The Meeting of the Nevada State Board of Nursing was called to order by President, Deena McKenzie, MSN, RN, CNML, at 8:36 a.m. on Wednesday, September 12, 2018, at Spring Hill Suites, 2989 Paradise Road, Las Vegas, NV 89109.

MEMBERS PRESENT
Deena McKenzie, MSN, RN, CNML, RN Member, President
Susan VanBeuge, DNP, APRN, FNP-BC, CNE, FAANP, RN Member, Vice-President
Rhogel "Jay" Tan, DNP, RN, APRN, RN Member
Jacob Watts, CNA, CNA Member, Secretary
Mary-Ann Brown, MSN, RN, RN Member
Ovidia McGuinness, LPN, LPN Member
Richelle O'Driscol, Consumer Member

OTHER’S PRESENT
Cathy Dinauer, MSN, RN, Executive Director
Fred Olmstead, General Counsel
Kim Arguello, General Counsel
Sam McCord, BSN, RN, Director of Nursing Practice
Sharon Vincello, J.D., Executive Assistant
Vickey Alvarez, Senior Accountant
Rhoda Hernandez, IT Technician
Sheryl Giordano, DNP, APRN-C, APRN Consultant
Catherine Prato-Lefkowitz, PhD, MSN, RN, Director of Nursing Education
Sofia Long, Deputy Attorney General, Board Counsel
Jeannette Calderon, Education Support Specialist

PUBLIC COMMENT:
- S. VanBeuge congratulated C. Dinauer on earning her Fellowship in Regulatory Excellence from the Institute of Regulatory Excellence and National Council of State Boards of Nursing.

APPROVAL OF CONSENT AGENDAS: It was moved and seconded to approve the Consent Agenda, identified as items A.1., A.3.a., A.4., A.12., C.3 - C.8., D.1.a., D.1.c., D.1.g., D.2.a – D.2.p., E.5.

A. BOARD GOVERNANCE AND ADMINISTRATION
1. Approval of the July 11-13, 2018, Board meeting minutes: Approved under consent agenda.
2. Executive Director Report
   a. Disaster Recovery. K. Arguello presented this item. NSBN is in the process of creating a disaster recovery plan and has enlisted the help of Rich w/CTS to assist. NSBN is waiting on some information from ORBS.
regarding the disaster recovery plan. The plan will be brought to the November meeting.

b. Governor’s Audit: F. Olmstead presented this item. F. Olmstead noted that this is the third audit NSBN has gone through this year, and NSBN was gold standard of the boards, again. The law provides that state workers cannot make more than 95% of what the governor makes – however there are exceptions. See NRS. Four boards makes more than Governor, but not NSBN. We are all where we are supposed to be. NSBN has spent its money well when K. Arguello was hired. NSBN is the only Board with a reserve policy and NSBN is in line w/policy. Board Member S. VanBeuge remarked that she attended the Sunset Audit and the Board was well-represented, ready for the questions posed and that shows the professionalism of NSBN. Board Member M. Brown congratulated the Board and staff for the hard work reflected in the audit report, and that NSBN made a wise decision to retain in-house counsel. Board President D. McKenzie thanked Board staff for all their hard work.

3. Conference and seminar report:
   a. NCSBN Delegate Assembly. Approved under the consent agenda.

4. Review, discussion, and action regarding Executive Director’s FY 18/19 Goals. Approved under the consent agenda.


6. Review and discussion regarding ORBS Update. K. Arguello presented this item. Processing time has decreased since implementation. There have been 16,000+ Nurse Portal Accounts created; over 4,000 new licensees. We have created FAQs which have been posted to NSBN’s website and will be published in the newsletter. Message center and audits are working well. S. McCord noted that the complaint portal link in now in two locations on the website and that most complaints are coming through the portal in a faster and much more efficient than before.


8. Review and discussion regarding the Enhanced Nurse Licensure Compact. M. Hillerby provided background and historical information on the eNLC. M. Hillerby also explained the legislative process and the evolving strategy that will be utilized to get the eNLC passed.

9. Review, discussion, and action regarding FY 18/19 Goals and Objectives. C. Dinauer presented the FY 18/19 Goals and Objectives and noted that the goals in green are the new goals. It was moved and seconded to adopt the FY 18/19 Goals and Objectives. MOTION CARRIED.

