

NEBRASKA BOARD OF NURSING

MINUTES OF THE MEETING

July 13, 2023

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Theresa Delahoyde, Board President, at 8:30 a.m., July 13 2023, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members on June 29, 2023, emailed to interested parties on June 29, 2023, posted outside the Licensure Unit within the Nebraska State Office Building on June 29, 2023, and posted on the Department of Health & Human Services website on June 29, 2023. Delahoyde announced that a copy of the Open Meetings Act was available in the room.

ROLL CALL

The following board members were present and answered roll call:

- Theresa Delahoyde, RN, *Board President*
- Kathy Harrison, RN
- Tag Herbek, *Public Member*
- Lisa Kollasch-Parker, APRN-NP
- Angela Kula, LPN, *Board Secretary*
- Kandis Lefler, LPN
- Patricia Motl, RN
- Adrienne Olson
- Kristin Ruiz, RN
- Brenda Smidt, RN
- Sonét Smutny, RN
- Rita Thalken, *Public Member*

No Board members were absent.

The following staff members from the Department and the Attorney General's Office were present during all or part of the meeting:

- Ann Oertwich, RN, *Executive Director*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Ginger Rogers, APRN-NP, *Nursing Practice Consultant*
- Sherri Joyner, *Health Licensing Coordinator*
- Gina Bosak, *Administrative Technician*
- Teresa Hampton, *DHHS Legal* (attended virtually)
- James D. Smith, *Assistant Attorney General*
- Anna Harrison, *DHHS Compliance Monitor*
- Andrea Cramer-Price, *Investigator*
- Brittany Bigham, *Investigator*
- Susan Held, *Investigator*
- Patricia Lemke, *Investigator*
- Mendy Mahar-Clark, *Investigator*

A quorum was present, and the meeting convened. Introductions were made on behalf of the new Board members, Kathy Harrison and Adrienne Olson.

ADOPTION OF THE AGENDA

MOTION: Ruiz made the motion, seconded by Motl, to adopt the agenda for the July 13, 2023, Board of Nursing meeting.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

APPROVAL OF THE MINUTES

MOTION: Kula made the motion, seconded by Thalken, to approve the consent agenda.

These minutes were approved by the Board of Nursing on August 10, 2023.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

REINSTATEMENT HEARING

The hearing that had been scheduled for July 13, 2023, was cancelled after the applicant, Cheryl Koob, withdrew her request for a hearing.

CLOSED SESSION

MOTION: Kula made the motion, seconded by Thalken, for the Board to go into closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

Delahoyde announced that the Board was in closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

8:39 a.m. Meeting went into closed session.
 8:46 a.m. Kollasch-Parker left the meeting.
 8:52 a.m. Kollasch-Parker returned to the meeting.
 9:07 a.m. Smutny left the meeting.
 9:15 a.m. Smutny returned to the meeting.
 9:24 a.m. Smidt left the meeting.
 9:45 a.m. Smidt returned to the meeting. Meeting went into recess.
 9:55 a.m. Meeting reconvened.
 10:31 a.m. Meeting returned to open session.

LICENSURE RECOMMENDATIONS

KARRIE J. YORK – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Smidt, to recommend reinstating an RN license to Karrie York on probation for three years with the following terms and conditions: abstain from alcohol; abstain from controlled substances and other prescription drugs unless prescribed by the treating practitioner; verification from treating practitioner of all prescription medications; report all prescription medications taken; submit to random body fluid screens; advise Department of any professional counseling and submit reports; comply with treatment recommendations including recommendations for attendance at support group meetings and sponsor; active practice for 3120 hours; provide notice of disciplinary proceedings to employer and other states where licensed; provide quarterly employer reports; shall not provide nursing services for staffing agencies or in home health care; provide written notice to Department of any employment, address or phone changes within seven (7) days; comply with all reports, notices or other documentation from the Department; promptly respond to Department regarding compliance during probation; obey all state and federal laws, rules and regulations regarding practice of nursing and must report any violations of the above to Department within seven days; pay any costs associated with ensuring compliance, and appear at any meetings of the Board of Nursing when requested. The recommendation for probation is based upon misdemeanor convictions rationally related to the profession, a diagnosis of a substance use disorder, and history of previous disciplinary actions. The recommendation for reinstatement is based upon active participation in treatment, compliance with treatment recommendation, active involvement in the substance abuse/addiction recovery process, reported period of sobriety from December 31, 2022, and documented attendance at support group meetings.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

