

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

May 17-18, 2023

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 17, 2023, at the DoubleTree by Hilton Hotel by 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, MBA, CNA, CNA Member
Ovidia McGuinness, LPN, LPN Member
Branden Murphy, MSNed, RN, CPN, RN Member
Elizabeth Trilops, RN, MBA/HCM, RN Member

MEMBERS ABSENT

OTHER'S PRESENT

Cathy Dinauer, MSN, RN, Executive Director
Fred Olmstead, General Counsel
Kimberly A. Arguello, General Counsel
Sophia Long, Deputy Attorney General
Sam McCord, BSN, RN, Director of Investigations and Discipline
Michelle Johnson, EdD, MS, APRN, CPNP-PC, Director of Nursing Education
Corina Jimenez, Executive Assistant
Tamara Pachak, Training Program Specialist
Rhoda Hernandez, Technology and Computer Systems Specialist
Mike Hillerby, Lobbyist

Call to Order: The meeting was called to order at 9:00 a.m. on Wednesday, May 17, 2023.

Public Comment:

- Branden Murphy, Leadership Instructor, from Las Vegas College and board member, welcomed his leadership students via online and in-person.

A. Board Governance and Administration

1. Approval of the March 22-23, 2023, Board meeting minutes: Ovidia McGuinness requested changes to remove O. McGuinness' recusal of the minutes. It was moved and seconded to approve the edits. MOTION PASSED.
2. Review, discussion, and possible action regarding FY 22/23 Goals and Objectives: Approved under the Consent Agenda.
3. Review, discussion, and possible action regarding NSBN Staff/Board conference/training report. Approved under the Consent Agenda.
4. Executive Director Report. Cathy Dinauer presented the agenda item. C. Dinauer advised that Mike Hillerby will be in attendance on May 18, 2023, with a Legislative update, provided an update on the Nursing License Compact (NLC), the NLC didn't pass, but had incredible support. The Las Vegas and Reno offices will be moving by the end of Summer 2023.
5. Review and discussion regarding legislative update. C. Dinauer presented the agenda item and Mike Hillerby provided updates. The legislative updates included: AB108 Nevada License Compact (NLC) did not move forward out of the assembly, three bills were vetoed by Governor Lombardo, education budget passed, but some of the governor's priorities were not included. There are about 90 bills that may have some impact on boards, commissions, state government, and healthcare that could impact the work we do, AB45 student loan forgiveness program, AB158 emergency medical services, physical therapy compact, AB198 telehealth bill, SB336, AB209 medical malpractice bill, AB311 would allow members of the Armed Services that are doctors or other healthcare providers to serve in Nevada hospitals without becoming licensed, AB267 cultural competency bill, AB401 permissively increase the student faculty ratio of 1 to 12, SB375 to expand funding for nursing education programs, AB503 background bill, AB363 criminal history, SB210 provide recommendations to the governor for board seats, SB239 assisted suicide or death with dignity bill, SB302 gender affirming care, and SB431 governor's large reorganization bill.
6. Review and discussion regarding update post 100th anniversary celebration. C. Dinauer presented the agenda item. C. Dinauer thanked everyone for their participation. We will be having additional receptions in May, September, and November 2023, after each board meeting from 4:30-5:30pm.
7. Review and discussion regarding scope of practice questions by board staff for third quarter FY-2023/23. S. McCord presented the agenda item. S. McCord provided details that included 233 calls for the third quarter. The highest number of calls were regarding delegation. The most popular questions amongst RN and APRNs are regarding cosmetic procedures with training, how much supervision the nurse needs, the responsibilities by the nursing laws, the Nurse Practice Act, but also by the Board of Pharmacy laws, and level of practice. Other areas included: questions regarding supervision, collaborative agreements, ascending through the different levels of supervisions for independent practice, and over mental health NPs. LPNs calls were about 51 calls, that included: delegating interventions and duties to LPNs. CNA calls remain the same at about 18 calls regarding the majority being related to staffing ratios.
8. Review and discussion regarding Operation Nightingale which involves the issuance of fraudulent nursing diplomas. C. Dinauer presented the agenda item. C. Dinauer provided the following information, there have been execution warrants for the individuals falsifying

transcripts, with 5 convictions. The RN and LPNs were able to sit for the NCLEX exam, the ones that passed were issued nursing licenses, and now have been removed and/or denied.

