

# Nevada State Board of **NURSING**

## **BOARD MEETING MINUTES**

July 22-23, 2020

The Nevada State Board of Nursing Board Meeting was called to order by President, Mary-Ann Brown, MSN, RN, at 9:07am, on July 22, 2020 via WebEx conference call.

### **MEMBERS PRESENT**

Mary-Ann Brown, MSN, RN, RN Member, President  
Jacob Watts, CNA, CNA Member, Vice President  
Ovidia McGuinness, LPN, LPN Member, Secretary  
Deena McKenzie, MSN, RN, RN Member  
Susan VanBeuge, DNP, APRN, FNP-BC, FAANP, RN Member  
Richelle O'Driscoll, Consumer Member  
Branden Murphy, MSNed, CPN, CCRN, RN Member

### **MEMBERS ABSENT**

### **OTHER'S PRESENT**

Cathy Dinauer, MSN, RN, Executive Director  
Fred Olmstead, General Counsel  
Kimberly A. Arguello, General Counsel  
Harry Ward, Deputy Attorney General  
Sam McCord, BSN, RN, Director of Nursing Practice  
Michelle Johnson, EdD, RN, CPNP-PC, Director of Nursing Education  
Sydnee Chappell, Executive Assistant  
Rhoda Hernandez, IT Technician  
Kristie Neuhauser, Accountant  
Gail Trujillo, CP, Director of Licensure and Certification, Human Resource  
Sally K. Miller, PhD, APRN, FAANP, APRN Consultant, Investigator

Call to Order: The meeting was called to order at 9:07 am, on Wednesday July 22, 2020.

**Public Comment:** No Public Comment.

### **Board Governance and Administration**

ACTION

1. Approval of May 13, 2020 and June 19, 2020 Board meeting minutes: Approved under the Consent Agenda.
2. Progress Report on Board Goals and Objectives for Fiscal Year 19/20: C. Dinauer will present the Goals and Objectives for Fiscal Year 20/21 at the next board meeting. G. Trujillo explained the Consumer Survey is ready to go out and requested direction from the Board on when to distribute. The Board recommended to put a notice in the Nursing

News magazine for feedback from the public and was requested to be brought back to a future board meeting.

3. Annual approval of authorization of Executive Director to act as Board Agent for financial transactions, keeper of records (for issuing of and responding to subpoenas) and authority to accept voluntary surrender of licenses/certificates, and as spokesperson for actions with other community groups or the media and in other routine business functions: Approved under the Consent Agenda.

ACTION

4. Executive Director Report: C. Dinauer reported to the Board the outcome of the recent meeting with the Sunset Subcommittee. The Nevada State Board of Nursing was complimented on processing applications in a timely manner. There were questions asked by the Sunset Subcommittee about the Nurse Compact and how the COVID-19 pandemic was being handled by the agency. The Board is scheduled to have a face-to-face meeting in August, however, due to still being in Phase 2 by the Governor's Order, it is unsure if the meeting is possible. C. Dinauer will follow up with the Board Members in their weekly updates. Governor's Directive 11 recently included CNAs to submit a waiver to work in the State of Nevada during the State of Emergency. At this time, Nevada has had approximately 872 waivers turned in for LPN, RN, and CNA licensees from outside states. NSBN has hired a report writer and will be having weekly meetings to move forward with the report writing. Board Member O. McGuiness thanked C. Dinauer for all her hard work.

5. Review, discussion, and action on request to determine the validity of the regulation found at Nevada Administrative Code 632.192(1): The Board reviewed documentation regarding the history of the regulation and documentation regarding the administrative rulemaking process followed. It was moved and seconded to approve the validity of the regulation and process followed regarding changes made to Nevada Administrative Code 632.192(1). MOTION CARRIED.

ACTION

6. Review, discussion, and possible action regarding possible revisions to the Fingerprint on Renewal Policy: S. McCord requested a continuance of agenda item. It was moved and seconded to continue this agenda item for a future date. MOTION CARRIED.

ACTION

7. Review, discussion, and possible action regarding Conference Schedule Fiscal Year 20/21: Board Members requested a continuance of agenda item. It was moved and seconded to continue this agenda item for a future date. MOTION CARRIED.

ACTION

8. Review, discussion, and possible action regarding Fiscal Year 20/21 Annual Budget: K. Neuhauser and C. Dinauer presented this item. There are no expected big expenses or staffing changes at this time. Fiscal Year 19/20 was over-budgeted, causing a variation in current reports. IT had a budget increase due to hiring a report writer. M. Brown requested a copy of the reserves. It was moved and seconded to approve the Fiscal Year 20/21 Annual Budget. MOTION CARRIED.

ACTION

9. Review, discussion, and action regarding Conflict of Interest Policy Acknowledgment: F. Olmstead explained reasoning for Board Members to sign every year. It was moved and seconded for Board Members to approve, sign, and send back to Board Staff the Conflict of Interest Policy Acknowledgement. MOTION CARRIED.