MARY L. MONAGHAN – LPN INITIAL APPLICATION

MOTION: Smutny made the motion, seconded by Ruiz, to recommend issuing Mary Monaghan an unrestricted LPN license.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

MONICA U. RISILIA – LPN INITIAL APPLICATION

MOTION: Kula made the motion, seconded by Ruiz, to recommend issuing Monica Risilia an unrestricted LPN license.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

KALVONNA R. STAFF – LPN INITIAL APPLICATION

MOTION: Ruiz made the motion, seconded by Motl, to recommend issuing Kalvonna Staff an unrestricted LPN license.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

BRIANNA J. TENHOFF – RN NONDISCIPLINARY REINSTATEMENT

MOTION: Smutny made the motion, seconded by Smidt, to table Brianna Tenhoff's reinstatement application in order to obtain additional information.

Voting Yes: Delahoyde, Harrison, Herbek, Kollasch-Parker, Kula, Lefler, Motl, Olson, Ruiz, Smidt, Smutny, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

PRACTICE COMMITTEE UPDATES

Rogers reported that the Food and Drug Administration (FDA) will have a meeting on July 26th regarding IV hydration spas. Rogers said that the Practice Committee is developing an Advisory Opinion on the subject that will be available soon. Rogers said that when she gets calls from nurses who are interested in providing IV hydration, she encourages them to align themselves with the standards or a national organization.

One topic that has come to Rogers' attention is the situation of international nurses who are recruited to work in the U.S. by staffing agencies, and then find that they must pay exorbitant fees if they wish to leave their contracted assignments. Rogers noted that many of the affected nurses work in long-term care facilities.

Another topic Rogers hears about is the American Medical Association (AMA)'s campaign to prevent "scope creep," with its message that expanding nurse practitioners' scope of practice will harm patient safety.

Rogers reported that she will speak at the next meeting of the Board of Medicine to discuss lasers and unlicensed staff. Rogers noted that hospital administrators do not always understand that unlicensed staff do not have a scope of practice. Delahoyde said that she is receiving a lot of questions on what medical assistants can and cannot do. One organization thought that performing assessments was an approved task for medical assistants. Kula noted that medical assistants are often referred to as "nurses" in the offices where they work, and she has observed medical assistants giving medical advice over the phone.

EDUCATION COMMITTEE

Reznicek discussed the plan that was submitted by Purdue Global on how the school will "teach out" the students who had been enrolled in Purdue Global's Nebraska ADN program. These students were

transferred to Purdue Global's Iowa program when the school closed its Nebraska program in Nebraska in March 2023. Reznicek noted that the school only has approximately seven students who are doing clinicals in Nebraska. She also noted that she has been contacted by recent Purdue Global graduates about the school code they should use when they register for NCLEX. The NCLEX code for the Lincoln campus is no longer valid now that the program is closed. Purdue Global's campus in Council Bluffs IA does not have an NCLEX code. Reznicek contacted the Dean of Purdue Global's nursing program about this issue and was advised that the affected students should use the NCLEX code for the school's Cedar Rapids IA campus.

Reznicek also reported that NCLEX pass rates for Nebraska graduates have increased significantly since the implementation of Next Generation NCLEX. Six of the state's RN programs and five LPN programs have 100% pass rates since the introduction of the new version of the exam. Reznicek noted that only three states currently have higher pass rates than Nebraska.

NCSBN ANNUAL MEETING

Oertwich reported that she and Kollasch-Parker will represent the APRN Board at the National Council of State Boards of Nursing's Annual Meeting, and that Delahoyde and Smidt will represent the Board of Nursing.

CENTER FOR NURSING

Oertwich reported that the Center for Nursing is partnering with the Nebraska Hospital Association to expand clinical sites for nursing students in Nebraska, focusing particularly on rural areas. Funding for the project was included in LB227, which provides a total of \$6 million to the Center for Nursing over a two-year period to fund the initiative. Delahoyde noted that one of the challenges for the project is to find housing for students who are doing clinicals in rural areas.

Oertwich also reported that a new RFP (Request for Proposals) has been issued for bids for a marketing plan for the Center. Oertwich said that the marketing plan would promote both recruiting people into the nursing profession and retaining existing nurses.

COMMUNICATION

Staffing – Oertwich reported that the Licensure Unit's Nursing Section is now fully staffed. a

Nursing News –Oertwich noted that it was customary for bios of new Board members to be included in *Nursing News*. Olson volunteered to submit a bio for the next edition. The issue will also include an article by Juan Ramirez and Janelle Francis on health equity and nursing.

CONCLUSION AND ADJOURNMENT

The meeting adjourned at 11: 20 a.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator