

Nevada State Board of **NURSING**

BOARD MEETING MINUTES

March 22-23, 2017

The Nevada State Board of Nursing Board meeting was called to order by Vice President, Mary-Ann Brown, MSN, RN at 8:30 a.m. on March 22, 2017, at the Hilton Garden Inn, Reno, 9920 Double R Boulevard, Reno, NV 89521.

MEMBERS PRESENT

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

OTHERS PRESENT

Cathy Dinauer, MSN, RN, Executive Director
Fred Olmstead, General Counsel
Kimberly A. Arguello, General Counsel
Catherine Prato-Lefkowitz, PhD, MSN, RN, Director of Nursing Education (3/22)
Sam McCord, BSN, RN, Director Nursing Practice
Gail Trujillo, Director of Licensure and Certification (3/22)
Hillary Murphy, Executive Assistant
Ray Martinez, Investigator
Sherri Twedt, RN, Compliance Coordinator

CALL TO ORDER– 8:30 a.m.

PUBLIC COMMENT: There was no public comment at the beginning of the meeting.

APPROVAL OF CONSENT AGENDA: It was moved and seconded to approve the Consent Agenda, identified as items: A.1., A.3.a-c., A.4., C.1., D.1.e., D.2.a-k., D.3.c-e., D.6.a-d., and E.7. **MOTION CARRIED.**

A. BOARD GOVERNANCE AND ADMINISTRATION

1. Approval of the January 11-12, 2017 Board meeting minutes: Approved under the consent agenda.
2. Executive Director Report: C. Dinauer presented this agenda item. She reviewed her attendance at the NCSBN IRE Conference and submission of her literary review. C. Dinauer reviewed Board meeting locations, Nurses' Day at the Legislature, quarterly financial reports, and the Future of Nursing Dinner.
3. Conference and Seminar Report:
 - **a. Christie Daliposon: Business Writing Basics for Professionals, Reno, Nevada: Approved under the consent agenda.
 - **b. Courtney Baccei: Administrative Assistants Conference, Reno, Nevada: Approved under the consent agenda.
 - **c. Stacy Hill: Administrative Assistants Conference, Reno, Nevada: Approved under the consent agenda.
4. Progress Report FY 16/17 Goals and Objectives: Approved under the consent agenda.

5. Review statistics and trends relating to scope of practice inquiries: S. McCord presented this agenda item. He identified an increase in calls for scope of practice overall as well as in specific categories such as patient abandonment and safe delegation. S. McCord reviewed his plan for addressing these questions.
6. Review, discussion and possible action regarding the proposed Travel and Per Diem policy: C. Dinauer presented this agenda item. It was moved and seconded the Board accept the proposed Travel and Per Diem policy. MOTION CARRIED.
7. Review, discussion and possible action regarding the 2016 Audit Report: Beth Kohn-Cole, CPA, Kohn Colodny, LLP, gave a report regarding the 2016 Audit.
8. Review, discussion, and possible action regarding compliance statistics for the Complaint Resolution Analysis Tool: S. McCord presented this agenda item. He reviewed the number of cases reviewed using the CRA tool and the percentages that fall within and out of the parameters.
9. Review and discussion regarding a legislative update: F. Olmstead presented this agenda item. He reviewed the status of AB18 and the legislative process as well as deadlines for the Legislature. F. Olmstead reviewed other bills regarding nursing scope of practice.
10. Presentation of Dr. James Wilson, V, MD, FAAP, regarding Antimicrobial Resistance Intelligence System: Dr. Wilson reviewed his work on antimicrobial resistance in Nevada and announced an upcoming summit at the University of Nevada, Reno regarding this epidemic.
11. Review and discussion regarding NSBN Organizational Changes: C. Dinauer, K. Arguello, and F. Olmstead presented this agenda item. They reviewed the updated NSBN organizational chart and work flow expectations.
12. This item was removed.
13. This item was removed.

B. LICENSURE PROGRAMS – No Business.

C. CERTIFICATION PROGRAMS

1. Review, discussion and action regarding reappointment to CNA Advisory Committee:
 - Wiseman, Carol, RN26959: Approved under the consent agenda.