B. Nursing Practice

1. Review, discussion, and possible action regarding application for appointment to the CNA Advisory Committee. M. Johnson presented the agenda item. It was moved and seconded to appoint Alondra Alvarado, Marie Coe, and Judy Gmouh. MOTION PASSED.
2. Review, discussion, and possible action regarding application for appointment to the Education Advisory Committee. M. Johnson presented the agenda item. It was moved and seconded to appoint Elizabeth De Leon-Gamboa and Tamara Mette. MOTION PASSED.
3. Review, discussion, and possible action regarding application for appointment to the LPN Advisory Committee. S. McCord presented the agenda item. It was moved and seconded to appoint Cheri Crumley. MOTION PASSED.

C. Education

1. Review, discussion, and possible action regarding appointment of Dr. Lauren Jones as Dean of RN Program at Carrington College, Las Vegas. M. Johnson presented the agenda item. Dr. Lauren Jones provided a statement. It was moved and seconded to approve the appointment of Dr. Lauren Jones. MOTION PASSED.
2. Review, discussion, and possible action regarding appointment of Dr. Andrew Nydegger as interim Dean of BSN Program at Arizona College, Las Vegas. M. Johnson presented the agenda item. Dr. Andrew Nydegger provided a statement. It was moved and seconded to approve the appointment of Dr. Andrew Nydegger. MOTION PASSED.
3. Review, discussion, and possible action regarding College of Southern Nevada's Practical Nursing (PN) Program's request to increase enrollment of the tradition PN from 16 per year to 32 per year. M. Johnson presented the agenda item. Sherry Akins provided a statement. It was moved and seconded to approve the increase from 16 to 32 per year. MOTION PASSED.
4. Review and discussion regarding Next Generation NCLEX (NGN) pass rates. M. Johnson presented the agenda item, provided the following information, the new NGN exam began on April 1, 2023, the NCLEX pass rates have been reviewed daily. NCSBN has decided not to provide the national pass rates, due to not having enough data to support the new NGN but will provide an update at the end of the current quarter. M. Johnson provided Deans and Directors with their most up-to-date pass rates on April 15th and May 1st. The first-time pass rates for LPN are at 100%, 17 students took the exam and 17 passed. RNs first-time pass rates are at 94.7%, with 38 took the exam and 36 passed, and repeaters are at 100% for PNs, 75.68% for RNs, and the overall pass rates are at 84%.
5. Review and discussion regarding Credentia CNA Certification Exam 2023 year to date pass rates. T. Pachak presented the agenda item and provided updates on the pass rates. Credentia started administering the written exam as of January 18, 2023, and the skills exam began on February 6, 2023. The current pass rates are as of April 30, 2023. The written exam pass rates are at 97%, the skills exam pass rates are at 59%, and the overall of 229 total examiners with pass rates are at 78%. Discussion included why the skilled pass rates are low and the possible variables. The possible variables are transition with the new vendor (Credentia), the skilled tasks being changed, and the number of skill tasks being changed.

