

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

July 18-21, 2023

The Nevada State Board of Nursing Board Meeting was called to order by President Susan VanBeuge, DNP, APRN, FNP-BC, FAANP, FAAN at 1:00 p.m., on July 18, 2023, at Zephyr Point Presbyterian Conference Center, 660 Highway 50, Zephyr Cove, Nevada 89448

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
Homa S. Woodrum, Senior 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, CNA Training Program Specialist
Kristie Neuhauser, MBA, Accountant
Christie Daliposon, Audit Investigator
Rhoda Hernandez, Technology and Computer Systems Specialist

Call to Order: The meeting was called to order at 1:00 p.m. on Tuesday, July 18, 2023.

Public Comment:

- C. Dinauer acknowledged Cookie Bible passing and years of service as a previous Board member.
- F. Olmstead read a public comment from Susan Fisher, Senior Vice President of Nevada State Anesthesiologists (NSSA). The public comment included Nitrous oxide should only be administered under the ordering, direction and supervision of an Anesthesiologist or Oral

Maxillofacial Surgeon licensed in anesthesia and Dental Hygienists and Nurses who have completed an approved course in local anesthesia and/or Nitrous Oxide analgesia. Must apply for a permit to administer the drug. NSSA would oppose any effort to expand the scope or allow independent use of Nitrous Oxide without appropriate supervision.

A. Board Governance and Administration

1. Approval of the May 17-18, 2023, Board meeting minutes: Approved under the Consent Agenda.
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 with the following information including, Governor approved a 12% increase for state employees, longevity, and retention bonuses.
5. Review, discussion, and possible action regarding the approval of FY 23/24 Goals and Objectives. C. Dinauer presented the agenda item. Discussion included, NSBN Facebook page, adding Board member, Elizabeth Trilops, and discussion regarding the goals and objectives. It was moved and seconded to approve the goals and objectives as discussed. MOTION PASSED.
6. Review, discussion, and possible action regarding FY 23/24 NSBN Annual Budget. K. Neuhauser presented the FY 23/24 NSBN Annual Budget. She highlighted some changes, including:
 - NSBN wages increasing;
 - Building move costs;
 - IT costs;
 - Stipends, longevity, and retention bonuses.

It was moved and seconded to accept the proposed FY 23/24 NSBN Annual Budget. MOTION PASSED.

7. Review and discussion regarding FY 22/23 NSBN Budget. K. Neuhauser presented the FY 22/23 NSBN Budget. She highlighted some areas, including:
 - Clinical scheduling software (ServED Link);
 - 100th Anniversary celebration; and
 - Legal fees.
8. Review and discussion regarding Federal Deposit Insurance Corporation (FDIC) Insurance on bank account. K. Neuhauser provided information stating NSBN is under a collateralized agreement with the NV State Treasurer Pool.
9. Review, discussion, and possible action on the Conflict-of-Interest Policy Acknowledgement. F. Olmstead presented the agenda item. Board members reviewed and signed the NSBN Conflict of Interest Policy.
10. *Annual approval of authorization of Executive Director to act as Board Agent for financial transactions, keeper of records (for issuing of and responding to subpoenas) and authority to accept voluntary surrender of licenses/certificates and as spokesperson for actions with other community groups or the media and other routine business functions.* Approved under the Consent Agenda.