10. Review, discussion, and action regarding the approval of the FY 18/19 Annual Budget. V. Alvarez presented the FY 18/19 Budget which was pretty much the same as what was presented at the July meeting, however there has been a reclassification of revenue. On renewal trends, NSBN will have higher revenue in even years than odd years; LPN revenue is almost stagnant. V. Alvarez will be creating a new expense account for the Compact and its related expenses. It was moved and seconded to accept the FY 18/19 Budget. MOTION CARRIED.

11. Review, discussion, and action regarding the NSBN Security Plan. S. McCord presented the NSBN Security Plan which established safety and security protocols
to be followed at future board meetings. It was moved and seconded to accept the security plan. MOTION CARRIED.

12. Review, discussion, and action regarding approval of FY2017/18 Nevada State Board of Nursing Statistics Report regarding nursing education, licensure, applications and discipline. Approved under the consent agenda.

13. Review, discussion, and action regarding R062-18: PUBLIC HEARING. Wednesday, September 12, 2018 – 9:00 a.m. Notice of Proposed Regulation Public Adoption Hearing Pursuant to NRS 233B.061(2): (For Possible Action) Amendment of Nevada Administrative Code (NAC) 632.237: The proposed amendment to NAC 632.237 is in response to Assembly Bill No. 474 of the 79th Session of the Nevada Legislature which required the Nevada State Board of Nursing to adopt a regulation to require Advanced Practice Registered Nurses, who have the authority to prescribe controlled substances, poisons, dangerous drugs, or devices pursuant to NRS 632.237, to complete at least two hours of continuing education that relate to the misuse and abuse of controlled substances, the prescribing of opioids, or addiction. (LCB File No. R062-18). F. Olmstead provided a legislative update and a handout of the proposed language of the regulation to the Board for review. The Board declared that the language in the regulation was not clear and instructed the legal department to take it back to the Legislative Council Bureau for revisions consistent with their concerns.

B. LICENSURE PROGRAMS – No business

C. CERTIFICATION PROGRAMS–

1. Review and discussion regarding Headmaster CNA Certification Exam year-to-date pass rates for 2018. C. Prato presented the Headmaster pass rates to date.

2. Review, discussion, and action regarding findings and recommendations of the Milan Institute, Las Vegas Nursing Assistant Training Program site survey report. C. Prato found areas of concern at Milan in 2016; went back in 2018 and recommendations to fix the areas of concern were not implemented. C. Prato asked Milan to provide a detailed report on how they will fix it. Jean Rydahl, Director of Education and Christopher Moderson, Campus Director were present on behalf of Milan and addressed the deficiencies. C. Prato is comfortable with their plan of improvement and will be doing a site survey next month to check on their progress. It was moved and seconded to grant Milan conditional approval with reports at every board meeting until all issues are resolved as well as bi-weekly phone calls between Milan and the Director of Education. MOTION CARRIED.

3. Review, discussion, and action regarding acceptance of the Milan Institute, Sparks Nursing Assistant Training Program site survey findings. Approved under the consent agenda.

4. Review, discussion, and action regarding acceptance of the Sierra Nevada Job Corps Center Nursing Assistant Training Program site survey findings. Approved under the consent agenda.

5. Review, discussion, and action regarding acceptance of the College of Southern Nevada Nursing Assistant Training Program site survey findings. Approved under the consent agenda.

6. Review, discussion, and action regarding acceptance of the Saint Therese Learning Institute Nursing Assistant Training Program site survey findings. Approved under the consent agenda.
7. Review, discussion, and action regarding acceptance of the Ormsby Post-Acute Rehab Nursing Assistant Training Program site survey findings. Approved under the consent agenda.

8. Review, discussion, and action regarding appointment to the CNA Advisory Committee: Robert Kidd. Approved under the consent agenda.

