

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

November 18-19, 2020

The Nevada State Board of Nursing Board Meeting was called to order by Vice President, Jacob Watts, CNA, at 9:00am, on November 18, 2020 via WebEx conference call.

MEMBERS PRESENT

Jacob Watts, CNA, CNA Member, Vice President
Ovidia McGuinness, LPN, LPN Member, Secretary
Susan VanBeuge, DNP, APRN, FNP-BC, FFANP, RN Member
Richelle O'Driscoll, Consumer Member
Branden Murphy, MSNed, CPN, CCRN, RN Member
Cheryl A. Maes, Ph.D., APRN, FNP-BC, APRN Member
Tracey McCollum, MSN, RN, CENP, NEA-BC, 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
Gail Trujillo, MS, CPM, SHRM-CP, Director of Licensure and Certification, Human Resources
Christie Daliposon, Discipline Support Investigator
Sally K. Miller, PhD, APRN, FAANP, APRN Consultant, Investigator
Rhoda Hernandez, IT Technician
Ryan Mann, Applications Coordinator
Sydnee Chappell, Executive Assistant
Kristie Neuhauser, Accountant
Tamara Pachak, CNA Program Coordinator
Vanessa Davis, CPA, CGMA, Auditor
Theresa Holbrook, CPA, MBA, Auditor

Call to Order: The meeting was called to order at 9:00 am, on Wednesday, November 18, 2020.

Public Comment:

- J. Watts welcomed two new Board Members, Tracey McCollum and Cheryl A. Maes to their first meeting.
- T. McCollum introduced herself as the Nursing Director at Carson Tahoe Medical Center.
- C. Maes introduced herself as an assistant professor at the University of Las Vegas and a Nurse Practitioner.
- C. Dinauer welcomed new board staff Tamara Pachak, CNA Program Coordinator, to her first meeting.
- Alyssa MacLeod submitted written public comment advocating for persons with disabilities in medical professions and expressed concern of denying said persons entry into medical and nursing schools and professions. She encouraged the Board to appoint more nurses with disabilities to Board positions and committees to give these nurses a voice.

A. Board Governance and Administration

1. Approval of the September 23-24, 2020 Board meeting minutes: Approved under the Consent Agenda.
2. Review, discussion, and possible action regarding Fiscal Year 20/21 Goals and Objectives: Approved under the Consent Agenda.
3. Review and discussion regarding Committee and Training Report by staff: Approved under the Consent Agenda.
4. Executive Director Report: C. Dinauer announced the resignation of Executive Assistant, Sydnee Chappell, and expressed gratitude for her work for the Board. Interviews are being conducted for a replacement. C. Dinauer, General Counsel, and S. McCord are continuing their collaboration with multiple organizations to create a process for administering vaccines but is still unsure on a timeline the vaccines will be available. O. McGuinness thanked the Board staff for responding quickly to the Governor's directive.
5. Review, discussion, and possible action regarding Audit, presentation by Theresa Holbrook, CPA, MBA: Vanessa Davis and Theresa Holbrook were present virtually. V. Davis presented NSBN's final audit and concluded that there were no findings. She reviewed in detail the financial statements, balance sheet, Generally Accepted Accounting Principles (GAAP) financial statement, Other Post-Employment Benefits (OPEB), PERS, income and expenses of the Board, long term liabilities and disclosures, the budget to actual report, and auditors' notes. The audit included a letter stating the financial stability of the Board may be impacted by COVID-19 and being in the state of emergency. It was moved and seconded to approve the Audit report presented by Vanessa Davis. MOTION CARRIED.
6. Review and discussion regarding Fiscal Year 20/21 First Quarter Financials: K. Neuhauser presented the first quarter financial report. She highlighted actual vs forecast for revenue, expense, CNA, and RN. She explained computer expenses are up due to the pandemic. C. Dinauer expressed continuous efforts with executive staff and K.

Neuhauser to accommodate the needs of board staff while working remotely during the pandemic.

7. Review, discussion, and possible action regarding Board member elections: It was moved and seconded to appoint Susan VanBeuge as President, Jacob Watts as Vice President, and Ovidia McGuiness as Secretary. MOTION CARRIED.
8. Review, discussion, and possible action regarding rescheduling November 2021 board meeting date due to conflict with national holiday. It was moved and seconded to move the November 2021 board meeting dates to November 17-19, 2021. MOTION CARRIED.