11. Presentation by the Nevada Office of the Attorney General regarding Board and Commission Training and Open Meeting Law. C. Dinauer presented the agenda item. Homa S. Woodrum, Senior Deputy Attorney General was present to provide board member training regarding Ethics and Open Meeting Law. Items discussed included:
 - Open Meeting Law process;
 - Meeting notice and agenda requirements;
 - Public comment procedures; and
 - Definitions, etc.
12. Review, discussion, and possible action regarding FY 23/24 conference schedule. C. Dinauer presented the agenda item. The vaccine requirement has been lifted for attendance at NCSBN sponsored events. Jacob Watts is requesting no conferences. It was moved and seconded to approve the following conferences for the following: 2023 CLEAR Annual Conference for O. McGuinness, 2024 Scientific Symposium for S. VanBeuge and E. Trilops, 2024 Mid-Year Meeting for S. VanBeuge, E. Trilops, R. O'Driscoll, C. Maes, and B. Murphy, and 2024 Annual Meeting for S. VanBeuge and R. O'Driscoll. MOTION PASSED.
13. Review and discussion regarding FY 22/23 scope of practice trends for 4th quarter and Annual Report. S. McCord presented the 4th quarter and annual scope of practice trends for FY 22/23. S. McCord highlighted the most common calls received and trends by license type.
14. Review and discussion regarding FY 22/23 NSBN HR report. C. Dinauer presented the agenda item. G. Trujillo provided the Board with FY 22/23 human resource updates that included: The Reno and Las Vegas office employees continue to work full-time in office; staff were able to attend the 100th anniversary in Reno; evaluations are all up to date, an additional staff member has been added to the Discipline team as an Investigator; staff training and development; 17 policies were reviewed.
15. Review, discussion, and possible action regarding nomination and appointment of delegates and alternate delegates to the National Council of State Boards of Nursing 2023 Annual Meeting. C. Dinauer presented the agenda item. It was moved and seconded to appoint C. Dinauer and R. O'Driscoll as delegates and J. Watts as the alternate delegates for the National Council of State Boards of Nursing 2023 Annual Meeting. MOTION PASSED.
16. Review, discussion, and possible action regarding direction for voting at the NCSBN Delegate Assembly 2023 Annual Meeting. C. Dinauer presented the summary of recommendations to the 2023 Delegate Assembly. Board members discussed the recommendations, and it was moved and seconded to approve the NCSBN Board Directors' recommendations. MOTION PASSED.
17. Review, discussion, and possible action regarding elections of Officers of NSBN Board. C. Dinauer presented the agenda item. It was moved and seconded to approve R. O'Driscoll as Board President, C. Maes as Vice President, and B. Murphy as Secretary. MOTION PASSED.
18. Review, discussion, and possible action regarding the Executive Director's Annual Performance Evaluation. Board members met with Executive Director C. Dinauer and conducted her annual performance evaluation.
19. Review, discussion, and possible action to changes to the NSBN Policy, Practicing without a Current License/Certificate. C. Dinauer presented the agenda item. C. Daliposon provided the Board members with the process, fines, fees, and e-notify. Motion made, Motion failed, and the current policy remains the same with no changes.

20. Review, discussion, and possible action regarding possible changes to the Board Policy on Continuing Education/Employment Audit Violations. C. Dinauer presented the agenda item. C. Daliposon presented the Board with a step-by-step process and continue education requirements for each license type. It was moved and seconded to accept the changes as written. MOTION PASSED.
21. Presentation by the Nevada Commission on Ethics. C. Dinauer presented the agenda item. Ross Armstrong, Executive Director was present to provide training on Ethics Law Basics for Government Officials. Items discussed, included:
 - Statutory regulations;
 - Ethics commission;
 - Functions; and
 - Compliance
22. Review and discussion regarding the 2022 National Nursing Workforce Survey. C. Dinauer presented the agenda item with information regarding, impact of Covid on nursing workforce.
23. Review, discussion, and possible action regarding approval of the May 26, 2023, request for Attorney General Opinion by Board member S. VanBeuge regarding interpretation of NRS 622.207 and payment for the Opinion. C. Dinauer presented the agenda item with information regarding, board member term limits and costs for an Attorney General Opinion. It was moved and seconded to approve the request for the attorney opinion of NRS 622.207 and a letter from the Board to the Attorney General for support of the Opinion. MOTION PASSED.
24. Review, discussion, and possible action regarding need for IT upgrades. C. Dinauer presented the agenda item. Richard Sturek, President, Computer Technical Services (CTS) presented IT information and needed upgrades including, servers, telephone services and Internet, and CTS IT upgrades include costs for building moves. It was moved and seconded to accept the IT upgrades. MOTION PASSED.
25. Review and discussion regarding costs for new locations to replace NSBN offices at 5011 Meadowood Mall Way, Reno, and 4220 S. Maryland Parkway, Las Vegas. C. Dinauer presented the agenda item that included, office relocations, potential locations, fingerprint process, moving costs, and overall moving processes and expense costs associated with move are included in FY 23/24 Budget.
26. Review, discussion, and possible action regarding revisions to the Executive Director Annual Evaluation Policy. C. Dinauer presented the agenda item. G. Trujillo presented the Board with the process and revisions being requested. It was moved and seconded to approve the policy with the revisions. MOTION PASSED.
27. Team building workshop for Board members and Executive Director conducted by Nevada HRTeam. The team building workshop was presented by Cam Sorenson and all Board members participated.
28. Review and discussion regarding Legislative update. F. Olmstead presented the agenda item and presented a handout to the Board members from NSBN Lobbyist that included information regarding the following bills: AB219 Open meeting law, AB267 4 hours of cultural competency, AB311 to allow a person who is not licensed in Nevada to provide nursing care under certain circumstances, AB401 student/faculty ratio 1:12, NSBN will be updating the regulations, SB336

CRNAs can now have the authority to prescribe medications in a critical access hospitals under the supervision of a MD or DO, and SB75 Nurse grant funding.

