlay, Ember, RN68115: The Respondent was present. At the time of the hearing, the F. Olmstead requested a continuance of this matter until the next Board meeting on behalf of the Respondent. It was moved and seconded that Respondent's license be placed on inactive status and this item be continued to the November Board Meeting. MOTION CARRIED.
 - e. Rothwell, Andrea, LPN13623: The Respondent was not present. At the time of the hearing, K. Arguello presented an Agreement for Reprimand, Fine, and Continuing Education, which was signed by the Respondent. It was moved and seconded that the Board accept the Agreement for Reprimand, Fine, and Continuing Education. MOTION CARRIED.

- f. Fetewi, Tesehai, RN57768: The Respondent was not present. F. Olmstead presented this agenda item. Upon review of the documents presented at the time of the hearing, it was moved and seconded that the Board find the Respondent in violation of NRS 632.347(1)(g) unprofessional conduct pursuant to NAC 632.890 (26) failure to comply and NAC 632.415 unprofessional conduct. It was further moved and seconded that respondent be reprimanded, fined in the amount of two hundred dollars (\$200), and must take and complete continuing education including thirty (30) hours on Legal Ethics and a four-hour bioterrorism course within thirty days or the license be automatically suspended without further proceedings. It was ordered that the discipline be permanent and published to all appropriate national data banks.
 - g. Tran, Tristan, RN68486, APRN001816: The Respondent was not present. F. Olmstead presented this agenda item. Upon review of the documents and evidence presented at the time of the hearing, it was moved and seconded that the Board find the Respondent in violation of NRS 632.347 (1)(g) unprofessional conduct pursuant to NAC 632.890 (26) failure to comply. It was moved and seconded that Respondent's licenses be suspended. It was ordered that Respondent must comply with Board Staff's inquiry, submit a completed APRN Portfolio, and Respondent must sign an attestation stating that she has read all of the Nevada Revised Statutes and Nevada Administrative Code pertaining to prescribing controlled substances. It was ordered that these requirements must be completed prior to the suspension on Respondent's licenses being lifted.
 - h. Jean, Arrol, CNA029585: The Respondent was not present. Upon review of witness testimony and the documents submitted at the time of the hearing, it was moved and seconded that Respondent be found in violation of NRS 632.347 (1)(g) unprofessional conduct pursuant to NAC 632.890 (24) for failing to collaborate with other members of the health care team. It was moved and seconded that Respondent be reprimanded, fined in the amount of one hundred dollars (\$100), and complete continuing education on critical thinking, patient safety, and the Nevada Nurse Practice Act Course within sixty days or the certificate is automatically suspended without further proceedings and that the discipline be permanent and published to all appropriate national data banks.
MOTION CARRIED.
6. Special Action
- a. Review, discussion and possible action regarding a request for reconsideration and hearing regarding such action: Hedlund, Angella, RN31246: At the time of the hearing Respondent was not present. K. Arguello requested that this item be removed from the agenda on behalf of the Respondent. It was moved and seconded to remove this item from the agenda. MOTION CARRIED.
 - b. Review, discussion and possible action regarding a request for reconsideration and hearing regarding such action: Kennedy, Dalaya, CNA026747: Respondent was not present. K. Arguello presented this agenda item. It was moved and seconded the Board grant the request for reconsideration. MOTION CARRIED. Upon review of the evidence submitted at the time of the hearing, it was moved and seconded that discipline previously imposed be removed and Respondent be granted her certificate. MOTION CARRIED.
7. Ratification of staff denials – NRS 632.320 (1)(a) fraudulent applications – No business

8. Ratification of staff denials – NRS 632.320 (1)(b) convictions – No business

E. EDUCATION

1. Review and discussion regarding the NCLEX first time pass rates year-to-date for 2016: C. Prato presented this agenda item. She reviewed the NCLEX first-time pass rates for this year to date.
2. Review, discussion and action regarding Touro University board ordered site survey and approval of teach-out plan: C. Prato presented this agenda item. She provided the Board with an overview of the site survey conducted following the May Board Meeting and stated that Touro University is planning to teach out their program. Representatives from Touro University and C. Prato answered questions and provided history to the Board. Touro University has volunteered to be heard on each agenda until the final teach out of the program. It was moved and seconded that the Board accept the teach out plan and that progress reports of the plan be reported at every Board meeting. MOTION CARRIED.
3. Review, discussion and action regarding Chamberlain College of Nursing admission reports: C. Prato presented this agenda item. She stated that at the March 2016 Board meeting the Board required Chamberlain to submit monthly admissions reports to the Director of Nursing Education. Chamberlain requested that the reports be moved to an eight week cycle to fit their enrollment plan. It was moved and seconded that the Board allow Chamberlain College to report student admission numbers on an eight week basis. MOTION CARRIED.
4. Review and discussion regarding Chamberlain College distinctive curriculum: C. Prato presented this agenda item. She introduced Chamberlain College and allowed representatives to present information regarding Chamberlain's distinctive curriculum and future plans for growth and student engagement.
5. Review and discussion regarding Arizona College distinctive curriculum: C. Prato presented this agenda item. She introduced Arizona College and allowed representatives to present information regarding Arizona College's distinctive curriculum and future plans for growth and student engagement.
6. Review, discussion and action regarding reappointment to the Education Advisory Committee: Jody Covert, MSN, RN24129: It was moved and seconded to reappoint Jody Covert, MSN, RN24129 to the Education Advisory Committee. MOTION CARRIED.

F. NURSING PRACTICE – No Business.

G. REPORTS FROM EXTERNAL STAKEHOLDERS – No Business

H. RECOMMENDATIONS FOR AGENDA ITEMS FOR FUTURE BOARD MEETINGS: C. Dinauer presented this agenda item. She reviewed the requests for future Board meetings made previously in preparation for the November Board Meeting. Board Members also provided input for future agenda items including: a review of statistics related to APRNs and CRNAs, global workforce insights, and the Enhanced Nurse Licensure Compact.

PUBLIC COMMENT – There was no public comment at the end of the meeting.

ADJOURNMENT

The meeting adjourned at 10:58 a.m. on Thursday, September 22, 2016.