B. Nursing Practice

1. Review, discussion, and possible action regarding appointment to the Licensed Practical Nurse Advisory Committee: It was moved and seconded to appoint Carl Balcom, RN 819092 to the Licensed Practical Nurse Advisory Committee. MOTION CARRIED.
2. Review, discussion, and possible action regarding appointment to the Education Advisory Committee: It was moved and seconded to appoint Michael Johnson, RN60293 to the Education Advisory Committee. MOTION CARRIED.
3. Review, discussion, and possible action regarding Application for Board approved Substance Abuse Disorder (SUD) Evaluator Provider: It was moved and seconded to approve Renee Khan, M.S. LCADC, LMFT as a Board approved Substance Abuse Disorder (SUD) Evaluator Provider. MOTION CARRIED.
4. Review, discussion, and possible action regarding appointments and reappointments to the Disability Advisory Committee: It was moved and seconded to reappoint Susan O'Day, RN26379, Richard Angelastro, RN57461, and Toril Strand, RN13242, and appoint Todd Peter Rush, RN23473, and Paul Kapsar APRN000904 to the Disability Advisory Committee. MOTION CARRIED.
5. Review, discussion, and possible action regarding approval of Nevada State Board of Nursing Practice Decision titled RN Scope in Out of Hospital Administration of IV Solutions and Medications: S. McCord explained the new practice decision and the reasoning for its creation being continuous inquiries regarding the scope of practice. This practice decision will be available to all nurses on the Board website and will be directed towards all out of hospital IV hydration. It was previously reviewed and returned by the APRN Advisory Committee and the Education Advisory Committee. S. VanBeuge recommended to make the practice decision more gender neutral by replacing the terms "he/she" with the terms "they/them". It was moved and seconded to approve the Nevada State Board of Nursing Practice Decision titled RN Scope in Out of Hospital Administration of IV Solutions and Medications with the change of terms from "he/she" to "they/them". MOTION CARRIED.
6. Review, discussion, and possible action regarding appointment to the APRN Advisory Committee: Dominic Etlí was present virtually. It was moved and seconded to appoint Dominic Etlí, APRN002559 to the APRN Advisory Committee. MOTION CARRIED.

C. Education

1. Review and discussion regarding the NCLEX year-to-date first-time pass rates, Nevada scores benchmarked against national scores: M. Johnson presented the State of Nevada

ranks around fifth (5th) in the nation compared to other states. Trends for overall scores across quarter one (1) through three (3) have been going down and are believed to be caused by the pandemic and increase use of simulation in schools. M. Johnson clarified the Board will receive an increase of information in quarter four (4) due to an increase in NCLEX test takers. She explained she will be pulling data from the year 2019 and comparing it to the year 2020 to further dissect trends and the causation of decreasing pass rates. M. Johnson plans on creating a webinar to help faculty with various topics and expects educators to prepare and create a strategy for the new generation test takers.

2. Review and discussion regarding CNA program plans: M. Johnson announced the hire of Tamara Pachak for the position of CNA Program Coordinator. T. Pachak introduced herself and gave a brief description of her work history. M. Johnson reviewed the meetings she has had with T. Pachak and their plans moving forward. All CNA programs, whether they are due or not, will receive a site visit after the travel restrictions Governor Sisolak has ordered are lifted. They plan on creating a link for the board website with information directed to CNA programs and sent out a survey to gather insight on what the public would like included. T. Pachak has been reviewing program scores, simulation requests, and answering questions from the public on the process of developing a new CNA program.
3. Review, discussion, and possible action regarding Arizona College's BSN Program request to change nursing supplemental coursework to be revised from the current sequential prerequisites as previously submitted and allow students to take courses while in the program but not specifically in order with core nursing classes: Wendy Merchant from Arizona college was present virtually to answer questions and explained to the Board the reasoning for the request is to provide students with an opportunity to retake a failed course without falling behind in the curriculum while getting better support from faculty. It was moved and seconded to accept Arizona College's BSN Program request to change nursing supplemental coursework to be revised from the current sequential prerequisites as previously submitted and allow students to take courses while in the program but not specifically in order with core nursing classes. MOTION CARRIED.
4. Review, discussion, and possible action regarding UNLV School of Nursing's request for approval of a bachelor's to BSN program (2nd Bach Track (BSN) Program): Steve Palazzo from UNLV was present virtually to answer questions. C. Dinauer explained the history of this agenda item to the Board. In January 2019, the Board received an informational presentation only and UNLV did not request approval for the program at that time. It was moved and seconded to approve UNLV School of Nursing's request for approval of a bachelor's to BSN program (2nd Bach Track (BSN) Program). MOTION CARRIED.
5. Review, discussion, and possible action regarding Las Vegas College LPN Program Proposed Curriculum changes including change to IV therapy course to 30 hours of instruction and 10 hours of clinical and changes to the designation of eight courses from NUR to PN: Stephanie Durfor, Director of Las Vegas College LPN Program, was present virtually to answer questions and explained the changes to the Board. The IV therapy course change is requested to allow Las Vegas College to be in compliance with

regulations. LPN and RN students will attend class together for the first three (3) quarters of schooling and then will separate into more specific classes appropriate for the students desired degree. It was moved and seconded to approve Las Vegas College LPN Program Proposed Curriculum changes including change to IV therapy course to 30 hours of instruction and 10 hours of clinical and changes to the designation of eight courses from NUR to PN. MOTION CARRIED.