D. DISCIPLINE PROGRAMS

1. Applications (initial and renewal in question)
   a. Jones, Valerie, CNA011420: Applicant was not present. The Board denied the renewal application for violation for NRS 632.347(1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890(26) violation of state/federal nursing law/regulation. Approved under the consent agenda.
   b. Cannon, Jasmine, CNA applicant: Applicant was not present. It was moved and seconded to deny the application for a violation of NRS 632.347 (1)(b) criminal conviction. MOTION CARRIED.
   c. Lystlund, Sydney, CNA0031419: Applicant was not present. The Board denied the renewal application for violation for NRS 632.347(1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890(26) violation of state/federal nursing law/regulation. Approved under the consent agenda.
   d. Collett, Juliane, RN applicant. Respondent was present and not represented by counsel. It was moved and seconded that Respondent submit to a Substance Use Disorder Evaluation, Fitness for Duty Evaluation to determine her fitness for probation; and return to the next Board meeting. MOTION CARRIED.
   e. Dobachesky, Jennifer, RN applicant: Applicant appeared telephonically and was not represented by counsel. It was moved and seconded to accept Respondent’s application. MOTION CARRIED.
   f. Gonzales, Christina, RN37048: Respondent was present and not represented. The application is before the Board for acceptance, denial or other action based on Board policy for a violation of NRS 632.347 (1)(b) criminal conviction. It was moved and seconded to accept Respondent’s application and place Respondent on probation with active/restricted status for a period of two years and take the Nevada Nurse Practice Act course, Stress Management course, and Critical Thinking course. It was further ordered that respondent submit documentation of successful completed of courses within 90 days or Respondent’s license will be automatically suspended. It was further ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.
   g. Sanders, Dorothy, CNA019662: Respondent was not present. The Board denied the renewal application for violation for NRS 632.347(1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890(26) violation of state/federal nursing law/regulation. Approved under the consent agenda.
   h. Mais-Bruce, Cheryl, RN66679: Respondent was not present. It was moved and seconded to accept the renewal application and ordered that Respondent take courses including critical thinking, righting a wrong, and ethics. It was further ordered that respondent submit documentation of
successful completed of courses within 90 days or Respondent’s license will be automatically suspended. MOTION CARRIED.
i. Speaker, Sally, RN applicant. Applicant appeared telephonically and was not represented by counsel. It was moved and seconded to accept Respondent’s application. MOTION CARRIED.

2. Settlement agreements
   b. Goist, Lanna, LPN16530: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (16) failing to properly document controlled substances, (20) inaccurate recording, falsifying, and (40) medication error. Approved under the consent agenda.
   d. McKinzy, Tamyka, CNA020014: Agreement for Fine and Continuing Education 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. Approved under the consent agenda.
   e. Vasquez, Elvira, CNA011688: Agreement for Reprimand, Fine and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (16) failing to properly document the administration of controlled substances. Approved under the consent agenda.
   f. Williams, Lynette, RN27316: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct NAC 632.890 (16) failing to properly document controlled substances and (27) customary standards of practice. Approved under the consent agenda.
   g. Storm-Powers, Elizabeth, RN82623: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.415 unprofessional conduct, and NAC 632.890 (16) failing to properly document the administration of controlled substances. Approved under the consent agenda.
   h. Byrd, Chantel, RN79545: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (16) failing to properly document the waste and administration of a controlled substance, and (20) inaccurate recording, falsifying or otherwise altering or destroying records. Approved under the consent agenda.
   i. Christiano, Christopher, RN89056: Agreement for Reprimand and Monitoring for violation of NRS 632.347 (1)(b) criminal convictions. Approved under the consent agenda.
j. Sigmon, Jennifer, RN applicant: Agreement for Reprimand and Monitoring for violation of NRS 632.347 (1)(m) action in another state. Approved under the consent agenda.

k. Destefano, Christine, RN46497: 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. Approved under the consent agenda.

l. Childress, Melinda, RN17357: 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. Approved under the consent agenda.

m. Bilquist, Larry, RN50358: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (1)(g) unprofessional conduct, (1)(o) failing to comply with a Board order, and NAC 632.890 (36) failing to comply. Approved under the consent agenda.

n. Ralston, Laura, RN87263: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (25) failing to observe, report and (27) customary standards of practice. Approved under the consent agenda.

o. Longmore-Martinez, Karyl, RN83130: Agreement for Suspension and Probation for violation of NRS 632.347 (1)(e) uses any controlled substances, dangerous or intoxicating liquor, (1)(g) unprofessional conduct, (1)(o) failing to comply with a Board order and NAC 632.890 (36) failing to comply. Approved under the consent agenda.

p. Carino, Kristen, RN67247: Agreement for Probation Extension 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 (21) obtain, possess, furnish prescription drugs without authorization, and (36) failing to comply. Approved under the consent agenda.

3. Successful completion of probation – No business

4. Reinstatement of licensure/certification
   a. Lowry, Layne, RN58223. Respondent was present and not represented by counsel. S. McCord provided historical factual background precipitating the eventual voluntary surrender on the part of the Respondent. Respondent made a statement and answered questions from the Board. It was moved and seconded to find Respondent in violation of NRS 632.320(1)(g) unprofessional conduct, and NRS 632.320(1)(o) failure to comply with a Board order, and NAC 632.890(36) failure to comply. It was ordered to accept the application, reprimand Respondent's license and place Respondent on probation for a period of one year. MOTION CARRIED.