6. Review, discussion, and possible action regarding the site survey conducted on October 27, 2022, and March 24, 2023, for Dayton High School Nursing Assistant Training Program. T. Pachak presented the agenda item. Windi Altemeyer was presented and provided a statement. It was moved and seconded to accept the site survey. MOTION PASSED.
7. Review, discussion, and possible action to approve the Truckee Meadows Community College biennial site survey conducted on March 7 and March 10, 2023. T. Pachak presented the agenda item. Nancy Dibble was present and provided a statement. It was moved and seconded to accept the site survey. MOTION PASSED.
8. Review, discussion, and possible action regarding the progress report of Truckee Meadows Community College Nursing Assistant Training Program's remediation plan. T. Pachak presented the agenda item. Nancy Dibble was present and provided a statement. It was moved and seconded to accept the progress report and to submit a follow up progress report at the September 2023, NSBN board meeting. MOTION PASSED.
9. Review, discussion, and possible action regarding the progress report of PFC Nick Crombie Certified Nursing Assistant Training Academy's remediation plan. T. Pachak presented the agenda item. No one was present from PFC Nick Crombie. It was moved and seconded to accept the remediation plan and submit a follow up report on the progression of the remediation action plan at the September 2023, NSBN board meeting. MOTION PASSED.
10. Review, discussion, and possible action regarding the progress report of Great Basin College Nursing Assistant Training Program's remediation plan. Gina Johnson, CNA Program Coordinator was present and available for questions. It was moved and seconded to accept the remediation plan and submit a follow up report on the progression of the remediation plan at the September 2023, NSBN board meeting. MOTION PASSED.
11. Review, discussion, and possible action regarding the progress report of Standards of Excellence Nursing Assistant Training Program's remediation plan. T. Pachak presented the agenda item. Becky Chandler was present. It was moved and seconded to accept the remediation plan and submit a follow up progress report at the September 2023, NSBN board meeting. MOTION PASSED.
12. Review, discussion, and possible action to approve the Battle Mountain High School Nursing Assistant Training Program's progress report on correcting deficiencies found during the October 5, 2023, site survey. T. Pachak presented the agenda item. Suzanne Rowan, Instructor was present and available for questions. S. Rowan provided a statement that includes Sandy Ayers is the CTE Program Coordinator, point of contact, but is not a nurse that has been handling the paperwork, is unable to be present, is aware of the deficiencies and is working on trying to correct them. After discussion, it was moved and seconded to accept the progress report and to begin the process of removal of NSBN approval of the program. MOTION PASSED.

D. Discipline Programs

1. Applications (initial and renewal in question)
 - a. Budzban, Allison, CNA applicant: K. Arguello presented the agenda item. A. Budzban provided a statement. It was moved and seconded for the CNA application to be denied for

violation of NRS 632.347 (1)(m) disciplinary action by another licensing agency. MOTION PASSED.

- b. Carothers, Ashley, RN applicant: K. Arguello presented the agenda item. A. Carothers provided a statement. It was moved and seconded to accept the RN application. MOTION PASSED.
 - c. Reid, Valerie, RN applicant: K. Arguello presented the agenda item. V. Reid provided a statement. It was moved and seconded to accept the RN application. MOTION PASSED.
 - d. Shoop, Laura, LPN applicant: K. Arguello presented the agenda item. L. Shoop provided a statement. It was moved and seconded to accept the LPN application. MOTION PASSED.
 - e. Decorse, Shannon, CNA014671: Renewal Application denied for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
 - f. Razo-Ortega, Claudia, CNA034926: Renewal Application denied for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
 - g. Perez, Alissa, CNA031725: Renewal Application denied for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
 - h. Gonzales, Noel, CNA034789: K. Arguello presented the agenda item and requested a continuance. It was moved and seconded to approve the continuance. MOTION PASSED.
 - i. Sparrow, Germaine, CNA 825365: Renewal Application denied for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
2. Settlement agreements:
- a. McKee, Daniel, RN94829: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (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. Sonetti, Rachel RN72364: Agreement for Reprimand, Continuing Education, and Monitoring for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (2) practice beyond scope, (16) failing to properly document controlled substances, and (27) customary standards of practice. Approved under the Consent Agenda.
 - c. Harrison-Pierre, Destiny CNA 838898: It was moved and seconded to accept the Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (27) customary standards of practice. Board member Branden Murphy recused himself. MOTION PASSED.
 - d. Evans, Jennifer, RN35207: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (26) failing to abide by any state or federal statute or regulation relating to the practice of nursing, and (27) customary standards of practice. Approved under the Consent Agenda.
 - e. Carino, Kristen, RN67247: 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, NAC 632.890 (16) failing to properly document controlled substances, and (18) diversion of equipment or drugs. Approved under the Consent Agenda.

