

# Nevada State Board of NURSING

## BOARD MEETING MINUTES

January 19 – 20, 2022

The Nevada State Board of Nursing Board Meeting was called to order by President, Susan VanBeuge, DNP, APRN, FNP-BC, FAANP, FAAN, at 9:00 a.m., on January 19, 2022 via video and telephonic conferencing.

### MEMBERS PRESENT

Susan VanBeuge, DNP, APRN, FNP-BC, FAANP, FAAN, President  
Richelle O'Driscoll, Consumer Member, Vice President  
Cheryl A. Maes, Ph.D., APRN, FNP-BC, APRN Member, Secretary  
Jacob Watts, CNA, CNA Member  
Ovidia McGuinness, LPN, LPN Member  
Branden Murphy, MSNed, CPN, CCRN, RN Member  
Elizabeth Trilops, RN, MBA/HCM, RN Member

### OTHER'S PRESENT

Cathy Dinauer, MSN, RN, Executive Director  
Fred Olmstead, General Counsel  
Kimberly A. Arguello, General Counsel  
Rosalie Bordelove, Deputy Attorney General  
Michelle Johnson, EdD, MS, APRN, CPNP-PC, Director of Nursing Education  
Christie Daliposon, IT Technician & Discipline Support Investigator  
Jan Hewitt, Executive Assistant  
Tamara Pachak, CNA Program Coordinator

**Call to Order:** The meeting was called to order at 9:00 a.m. on Wednesday, January 19, 2022.

### **Public Comment:**

- Annette Rousseau, RN, licensed in Nevada. Ms. Rousseau stated that she is an avid researcher on bioterrorism, weapons, Covid-19, and vaccines. Ms. Rousseau read an excerpt from Dr. Robert Malone's (inventor of the mRNA vaccine technology) narrative.

## **A. Board Governance and Administration**

1. Approval of the November 17-18, 2021, Board meeting minutes. S. VanBeuge noted that a motion and action item from the November board meeting was missing from the January agenda and requested clarification. Representatives from College of Southern Nevada (CSN) were requested to return to the January Board meeting with an action plan to address pass rates. M. Johnson explained that CSN would attend the March board meeting giving board staff time to conduct a site visit and allowing CSN the opportunity to develop a plan. CSN has hired a new Director who will be placed on the March agenda for approval. It was moved and seconded to accept the Board meeting minutes of November 17-18, 2021. MOTION PASSED.
2. Review, discussion, and possible action regarding FY 21/22 Goals and Objectives. Approved under the Consent Agenda.
3. Review, discussion, and possible action regarding Staff / Board conference/training reports. Approved under the Consent Agenda
4. Review, discussion, and possible action regarding updates to the policy, 'Continuing Education / Employment Audit Violations.' Approved under the Consent Agenda.
5. Review, discussion, and possible action to change the July board meeting date from July 20-22, 2022, to July 13-15, 2022. It was moved and seconded to accept the change in meeting date from July 20-22, 2022, to July 13-15, 2022. MOTION PASSED.
6. Review, discussion, and possible action regarding possible amendment of EMS Application and Renewal Policy, including the deletion of the requirement that an EMS-RN applicant provide proof of completion of a 12-hour orientation course. F. Olmstead presented this agenda item and reviewed the history of the policy. It was moved and seconded to remove paragraph A.1.c. regarding proof of completion under Title III. Procedure of the Nevada State Board of Nursing policy EMS Application and Renewal. MOTION PASSED.
7. Executive Director Report. C. Dinauer reported on the status of Cultural Competency courses for nurses. All RNs that are required to renew in January and February 2022 were notified by mail of the requirement. At the beginning of January, there were only two courses that met the statute's requirements. Since then, more Cultural Competency courses have been reviewed and posted to our website. Ms. Dinauer has been working with the Governor's office and Public Health to collaborate on the nursing shortage. The apprentice nurse program is a big push to hire student nurses at facilities. The NSBN Annual Report is published and mailed out to the Board and posted on the website.

## **B. Nursing Practice**

1. Review, discussion, and possible action regarding proposed revisions to the Nevada State Board of Nursing practice decision titled, 'The Role of the RN in Vaginal Speculum Examination.' It was moved and seconded to approve the practice decision as presented. MOTION PASSED.
2. Review, discussion, and possible action regarding proposed Nevada State Board of Nursing practice decision titled, 'The LPN Scope of Practice Regarding Assessment and Minimum Data Set (MDS)/Resident Assessment Instrument (RAI).' It was moved and seconded to approve the practice decision as presented. MOTION PASSED.

3. Review, discussion, and possible action regarding proposed Nevada State Board of Nursing practice decision titled, 'The LPN Scope of Practice Regarding Phlebotomy and Blood Sampling Collection.' It was moved and seconded to approve the practice decision as presented. MOTION PASSED.
4. Review, discussion, and possible action regarding application for reappointment to the Certified Nursing Assistant Advisory Committee. It was moved and seconded to reappoint Robert Kidd (Long Term Care) to the Certified Nursing Assistant Advisory Committee. MOTION PASSED.
5. Review, discussion, and possible action regarding application for appointment to the Licensed Practical Nurse Advisory Committee. It was moved and seconded to appoint Michelle McNary, LPN15650, to the Licensed Practical Nurse Advisory Committee. MOTION PASSED.
6. Review and discussion regarding the scope of practice trends report for the first quarter FY 21/22. C. Dinauer presented the scope of practice trends report describing questions specifically among RNs, CNAs, and LPNs practice. Sally Miller, Ph.D., was present to answer scope of practice questions regarding APRNs.

### **C. Education**

1. Review, discussion, and possible action related to approval of Certified Nursing Assistant Employment Verification Form. The form presented complies with federal regulation. It was moved and seconded to approve the Certified Nursing Assistant Employment Verification Form. MOTION PASSED.
2. Review, discussion, and possible action related to Unitek College's LPN and BSN programs site visit conducted on November 15-16, 2021. Shara Crary was present for questions. It was moved and seconded to accept Unitek College's LPN and BSN programs site visit conducted on November 15-16, 2021. MOTION PASSED.
3. Review, discussion, and possible action related to Unitek College's request for change of approval status of their LPN program from provision to full approval. Shara Crary was present for questions. It was moved and seconded to approve Unitek College's request for change of approval status of their LPN program from provision to full approval. MOTION PASSED.
4. Review and discussion related to 2021 year-to-date NCLEX first-time pass rates (4<sup>th</sup> quarter and 2021 total scores). M. Johnson presented the 2021 year-to-date NCLEX first-time pass rates.
5. Review and discussion regarding Headmaster CNA Certification 2021 fourth quarter and year-to-date exam pass rates by program. M. Johnson and T. Pachak were present for questions. Pass rates are declining. There are many variables, and no one thing is exclusive in the decline. Once site visits are completed, board staff will begin instructor workshops. M. Johnson is reviewing other vendors for Headmaster.
6. Review, discussion, and possible action to approve Mount Grant General Hospital's Nursing Assistant Training Program site visit survey findings of October 27, 2021. It was moved and seconded to approve Mount Grant General Hospital's Nursing Assistant Training Program site visit survey findings of October 27, 2021. MOTION PASSED.

7. Review, discussion, and possible action to approve Southern Nevada State Veterans Home Nursing Assistant Training Program site visit survey findings of November 23, 2021. DeMadeline Rice was present for questions. It was moved and seconded to approve Southern Nevada State Veterans Home Nursing Assistant Training Program site visit survey findings of November 23, 2021. MOTION PASSED.
8. Review, discussion, and possible action to approve Western Nevada College Nursing Assistant Training Program site visit survey findings of October 19 and October 20, 2021. Deborah Ingrassia-Strong was present for questions. It was moved and seconded to approve Western Nevada College Nursing Assistant Training Program site visit survey findings of October 19 and October 20, 2021. MOTION PASSED.
9. Review, discussion, and possible action regarding the evaluation of Majen Certification Training's remediation plan. T. Pachak reported that Majen accumulates above the line for 2020-2021 pass rates. It was moved and seconded to accept Majen Certification Training's remediation plan evaluation. MOTION PASSED.
10. Review, discussion, and possible action regarding approval of the initial application for Mountain View Health and Rehabilitation Nursing Assistant Training Program. Lisa Robinson was present for questions. T. Pachak reported that everything was submitted in a timely fashion. It was moved and seconded to approve the initial application for Mountain View Health and Rehabilitation Nursing Assistant Training Program. MOTION PASSED.