D. DISCIPLINE PROGRAMS

1. Applications (initial and renewal in question)
 - **a. Mendez, Amy, RN applicant: Applicant was present. It was moved and seconded the Board accept application for licensure and the Agreement for Suspension and Probation for violation of NRS 632.347 (1)(e) controlled substances and/or alcohol and (1)(m) action in another state. MOTION CARRIED, R. Tan absent.
 - **b. Ordunez, Victoria, LPN applicant: Applicant was present via teleconference. It was moved and seconded the Board accept the application for licensure and order that she successfully complete courses in Sharpening Critical Thinking Skills, Professional Accountability and Legal Liability, and the Nevada Nurse Practice Act course within six months or the applicant will be automatically suspended, and that suspension will be published and reported to all appropriate agencies. MOTION CARRIED.
 - **c. Smith, Stacy, RN applicant: Applicant was present via teleconference. It was moved and seconded the Board accept the application for licensure and order that

she successfully complete the Nevada Nurse Practice Act course and register with Nursys E-Notify within six months or the applicant will be automatically suspended, and that suspension will be published and reported to all appropriate agencies. MOTION CARRIED.

- **d. Tolbert, Angie, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure and order that she successfully complete courses in the Nevada Nurse Practice Act, Critical Thinking in Nursing, Professional Accountability and Legal Liability, and Professional Boundaries within in three months or the applicant will be automatically suspended, and that suspension will be published and reported to all appropriate agencies. MOTION CARRIED, R. Carrauthers opposed. R. Tan absent.
- **e. Echeverria, Veronica, CNA023432: Applicant was not present. The Board denied the renewal application for certification for violation of NRS 632.37 (1)(g) unprofessional conduct, NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation and ordered the denial become part of the applicant's permanent record and be published and reported to all agencies. Approved under the consent agenda.
- **f. James, Veronica, RN applicant: Applicant was present. It was moved and seconded the Board accept the application for licensure and Agreement for Probation for violation of NRS 632.347 (1)(m) action in another state. MOTION CARRIED, R. Tan absent.
- **g. Johnson, Frostquieter, RN applicant: Applicant was present via teleconference. It was moved and seconded the Board accept the application for licensure. MOTION CARRIED.
- **h. Paszek, Debbie, CNA applicant: Applicant was present. It was moved and seconded the Board accepted the application for certification and Agreement for Probation for violation of NRS 632.347 (1)(b) criminal convictions and (1)(e) controlled substances and/or alcohol. MOTION CARRIED.
- **i. Broadbent, Michael, RN applicant: Applicant was present via teleconference. It was moved and seconded the Board accept the application for licensure and Agreement for Probation for violation of NRS 632.347 (1)(e) controlled substances and/or alcohol and (1)(m) action in another state. MOTION CARRIED.

2. Settlement agreements

- **a. Fernandez, Michelle, RN60981: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (27) failing to perform nursing functions in a manner consistent with established customary standards. Approved under the consent agenda.
- **b. Bernecky, Kathleen, RN14989: 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, and NAC 632.890 (21) obtain, posses, furnish prescription drugs without authorization, and (27) customary standards of practice. Approved under the consent agenda.
- **c. Anderson, Ellen, RN11740: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (20) inaccurate recording, falsifying and (27) failing to person nursing functions in a

manner consistent with established or customary standards. Approved under the consent agenda.

- **d. Williams, Rochelle, RN61830: Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.415 unprofessional conduct and (26) violation of state/federal nursing law/regulation. Approved under the consent agenda.
- **e. Collins, Janna, RN31972: Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Approved under the consent agenda.
- **f. Ford, Alicia, LPN16397: 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. Holst, Angelica, CNA012171: Agreement for Fine and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.415 unprofessional conduct, and NAC 632.890 (26) violation of state/federal nursing law/regulation. Approved under the consent agenda.
- **h. Polaha, Esther, RN24221: Agreement for Reprimand, Fine, and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (37) practicing without an active license. Approved under the consent agenda.
- **i. Maximo, Jose, RN68957: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct, and NAC 632.890 (16) failing to properly document controlled substances and (27) failing to perform nursing functions in a manner consistent with established or customary standards. Approved under the consent agenda.
- **j. Elijah, Colleen, LPN13318: Agreement for Reprimand and Continuing Education for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (20) inaccurate recording, falsifying and (24) failing to collaborate with health care team. Approved under the consent agenda.
- **k. Simms, Angela, RN41138: 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. Successful completion of probation

