

# Nevada State Board of **NURSING**

## BOARD MEETING MINUTES

July 20-22, 2016

The Nevada State Board of Nursing Board meeting was called to order by President, Jay Tan, DNP, RN, APRN at 1:00 p.m. on July 22, 2015, at Zephyr Point Presbyterian Conference Center, Morning Star Conference Room, 660 Hwy 50, "Presbyterian Drive" Zephyr Cove, Nevada 89448.

### **MEMBERS PRESENT**

Jay Tan, DNP, RN, APRN, President  
Mary-Ann Brown, MSN, RN, Vice-President  
Deena McKenzie, RN MSN, CNML, Secretary  
Susan VanBeuge, DNP, APRN, FNP-BC, CNE, FAANP, RN, Member  
Rick Carrauthers, LPN, Member  
Jacob Watts, CNA, Member  
Sandra Halley, Consumer Member

### **OTHERS PRESENT**

Cathy Dinauer, MSN, RN, Executive Director  
Fred Olmstead, General Counsel  
Kimberly A. Arguello, Deputy General Counsel  
Dean Estes, CPM, Director of Finance and Technology  
Gail Trujillo, Director of Licensure and Certification  
Catherine Prato, PhD, MSN, RN, Director of Nursing Education  
Hillary Murphy, Executive Assistant  
Sam McCord, MSN, RN, Director Nursing Practice (7/20-7/21)

**CALL TO ORDER** – 1:18 p.m.

### **PUBLIC COMMENT:**

- C. Dinauer announced Tom Posten's passing. Tom was a Reno DAC/PEG member and will be greatly missed.
- C. Dinauer wished Board Member S. VanBeuge a happy birthday.
- S. Halley provided comment from a former Board President, Doreen Begley. Doreen wished the Board well and success in planning at the July Board Meeting.

**APPROVAL OF CONSENT AGENDA:** It was moved and seconded to approve the Consent Agenda, identified as items: A.1-4, A.26., B.1-2., C.1, D.2.a-d, and D.3.b. **MOTION CARRIED.** It was moved and seconded to approve the Consent Agenda, identified as item: D.3.a. **MOTION CARRIED.** J. Watts recused.

### **A. BOARD GOVERNANCE AND ADMINISTRATION**

1. Approval of the May 18-20, 2016 Board meeting minutes: Approved under the Consent Agenda.
2. Annual approval of Board Policy and Procedure Manuals: Approved under the Consent Agenda.
  - a. General Policies and Procedures
  - b. Employee Handbook
  - c. Disability Advisory Committee Manual
  - d. Member Resource Manual

- e. Practice Decision Manual
  - f. Discipline Policy and Procedure Manual
  - g. Fingerprint Policy and Procedure Manual
  - h. Certified Nursing Assistant Policy and Procedure Manual
  - i. RN, RN/EMS, APRN, CRNA and LPN Policy and Procedure Manual
  - j. Education Policy and Procedure Manual
  - k. Annual Adoption of Non-Discrimination Policy
3. Conference and seminar report: Approved under the Consent Agenda.
    - a. Sandy Webb, Dean Estes, Gail Trujillo: 2016 NCSBN IT/Operations Conference, Chicago, IL
    - b. Jeannette Calderon: The Conference for Women
    - c. Teresa Cartmill, Samuel McCord: 2016 NCSBN Discipline Conference
  4. 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 in other routine business functions: Approved under the Consent Agenda.
  5. Preliminary review of the FY 15/16 financial statement: D. Estes led the discussion, reviewing the FY 15/16 financial statement and answering Board member questions. It was moved and seconded the Board approve the FY 15/16 financial statement. MOTION CARRIED.
  6. Review and discussion regarding Board member orientation: K. Arguello presented this agenda item. The Board discussed administrative hearing procedures.
  7. Review and discussion regarding Legislative update: Michael Hillerby, Governmental Liaison, was present to discuss the upcoming 2016 legislative session. M. Hillerby described the current standing of the proposed Nurse Licensure Compact, prescription drug abuse and opioids, and the Prescription Monitoring Program.
  8. Progress report on FY 15/16 Goals and Objectives: The Board reviewed the contents of the final progress report. C. Dinauer proposed a change to make Goals and Objectives a Consent Agenda item for future Board meetings.
  9. Review, discussion and action regarding FY 16/17 Goals and Objectives: The Board discussed the initiatives at the forefront of the work of the Board in the upcoming year and provided Board staff with direction for identifying specific objectives to guide the work of the Board. Board staff with apply the comments and suggestions of the Board. It was moved and seconded the Board adopt the FY 16/17 Goals and Objectives with all of the changes as proposed. MOTION CARRIED.
  10. Review and discussion regarding statistics and trends related to nursing education, licensure, discipline, and compliance: The Board reviewed the statistics and trends in scope of practice inquiries, licensure, certification, discipline and investigations, hearings, and compliance.
  11. Review, discussion and action regarding direction for Delegate Assembly: The Board discusses the candidates and voting items for Delegate Assembly. The Board provided recommendations. It was moved and seconded the Board's recommendations for Delegate Assembly be considered during NCSBN's Annual Meeting. MOTION CARRIED.
  12. Review and discussion regarding Board Member Evaluation Survey Results: The Board discussed the results of their annual self-evaluation.
  13. Discussion and action regarding Conflict of Interest Policy Acknowledgment: F. Olmstead led a discussed emphasizing the importance of discerning when Board

Members have a conflict of interest when deliberating or making decisions related to the work of the Board. All Board members reviewed the policy and signed acknowledgement forms, which will be maintained in each Board member's file at the Board office.

14. Review, discussion, and action regarding Executive Director evaluation: Board members met with Executive Director, C. Dinauer and conducted her evaluation.
15. Review, discussion, and action regarding future Board Meeting Locations: H. Murphy presented this agenda item. The Board reviewed the cost for various meeting locations and the length of Board meeting dates. It was moved and seconded the Board hold the September 2016 Board meeting at the SpringHill Suites Marriot in Las Vegas and the November 2016 meeting at the Hilton Garden Inn, Reno. MOTION CARRIED.
16. Review and discussion regarding just culture: C. Dinauer presented this agenda item on just culture. The Board reviewed the definition climate in health care facilities.
17. Review and discussion regarding statistics and trends for CRA Protocol Accuracy: The Board revised the statistics and trends regarding the CRA Protocol Accuracy.
18. This agenda item was removed.
19. Presentation on Probation/Monitoring: K. Arguello presented this agenda item on Probation and Monitoring. The Board Members reviewed the motion forms for Probation and Monitoring.
20. Review and discussion regarding number of total allowed NCLEX attempts: C. Prato presented a history of this agenda item. The Board discussed NCLEX Attempts for exam applicants and endorsement applicants. It was recommended this agenda item be presented for action at the September 2016 Board Meeting.
21. Review and discussion regarding prescription drug abuse: F. Olmstead presented this agenda item. He provided Board Members with a review of the current meetings being held in regard to this issue and the Board's actions to safeguard the public.
22. Review and discussion regarding the vendor evaluation process: C. Dinauer presented the history of this agenda item and reviewed the current process for evaluating vendors in the Compliance Department. The Board reviewed the process and made suggestions.
23. Review statistics and trends relating to scope of practice inquiries: Board members reviewed information regarding statistics and trends in scope of practice inquiries.
24. Review, discussion, and action regarding the Practice without a License Policy: It was moved and seconded the Board accept the proposed Practice without a License Policy revisions with a change to the payment plan option. MOTION CARRIED.
25. Review, discussion, and action regarding the revision of Yes Answer Policy and Yes Answer regarding Malpractice Policy: It was moved and seconded the Board accept the proposed revision to the Yes Answer Policy as written with the suggestions discussed. MOTION CARRIED.
26. Approval of authorization of Director of Licensure and Certification to act as Board agent for financial transactions: Approved under the Consent Agenda.

#### B. LICENSURE PROGRAMS

1. Annual adoption of NCLEX exam as determined by National Council of State Boards of Nursing as the official competency examination for licensure: Approved under the Consent Agenda.
2. Review and discussion regarding the approval of recognized accrediting bodies: Approved under the consent agenda.

#### C. CERTIFICATION PROGRAMS

1. Ratification of Battle Mountain High School Nursing Assistant Training Program biannual site survey: Approved under the Consent Agenda.

#### D. DISCIPLINE PROGRAMS

1. Applications (initial and renewal in question) – No business
2. Settlement agreements
  - a. Diao, Noel, APRN001707: Agreement for Reprimand and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (21) obtain, possess, furnish prescription drugs without authorization, (27) failing to perform nursing functions in a manner consistent with established or customary standards. Approved under the Consent Agenda.
  - b. Ugalde-Munoz, Omar, CNA 030013: Agreement for Reprimand and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct and NAC 632.890 (10) positive drug screen on duty, (27) failing to perform nursing functions in a manner consistent with established or customary standards. Approved under the Consent Agenda.
  - c. Mazzetto, Deirdre, RN73034: Agreement for Reprimand and Continuing Education for violation of NRS 632.320 (1)(g) unprofessional conduct, NAC632.890 (2) practicing beyond scope, (16) failing to properly document controlled substances, and (40) medication error. Approved under the Consent Agenda.
  - d. Daane, Brandee, RN Applicant: Agreement for Probation for violation of NRS 632.320 (1)(b) criminal convictions, and (1)(e) controlled substances and/or alcohol. Approved under the Consent Agenda.
3. Successful completion of probation
  - a. Wilson, Ethan, CNA028528: Termination of probation approved under the Consent Agenda. J. Watts recused.
  - b. Hutto, Stephanie, RN47565: Termination of probation approved under the Consent Agenda.
4. Reinstatement of licensure/certification – No business
5. Formal administrative hearings – No business
6. Special Action
  - a. Review, discussion, and possible action regarding a request for reconsideration and hearing regarding such action: Barcher, Michael, RN81396: It was moved and seconded the Respondent be granted reconsideration in his case. It was moved and seconded that the previous discipline stand as ordered. MOTION CARRIED
  - b. Review, discussion, and action regarding reappointment to the Disability Advisory Committee: It was moved and seconded that Angelastro, Richard, RN57461 be reappointed to the Disability Advisory Committee. MOTION CARRIED.
7. Ratification of staff denials – NRS 632.320 (1)(a) fraudulent applications – No business
8. Ratification of staff denials – NRS 632.320 (1)(b) convictions – No business

#### E. EDUCATION

1. Review and discussion regarding the NCLEX first time pass rates year-to-date for 2016: C. Prato shared the NCLEX first-time pass rates year-to-date. The Board discussed the improvement in schools.
2. Review and discussion regarding provisional approved nursing program six month reports: C. Prato presented this agenda item and provided the six month report for three programs, which are not fully approved.

**F. NURSING PRACTICE**

1. Review, discussion and action regarding appointment and reappointment to the Advanced Practice Registered Nurse Advisory Committee: It was moved and seconded to appoint Sbragia, Julia, APRN002144, Maes, Cheryl, APRN000557, Praus, Teresa, APRN002010, Kapsar, Paul, Jr., APRN000904, and Strobehn, Patricia APRN001420 to the Advanced Practice Registered Nurse Advisory Committee. MOTION CARRIED.
2. Review, discussion and action regarding appointment to the Nursing Practice Advisory Committee: It was moved and seconded to appoint Greg Highfill, Nursing Student and Jessica Carlson, RN49444 to the Nurse Practice Advisory Committee. MOTION CARRIED.

PUBLIC COMMENT – There was no public comment.

**ADJOURNMENT**

The meeting adjourned at 11:26 a.m. on Friday, July 22, 2016.