5. Formal administrative hearings
a. Bailey, Tiffany, LPN16040. Respondent was not present and not represented by counsel. It was moved and seconded to continue this to a future board meeting. MOTION CARRIED.

b. Brimage, Celia, LPN13955. Respondent was present and not represented by counsel. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g) unprofessional conduct; NAC 632.415, and NAC 632.890(26) violation of state or federal statute or regulation relating to the practice of nursing. It was ordered that Respondent’s license be reprimanded and fined in the amount of two-hundred dollars ($200.00) due within 30 days of the effective date of the order or be automatically suspended. It was further ordered that Respondent pay attorney’s fees and the cost of the hearing due within 120 days of the effective date of the order or be automatically suspended. It was further ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.

c. Brown, Celeste, LPN17560. Respondent was not present and not represented by counsel. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(o) grounds for denial, revocation or suspension of license or certificate or other disciplinary action. It was ordered that Respondent’s license be revoked for a period of two years. It was further ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.

d. Henderson, Donnie, RN76308. Respondent was present and not represented by counsel. It was moved and seconded to continue this matter to a future board meeting. MOTION CARRIED.

e. Lipa, Keirvy, RN95183. Respondent was present with counsel, Craig Perry, Esq. Respondent reached an agreement with the board for practice probation for a period of five years. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(24) failure to collaborate with other members of a health care team as necessary to meet the health needs of a patient, and NAC 632.890(34) neglecting a patient, and NAC 632.890(42) professional boundaries/use of social media, and accept the agreement for practice probation. MOTION CARRIED. J. Tan recused himself from the vote.

f. McClain, Michael, RN18670. Respondent was not present and not represented by counsel. It was moved and seconded to find Respondent in violation of Respondent violated NRS 632.347(1)(g) unprofessional conduct, because Respondent violated NAC 632.890(36) failure to comply with a condition, limitation or restriction which has been placed on license. It was ordered that Respondent’s license be revoked for a period of two years and further, it was ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.

g. McGirl, Janet, RN32319. Respondent was not present and not represented by counsel. It was moved and seconded to find Respondent in violation of Respondent violated NRS 632.347(1)(g) unprofessional conduct; NAC 632.890(16) failure to document properly the administration of controlled substances; NAC 632.890(27) failure to perform nursing functions in a manner consistent with established or customary standards. It was ordered
that Respondent’s license be revoked for a period of two years and further, it was ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.

h. Removed

i. Parks, Jennifer, RN42547. Respondent was not present but has retained counsel. It was moved and seconded to continue this matter to a future board meeting. MOTION CARRIED.

j. Provstgaard, Samantha, CNA022764. Respondent was present and not represented by counsel. It was moved and seconded to continue this matter to a future board meeting. MOTION CARRIED.

k. Sciartilli, Mary, RN55625. Respondent was not present and was not represented by counsel. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g), unprofessional conduct, and NAC 632.890(20) inaccurate, falsified or otherwise altered or destroyed records; and NAC 632.890(27) failure to perform nursing functions in a manner consistent with established or customary standards. It was ordered that Respondent’s license be revoked for a period of five years and further, it was ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.

l. Tolla, Eden, LPN15188. Respondent was not present and not represented by counsel. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g), unprofessional conduct, and NAC 632.890(26) failure to abide by any state or federal statute or regulation relating to the practice of nursing. It was ordered that Respondent be reprimanded fined in the amount of two-hundred dollars ($200.00) due within 30 days of the effective date of the order or be automatically suspended. It was further ordered that Respondent pay attorney’s fees and the cost of the hearing due within 120 days of the effective date of the order or be automatically suspended. It was further ordered that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED.

m. Kalmuk, Michael, RN97164. Respondent was present with counsel, T. L. Singh, Esq. It was moved and seconded that the case be dismissed. MOTION CARRIED.

6. Special Action

a. Review, discussion, and action regarding Analisa Willets’s, RN69696, request for early release from order of probation. Respondent appeared telephonically and was not represented by counsel. It was moved and seconded to deny Analisa Willets’s, RN69696, request for early release from order of probation. MOTION CARRIED.

b. Removed.

c. Review, discussion, and action regarding George McCraven’s, RN28699, request for early release from agreement for probation. Mr. Mooney, Esq. appeared on behalf of his client who is currently serving jury duty. It was moved and seconded to deny George McCraven’s, RN28699, request for early release from agreement for probation. MOTION CARRIED.
E. EDUCATION-

1. Review and discussion regarding NCLEX year-to-date first time pass rates for 2018. C. Prato presented the NCLEX pass rates to date.

