

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

March 20-21, 2024

The Nevada State Board of Nursing Board Meeting was called to order by Richelle O'Driscoll, BA, MA, Consumer Member, President, at 9:00 a.m., on March 20, 2024, at the Aloft Reno-Tahoe International Airport, 2015 Terminal Way Reno, Nevada 89502, and via video and telephonic conferencing.

MEMBERS PRESENT

Richelle O'Driscoll, BA, MA, Consumer Member, President
Cheryl A. Maes, Ph.D., APRN, FNP-BC, APRN Member, Vice President
Elizabeth Trilops, RN, MBA/HCM, RN Member, Secretary
Susan VanBeuge, DNP, APRN, FNP-BC, FAANP, FAAN, RN Member
Elizabeth De Leon-Gamboa, MSN Ed., RN, CPHQ, CCM, CMCN, RN Member
Ovidia McGuinness, LPN, LPN Member
Tyler Johnson, BS, CNA, CNA Member

MEMBERS ABSENT

OTHER'S PRESENT

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

Call to Order: The meeting was called to order at 9:00 a.m. on Wednesday, March 20, 2024.

Public Comment:

- Susan VanBeuge recognized and welcomed a Leadership student, Kevin Springer from University of Reno, Nevada (UNR) via Teams.
- Katherine McDonald is a student from University of Reno, Nevada (UNR) and is in attendance.

A. Board Governance and Administration

1. Approval of the January 17-18, 2024, Board meeting minutes: Approved under the Consent Agenda.
2. Review, discussion, and possible action regarding FY 23/24 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. C. Dinauer provided updates regarding the AOG and there are no additional updates to report; Las Vegas office received a visit from Building and Grounds regarding the move and still no potential offices; Reno office is fully moved in, and the May board meeting will be in Las Vegas.
5. Review and discussion regarding Scope of Practice trends report for October 1, 2023, through December 31, 2023. S. McCord presented the agenda item. Discussion included 2nd quarter totals calls were 109, decreased from previous years; APRN questions decreased from 49 to 37, issues related to patient care, opening independent practices, medications, self-prescribing, marijuana prescribing, cosmetic procedures and can these procedures be done in their own homes, and liposuction. RN calls decreased from 50 to 42, most common calls were related to patient care, catheter procedures, medication administration, cosmetic procedures, and IV regulations. LPNs calls decreased from 51 to 19, and calls addressed IV certification training requirement required in Nevada vs. requirements in other states, IV regulations, and cosmetic procedures that are outside of an LPNs scope. CNA calls to the board were unchanged by volume and important calls, numbering eight 8 calls were related to staffing patterns, abandonment, glucose testing; and updates to the CNA Skills Guidelines to included external urine collection devices in the CNAs scope.
6. Review and discussion regarding board committee reports. R. O'Driscoll presented the agenda item. Discussion included S. VanBeuge committee updates; is on the Licensure, Accreditation, Certification, and Education (LACE) Committee that addresses APRN Practice and Education. O. McGuinness provided updates on CLEAR Committees. Includes International Relations Committee. Participates in committee on training, compliance and enforcement and education.
7. Review and discussion regarding FY 2023-2024 budget to actual through 2nd quarter. C. Dinauer and K. Neuhauser presented the agenda item. Discussion included the 2nd quarter budgets, revenue is up by 0.5%, expenses are up by about 1%, Reno moving costs will be in the 3rd quarter, Las Vegas hasn't moved yet, salaries are up a little bit by 0.06%, retirement costs are up by 11%, annual budget 50.03% in income, expenses are about 49.99% of where it should be, and IT costs were a little above than what it anticipated.
8. Review, discussion and possible action regarding recommendation to add Licensed Practical Nurses to NRS 632.474 Pronouncement of Death by a Registered Nurse and NRS 440.415 Pronouncement of Death by a Registered Nurse, Physician Assistant: Conditions; Release of Body; Regulations to include Licensed Practical Nurses in the list of individuals who can pronounce death. S. McCord presented the agenda item. Discussion included LPN Advisory Committee is in favor of proposed changes, conversations with the department of vital statistics and legislative changes. Discussion regarding needing data collection to determine the need for

legislative changes. It was moved and seconded to move the agenda item to a future board meeting to allow staff to provide additional information and data. MOTION PASSED.

9. Review, discussion, and possible action regarding concept and wording of a revision to Nevada Administrative Code 632.703 by adding the requirement that nursing programs which conduct portions of its program in Nevada would be required to maintain a NCLEX first time pass rate of 80 percent or higher for graduates of its program. M. Johnson presented the agenda item. It was moved and seconded to accept the updates as written. MOTION PASSED.
10. Review, discussion, and action regarding possible revisions to the Processing of Fraudulent Applications Policy. C. Dinauer and G. Trujillo presented the agenda item. Discussion included addition to the malpractice policy, removal of practicing without a license policy within this policy and adding the policy of multiple fraudulent renewal application process to be taken to the board for review. It was moved and seconded to accept the document with the changes as written. MOTION PASSED.
11. Review, discussion, and action regarding Nevada Association of Nurse Anesthetists' request for Board support for their anticipated bill to classify Certified Registered Nurses Anesthetist as Advanced Practice Registered Nurses. C. Dinauer presented the agenda item. Art Savignac, President of the Nurses Association of Nurse Anesthetists and Paul Young, Lobbyist were both present and discussion included goals, language, education for CRNAs. APRNs take the following courses: Advanced Health Assessment, Advanced Patho Physiology, and Advanced Pharmacology. Roles of Nurse Anesthetists, prescriptive authority, preparation for the 2025 legislation, and support from the NSBN Board. CRNAs currently do not have prescriptive authority in Nevada. It was moved and seconded to support the bill. MOTION PASSED.

B. Nursing Practice

1. 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 approve the application of Janelle Willis, RN35503 to the EAC Committee. MOTION PASSED.
2. Review, discussion, and possible action regarding application for appointment to the Disability Advisory Committee. S. McCord presented the agenda item. It was moved and seconded to approve the applicants Brenda Delgado, APRN002498 and Jordana Myles, RN33096 to the DAC Committee. MOTION PASSED.
3. Review, discussion, and possible action regarding applications for Board-approved Substance Use Disorder Evaluator: S. McCord presented the agenda item. It was moved and seconded to approve the application of George Kaiser, MD, FASM as the Substance Use Disorder Evaluator. MOTION PASSED.

C. Education

1. Review, discussion, and possible action related to Arizona College RN Bachelor of Science in Nursing program's conditional approval site visit. M. Johnson presented the agenda item. Dr. Delos Jones was present and provided a statement. It was moved and seconded to approve the site visit report, the Board recommended to continue the internal and external mentorships of Dr. Delos Jones, attendance to the AACN Leadership Summit, maintain the

strategies outlined in the improvement plan, current enrollment, conditional status for the next three months, maintain pass rates above 80%, if the 80% is maintained then the full status will be reinstated as of May 1, 2024, and submit an updated improvement plan to the board within six months. MOTION PASSED.

2. Review, discussion, and possible action related to approval of Dr. Nicholas Green as the Dean of Carrington College Las Vegas Campus. M. Johnson presented the agenda item. It was moved and seconded to approve Dr. Nicholas Green as the Dean. MOTION PASSED.
3. Review, discussion, and possible action related to Carrington College Las Vegas Nursing Program's 18-month site visit. M. Johnson presented the agenda item. It was moved and seconded to approve the site visit report, continue the conditional approval status, and submit an updated site visit within one year to monitor both the progress of the program as well as Dr. Green's progress. MOTION PASSED.
4. Review, discussion, and possible action related to Grand Canyon University Nursing Program's 18-month site visit. M. Johnson presented the agenda item. It was moved and seconded to approve the site visit report and continue the conditional approval status. MOTION PASSED.
5. Review, discussion, and possible action related to Chamberlain University College of Nursing's request to increase total enrollment to 800 students starting with the May 2024 enrollment cycle, and then increasing to 1,000 students starting with the August 2026 enrollment cycle. M. Johnson presented the agenda item. Dr. Latricia Perry, campus President and Program Administrator was present and provided a statement. It was moved and seconded to approve the request for enrollment increase to begin May 2024. MOTION PASSED.
6. Review, discussion, and possible action related to Nevada State University Bachelor of Science in Nursing program's site visit conducted January 22-23, 2024. Approved under the Consent Agenda.
7. Review and discussion related to 2024 1st quarter NCLEX first time pass-rates. M. Johnson presented the agenda item. Discussion included the current pass-rates don't include a full quarter and all programs are above 80%.
8. Review and discussion regarding Credentia CNA Certification Exam 2024 first quarter pass rates. T. Pachak presented the agenda item. Discussion included current pass-rate don't include a full quarter, 13 of the 22 programs tested out, a total of 113 CNA tested, and 103 were from an approved program with a pass rate of 87%.
9. Review, discussion, and possible action to approve Carson Tahoe Transitional Rehabilitation Center's initial Nursing Assistant Training Program application. T. Pachak presented the agenda item. Jay Clark, Director of Nursing and Colleen Dalton, Instructor were present and provided statements. It was moved and seconded to approve the application. MOTION PASSED.