6. Review, discussion, and possible action regarding approval of Dr. Jill Rankin as Dean of Nursing of Arizona College of Nursing, Las Vegas Campus: Dr. Jill Rankin was present virtually. It was moved and seconded to approve Dr. Jill Rankin as Dean of Nursing of Arizona College of Nursing, Las Vegas Campus. MOTION CARRIED.

D. Discipline Programs

1. Applications (initial and renewal in question)
 - a. Alcober, Carlo, RN applicant: K. Arguello presented this item. C. Alcober was present telephonically and made a statement. It was moved and seconded to deny the application for RN licensure for violation of NRS 632.347 (1)(m) action in another state. MOTION CARRIED.
 - b. Galloway, Joy, RN applicant: K. Arguello presented this item. J. Galloway was present virtually and made a statement. It was moved and seconded to accept the application for RN licensure. MOTION CARRIED.
 - c. Khachadrian, Michelle, RN applicant: K. Arguello presented this item. M. Khachadrian was present virtually and made a statement. It was moved and seconded to deny the application for RN licensure for violation of NRS 632.347 (1)(b) criminal conviction and (1)(m) action in another state. MOTION CARRIED.
 - d. Martinez, Dereka, RN34247: F. Olmstead presented this item. D. Martinez was present virtually and made a statement. It was moved and seconded to accept the renewal application. MOTION CARRIED.
 - e. Rodriguez, Shannon, RN applicant: F. Olmstead presented this item. S. Rodriguez was present telephonically and made a statement. It was moved and seconded to accept the application for RN and APRN licensure. It was further ordered the applicant complete the Nurse Practice Act web-based course within sixty (60) days. MOTION CARRIED.
 - f. Wharton, Gabriel, RN applicant: F. Olmstead presented this item. G. Wharton was present virtually and made a statement. It was moved and seconded to deny the application for RN licensure for violation of NRS 632.347 (1)(b) criminal conviction and (1)(m) action in another state. MOTION CARRIED.
 - g. Lewis, Deanna, CNA030738: F. Olmstead presented this item. D. Lewis was not present. It was moved and seconded to deny the renewal application 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. MOTION CARRIED.
2. Settlement Agreements
 - a. Esternon, Dan, RN41455: Agreement for Probation for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (27) customary standards of practice,

- and (28) causing harm to patient or family of patient. Approved under the Consent Agenda.
- b. Funk, Leopold, CNA 821518: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (22) patient abandonment. Approved under the Consent Agenda.
 - c. Coleman, Sherry, RN90961: 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 a manner consistent with established or customary standards. It was moved and seconded to accept the Agreement.
MOTION CARRIED.
 - d. Treppish, Keri, RN 828584: Agreement for Probation for violation of NRS 632.347 (1)(m) action in another state. Approved under the Consent Agenda.
 - e. Murphy, Rebecca, RN 829614: Agreement for Treatment and 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.
 - f. Bonney, Dawn, RN52375: Agreement for Suspension and 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.
 - g. Prillaman, Brian, RN81505: 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.
 - h. Butaya, Rundie, RN51760: Agreement for Fine for violation of NRS 632.347 (1)(g) unprofessional conduct, 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
 - i. Sanchez Beltran, Norma, RN80816: 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.
 - j. Cowper, Rebecca, LPN15310: Agreement for Fine for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
 - k. Cruz, Armando, APRN 818951: 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 a manner consistent with established or customary standards. Approved under the Consent Agenda.
 - l. Reddicks, July, RN42876: 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 other members of a health care team as necessary to meet the health needs of a patient. Approved under the Consent Agenda.