ACTION

10. NSBN HR Report FY 19/20: Approved under the Consent Agenda.

ACTION

**B. Nursing Practice**

1. Review, discussion, and possible action regarding the use of continuing education courses to satisfy the advanced pharmacotherapeutics requirements contained in NAC 632.257 (1)(c)(II): F. Olmstead explained the history of this agenda item, the regulation, and Board Staff procedure. S. Miller provided information about continuing education courses and its academic equivalency to college courses. It was moved and seconded to send the use of continuing education courses to satisfy the advanced pharmacotherapeutics requirements contained in NAC 632.257 (1)(c)(II) to the APRN Committee to look at options for courses and bring back to the staff for further investigation. MOTION CARRIED.

ACTION

2. Review, discussion, and possible action regarding approval of The APRN Scope in Intubation practice decision: Board requested a continuance of agenda item. It was moved and seconded to continue this agenda item for a future date. MOTION CARRIED.

ACTION

3. Review, discussion, and possible action regarding approval of The Role of the RN in Thrombolytic Therapy practice decision: S. McCord presented to the Board the history of the practice decision. It was moved and seconded to approve The Role of the RN in Thrombolytic Therapy practice decision as written. MOTION CARRIED.

ACTION

4. Review, discussion, and possible action regarding applicant to be reappointed to the Disability Advisory Committee: It was moved and seconded to approve the application for reappointment of Rebecca Scarpa, APRN000753, to the Disability Advisory Committee. MOTION CARRIED.

ACTION

**C. Education**

1. Review, discussion, and action regarding approval of Unitek College LPN Program 6-month report and continued provisional approval: M. Johnson presented this item. It was moved and seconded to approve the Unitek College LPN Program 6-month report and continued provisional approval. MOTION CARRIED.

ACTION

2. Review, discussion, and action regarding approval of Las Vegas College LPN Program 6-month report and continued provisional approval: M. Johnson presented this item. Susan Holm and Toni Downen were present telephonically to answer questions. It was moved and seconded to approve Las Vegas College LPN Program 6-month report and continued provisional approval. MOTION CARRIED.

ACTION

3. Review, discussion, and action regarding approval of Nightingale College's 6-month report and continued provisional approval: M. Johnson presented this item. Audrey Auer and Mindy Bramwell were present telephonically to answer questions. It was moved and seconded to approve Nightingale College's 6-month report and continued provisional approval. MOTION CARRIED.

ACTION

4. Review and discussion regarding Headmaster CNA Certification Exam pass rates by program for 2nd Quarter 2020: M. Johnson will be visiting all CNA programs to seek out why pass rates are low and to create a plan to work with those programs. Board Member B. Murphy acknowledged the programs with high passing rates. The Board expressed concern with the programs that continuously trend below an 80% pass rate. There was concern also voiced for the Education Director position and the amount of work put onto only one individual. The Board suggested looking into staffing and adequate resources

for the education department and bringing it back to a future board meeting. Board President M. Brown thanked M. Johnson for all her work and efforts.

5. Review and discussion regarding the NCLEX year-to-date first-time pass rates for 2nd quarter 2020: M. Johnson explained to the Board the fluctuation of pass rates due to the pandemic. Board Member B. Murphy acknowledged the programs with high passing rates and is requesting more information on repeat test takers in future board meetings. M. Johnson is sending out pass rates to all programs monthly.

#### **D. Discipline Programs**

##### **1. Applications (initial and renewal in question)**

a. Smith, Keisha, CNA013683: Renewal application denied 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. MOTION CARRIED.

ACTION

b. Schrantz, Alissa CNA02634: Renewal application denied 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. MOTION CARRIED.

ACTION

c. Dobson, Christine, CNA026194: Renewal application denied 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. MOTION CARRIED.

ACTION

d. Baylock, Cheryl, RN applicant: K. Arguello presented this item. Applicant was present telephonically. C. Baylock made a statement. It was moved and seconded to approve the application for licensure with an Agreement for Probation. MOTION CARRIED.

ACTION

e. Buan, Paul John, RN applicant: K. Arguello presented this item. Applicant was present telephonically. P. Buan made a statement. It was moved and seconded to approve the application for licensure. MOTION CARRIED.

ACTION

f. Caneda, Nieves, RN applicant: K. Arguello requested for agenda item to be continued. It was moved and seconded to continue this agenda item for a future date. MOTION CARRIED.

ACTION

g. Carr, Tyree, CNA applicant: K. Arguello presented this item. Applicant was present telephonically. T. Carr made a statement. It was moved and seconded to approve the application for licensure. MOTION CARRIED.

ACTION

h. Davis, Michael, RN72708: K. Arguello presented this item. Applicant was present telephonically. M. Davis made a statement. It was moved and seconded to deny the renewal application for RN licensure for violation of NRS 632.347 (1)(b) criminal conviction and (1)(m) action in another state. MOTION CARRIED.

ACTION

i. Hankins, Donna, LPN applicant: F. Olmstead presented this item. Applicant was present telephonically. D. Hankins made a statement. It was moved and seconded to approve the application for licensure. MOTION CARRIED.