- f. Lamon, Dana, RN78504: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice. Approved under the Consent Agenda.
 - g. Kreyling, Carrie, RN38610: Voluntary Surrender of License in Lieu of Other Disciplinary Action for violation of NRS 632.347 (1)(o) Failing to comply with a Board order, NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (36) failing to comply. Approved under the Consent Agenda.
 - h. Andrade, Claudia, RN75976: O. McGuinness requested the agenda item to be pulled from the consent agenda. F. Olmstead presented the agenda item. It was moved and seconded to deny the agreement. MOTION PASSED.
 - i. Stamps, Cassandra, RN 834746: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice. Approved under the Consent Agenda.
 - j. Perkins, Deborah, APRN814887: Agreement for Probation for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (20) inaccurate recording, falsifying or otherwise altering or destroying records, (26) violation of state/federal nursing law/regulation, and (27) customary standards of practice. Approved under the Consent Agenda.
 - k. Toribio, Koby, CNA 852723: It was moved and second to accept the agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, (1)(o) failing to comply with a Board order, NAC 632.890 (36) failing to comply. MOTION PASSED.
3. Formal administrative hearings
- a. Removed
 - b. Fairley, Robert, CNA035662: F. Olmstead presented the agenda item. R. Fairley 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 (37) when Respondent performed the services of a nursing assistant or medication aide-certified without an active certificate. It was further ordered that Respondent pay fine of \$100 and complete the Nevada Nurse Practice Act course within 3 months, and if not completed be automatically suspended and become part of the Respondents permanent record, be published, and reported to all appropriate agencies. MOTION PASSED.
 - c. Fizznogleia, Kimberly, RN843713: F. Olmstead presented the agenda item. K. Fizznogleia was not present. It was moved and seconded to accept the Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (27) when Respondent failed to perform nursing functions in a manner consistent with established or customary standards. MOTION PASSED
 - d. Removed
 - e. Removed

- f. Ocampo, Jerome Herrera, LPN853170: K. Arguello presented the agenda item. J. Ocampo was not present for the hearing but signed the agreement in-person. It was moved and seconded to accept the Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, (1)(n) when Respondent engaged in conduct likely to deceive, defraud or endanger a patient or the general public, and NAC 632.890 (20) when Respondent engaged in inaccurate recording and falsifying records. MOTION PASSED.
 - g. Removed
 - h. Saenz, Rachel Marie, APRN002256: F. Olmstead presented the agenda item. F. Olmstead requested a continuance. It was moved and seconded to accept the continuance. MOTION PASSED.
4. Special Action:
- a. Frank, Nicole, RN68787: Request for Reinstatement: F. Olmstead presented the agenda item. N. Frank and Mark Chase (Sponsor) provided a statement. It was moved and seconded to accept the application with conditions of completing the 5-year 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. MOTION PASSED.
 - b. Removed
 - c. Dixon, Davina, LPN15254: Request for Reinstatement: F. Olmstead presented the agenda item. D. Dixon provided a statement. It was moved and seconded to accept reinstatement of her LPN renewal application with the conditions of completing and passing the LPN NCLEX. MOTION PASSED.

E. Recommendations for Agenda Items for Future Board Meetings

- Review and discussion regarding presentation by the Nevada Commission of Ethics.
- Review, discussion, and possible action to changes to the NSBN policy, Practicing without a Current License/Certificate.

Public Comment:

- Zoe Pantojz, Las Vegas College, Leadership student, extends congratulations on the 100th year anniversary. Also, stated it was her first in person board meeting, it was a wonderful experience and wanted to thank the board for wanting to help within the medical field and in the nursing world.

Adjournment

The meeting was adjourned at 1:47 p.m. on Thursday, May 18, 2023.