3. Formal administrative hearings

- a. Bourque, Patricia, RN61576: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find the Respondent in violation of 632.320(1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890(26) violation of state/federal nursing law/regulation. It was further ordered that the Respondent's RN license be reprimanded. It was further ordered the Respondent to be assessed an administrative fine in the amount of two-hundred dollars (\$200) and the Respondent must complete the Nurse Practice Act web-based course and thirty (30) hour Legal Ethics in Nursing course within thirty (30) days of the effective date of this Order and that the disciplinary action become part of the Respondent's permanent record and be published and reported to all agencies. It was further ordered if the Respondent fails to comply, that the license be suspended until all requirements are complete. MOTION CARRIED.
- b. Francisque, Anne Marie, CNA029845: F. Olmstead presented this item. Respondent was not present. It was moved and seconded to find the Respondent in violation of NRS 632.347(1)(g) unprofessional conduct and NAC 632.890(27) customary standards of practice. It was further ordered that the Respondent's CNA certification be reprimanded. It was further ordered the Respondent must complete the Nurse Practice Act web-based course and thirty (30) hour Legal Ethics in Nursing course and Communications Skills in Nursing course within sixty (60) days of the effective date of this Order and that the disciplinary action become part of the Respondent's permanent record and be published and reported to all agencies. It was further ordered if the Respondent fails to comply, that the license be suspended until all requirements are complete. MOTION CARRIED.
- c. King, Marilou, CNA008928: K. Arguello presented this item. Respondent was not present. It was moved and seconded to find the Respondent in 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. It was further ordered that the Respondent's CNA certification be reprimanded. It was further ordered that the Respondent be assessed an administrative fine in the amount of fifty dollars (\$50) and the Respondent must complete Nurse Practice Act web-based course within thirty (30) days of the effective date of this Order and that the disciplinary action become part of the Respondent's permanent record and be published and reported to all agencies. It was further order if the Respondent fails to comply, that the license be suspended until all requirements are complete. MOTION CARRIED.
- d. Ojeda, Narcissa, RN53219: F. Olmstead presented this item. Respondent was not present. It was moved and seconded to find the 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. It was further ordered that the Respondent's RN license be reprimanded. It was further ordered the

Respondent to be assessed an administrative fine in the amount of two-hundred dollars (\$200) and the Respondent must complete the Nurse Practice Act web-based course, four (4) hour bioterrorism course, and thirty (30) hour Legal Ethics in Nursing course within thirty (30) days of the effective date of this Order and that the disciplinary action become part of the Respondent's permanent record and be published and reported to all agencies. It was further ordered if the Respondent fails to comply, that the license be suspended until all requirements are complete. MOTION CARRIED.

- e. Rivera, Anisa, LPN16161: K. Arguello presented this item. Respondent was not present. It was moved and seconded to accept the Agreement for Probation with a term of five (5) years for violation of NRS 632.347(1)(e) controlled substances and/or alcohol, (1)(g) unprofessional conduct, and NRS 632.347(1)(o) failing to comply with Board order. MOTION CARRIED.
- f. Rubio, Mario, LPN11611: F. Olmstead presented this item. Respondent was not present. It was moved and seconded to find the Respondent in violation of NRS 632.347(1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NRS 632.890(26) violation of state/federal nursing law/regulation. It was further ordered that the Respondent's LPN license be reprimanded. It was further ordered the Respondent to be assessed an administrative fine in the amount of two-hundred dollars (\$200) and the Respondent must complete the Nurse Practice Act web-based course, four (4) hour bioterrorism course, and thirty (30) hour Legal Ethics in Nursing course within thirty (30) days of the effective date of this Order and that the disciplinary action become part of the Respondent's permanent record and be published and reported to all agencies. It was further ordered if the Respondent fails to comply, that the license be suspended until all requirements are complete. MOTION CARRIED.
- g. Sage, Jamie, LPN17761: K. Arguello presented this item. Respondent was not present. It was moved and seconded to accept the Voluntary Surrender of the Respondent's LPN license for violation of NRS 632.347(1)(g) unprofessional conduct and NAC 632.890(10) positive drug screen on duty. MOTION CARRIED.
- h. Wojciechowskimahnke, Stephen, LPN17421: F. Olmstead presented this item. It was moved and seconded the case be closed. MOTION CARRIED.

4. Special Action

- a. Sara Saint Vincent, RN46910, Request for Reinstatement: K. Arguello presented this item. S. Saint Vincent was present virtually and made a statement. It was moved and seconded to accept the request for reinstatement upon the completion of a RN refresher course. MOTION CARRIED.

Recommendations for Agenda Items for Future Board Meetings

- Annual Report
- Advisory Committee compositions
- Education packet that addresses students with disabilities
- Regulation of APRN education

- Review of investigation processes by board staff and policy of how many cases are assigned to each investigator
- Nurse Compact and legislative update

Public Comment

- O. McGuiness expressed gratitude for all medical professionals in the State of Nevada despite all challenges they face. She also thanked all Board staff who are working remotely.
- Board members congratulated J. Watts for successfully running his first Board meeting as Vice President.
- S. VanBeuge thanked C. Dinauer, R. Hernandez, and all Board staff that make the Board meetings possible. She also gave B. Murphy kudos for work and efforts put forth in Board meetings despite only being able previously attend one in person meeting.
- R. O'Driscoll welcomed new Board members T. McCollum and C. Maes to their first meeting.

Adjournment

The meeting was adjourned at 2:21pm on Thursday, November 19, 2020.