D. Discipline Programs

1. Applications (initial and renewal in question)
 - a. Hammond, Jodi, RN applicant: K. Arguello presented the agenda item. J. Hammond was present and provided a statement. It was moved and seconded to accept the renewal application. MOTION PASSED.

- b. McDaniel, Janae, RN 811940: F. Olmstead presented the agenda item. J. McDaniel was present and provided a statement. It was moved and seconded to deny the RN and APRN Licensure for violation of NRS 632.347 (1)(b) criminal conviction and (1)(m) action in another state.
 - c. Mitchell, Fatima, CNA 852110: F. Olmstead presented the agenda item. F. Mitchell was present and provided a statement. It was moved and seconded to deny the renewal application for violation of NRS 632.347 (1)(a) fraudulent application and (1)(b) criminal conviction. The Board will allow the Respondent to submit a new application, answer the questions correctly, be processed without appearing before the board again, and submit the anger management certificate documentation. If the Respondent cannot provide the certificate, then must appear before the board. MOTION PASSED.
 - d. Roberts, Jean-Pierre, RN applicant: K. Arguello presented the agenda item. J.P. Roberts was present and provided a statement. It was moved and seconded to accept the application. MOTION PASSED.
 - e. Sacro, Ian, RN 856897: K. Arguello presented the agenda item. I. Sacro was present and provided a statement. It was moved and seconded to accept the application. MOTION PASSED.
 - f. Salas, Darla, RN46787: K. Arguello presented the agenda item and requested a continuance. D. Salas was present and provided a statement. It was moved and seconded to continue the agenda item to a future board meeting. MOTION PASSED.
 - g. Sweet, Whitney, CNA applicant: F. Olmstead presented the agenda item. W. Sweet was present and provided a statement. It was moved and seconded to grant the CNA application. MOTION PASSED.
2. Settlement agreements:
- a. Barcher, Michael, RN81396: Agreement for Reprimand and Continuing Education for violation for NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (27) customary standards of practice, and (35) misappropriating property of patient. Approved under the Consent Agenda.
 - b. Cipollini, Sheryl, APRN002272: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (21) obtain, possess, furnish prescription drugs without authorization, and (26) violation of state/federal nursing law/regulation. Approved under the Consent Agenda.
 - c. Nuno, Haydee, RN92683: 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.
 - d. Desir, Savannah, CNA035095: 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. Felix, Hanna, LPN1690: 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.
 - f. Villa, Larmay Shane, RN88380: 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.
 - g. Ford, Candius, LPN12900: 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.
 - h. Tully, Michael, LPN 813315: Agreement for Probation for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (2) performing acts beyond the scope of the practice of nursing, and (16) failing to document properly the administration of a controlled substance. Approved under the Consent Agenda.
3. Formal administrative hearings
- a. Barajas, Angelica, CNA025280: F. Olmstead presented the agenda item. A. Barajas 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 moved and seconded to Order a Reprimand and Fine of \$50.00, complete Legal Ethics and Nurse Practice Act within 30 days of this order or the certificate will be suspended until all requirements are met. The order shall become part of the Respondent's permanent record and reported to all appropriate agencies. MOTION PASSED.
 - b. Barnes, Robyn, RN31751: F. Olmstead presented the agenda item. R. Barnes was 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, NAC 632.890 (27) customary standards of practice, (28) causing harm to patient or family of patient, and (40) medication error. MOTION PASSED.
 - c. Cook, Adele, LPN17394: F. Olmstead presented the agenda item and requested a continuance to the May board meeting. A. Cook was not present. It was moved and seconded to accept the continuance to the May board meeting. MOTION PASSED.
 - d. Dandy, Temeka, RN91389: F. Olmstead presented the agenda item and requested a continuance to a future board meeting. It was moved and seconded to accept the continuance to a future board meeting. MOTION PASSED.
 - e. Dominguez, Ysabela, RN 829755: F. Olmstead presented the agenda item and requested a continuance to the May board meeting. It was moved and seconded to accept the continuance to the May board meeting. MOTION PASSED.
 - f. Hamu, Diane, RN66618: K. Arguello presented the agenda item. It was moved and seconded to accept the Agreement for Probation for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (2) when Respondent performed acts beyond scope of practice of nursing, (21) obtaining, possessing, furnishing or administering prescription

drugs to any person except as directed by a person authorized by law to prescribe drugs, and (28) causing a patient or the family of the patient physical, mental, or emotional harm. MOTION PASSED.