2. Review, discussion and action regarding Altierus Career College teach out progress report. C. Prato presented the representatives of Alterius, Kelly Politte, MSN, RN, CNE, CHSE, Interim Nursing Program Chair and David Dolbow, Campus Director. Alterius reports that faculty is stable; recently hired an adjunct professor; and plan to graduate their last cohort October 2019. It was moved and seconded to accept the teach-out report. MOTION CARRIED.

3. Review, discussion, and action regarding appointment of Eileen Bauer as the Director of the Practical Nursing program at College of Southern Nevada. C. Prato presented this item and introduced Dr. Eileen Bauer who introduced herself and provided a brief overview of what she has done. It was moved and seconded to approve Dr. Bauer as Director of the Practical Nursing program at College of Southern Nevada. MOTION CARRIED.

4. Review, discussion, and action regarding findings and recommendations of the College of Southern Nevada practical nursing site survey. C. Prato presented this item and reported that there is currently not enough faculty and the curriculum needs an overhaul. C. Prato recommended that the LPN program be put on hold until the curriculum is rewritten. It was moved and seconded that the LPN program be placed on hold until College of Southern Nevada comes up with a plan. MOTION CARRIED.

5. Review, discussion and action regarding Arizona College continuance of provisional approval program based on six month report. Approved under the consent agenda.

6. Review, discussion, and action regarding Nevada State College’s request to expand the undergraduate Bachelor of Science in nursing program to 5 semesters with earlier entry into the program, incorporate pharmacology into 2 courses, and integrate praxis and NCLEX preparation into one course. C. Prato presented this item and introduced LaTricia Perry, MSN, RN, Associate Dean. L. Perry reported the feedback the program has received from students and stated these changes will address the students’ needs. It was moved and seconded to approve Nevada State College’s request to expand the undergraduate Bachelor of Science in nursing program to 5 semesters with earlier entry into the program, incorporate pharmacology into 2 courses, and integrate praxis and NCLEX preparation into one course. MOTION CARRIED.

F. NURSING PRACTICE

1. Review, discussion and action regarding application for Board Approved Outpatient Treatment/After Care Provider: Catherine S. Wade, MS, MSN, RN, PHN, CNL, LADC. S. McCord presented this agenda item. It was moved and seconded to accept Catherine S. Wade, MS, MSN, RN, PHN, CNL, LADC, application. MOTION CARRIED.

2. Review, discussion, and action regarding updates to Nursing Practice Advisory Committee decisions: Role of the LPN with Nasogastric Tubes; Role of the RN with Gastrostomy Tubes; Role of the RN with Intraosseous Catheter Placement and Infusion. S. McCord presented this item. It was moved and seconded to approve these Nursing Practice Advisory Committee decisions. MOTION CARRIED.

3. Removed.
4. Review, discussion, and possible action regarding the appointment of: Kelly Mecham, DNP, MSN, APRN, FNP-BC, to the Advanced Practice Registered Nurse Advisory Committee. S. McCord presented this agenda item. It was moved and seconded to appoint Kelly Mecham, DNP, MSN, APRN, FNP-BC, to the Advanced Practice Registered Nurse Advisory Committee. MOTION CARRIED.

G. RECOMMENDATIONS FOR AGENDA ITEMS FOR FUTURE BOARD MEETINGS.
   • S. VanBeuge recommended a discussion on open meeting laws as it pertains to decisions that were made in July.

PUBLIC COMMENT:
   • T.L. Singh made comment regarding NSBN’s recent Audits. To say NSBN is the gold standard is an understatement. It is not just how NSBN acts at hearings, but also the dedication and staff who handle, prosecute, and investigate cases. Perhaps F. Olmstead can put on a seminar for other boards. Needed NSBN to know that you guys do set yourselves apart and made me proud to be a nurse.
   • R. O’Driscoll reported that the NCSBN Conference she attended was great and that NCSBN does amazing work. R. O’Driscoll valued the break-out sessions about roles and differences amongst states. The topics she found most interesting were global regulation, revalidation, and the presentation about nurses receiving patents on the things they make through research and development.

ADJOURNMENT:
The meeting was adjourned at 2:41 p.m. on Thursday, September 13, 2018.