- **a. Duffy, Mary, RN08972: Respondent was present. It was moved and seconded the Board grant termination of probation. MOTION CARRIED, R. Tan absent.
- **b. Pottinger, Danny, RN61519: Respondent was not present. Respondent submitted a letter to the Board. It was moved and seconded the Board grant termination of probation. MOTION CARRIED.
- **c. Crowe, Kelly, RN81989: Termination of probation approved under the consent agenda.
- **d. Alegre, Emeltri, LPN13634: Termination of probation approved under the consent agenda.

- **e. Gutzman, Kristina, RN37692: Termination of probation approved under the consent agenda.

4. Reinstatement of licensure/certification

- **a. Lagasca, Emma, CNA001033: Applicant was present. It was moved and seconded the Board accept the reinstatement application for certification. MOTION CARRIED, R. Carrauthers opposed.

5. Formal administrative hearings

- **a. Ewing, Marian, CNA031367: Respondent was present. It was moved and seconded the Board accept the Voluntary Surrender of Certificate in Lieu of Other Disciplinary Action for violation of NRS 632.347 (1)(g) unprofessional conduct and NAC 632.890 (27) customary standards of practice, (35) misappropriating patient property, and/or (42) professional boundaries. MOTION CARRIED.
- **b. Vest, Carrie, RN83907: Respondent was not present. It was moved and seconded the Board find the Respondent in violation of NRS 632.347 (1)(m) action in another state. It was moved and seconded that Respondent be reprimanded, successfully complete courses in the Nevada Nurse Practice Act, Professionalism in Nursing, Professional Accountability, and register with Nursys E-Notify within six months or the Respondent's license will be automatically suspended without further proceedings. It was further ordered that the disciplinary action be permanent and published and reported to all appropriate national databanks. MOTION CARRIED.
- **c. Brown, Melissa, RN89291: Respondent was not present. Officer Davis Crabtree of the Fullerton Police Department testified via telephone. It was moved and seconded the Board find the Respondent in violation of NRS 632.347 (1)(e) controlled substances and/or alcohol. It was moved and seconded that the Respondent be suspended until the pending criminal case is resolved and that the Respondent must appear before the Board. It was further ordered that the discipline be permanent and published to all appropriate national databanks. MOTION CARRIED.
- **d. Gates, Melissa, RN72487: Respondent was not present. It was moved and seconded the Board find the Respondent in violation of NRS 632.347 (1)(g) unprofessional conduct, (1)(e) controlled substances and/or alcohol, (1)(o) failing to comply, and NAC 632.890 (26) violation of state/federal nursing law/regulation. It was moved and seconded the Respondent be revoked. Respondent may not apply for reinstatement for two years. It was further ordered that the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate national databanks. MOTION CARRIED.
- **e. Santiago Lopez, Jorge, CNA029689: Respondent was not present. It was moved and seconded the Board find the Respondent in violation of NRS 632.347 (1)(o) failing to comply. It was moved and seconded Respondent be revoked. Respondent may not apply for reinstatement for three years. It was further ordered that the disciplinary action become part of the Respondent's permanent record

and be published and reported to all appropriate national databanks. MOTION CARRIED, M. Brown opposed.

- **f. Kelly, Elizabeth, RN66396: Respondent was not present. It was moved and seconded the Board find 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 the Respondent be reprimanded, fined in the amount of two hundred dollars, successfully complete 30 hour legal ethics course, the Nevada Nurse Practice Act and Bioterrorism course within thirty days or automatic suspension without further proceedings. It was further ordered that the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate national databanks. MOTION CARRIED.
- **g. This item was removed.
- **h. Amodia, Jovinne, LPN16478: Respondent was present. It was moved and seconded the Board find the Respondent in violation of NRS 632.347 (1)(b) criminal convictions, (1)(g) unprofessional conduct and NAC 632.890 (22) patient abandonment, and (24) failing to collaborate with healthcare team. It was moved and seconded the Respondent be placed a term of probation for five years. It was further ordered that the disciplinary action become part of the Respondent's permanent record and be published and reported to all appropriate national databanks. MOTION CARRIED.