ACTION

j. Laswell, Cindy, RN applicant: F. Olmstead presented this item. Applicant was present telephonically. C. Laswell made a statement. It was moved and seconded to accept the application for licensure with an Agreement for Probation for one year. MOTION CARRIED.

ACTION

k. Lopez, Kelly, RN72221: F. Olmstead presented this item. Applicant was present telephonically. K. Lopez made a statement. It was moved and seconded to approve the renewal application for RN licensure. MOTION CARRIED.

ACTION

l. Phillips, Jennifer, RN applicant: F. Olmstead presented this item. Applicant was present telephonically. J. Phillips made a statement. It was moved and seconded to approve the application for licensure. MOTION CARRIED.

ACTION

m. Ramer, Jonathan, RN applicant: F. Olmstead presented this item. Applicant was present via telephone. J. Ramer made a statement. It was moved and seconded to approve the application for licensure with the completion of a professional boundaries course within 30 days. MOTION CARRIED.

ACTION

## 2. Settlement Agreements

a. Sarabia, Paulynn, RN90108: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (20) inaccurate recording, falsifying, and (27) customary standards of practice. Approved under the Consent Agenda.

ACTION

b. Tibbens, Devon, RN 74777: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (20) inaccurate recording, falsifying, and (27) customary standards of practice. Approved under the Consent Agenda.

ACTION

c. Spellen, Brandon RN 81584: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (1)(m) action in another state. Approved under the Consent Agenda.

ACTION

d. Johnson, Debra, LPN10551: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (16) failing to properly document controlled substances, (27) customary standards of practice. Approved under the Consent Agenda.

ACTION

e. Riggs, Pamela, RN26972: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (24) failing to collaborate with the healthcare team, and (27) customary standards of practice. Approved under the Consent Agenda.

ACTION

f. Graham, Judith, RN31482: Agreement for Fine 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.

ACTION

g. Jendro, Angela, CNA031277: 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 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.

ACTION

h. Frederick, Tanya, LPN14597: 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 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.

ACTION

- ACTION i. Brown, Patricia, LPN15141: 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 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
- ACTION j. San Pedro, Melchor, RN43698, APRN829103: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (2) practicing beyond scope, and (27) customary standards of nursing practice. Approved under the Consent Agenda.
- ACTION k. Guarino, Claire, RN93426: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (2) practicing beyond scope, and (20) inaccurate recording, falsifying or otherwise altering records. Approved under the Consent Agenda.
- ACTION l. Grady, Rhonda, CNA011298: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (32) endangering the safety of a co-worker by making actual or implied threats of violence. Approved under the Consent Agenda.
- ACTION m. Houk, Margaret, RN17562: Agreement for Fine 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.
- ACTION n. Del Rosario, Joseph, CNA 816698: Voluntary Surrender of Certificate in Lieu of Other Disciplinary Action for violation of NRS 632.347 (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. Approved under the Consent Agenda.
- ACTION o. Murphy, Rebecca, RN 829614: Agreement for Reprimand for violation of NRS 632.347 (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. Approved under the Consent Agenda.
- ACTION p. Simpson, Carrette, LPN17588: Agreement for Probation for violation of NRS 632.347 (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. Approved under the Consent Agenda.
- ACTION q. Gamboa, Nicholas, LPN15819: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (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. Approved under the Consent Agenda.
- ACTION r. De Jan, Aaron, RN27195: Agreement for Probation for violation of 632.347 (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. Approved under the Consent Agenda.
- ACTION s. Perrotte, Alice, RN40520: 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.

- t. Cunningham, Lashelle, LPN16231: 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.

ACTION

3. Formal administrative hearings- No Business

4. Special Action

- a. Schultz, Kara, RN57984 - Request for Reinstatement: K. Arguello presented this item. K. Schultz was present telephonically. It was moved and seconded to approve the request for reinstatement with an agreement for probation. MOTION CARRIED.
- b. Mestas, Karen, RN26556- Request for Reconsideration: F. Olmstead presented this item. K. Mestas was present telephonically with counsel. It was moved and seconded to approve request for reconsideration. MOTION CARRIED.

ACTION

ACTION

**Recommendations for Agenda Items for Future Board Meetings**

- Staffing and operations of the Education Department
- Formal hearing for Mestas, Karen, RN26556
- Consumer Survey
- HR Report and addressing the turnover rate
- S. McCord reporting on trends
- Policy for Advisory Committees

**Public Comment:**

- Lashelle Cunningham was noticed for a hearing but did not hear name called. Board Staff will follow up.
- Board President M. Brown thanked all Board Members for contributing articles for the Nursing News magazine. Thank you to all staff for their work.
- Board Member O. McGuiness thanked and acknowledged all healthcare workers and is proud of them.
- Board Member S. VanBeuge recognized all healthcare providers who lost their life during the pandemic and all of the work that has been done by nurses across the Nation.

**Adjournment:**

The meeting was adjourned at 11:07 am on Thursday, July 23, 2020.