

**MINUTES OF THE MEETING  
of the NEBRASKA  
BOARD OF NURSING**

**January 9, 2020**

**CALL TO ORDER**

The meeting of the Nebraska Board of Nursing was called to order by Patricia Motl, Board President, at 8:32 a.m., January 9, 2020, at Best Western Plus Lincoln Inn and Suites, Lincoln NE 68521. Copies of the agenda were mailed in advance to the Board members, emailed to interested parties, posted outside the Licensure Unit within the Nebraska State Office Building, and posted on the Department of Health & Human Services website. Motl announced the location of an available copy of the Open Meetings Act within the room.

**ROLL CALL**

The following board members were present to answer roll call:

- Janet Andrew, LPN, *Board Vice-President*
- Angela Kula, LPN
- Anne Dey, RN
- Tom Hoover, RN
- Tag Herbek, *Public Member*
- Louise LaFramboise, RN
- Patricia Motl, RN, *Board President*
- Kristene Perrin, RN
- Kristin Ruiz, RN
- Linda Stones, RN
- Lana Taylor, RN
- Rita Thalken, *Public Member*

The following Board member arrived after roll call: Anne Dey (arrived at 8:35 a.m.).

The following Board member was absent: Katherine Werth, APRN-NP, *Board Secretary*.

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

- Ann Oertwich, RN, *Executive Director*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Anna Harrison, *Compliance Monitor*
- Lisa Anderson, *Assistant Attorney General*
- Ami Huff, *Assistant Attorney General*
- Susan Held, *Investigator*
- Sherri Lovelace, *Investigator*
- Mendy Mahar-Clark, *Investigator*
- Dennis Scott, *Investigations Program Manager*

A quorum was present, and the meeting convened.

**ADOPTION OF THE AGENDA**

**MOTION:** Andrew made the motion, seconded by Ruiz, to adopt the agenda for the January 9, 2020, Board of Nursing meeting.

Voting Yes: Andrew, Kula, Herbek, Hoover, LaFramboise, Motl, Ruiz, Stones, Taylor, and Thalken..  
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

**APPROVAL OF THE MINUTES**

**MOTION:** Andrew made the motion, seconded by Ruiz, to approve the consent agenda.

These minutes were approved by the Board  
of Nursing on February 13, 2020.

Voting Yes: Andrew, Kula, Herbek, Hoover, LaFramboise, Motl, Ruiz, Stones, Taylor, and Thalken..  
Voting No: None. Abstain: Dey. Absent: Werth. Motion carried.

### **CLOSED SESSION**

**MOTION:** Andrew made the motion, seconded by Ruiz, 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: Andrew, Dey, Kula, Herbek, Hoover, LaFramboise, Motl, Ruiz, Stones, Taylor, and Thalken..  
Voting No: None. Abstain: None. Absent: Werth. Motion carried.

8:35 a.m. Meeting went into closed session.  
10:12 a.m. Meeting returned to Open Session.

### **LICENSURE RECOMMENDATIONS**

#### **JULIA A. BENGIER –RN REINSTATEMENT FROM DISCIPLINE**

**MOTION:** LaFramboise made the motion, seconded by Stones, to recommend denying Julia Bengier's application for removal of the limitation on her RN license because there is no substantial change in circumstances and because the limitation does not prevent her from performing the duties listed in the job description submitted with her application.

Voting Yes: Andrew, Dey, Kula, Herbek, Hoover, LaFramboise, Motl, Ruiz, Stones, Taylor, and Thalken..  
Voting No: None. Abstain: None. Absent: Werth. Motion carried

### **PRACTICE COMMITTEE**

Stones announced that the Practice Committee wants to do additional work on the *Cosmetic-Aesthetic Procedures* Advisory Opinion before they introduce a motion to approve the Advisory Opinion.

### **BOARD MEMBER ORIENTATION**

A power point was reviewed by Oertwich covering Board member responsibilities, organizational structure of DHHS, the disciplinary process and reimbursements. Staff discussed the open meetings law, the as well as Board resources such as the Licensee Assistance Program and NCSBN.

### **NATIONAL COUNCIL OF STATE BOARDS OF NURSING**

Midyear Meeting – March 3-5, 2020 in Boston, MA. Janet Andrew and Kristin Ruiz will be notified soon of NCSBN resource fund coverage; others attending Patti Motl, Ann Oertwich, Jacci Reznicek, and Kathy Hoebelheinrich.

International Center for Regulatory Scholarship – Members and staff highlighted the coursework they are involved in. Motl, Stones, and Werth are all in the Advanced Policy course, while Reznicek is in a Nursing Education Consultant course.

### **YEAR OF THE NURSE AND MIDWIFE**

Oertwich announced that the World Health Organization declared 2020 as the Year of the Nurse and the Midwife. Members discussed a few possible promotions such as a Governor's Proclamation, use of *Nursing News* to promote, etc. Will check with NCSBN for any official promotional information.

11:50 a.m. Meeting went into recess.  
12:20 p.m. Meeting reconvened.

### **COMMUNICATION**

Implementation of LB112 – Oertwich discussed the new processes put in place to accommodate LB 112, which eliminates the initial licensing fees for young workers (age 18-25), individuals with low income, and military families.

Nursing Regulations Update – All Board of Nursing regulations (except Chapter 97) are waiting for Board of Health (BOH) approval. The next scheduled BOH meeting is January 27, 2020. It is anticipated that Chapter 97 will be returned from the Governor's Policy Review Office after the legislative session slows down. It is too early to speculate on a hearing date.

February Issues Forum – The February issues Forum will follow the next Board of Nursing meeting on February 13, convening from 1-4:00 p.m. The topic will be updating or revising the Board of Nursing's Strategic Plan.

Nurse Licensure Compact Updates – Alabama went live January 1, 2020. Both Indiana and New Jersey have adopted the Compact, but no implementation dates have been set. Legislation is either being introduced in 2020 or is pending in the following states and territories: AK, Guam, IL, MA, MI, PA, VT, and WA.

Nursing News – The Winter 2019 issue was just mailed to all licensed nurses in Nebraska. Reznicek highlighted an article on international nurses that she is working on for the next issue in collaboration with Great Plains Medical Center who currently has 66 international nurses working there.

Staff Updates – Oertwich announced the new hire for the open Health Licensing Specialist position, to begin January 22. Oertwich also highlighted a new bill introduced on January 8, LB 838, which provides language for physician direction to unlicensed individuals. Previous language was to provide physician's to *delegate* to unlicensed individuals. After collaborating with the Nebraska Medical Association, Board staff were supportive of use of the term 'direction' as it does not include the transfer of authority included in legal delegation by the Registered Nurse. There was lively discussion about this with the Board agreeing to watch the bill's progress, but not take a stand on the issue.

### **CONCLUSION AND ADJOURNMENT**

There being no further business, the meeting adjourned at 12:35 p.m.

Respectfully submitted,



Ann Oertwich, RN  
Executive Director