

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

May 15-16, 2019

The Nevada State Board of Nursing Board Meeting was called to order by President, Deena McKenzie, MSN, RN, at 8:31 a.m. on Wednesday, May 16, 2019, SpringHill 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
Jacob Watts, CNA, CNA Member, Secretary
Rhigel "Jay" Tan, DNP, RN, APRN, RN Member
Mary-Ann Brown, MSN, RN, RN Member
Ovidia McGuinness, LPN, LPN Member
Richelle O'Driscoll, Consumer Member

OTHER'S PRESENT

Cathy Dinauer, MSN, RN, Executive Director
Fred Olmstead, General Counsel
Kim Arguello, General Counsel (5/15)
Asheesh S. Bhalla, Deputy Attorney General
Sam McCord, BSN, RN, Director of Nursing Practice
Abbie Purney, DNP, APRN, CCNS, Director of Nursing Education
Sheryl Giordano, DNP, APRN Consultant/Investigator
Sherri Twedt, BSN, RN, Compliance Coordinator (5/15)
Sharon Vincello, J.D., Executive Assistant
Rhoda Hernandez, IT Technician
Vickey Alvarez, Senior Accountant (5/16)
Priscilla Nelson, Management Assistant (5/16)
Richard Sturek, Computer Technical Services (5/15)
Michael Hillerby, Government Liaison (5/16)

PUBLIC COMMENT

- C. Dinauer introduced Dr. Purney as NSBN's new Director of Nursing Education.

A. BOARD GOVERNANCE AND ADMINISTRATION

1. Approval of Board meeting minutes: March 20-21, 2019: Approved under the consent agenda.
2. Executive Director Report: C. Dinauer provided updates on the Next Generation NCLEX. NCSBN will be in Las Vegas September 26, 2019. NSBN will have flyers going out about the event. C. Dinauer also provided an update regarding the nursing compact. C. Dinauer met with Caleb Cage about the nursing compact. C. Dinauer also noted there will be an Opioid Task Force meeting August 14-15, but the agenda of the meeting has not yet been released, but it will be at the Tuscany in Las Vegas.
3. Review, discussion, and action regarding FY 18/19 Goals and Objectives: Approved under the consent agenda.

4. Review and discussion regarding Conference and Training Report by staff: Approved under the consent agenda.
5. Review and discussion regarding Conference and Training Report by Board Members: Approved under the consent agenda.
6. Review and discussion regarding Legislative Updates: M. Hillerby, NSBN's legislative liaison presented the update. There have been a lot of changes and amendments to NRS Chapter 622 which affects all the boards. M. Hillerby testified yesterday for Accountancy board regarding the list of all reporting requirements. There are a couple of bills on Opioids and they are moving along well, tying up definitions. As for the Nursing Compact, unfortunately, that is not going to happen this session. Unions have been incredibly active and have a very strong presence. This would have been a very challenging session to put the compact forward. Once the session is over, we will sit down and evaluate the potential appetite and support for putting this forward next session.
7. Review, discussion and action regarding IT Update including Vox phone system upgrade: IT Consultant, Richard Sturek, provided an update on the IT projects. Office 365 Migration is in the works, this week thru the end of this month, with a deadline by June 28 to have it completed. Perceptive Content tested successfully and all IT systems are mirrored between north and south offices, meaning if NSBN has a failing in north or south office, the other will have everything, which was a key point of NSBN's disaster recovery plan. NSBN is also in the process upgrading the phone system as the current system 10+ years old. A new vendor, Vox, provided NSBN with an estimate to upgrade both systems and add additional functions and update hardware and software for about \$28K. All calls currently go through the Reno office, if Reno goes down, Las Vegas will not get calls and we are going to fix that. Motion to approve cost and upgrade to the phone system. MOTION CARRIED.
8. Review, discussion, and action regarding Travel Expense Report update. V. Alvarez provided the update. Washoe County and Clark County have different rates. Your physical location at the time of the expense will determine the expense reimbursement rate. Expense reports need to have GSA rates attached to them when they are submitted. Additionally, the mileage rate went up. You can also submit receipts and take less than per diem. Policy states expense reports must be turned in within 14 days. It was moved and seconded to approve the update. MOTION CARRIED.
9. Review and discussion regarding suspension v. revocation. Board President, D. McKenzie requested this item be moved to the July Meeting.
10. Review and discussion regarding NSBN's vendor and contract process. V. Alvarez and F. Olmstead presented. Our vendors and contractors are either a state agency, a state-approved vendor, or they are below the monetary limit for services or goods. When we do have a vendor that is not state approved, V. Alvarez acquires between three and five quotes and chooses the least expensive. There are exceptions such as the attorney we hire when we get sued, there's an attorney exception. Otherwise it is all request for proposals. Everything we do is according to the law.
11. Review and discussion of FY18/19 Q3 Financials. V. Alvarez presented the FY18/19 Q3 Financials.

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. Dinauer and A. Purney presented this item.

2. Review and discussion regarding CNA plan of action and NSBN Board Authority over CNA Programs. C. Dinauer and A. Purney presented this item. C. Dinauer requested A. Purney to go meet with every training program to review. A. Purney looked at all programs and trended them from lowest to highest performing programs and there were four programs of concern. We are coming up with plans of action and site surveys.

D. DISCIPLINE PROGRAMS

1. Applications (initial and renewal in question)

- a. Armstrong, Luther, RN applicant. K. Arguello presented. L. Armstrong appeared. It was moved and seconded to accept the application. MOTION CARRIED.
- b. Baeza, Samuel, RN applicant. K. Arguello presented. S. Baeza appeared telephonically. It was moved and seconded to accept the application. MOTION CARRIED.
- c. Butler, Champaigne, CNA035576. K. Arguello presented. C. Butler appeared. It was moved and seconded to accept the application with contingencies enumerated in the Board Order. MOTION CARRIED.
- d. Casey, Nathan, RN applicant. K. Arguello presented. N. Casey appeared telephonically. It was moved and seconded to accept application. MOTION CARRIED.
- e. Jones, Jeffrey, RN applicant. F. Olmstead presented. J. Jones did not appear. It was moved and seconded to deny the application for violation of NRS 632.347(1)(b) criminal convictions, and NRS 632.347(1)(m) action in another state. MOTION CARRIED.
- f. Short, Jill, RN applicant. F. Olmstead presented. J. Short appeared. It was moved and seconded to accept application. MOTION CARRIED.
- g. Powe, Edward, CNA026180. F. Olmstead presented. E. Powe appeared earlier in the day and signed an Agreement for Probation for a period of three (3) years, for violations of NRS 632.347(1)(a) fraudulent application and NRS 632.347(1)(b) criminal convictions. It was moved and seconded to accept the Agreement for Probation. MOTION CARRIED.
- h. Zermeno, Ricardo, CNA applicant. F. Olmstead presented. R. Zermeno appeared telephonically. It was moved and seconded to deny application for violations of NRS 632.347(1)(b) criminal convictions, and NRS 632.347(1)(e) alcohol and/or controlled substances. MOTION CARRIED.

2. Settlement agreements

- a. Greenwood, Sharon, RN13905. Agreement for Reprimand, Monitoring and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(9) practicing nursing while, with or without good cause, her physical condition impairs her ability to act in a manner consistent with established or customary standards, or both, and NAC 632.890(10) practicing nursing with alcohol present in the body of the nurse while on duty. Approved under the consent agenda.
- b. Ogden, Genisa, RN56616. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
- c. Parsons, Nicholas, RN72472. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
- d. Lalo, Sharon, LPN16879. Agreement for Probation for violation of NRS 632.347(1)(g) unprofessional conduct; NAC 632.890(20) inaccurate recording, falsifying, and NAC