- g. Hoo, Wayne, RN79792: K. Arguello presented the agenda item. It was moved and seconded to accept the Agreement for Probation for violation of NRS 632.347 (1)(g) unprofessional conduct, NAC 632.890 (18) causing a patient physical or mental harm, and (33) abusing a patient. MOTION PASSED.
 - h. Palacios, Erika, CNA031670: F. Olmstead presented the agenda item. E. Palacios was not present. It was moved and seconded to Order for Fine of \$25.00 and complete the Nurse Practice Act within 30 days of the order or the certificate will be suspended until all requirements are met 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. The order shall become part of the Respondent's permanent record and reported to all appropriate agencies. MOTION PASSED.
 - i. Simmons Kennedy, Sharneise, RN90694: F. Olmstead presented the agenda item and requested for the case be closed. It was moved and seconded to accept the case be closed. MOTION PASSED.
 - j. Travis, Chasity, RN91593: K. Arguello presented the agenda item and requested for the case be closed. It was moved and seconded to accept the case be closed. MOTION PASSED.
 - k. Williams, Keisha, CNA 838356: K. Arguello presented the agenda item. K. Williams was present and provided a statement. Claudine Denoix and Paul Sullivan were present as witnesses and available for questions. It was moved and seconded for the Respondent to be Reprimanded, complete the Nurse Practice Act and Communication Skills and Nursing within 30 days of the order or the certificate will be suspended until all requirements are met for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (22) respondent left an assignment without properly notifying the appropriate personnel or abandoning a patient in need. The order shall become part of the Respondent's permanent record and reported to all appropriate agencies. MOTION PASSED.
 - l. Womack, Beatrice, LPN15520: F. Olmstead presented the agenda item. B. Womack was not present. It was moved and seconded for the Respondent be Reprimanded and Fined of \$100, complete the Nurse Practice Act, Legal Ethics, Bioterrorism, and Cultural Competency within 30 days of this order or the license will be suspended until all requirements are met 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. The order shall become part of the Respondent's permanent record and reported to all appropriate agencies. MOTION PASSED.
4. Special Action:
- a. Newman, Michelle, LPN17453, Reinstatement: F. Olmstead presented the agenda item. M. Newman was present and provided a statement. It was moved and seconded to accept the application for reinstatement of license. MOTION PASSED.

- b. Sabatini, William, RN 831336: F. Olmstead presented the agenda item. Craig Perry and W. Sabatini were present and provided statements. It was moved and seconded to accept the reinstatement for the RN license, with a monitoring agreement for 3 years with the following requirements: complete the Nurse Practice Act, attend a mandatory orientation within 30 days of the order, shall abstain from alcohol and all mood altering drugs, controlled substances, except when legally prescribed by a treating Practitioner, register with a drug screen provider approved by the board, submit to monthly random drug screens, submit to monthly counseling by a board-approved provider, provide progress reports every 3 months, Attorney requested a specific counselor and the board will do it's best to accommodate the request, must submit employment information for all job opportunities prior to commencement of work, Respondent is to request from employment direct supervisor to submit a job description with an initial written report, Respondent should only work day or evening shifts to end prior to midnight, Respondent may not work for a nursing registry, home health agency, travel agency, temporary employment agency, float pool, or any position with an on-call status, Respondent may not work more than 90 hours within a 2 week period, may not function as a supervisor, including as a head nurse or charge nurse, must notify the board within 72 hours of a termination of nursing employment for any reason, must register with a board-approved drug screening program prior to the commencement of employment, may not have access to controlled substances during their employment as a nurse, may request changes to the employment limitations, upon successful completion of one-year, financially responsible for all requirements of this order, including any financial assessments by the board for costs of the monitoring compliance with this order, if Respondent violates any of the terms and conditions of the order the board may take other appropriate disciplinary action, and Respondent shall surrender their license and refrain from practicing nursing, Respondent shall only receive credit towards service of their monitoring period while employed in the capacity in which a nursing licensure is required and subject to adequate supervision and approved by the board and is not eligible for early termination of this order. MOTION PASSED.

E. Recommendations for Agenda Items for Future Board Meetings

- Review, discussion and possible action regarding LPN Pronouncement of death updates.

Public Comment:

- No public comment.

Adjournment

The meeting adjourned at 2:30 p.m. on Thursday, March 21, 2024.