

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

May 18 – 19, 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 May 18, 2022, at Doubletree by Hilton, Las Vegas Airport, 7250 Pollock Drive, Las Vegas, Nevada 89119, and via video and telephonic conferencing.

MEMBERS PRESENT

Susan VanBeuge, DNP, APRN, FNP-BC, FAANP, FAAN, President
Richelle O'Driscoll, BA, MA, 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, RN, CPN, 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
Sophia Long, Deputy Attorney General
Michelle Johnson, EdD, MS, APRN, CPNP-PC, Director of Nursing Education
Jan Hewitt, Executive Assistant
Tamara Pachak, CNA Program Coordinator
Rhoda Hernandez, IT Technician

Call to Order: The meeting was called to order at 9:00 a.m. on Wednesday, May 18, 2022.

Public Comment:

- C. Dinauer wished all nurses a Happy Nurses Week. The Governor is sending a proclamation for Nurses Week.
- C. Mayes introduced Doctor of Nursing practice Jerifaye Flores.
- S. VanBeuge introduced DNP student, Brenda Delgado.

- Zachary Gray gave public comment regarding the shortage of Certified Nursing Assistants. He requested the Nevada State Board of Nursing address school failure rates and ways to add more CNAs into the workforce.
- Jennifer Powers, Majen, supported Mr. Gray's statement regarding the shortage of CNAs. Ms. Powers feels the pass rates should be reviewed closely and that entry-level employees do not always test well but would make great CNAs.

A. Board Governance and Administration

1. Approval of the March 23-34, 2022, Board meeting minutes. It was moved and seconded to approve the March 23-24, 2022 Board meeting minutes. Approved under the Consent Agenda.
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 approval of Staff/Board conference/training reports. Approved under the Consent Agenda.
4. Review, discussion, and possible action regarding Notice of Intent to Act Upon a Regulation: Nevada Administrative Code, LCB File No. R018-22. F. Olmstead presented the proposed amendment to NAC 632.252 to increase the locations available for Nevada nursing students to work as Apprentice Nurses. Two regulatory hearings were held in March for public discussion. The meeting was open to public comment on this agenda item.

- Tracey Singh commented that it was very valuable to work with other nurses as a student nurse, and she gained a vast amount of experience. She supports the inclusion of additional facilities where Nurse Apprentices can practice.
- Carla Wright stated her support for this regulation change which allows nurse apprentices to perform as direct patient care attendants under the guidance of nurses.
- C. Dinauer remarked that the state currently has 900 nursing students, and almost half are employed as nurse apprentices.

Clarification was made on the locations nurse apprentices can work per this regulation. It was moved and seconded to adopt this Notice of Intent to Act Upon a Regulation: Nevada Administrative Code, LCB File No. R018-22. MOTION PASSED.

5. Review, discussion, and possible action regarding Notice of Intent to Act Upon a Regulation: Nevada Administrative Code, LCB File No. R019-22. F. Olmstead presented the proposed amendment to NAC 632.202, NAC 632.230, and the adoption of a new section that would replace NAC 632.222. The proposed amendments are submitted to address issues of efficient delegation of appropriate duties by nurses by providing clarity of responsibilities and definition of terms. An amendment to NAC 632.230 would allow Licensed Practical Nurses to delegate appropriate duties to other persons. The meeting was open to public comment. No public comment was forthcoming. It was moved and seconded to adopt this Notice of Intent to Act Upon a Regulation: Nevada Administrative Code, LCB File No. R019-22. MOTION PASSED.
6. Executive Director Report. The Governor is ending the state of emergency effective May 20, 2022. Board staff has sent blast emails to folks working on waivers encouraging them to apply for licensing if they wish to continue working in Nevada. The information is on our website. We have seen an increase in applications. Several board members and board staff attended the Governor's Healthcare Summit, an opportunity for healthcare leaders to come together. President

VanBeuge commended the Executive Director for representing us so well. It is about communication, relationships across the health care continuum, and networking. A public meeting of the Committee of Commerce and Labor is scheduled for June 30, 2022, and the Executive Director has been invited to attend and speak on behalf of the nursing compact.