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

1. Applications (initial and renewal in question)
  - a. Chamberlain, Aida, CNA019148. K. Arguello presented this agenda item. The Respondent provided the required documentation, and Ms. Arguello requested this case be closed. It was moved and seconded to close this matter. MOTION PASSED.
  - b. Removed
  - c. Floyd, Candice, RN applicant. K. Arguello presented this agenda item. The Respondent was not present. It was moved and seconded to accept the application for RN licensure. MOTION PASSED.
  - d. Miyahira, Shirfa, RN applicant. K. Arguello presented this agenda item. The Respondent was not present. It was moved and seconded to deny the RN application for violation of NRS 632.140 qualifications for license (professional nursing) and NRS 632.347 (1)(a) fraudulent application. MOTION PASSED.
  - e. Ramos-Molina, Diana, CNA applicant. K. Arguello presented this agenda item. The Respondent was present and read a statement. It was moved and seconded to accept the application for CNA certification. MOTION PASSED.
  - f. Shell, Katherine, CNA029629. 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.
2. Settlement agreements:
  - a. Call, Katie, LPN14846. Agreement for Probation 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.

- b. Taylor, Yolanda, CNA013284. Agreement for Reprimand and Continuing Education 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.
  - c. Harmon, Patience, CNA031161. Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
  - d. McNair, Tisha, CNA032966. Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
  - e. Moore, Monica, CNA033188. Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
  - f. Edwards, Jaqueline, CNA023292. Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
  - g. Chikwelu, Tina, CNA019723. Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NRS 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
  - h. Finn, Lori, RN35063. Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (1)(e) controlled substance 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.
  - i. Vertrees, Rianna, RN69653. 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.
3. Formal administrative hearings
- a. Anas, Michelle, CNA033128. K. Arguello presented this agenda item. The Respondent was present and made a statement. 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. **MOTION PASSED.** It was moved and seconded to Reprimand and Fine the Respondent \$50 and Ordered to take 30 hours of Continuing Education in legal ethics and the Nevada

Nurse Practice Act course within 30 days or the license will be suspended until completed. This Order shall become part of the Respondent's permanent record, be published on the Board's list of disciplinary actions, and reported to the appropriate agencies. MOTION PASSED.

- b. Rose, Robert, RN41040. K. Arguello presented this agenda item. The Respondent was not present. Documents were admitted into evidence. It was moved and seconded to find the Respondent in violation of NRS 632.347 (1)(m) action in another state, and (1)(o) failure to comply with an order of the Board. It was moved and seconded to Revoke Respondent's license effective January 20, 2022 and Order its surrender. The Respondent cannot reapply for licensure for a period of three (3) years. This Order shall become part of the Respondent's permanent record, be published on the Board's list of disciplinary actions, and reported to the appropriate agencies. MOTION PASSED.
- c. Fairchild, Jerrid, LPN15016. K. Arguello presented this agenda item. The Respondent was present and believes he has the required documents to comply. Ms. Arguello requested this matter be continued to the next board meeting. It was moved and seconded to continue this matter to the next available board meeting. MOTION PASSED.
- d. Braxton, Andrea, CNA030126. F. Olmstead presented this agenda item. The Respondent was present. Documents were admitted into evidence. Mr. Olmstead requested a continuance of this matter. It was moved and seconded to continue this matter at the next available board meeting. MOTION PASSED.
- e. Deal, Shawn, RN91128. F. Olmstead presented this agenda item and requested it be dismissed. It was moved and seconded that the Board dismiss this matter. MOTION PASSED.
- f. Funches, Sarah, RN61488. K. Arguello presented this agenda item. The Respondent was not present. Documents were presented into evidence. 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. MOTION PASSED. It was moved and seconded to Reprimand and Order a \$200 Fine, 30 hours of Continuing Education in legal ethics, the Nevada Nurse Practice Act course, and bioterrorism within 30 days or suspension of license until completed. This Order shall become part of the Respondent's permanent record, be published on the Board's list of disciplinary actions, and reported to the appropriate agencies. MOTION PASSED.
- g. Removed
- h. McNicoll, Kelley, RN74664. K. Arguello presented this agenda item. The Respondent was not present. Documents were admitted into evidence. 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. MOTION PASSED. It was moved and seconded to Reprimand and Fine the Respondent \$200 and Ordered to take 30 hours of Continuing Education in legal ethics, the Nevada Nurse Practice Act course, and bioterrorism within 30 days or the license will be suspended until completed. This Order shall become part of the



- Respondent's permanent record, be published on the Board's list of disciplinary actions, and reported to the appropriate agencies. MOTION PASSED.
- i. Hung, Susan, RN74968. K. Arguello presented this agenda item. The Respondent was present with counsel, Craig Perry. Documents were admitted into evidence. Respondent made a statement. 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. MOTION PASSED. It was moved and seconded to Fine the Respondent \$100 and Ordered to take the Nevada Nurse Practice Act course within 30 days or the license will be suspended until completed. This Order shall become part of the Respondent's permanent record, be published on the Board's list of disciplinary actions, and reported to the appropriate agencies. MOTION PASSED.
  - j. Mesa, Luchie, LPN17949. F. Olmstead presented this agenda item. The Respondent was not present. Documents were admitted into evidence. It was moved and seconded to accept the Agreement for Reprimand and Continuing Education for violation of 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. MOTION PASSED.
  - k. Abraham, Deepa, LPN15821. F. Olmstead presented this agenda item. The Respondent was not present. Documents were admitted into evidence. It was moved and seconded to accept the Agreement for Reprimand and Continuing Education for violation of 632.347 (1)(g) unprofessional conduct, NAC 632.890 (2) performing acts beyond the scope of the practice of nursing, and (27) failing to perform nursing functions in a manner consistent with established or customary standards. MOTION PASSED.
  - l. Koctekin, Arzu, RN81937. F. Olmstead presented this agenda item. The Respondent was not present. Mr. Olmstead requested to continue this matter to the next board meeting. It was moved and seconded to continue this matter to the next available board meeting. MOTION PASSED.
  - m. Removed
  - n. Removed
  - o. Phelps, Ellen, RN30250. K. Arguello presented this agenda item. The Respondent was not present. Documents were admitted into evidence. 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. MOTION PASSED. It was moved and seconded to Reprimand and Fine the Respondent \$200 and Ordered to take 30 hours of Continuing Education in legal ethics, and the Nevada Nurse Practice Act course within 30 days or the license will be suspended until completed. This Order shall become part of the Respondent's permanent record, be published on the Board's list of disciplinary actions, and reported to the appropriate agencies. MOTION PASSED.
  - p. Stewart, Emily, RN95992. F. Olmstead presented this agenda item. The Respondent was not present. Mr. Olmstead requested to continue this matter to the next board meeting. It was moved and seconded to continue this matter to the next available board meeting. MOTION PASSED.

- q. Turner, Cynthia, CNA004405. F. Olmstead presented this agenda item. The Respondent was not present. Mr. Olmstead requested to continue this matter to the next board meeting. It was moved and seconded to continue this matter to the next available board meeting. MOTION PASSED.
- r. Winkler, Amanda, LPN17956. F. Olmstead presented this agenda item. The Respondent was present with counsel, Lyn Beggs. Documents were admitted into evidence. It was moved and seconded that the Board table this matter and give Respondent, and both counsels until the July board meeting to discuss actions with the Ohio nursing board to come up with an arrangement that will satisfy the Respondent's probation agreement and allow her to move forward with her nursing practice or the license remains suspended. MOTION PASSED.
- s. Wright, Tiffany, RN60573. F. Olmstead presented this agenda item. The Respondent was present with counsel, Craig Perry. Documents were admitted into evidence. C. Daliposon gave testimony. Opening statements, discussion and closing arguments were presented. It was moved and seconded that the Board dismiss this case. MOTION PASSED.

4. Special Action:

- a. No agenda items.

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

- From November: request for CNA Advisory Committee to look at different vendors for Headmaster (looking into this); develop a policy for nurses distributing misinformation (Dinauer and McCord are working on this). Look at the regulation of APRN programs in Nevada. This will most likely be on the July business meeting agenda.
- January requests:
  - Review NCSBN's position on focused assessment
  - Review LPN IV regulations
  - Look at Arizona BON regulation
  - Look at policy on bioterrorism, make it clear that licensees must take the course, and keep the certificate for proof of compliance.

**Public Comment:**

- O. McGuinness thanked board staff for their hard work and thanked all healthcare workers in Nevada for their continuing dedication to the health of our communities.

**Adjournment**

The meeting was adjourned at 3:43 p.m. on Thursday, January 20, 2022.