6. Special Action

- **a. Review, discussion and possible action regarding re-appointments to the Nursing Practice Advisory Committee:
 - Brann, Mary, RN07742: Approved under the consent agenda.
 - Keith, Leanna, RN26009: Approved under the consent agenda.
- **b. Review, discussion, and possible action regarding application for Nurse Support Group Facilitator: Berger, Laura, MA, LADC: Approved under the consent agenda.
- **c. Review, discussion and possible action regarding application for appointment to the Disability Advisory Committee: Gebhardt, Rebecca, MSN, APRN000753: Approved under the consent agenda.
- **d. Review, discussion, and possible action regarding application for appointment as a conceptual member of the Disability Advisory Committee:
 - Strand, Toril, RN13242: Approved under the consent agenda.

E. EDUCATION

1. Review and discussion regarding the NCLEX first time pass rates: C. Prato Lefkowitz presented this agenda item. She provided the Board with an outline for the current first-time NCLEX pass rates for Nevada Schools.
2. Review, discussion and action regarding acceptance of fully approved nursing programs annual reports in lieu of Board survey: C. Prato Lefkowitz presented this agenda item. She reviewed the current process for site surveys and requested clarification from the Board. It was moved and seconded that board staff shall craft a policy to address how

school surveys will occur, time frames for reporting, and consider existing statutes in their drafting. MOTION CARRIED.

3. Review, discussion and action regarding Touro University's teach out progress report: C. Prato Lefkowitz presented this agenda item. Touro University was present to answer any questions. Touro University reviewed their current student and faculty numbers as well as estimated graduation dates. It was moved and seconded that the Board accept the Touro University teach out progress report. MOTION CARRIED.
4. Review, discussion and action regarding Roseman University's request to change from a senior practicum clinical rotation model to an 8:1 clinical rotation model: C. Prato Lefkowitz presented this agenda item. Roseman University was present to answer questions. Roseman University testified about their plan for the new 8:1 clinical rotation model. It was moved and seconded that the Board approve Roseman University's request to move from a senior practicum clinical rotation model to an 8:1 senior clinical rotation model. MOTION CARRIED.
5. Review, discussion and action regarding Brightwood College's request to be removed from conditional and return to full approval status: C. Prato Lefkowitz presented this agenda item. Brightwood College was present to answer questions. It was moved and seconded that the Board approve Brightwood College's request to be approved for full approval status. MOTION CARRIED.
6. Review, discussion and action regarding Carrington College's request to add an evening nursing student cohort: C. Prato Lefkowitz presented this agenda item. Carrington College was present to answer questions. Carrington College testified about their plan for an evening nursing student cohort. It was moved and seconded that the Board approve Carrington College's request to add three evening student cohorts up to one per semester and up to 72 students per year. MOTION CARRIED.
7. Review, discussion and action regarding appointment to the Education Advisory Committee:
 - Donnelly, Amber, RN37533: Approved under the consent agenda.
 - Daily, Mya, RN71736: Approved under the consent agenda.

H. RECOMMENDATIONS FOR AGENDA ITEMS FOR FUTURE BOARD MEETINGS: C. Dinauer presented this agenda item. She reviewed the requests for future Board meetings made previously in preparation for the May Board Meeting.

PUBLIC COMMENT:

- C. Dinauer introduced former board staff member, Chris Sansom. She announced that Ms. Sansom's work on the CRA Tool is being published in the Journal of Nursing Regulation. Ms. Sansom reviewed her work on the tool and article and thanked the Board and staff for their support. The Board commended Ms. Sansom on her work and success.
- D. Begley thanked the Board for allowing her to do her nursing leadership clinical hours with the Board.

ADJOURNMENT

The meeting adjourned at 11:02 a.m. on Thursday, March 23, 2017.