B. Nursing Practice

1. Review, discussion, and possible action regarding application for reappointment and appointment to the Nursing Practice Advisory Committee. S. McCord stated there are three plus one positions to fill. The Board can choose to have ten positions or eleven on this advisory committee. It was moved and seconded to reappoint Nicole Sirotek, RN67029, and Ginger Evors, RN68511, to the Nursing Practice Advisory Committee. MOTION PASSED. It was moved and seconded to appoint Nettie Kinder, RN 010762, and Pamela Adzima, RN78964, to the Nursing Practice Advisory Committee. MOTION PASSED.
2. Review, discussion, and possible action regarding application for reappointment and appointment to the Education Advisory Committee. M. Johnson stated there are three positions to fill. It was moved and seconded to reappoint Kimberly Baxter, RN50886, and Nancy Cywinski, RN54472, to the Education Advisory Committee. MOTION PASSED. It was moved and seconded to appoint Jill Rankin, RN98881, to the Education Advisory Committee. MOTION PASSED.
3. Review and discussion regarding the scope of practice trends report for third quarter FY 21/22. S. McCord presented the scope of practice trends report for the third quarter FY 21/22 and reviewed questions from APRNs, LPNs, and CNAs. Questions discussed included prescribing, cosmetic procedures, staffing, delegation, IV medications, etc.
4. Review, discussion, and possible action regarding a proposed revision of the Nevada State Board of Nursing practice decision titled School Nurse Regulation and Advisory Opinion to include delegation to a Qualified Person the emergency administration of specific intranasal medications. S. McCord gave a history of this practice decision. It was moved and seconded to accept this proposed revision to the "School Nurse Regulation and Advisory Opinion" practice decision. MOTION PASSED.

C. Education

1. Review, discussion, and possible action related to Unitek College's request to expand the existing nursing program to include an ADN nursing program. M. Johnson explained that Unitek College currently has a BSN and LPN program. The ADN would be an innovative program with the didactic being online. Dr. Shara Crary was present for questions. It was moved and seconded to approve the request of Unitek College to expand the existing nursing program to include an ADN nursing program. MOTION PASSED.
2. Review, discussion, and possible action related to approval of Las Vegas College's RN Program site visit which was conducted March 8-9, 2022. B. Murphy recused himself. Dr. Johnson stated that this program's pass rates for RN and NCLEX are declining, and she will be monitoring them closely. It was moved and seconded to approve the site visit conducted March 8-9, 2022, and grant full approval. MOTION PASSED.