B. Nursing Practice

1. Review, discussion, and possible action regarding approval of the Nevada State Board of Nursing Practice Decision titled: Requirements for the Registered Nurse in the Administration of Nitrous Oxide outside of the Operating Room. Public comment by Susan Fisher was read aloud prior to S. McCord presentation of the agenda item. S. McCord reviewed information and research included in the Practice Decision Request submitted to the Nursing Practice Advisory Committee (NPAC). The information included an overview of Nitroxide, positive patient outcomes, shorter hospital stays, and patient surveys. The presentation detailed the proceedings and research leading the draft practice decision before the Board for approval. It was moved and seconded to approve the practice decision as written. MOTION PASSED.

C. Education

1. Review and discussion regarding National Next Generation NCLEX pass rates. M. Johnson presented the agenda item with providing first-time pass rates for Nevada's nursing programs vs National scores.
2. Review and discussion related to NCLEX 4th attempt data. M. Johnson presented the agenda item with data that included, number candidates that took the NCLEX, the number of attempts, and which states the applicants are endorsing from because they have exceeded the 4th attempts.
3. Review, discussion, and possible action regarding possible withdrawal of approval of the Western Nevada College Nursing Assistant Training Program. T. Pachak presented the agenda item regarding WNC possible withdrawal of approval. K. Dalpe, K. Cockey, and K. Valdez, WNC representatives provided statements and were present for questions. Discussion included pass rates from January 1, 2023, to June 30, 2023, under the 80%, CNA pass rate scores have been consecutively below the 80% pass rates for 3 years. It was moved and seconded to remove approval of Western Nevada College Nursing Assistant training program. MOTION PASSED.
4. Review, discussion, and possible action regarding possible withdrawal of approval of the Battle Mountain High School Nursing Assistant Training Program. T. Pachak presented the agenda item. S. Ayers, CTE Representative was present and available for questions. R. Klein, Superintendent of Battle Mountain High school provided a statement. Discussion included the outstanding deficiencies, which included the curriculum content, and the low pass rates. It was moved and seconded to remove approval of the Battle Mountain High School program. MOTION PASSED.
5. Review, discussion, and possible action regarding Elko High School's initial application for a Nursing Assistant Training Program. T. Pachak presented the agenda item. It was moved and seconded to approve the initial application for Elko High School. MOTION PASSED.
6. Review, discussion, and possible action related to Nevada Career Institute's application for an Associate Degree in Nursing (ADN) program in Las Vegas, requesting to admit 135

students per year (45 students per semester). M. Johnson presented the agenda item. Dr. Tammy Little, Dr. Gloria Blatti-DiGennaro, Beylor Meza, and Mitchell Friest provided statements. The potential start date is August 28, 2023. It was moved and seconded to approve the Nevada Career Institute ADN application. MOTION PASSED.

7. Review, discussion, and possible action related to approval of Dr. Tami Little as onsite administrator for Nevada Career Institute's Associate Degree in Nursing (ADN) program in Las Vegas. M. Johnson presented the agenda item. It was moved and seconded to approve Dr. Tammy Little as the onsite administrator. MOTION PASSED.

D. Discipline Programs

1. Applications (initial and renewal in question)
 - a. None
2. Settlement agreements:
 - a. Soriano, Marieta, RN47404: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (25) failing to report significant changes to the appropriate persons. Approved under the Consent Agenda.
 - b. Helgenberger, Jessica, CNA025498: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (22) patient abandonment and (27) customary standards of practice. Approved under the Consent Agenda.
 - c. Morgan, Kindra, RN91614: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (20) inaccurate recording and (27) customary standards of practice. Approved under the Consent Agenda.
 - d. Brown, Michelle, CNA032791: Agreement for Probation for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (22) patient abandonment. Approved under the Consent Agenda.
 - e. Sutton, Cyvada, APRN002732: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (21) furnishing drugs except as a person authorized by law to prescribe drugs, (26) violation of state/federal nursing law/regulation, and (27) customary standards of practice. Approved under the Consent Agenda.
 - f. Burgner, Karri, APRN000925: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and (27) customary standards of practice. Approved under the Consent Agenda.
 - g. Removed
 - h. Stewart, Emily, RN95992: Agreement for Probation 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.
 - i. Jokela Willis, Sari, RN59430: 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, and NAC 632.890 (36) failing to comply. Approved under the Consent Agenda.

3. Formal administrative hearings

- a. None

4. Special Action:

- a. None

E. Recommendations for Agenda Items for Future Board Meetings

- Review, discussion, and possible action regarding the CNA approval process.
- Review, discussion, and possible action regarding FDIC negatives and positives.

Public Comment:

- Cathy Dinauer acknowledged Susan VanBeuge as the NSBN Board President and thanked her for all her time and years of service.

Adjournment

The meeting was adjourned at 10:58 a.m. on Friday, July 21, 2023.