- 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
- e. Hanna Manfull, Charlene, RN60800, APRN001092. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct; NAC 632.890(25) failing to observe/report, and NAC 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
 - f. Abarquez, Senialita, RN46629, APRN000999. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
 - g. Ohira, Shigenobu, RN85937. Agreement for Probation for violation of NRS 632.347(1)(b) criminal convictions. Approved under the consent agenda.
 - h. Tervalon, Erinn, RN applicant. Agreement for Probation for violation of NRS 632.347(1)(m) action in another state. Approved under the consent agenda.
 - i. Fallin, Barbara, RN68704, APRN001290. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
 - j. Collado, Joyce, LPN14671. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct; NAC 632.890(20) inaccurate recording, and NAC 632.890(27) failing to perform nursing functions in manner consistent with customary standards. Approved under the consent agenda.
 - k. Jerideau, Gail, RN17423. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct; and NAC 632.890(37) practicing without an active license. Approved under the consent agenda.
 - l. Valdez, Karen, RN79601. Agreement for Probation for violation of NRS 632.347(1)(e) controlled substances and/or alcohol; NRS 632.347(1)(g) unprofessional conduct; NRS 632.347(1)(o) failing to comply with a Board order; and NAC 632.890(36) failing to comply. Approved under the consent agenda.
 - m. Safarik, Trudy, CNA 816666. Agreement for Suspension and Probation for violation of NRS 632.347(1)(e) controlled substances and/or alcohol; NRS 632.347(1)(g) unprofessional conduct; NRS 632.347(1)(o) failing to comply with a Board order; and NAC 632.890(36) failing to comply. Approved under the consent agenda.
 - n. Manis, Angelique, RN75447. Agreement for Suspension and Probation for violation of NRS 632.347(1)(e) controlled substances and/or alcohol; NRS 632.347(1)(g) unprofessional conduct; NRS 632.347(1)(o) failing to comply with a Board order; and NAC 632.890(36) failing to comply. Approved under the consent agenda.
 - o. Abney, Brianna, RN74533. Agreement for Reprimand, Monitoring, and Continuing Education for violations of NRS 632.347(1)(g) unprofessional conduct; NAC 632.890(9) practicing nursing, while, with or without good cause, her physical condition impairs her ability to act in a manner consistent with established customary standards, or both, and NAC 632.890(10) practicing nursing with alcohol present in the body of the nurse while on duty. Approved under the consent agenda.
 - p. Collett, Juliane, Temporary License for Refresher Course applicant. . Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NRS 632.347 (1)(o) failing to comply with a Board order, and NAC 632.890 (36) failing to comply. Approved under the consent agenda.

- q. Peng, Wendy, RN67866. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(27) failing to perform nursing functions in manner consistent with established or customary standards. Approved under the consent agenda.
3. Successful completion of probation – No business
 4. Reinstatement of licensure/certification
 - a. Island, Desiree, LPN11192. S. McCord presented this item. D. Island was present. It was moved and seconded to accept the reinstatement of D. Island’s LPN license. MOTION CARRIED.
 - b. Prima, Janine, RN55460. S. McCord presented this item. J. Prima was present. It was moved and seconded to deny J. Prima’s reinstatement application. MOTION CARRIED.
 5. Formal administrative hearings
 - a. Baker, Brian, CNA0326827: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(27) when Respondent failed to perform nursing functions in a manner consistent with established or customary standards. Further, it was ordered that Respondent’s certificate be reprimanded, fined in the amount of twenty-five dollars (\$25.00 USD), and that Respondent complete continuing education courses Critical Thinking and Patient Safety within ninety (90) days from the date of the order. It was further ordered that if Respondent fails to submit evidence of completion of the required courses to the Board within the ordered time frame, Respondent’s certificate shall be suspended without further proceedings until such time that Respondent completes the required courses, and that the disciplinary action become a part of the Respondent’s permanent record and be published and reported to all agencies. MOTION CARRIED
 - b. Castillo, Jennifer, CNA025418: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(35) when Respondent misappropriated the property of a patient, and NAC 632.890(42) when Respondent failed to maintain professional boundaries. It was further ordered that Respondent’s certificate be revoked and she may not reapply for a period of two years and that this revocation shall become part of Respondent’s permanent record, be published on the Board’s list of disciplinary actions, and be published and reported to all agencies. MOTION CARRIED.
 - c. Flamant, Paul, RN37804: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find Respondent in 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. Further, it was ordered that Respondent’s license be reprimanded, fined in the amount of two-hundred dollars (\$200.00 USD), and that Respondent complete continuing education courses the Nurse Practice Act and thirty hours (30) of Legal Ethics within thirty (30) days from the date of the order. It was further ordered that if Respondent fails to submit evidence of completion of the required courses to the Board within the ordered time frame, Respondent’s license shall be suspended without further proceedings until such time that Respondent completes the required courses, and 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. F. Olmstead presented this item. Respondent was present. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(o) failing to

- comply with a Board Order, and NRS 632.347(1)(g), unprofessional conduct, and NAC 632.890(37) when Respondent practiced nursing without an active license. Further, it was ordered that Respondent's license be reprimanded, fined in the amount of one-hundred dollars (\$100.00 USD), and that Respondent complete continuing education course Professional Accountability and Legal Liability within sixty (60) days of the date of this order. It was further ordered that Respondent's license will continue to be surrendered and that Respondent shall submit to a Substance Use Disorder evaluation, provide said report to the Board and appear before the Board at the next meeting. 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.
- e. Lee, Adriana, CNA027735: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find Respondent in violation of NRS 632.347(1)(g) unprofessional conduct, and NAC 632.890(20) when Respondent inaccurately recorded, falsified, or otherwise altered or destroyed records, and NAC 632.890(27) when Respondent failed to perform nursing functions in a manner consistent with established or customary standards. It was further ordered that Respondent's certificate be revoked and she may not reapply for a period of one year and that this revocation shall become part of Respondent's permanent record, be published on the Board's list of disciplinary actions, and be published and reported to all agencies. MOTION CARRIED.
 - f. Taylor, Donna, RN74014: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find Respondent in violation of NRS 632.320(1)(g) unprofessional conduct, and NAC 632.415, and NAC 632.890(26) violation of state/federal nursing law/regulation. Further, it was ordered that Respondent's license be reprimanded, fined in the amount of two-hundred dollars (\$200.00 USD), and that Respondent complete continuing education courses the Nurse Practice Act and thirty hours (30) of Legal Ethics within thirty (30) days from the date of the order. It was further ordered that if Respondent fails to submit evidence of completion of the required courses to the Board within the ordered time frame, Respondent's license shall be suspended without further proceedings until such time that Respondent completes the required courses, and that the disciplinary action become a part of the Respondent's permanent record and be published and reported to all agencies. MOTION CARRIED.

6. Special Action

- a. Review, discussion and action regarding Houck, Gregory, RN83777, request for early release from order for probation. S. McCord presented this item. Gregory Houck was present. It was moved and seconded to deny G. Houck's request for early release from order of probation. MOTION CARRIED.

E. EDUCATION

1. Review and discussion regarding NCLEX pass rates. C. Dinauer and A. Purney presented this item.
2. Review, discussion and action regarding acceptance of Site Survey Report of Roseman University, Nursing Education Program, conducted November 12 and 13, 2018. C. Dinauer and A. Purney presented this item. It was moved and seconded to accept the Site Survey Report of Roseman University, Nursing Education Program, conducted November 12 and 13, 2018. MOTION CARRIED.
3. Review, discussion, and action regarding Arizona College's request for full approval of BSN program. C. Dinauer and A. Purney presented this item. Representatives from Arizona College

were present and made their presentation. It was moved and seconded to approve Arizona College's request for full approval of BSN program. MOTION CARRIED.

4. Review, discussion, and action regarding Arizona College's request to increase enrollment in BSN program from 190 to 350. C. Dinauer and A. Purney presented this item. Representatives of Arizona College were present and made their presentation. It was moved and seconded to approve Arizona College's request to increase enrollment in BSN program from 190 to 350. MOTION CARRIED.
5. Review discussion and action regarding approval of: June Eastridge as Administrator of Nevada State College Nursing Program. C. Dinauer and A. Purney presented this item. J. Eastridge was present. It was moved and seconded to approve June Eastridge as Administrator of Nevada State College Nursing Program. MOTION CARRIED.

F. NURSING PRACTICE

1. Review, discussion and possible action regarding application for board approved Substance Use Disorder Evaluation Provider: Judy Marshall, LADC, NCAC II, SAP. S. McCord presented this item. It was moved and seconded to approve Judy Marshall, LADC, NCAC II, as a board approved Substance Use Disorder Evaluation Provider. MOTION CARRIED.
2. Review, discussion and action regarding applications for Board Approved Nurse Support Group Facilitator: Brian Gomez, BS, MSW, LCSW; Rob Stone, CADC; Tasha Hamilton, LSW, MSW, LADC. S. McCord presented this item. It was moved and seconded to approve Brian Gomez, BS, MSW, LCSW; Rob Stone, CADC; Tasha Hamilton, LSW, MSW, LADC, as Board Approved Nurse Support Group Facilitators. MOTION CARRIED.
3. Review, discussion, and possible action regarding the applications for appointment to the Nursing Practice Advisory Committee: Ginger E. Fidel, MSN, RN, OCN, CNL; Sierra West, RN; Nicole Sirotek, RN; Chelsea Minto, BSN, RN, CNML. It was moved and seconded to appoint Ginger E. Fidel, MSN, RN, OCN, CNL; Sierra West, RN; Nicole Sirotek, RN; Chelsea Minto, BSN, RN, CNML, to the Nursing Practice Advisory Committee. MOTION CARRIED.
4. Review, discussion, and possible action regarding the applications for appointment to the LPN Advisory Committee: Eileen Mahoney Bauer, DNP, RN, APRN; Nicole Sirotek, RN. S. McCord presented this item and explained there was a vacancy after a member resigned. It was moved and seconded to approve Eileen Mahoney Bauer, DNP, RN, APRN, to the LPN Advisory Committee. MOTION CARRIED.
5. Review, discussion, and possible action regarding the applications for appointment to the Education Advisory Committee: Irene Coons, Ph.D., RN, CNE; Kimberly Baxter, DNP, APRN, FNP-BC; Ruby Wertz, MSHA, BSN, RN; Kyle Salinas, Student Nurse, Chamberlain College; Nancy Hense-Cywinski, RN, BSN, MS, NHA; Nicole Sirotek, RN. S. McCord and A. Purney presented this item. It was moved and seconded to approve Irene Coons, Ph.D., RN, CNE; Kimberly Baxter, DNP, APRN, FNP-BC; Ruby Wertz, MSHA, BSN, RN; Kyle Salinas, Student Nurse, Chamberlain College; and Nancy Hense-Cywinski, RN, BSN, MS, NHA, to the Education Advisory Committee. MOTION CARRIED.
6. Review discussion and possible action regarding approval of proposed revisions to the Nevada State Board of Nursing Scope of Practice Decision Tree. S. McCord and S. Giordano presented the revisions to the Nevada State Board of Nursing Scope of Practice Decision Tree. It was moved and seconded to approve the revisions to the Nevada State Board of Nursing Scope of Practice Decision Tree. MOTION CARRIED.
7. Review, discussion and possible action regarding the addition of Solu-Cortef Act-O-Vile injection to the School Nursing Practice Decision. S. McCord presented. It was moved and seconded to approve the addition of Solu-Cortef Act-O-Vile injection to the School Nursing Practice Decision. MOTION CARRIED.

8. Review, discussion and possible action regarding approval of new Nevada State Board of Nursing practice decision: The Role of the LPN in TB Testing. S. McCord presented. It was moved and seconded to approve the Nevada State Board of Nursing practice decision: The Role of the LPN in TB Testing with the change to strike the line “*that the LPN may not make a diagnosis of Tuberculosis*”. MOTION CARRIED.

G. RECOMMENDATIONS FOR AGENDA ITEMS FOR FUTURE BOARD MEETINGS

- Update on Vox phone system
- Policy and procedure regarding the maximum number of members of advisory committees
- CNA action plan and trending information
- Website update, putting practice decisions with links on website
- Update on the Affinity contract
- Difference between differing levels of disciplines
- Update regarding SCR6
- AG staff to update training for board members at July meeting

PUBLIC COMMENT

- None

ADJOURNMENT

- The meeting adjourned at 2:12 p.m. on Thursday, May 16, 2019.