3. Review, discussion, and possible action related to approval of Las Vegas College's LPN Program's 18-month site visit conducted March 8-9, 2022. B. Murphy recused himself. Dr. Johnson reviewed the 18-month site visit of Las Vegas College's LPN Program. It was moved and seconded to accept the site visit report conducted March 8-9, 2022, and approve their continued provisional approval. MOTION PASSED.
4. Review and discussion related to 2022 year-to-date and 2nd quarter NCLEX first-time pass rates. M. Johnson reported that there is not a full second quarter for NCLEX pass rates and stated there would be a better picture at the end of the second quarter with the May graduates.
5. Review and discussion regarding Headmaster CNA Certification Exam 2022 first-quarter and second-quarter pass rates by program. T. Pachak reviewed the Headmaster CNA pass rates.
6. Review, discussion, and possible action regarding the evaluation of Majen Certification Training's remediation plan. T. Pachak informed the Board that Majen has two consecutive quarters above 80%. It was moved and seconded that the Board removes the remediation plan requirement. MOTION PASSED.
7. Review, discussion, and possible action regarding Western Nevada College Nursing Assistant Training Program's follow-up site visit on March 18, 2022, and their submitted remediation plan. T. Pachak stated Western Nevada College Nursing (WNC) Assistant Training Program had been consistently below 80%, and she requested they submit a remediation plan. It was moved and seconded to accept the follow-up site visit on March 18, 2022, and the submitted remediation action plan. It was further requested that WNC come back to the board with a follow-up report on the remediation plan. MOTION PASSED.
8. Review, discussion, and possible action regarding the Truckee Meadows Community College Nursing Assistant Training Program's follow-up site visit on March 29, 2022, and their submitted remediation plan. T. Pachak stated TMCC Nursing Assistant Training Program had been consistently below 80%, and she requested they submit a remediation plan. It was moved and seconded to accept the follow-up site visit on March 29, 2022, and the submitted remediation action plan with a follow-up report to the Board at the September meeting. MOTION PASSED.
9. Review, discussion, and possible action regarding Truckee Meadows Community College's (TMCC) request to expand their Nursing Assistant Training Program (NATP) to an additional location. T. Pachak reported that TMCC had met the standards for two consecutive quarters. The additional location will collaborate with Reno Orthopedic Clinic in their facility. It was moved and seconded to grant the request for TMCC to expand its NATP program to an additional location. MOTION PASSED.
10. Review, discussion, and possible action regarding the Standards of Excellence Nursing Assistant Training Program's follow-up site visit on March 31, 2022, and their submitted remediation plan. T. Pachak stated Standards of Excellence Nursing Assistant Training Program had two quarters below 80%, and she requested they submit a remediation plan. It was moved and seconded to approve the submitted remediation action plan and to submit a follow-up report at the September board meeting. MOTION PASSED.

11. Review, discussion, and possible action regarding the Mountain View Health and Rehabilitation Nursing Assistant Training Program's site survey findings of April 4 and April 29, 2022. T. Pachak indicated she has no concerns with this program at this time. It was moved and seconded to accept the site survey findings of April 4 and April 29, 2022. MOTION PASSED.
12. Review, discussion, and possible action regarding Great Basin College's (GBC) Nursing Assistant Training Program (NATP) site survey on April 19 and 25, 2022, with the requested remediation plan. T. Pachak gave a history of GBC NATP. Gina Johnson and Amber Donnelly were present for questions. It was moved and seconded to accept the site survey findings of April 19 and 25, 2022, and to approve the remediation plan, including a revision to the current skills list to include all required curriculum in the classroom and clinical practice, revision to quantify the number of hours met for the online didactic portion of the class and revising clinical hours to meet the approved 40 hours. MOTION PASSED.
13. Review, discussion, and possible action regarding the Southwest Career and Technical Academy Nursing Assistant Training Program site survey findings of April 19, 2022. T. Pachak indicated there are no current pass rates due to the pandemic. She has no concerns with this program at this time. It was moved and seconded to accept the site survey findings of April 19, 2022. MOTION PASSED.
14. Review, discussion, and possible action regarding the West Career and Technical Academy Nursing Assistant Training Program's site survey findings of April 20, 2022. T. Pachak indicated there are no current pass rates due to the pandemic. She has no concerns with this program at this time. It was moved and seconded to accept the site survey findings of April 20, 2022. MOTION PASSED.
15. Review, discussion, and possible action regarding the Southeast Career and Technical Academy Nursing Assistant Training Program's site survey findings of April 21, 2022. T. Pachak indicated there are no current pass rates due to the pandemic. She has no concerns with this program currently. It was moved and seconded to accept the site survey findings of April 21, 2022. MOTION PASSED.
16. Review, discussion, and possible action regarding Fernley High School Nursing Assistant Training Program site survey findings of April 28, 2021, and follow-up site visit on April 27, 2022. T. Pachak stated their scores are at the lower end, and she will reevaluate the program when the current students can test. It was moved and seconded to accept the survey findings of April 27, 2022. MOTION PASSED.
17. Review, discussion, and possible action regarding the Yerington High School Nursing Assistant Training Program site survey findings of April 27, 2022. T. Pachak mentioned there are no pass rates at this time, and she had no concerns during the site survey. It was moved and seconded to accept the site survey findings of April 27, 2022. MOTION PASSED.
18. Review, discussion, and possible action regarding adding to the CNA Skills Guidelines, with documented competence and training, and at the direction of a licensed nurse, the CNA may perform "incidental suctioning during oral care." T. Pachak reported this addition to the CNA Skills Guidelines was presented to the CNA Advisory Committee and approved to

bring forward to the Board. It was moved and seconded to approve adding the above statement to the CNA Skills Guidelines. MOTION PASSED.

*Comment: Board Member O'Driscoll acknowledged T. Pachak for conducting the site surveys and stated it was nice to see improvement beginning to happen within the CNA programs.

D. Discipline Programs

1. Applications (initial and renewal in question)
 - a. Lehmann, David, RN applicant. K. Arguello presented this agenda item. The Applicant was present and made a statement. It was moved and seconded to accept the application for RN licensure. MOTION PASSED.
 - b. Wellein, Nathan, RN applicant. K. Arguello presented this agenda item. The Applicant was present and made a statement. It was moved and seconded to accept the application for RN licensure. MOTION PASSED.
 - c. Love, Gracie, CNA032160. 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.
 - d. Connelly, Maria Cristina, CNA032908. 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. Bugarin, Catherine, RN 0823403. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, NAC 632.890(24) failing to collaborate with the health care team, (25) failing to observe/report, and (27) customary standards of practice. Approved under the Consent Agenda.
 - b. Walker, Gwendolyn, CNA012457. Agreement for Reprimand and 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.
 - c. Borbon, Oscar, RN40496. Agreement for Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347(1)(b) guilty of any offense, and (1)(n) has engaged in conduct likely to endanger the general public. Approved under the Consent Agenda.
 - d. Halloway, Cassandra, CNA033635. 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.
 - e. Mc Lauchlin, Todd, RN25596. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct, NAC 632.890(20) inaccurate

- recording, falsifying, and (27) customary standards of practice. Approved under the Consent Agenda.
- f. West, Priscilla, RN86285. 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.
 - g. Elms, Jacquelyn, RN84757. Agreement for Reprimand, Continuing Education, and Monitoring 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 is impaired. Approved under the Consent Agenda.
 - h. Tolentino, John, RN66983, APRN 835286. 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)(k) falsified information to obtain controlled substances, (1)(o) failing to comply with a board order, and NAC 632.349(36) failing to comply. Approved under the Consent Agenda.
 - i. Seniga, Zuri, CNA031054. 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. Anthony, Meon, CNA033689. 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.
 - k. Lauer, Sarah, RN68914. 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.
 - l. Yuhmo, Wanessa, RN71154. 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.
 - m. Stanton, Debra, RN87529. 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.
 - n. Fisher, Jessie, RN88508. Agreement for Reprimand and Continuing Education for violation of NRS 632.347(1)(g) unprofessional conduct and NAC 632.890(24) failure to collaborate with other members of the health care team as necessary to meet the health needs of a patient. Approved under the Consent Agenda.
 - o. Kreyling, Carrie, RN38610. 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.

3. Formal administrative hearings
 - a. Academia, Christine, RN86768. F. Olmstead presented this agenda item. The Respondent was present. 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.
 - b. Brown, Yvonne, CNA 816467. F. Olmstead presented this agenda item. The Respondent was present. 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.
 - c. Removed
 - d. Fountain, Anjela, RN82438. F. Olmstead presented this agenda item. The Respondent was not present. Documents were submitted into evidence. It was moved and seconded to find the Respondent in violation of 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 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 and bioterrorism 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.
 - e. Kutz, Carol, RN29394. K. Arguello presented this agenda item. The Respondent's attorney, Craig Perry, was present and requested a continuance of this matter. It was moved and seconded to continue this matter at the next available board meeting. MOTION PASSED.
 - f. Removed
 - g. Neylon, Ellen, RN86568. K. Arguello presented this agenda item. S. Vanbeuge recused herself. The Respondent was not present. Ms. Arguello stated board staff have received the required documents and requested to close this case. It was moved and seconded to close this matter. MOTION PASSED.
 - h. Redwine, Charles, RN75264. K. Arguello presented this agenda item. The Respondent was not present. Documents were submitted into evidence. It was moved and seconded to find the Respondent in violation of 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 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 and bioterrorism 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.
 - i. Sabatini, William, RN 831336, CRNA 831336. K. Arguello presented this agenda item. The Respondent was present for testimony. Documents were presented into evidence by Board Counsel and the Respondent. Dustin Stephens, Sponsor from CrossRoads of Southern Nevada, gave testimony on behalf of the Respondent. It was moved and seconded to find the Respondent in violation of NRS 632.347(1)(o) unprofessional conduct for failure to comply, (1)(m) discipline in another state, (1)(g) unprofessional

conduct because the Respondent violated NAC 632.890(9) practice of nursing while, with or without good cause, his physical, mental, or emotional condition impaired his ability to act in a manner consistent with established or customary nursing standards, or both; and (37) engaging in the practice of nursing without a license issued pursuant to the provision of this chapter. MOTION PASSED. It was further moved and seconded that the Board revoke the Respondent's licenses and order their surrender; the Respondent may not apply for reinstatement for one year. 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. Snow, Anne, LPN12443. F. Olmstead presented this agenda item. The Respondent was not present; however, her attorney requested a continuance. It was moved and seconded to continue this matter at the next available board meeting. MOTION PASSED.

4. Special Action:

- a. Hall-Brown, Celeste, LPN17560, request for reinstatement. F. Olmstead presented this agenda item. The Respondent was present and made a statement. It was moved and seconded to accept the application for reinstatement of license and further Ordered that her license be put on probation for two and one-half years, and she is Ordered to complete the remaining stipulations from the previous Order. MOTION PASSED.
- b. Removed
- c. ONeal, Tamika, CNA030516, request for reconsideration. K. Arguello presented this agenda item. The Respondent was present and made a statement. It was moved and seconded to deny the request to remove the Board ordered reprimand from her permanent record. MOTION PASSED.
- d. Grayson, Corrie/Towns, Teresa, CNA002349, request for reconsideration. F. Olmstead presented this agenda item. The Respondent was present, made a statement, and gave testimony. It was moved and seconded to deny the request for reconsideration. MOTION PASSED.
- e. Campos, Denise, CNA033105, request for reconsideration. K. Arguello presented this agenda item. The Respondent was present and made a statement. Ms. Campos has provided proof of CNA required hours worked. It was moved and seconded to accept the application for CNA certification. MOTION PASSED.
- f. Schmidt, Gena, LPN16763, request for reinstatement. F. Olmstead presented this agenda item. The Respondent was present and made a statement. It was moved and seconded to accept her application for reinstatement of license and further ordered that Respondent take the Nevada Nurse Practice Act. MOTION PASSED.
- g. Shchegolev, Andrey, RN67256, request for reinstatement. K. Arguello presented this agenda item. The Respondent was present and made a statement. It was moved and seconded to accept the Respondent's application for licensure. MOTION PASSED.

E. Recommendations for Agenda Items for Future Board Meetings

- Review of bioterrorism requirement

- Someone to speak at July meeting regarding AA
- Regulatory update
- CNA testing/training process
- Update on CNA testing vendor (if possible)

Public Comment:

- B. Murphy commended T. Pachak, CNA Program Coordinator, for the clear documentation and reporting on CNA schools.
- O. McGuinness thanked all nurses and health care workers in Nevada.
- S. Long reminded Board members that thank you' s and such can be done at any time, not just during public comment.

Adjournment

The meeting was adjourned at 3:48 p.m. on Thursday, May 19, 2022.