

**NEBRASKA BOARD OF NURSING**  
**MINUTES OF THE**  
**TELECONFERENCE MEETING**

**April 9, 2020**

**CALL TO ORDER**

The meeting of the Nebraska Board of Nursing was called to order by Patricia Motl, Board President, at 2:04 p.m., April 9, 2020. The central meeting location was at the Licensure Unit Conference Room, Nebraska State Office Building, 1<sup>st</sup> Floor, 301 Centennial Mall South, Lincoln NE 68508. 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 that copies of the Open Meetings Act were available at the meeting locations.

**ROLL CALL**

The following board members answered roll call via tele/videoconference:

- Janet Andrew, LPN, *Board Vice-President*
- Tom Hoover, RN
- Tag Herbek, *Public Member*
- Angela Kula, LPN
- Louise LaFramboise, RN
- Patricia Motl, RN, *Board President*
- Kristin Ruiz, RN
- Linda Stones, RN
- Lana Taylor, RN
- Rita Thalken, *Public Member*
- Katherine Werth, APRN-NP, *Secretary*

The following Board member was absent: Anne Dey, RN.

The following staff members from the Department were present:

- Ann Oertwich, RN, *Executive Director*
- Sherri Joyner, *Health Licensing Coordinator*
- Jacci Reznicek, RN, *Nursing Education Consultant*

The following staff members from the Department and the Attorney General's Office attended part or all of the meeting via teleconference:

- Kathy Hoebelheinrich, RN, *Nursing Practice Consultant*
- Anna Harrison, *Compliance Monitor*
- Lisa Anderson, *Assistant Attorney General*
- Natalee Hart, *Assistant Attorney General*
- Jessica Bowman, *Investigator*
- Sharon Fitts, *Investigator*
- Susan Held, *Investigator*
- Patricia Lemke, *Investigator*
- Sherri Lovelace, *Investigator*
- Mendy Mahar-Clark, *Investigator*
- Dennis Scott, *Investigations*

A quorum was present, and the meeting convened.

**ADOPTION OF THE AGENDA**

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

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

These minutes were approved by the Board  
of Nursing on May 14, 2020.

**APPROVAL OF THE MINUTES**

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

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

**IMPACT OF COVID-19 ON NURSING LICENSURE**

Oertwich described temporary waivers of licensing requirements that went into effect on March 27, 2020, when Governor Ricketts signed Executive Order 20-10. Emergency licensing measures include:

- 1) Provisional licenses will be issued to new nursing graduates prior to the receipt of the applicants' licensing exam results. Oertwich described the license as similar to the Graduate Nurse License that was once issued to RN and LPN graduates while their Board results were pending. The provisional license will help alleviate decreased availability of exam appointments. Oertwich reported that Pearson VUE testing centers, which administer the NCLEX examinations, are currently at only one-half of their normal capacity.
- 2) Nursing licenses can be issued prior to receipt of the license application fee and/or fingerprint-based criminal background check. Oertwich reported that the Nebraska State Patrol will not be conducting fingerprinting for nurse licensure applicants until late May.
- 3) RNs, LPNs, and APRNs are able to work in Nebraska without a Nebraska license during the duration of the COVID-19 emergency and for 30 days thereafter as long as they have an active license in another state and the license is free from discipline.
- 4) Persons with inactive or expired nursing licenses will be able to temporarily reinstate the license even if they do not meet the continuing competency requirements.

Oertwich reported that license renewal requirements during the COVID-19 emergency are still being determined. One possibility under discussion is to extend the expiration date of any license scheduled to expire during the emergency.

Reznicek described infection control measure being taken by Pearson VUE, which include separating testers by at least six feet, admitting only two shifts of test-taker each day, and thoroughly cleaning cubicles between each test administration. LaFramboise requested that this information and any other updates on NCLEX availability be sent to the Nebraska Assembly of Nursing Deans and Directors. LaFramboise noted that nursing programs are also facing challenges finding clinical sites for their students.

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

2:17 p.m.      *Meeting went into closed session.*  
 2:49 p.m.      *LaFramboise left the meeting.*  
 2:52 p.m.      *LaFramboise returned to the meeting.*  
 3:47 p.m.      *Meeting returned to Open Session.*

**LICENSURE RECOMMENDATIONS****JAMES F. RIVERS –LPN REINSTATEMENT FROM DISCIPLINE**

**MOTION:** Andrew made the motion, seconded by Ruiz, to recommend reinstating to Rivers an unrestricted privilege to practice practical nursing in Nebraska under the Nurse Licensure Compact. The recommendation for reinstatement is based on applicant's completion of the requirements listed in the Order dated October 21, 2019.

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

**KAITLYN J. POLLICK – RN REINSTATEMENT FROM DISCIPLINE**

**MOTION:** Stones made the motion, seconded by Andrew, to recommend reinstating Kaitlyn Pollick's RN license on probation for two 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; practice under direct RN supervision for one (1) year, followed by practicing under indirect RN supervision for one (1) year; have no access to controlled substances in the course of nursing employment for one (1) year, followed by access to controlled substances under direct supervision for one (1) year; active practice for 2080 hours; notify the Department within seven days of receipt of any criminal citations, filing of criminal complaints, or other contact with law enforcement; 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 diagnoses of a substance use disorders and disciplinary action against licenses in other jurisdictions. The recommendation for reinstatement is based on applicant's completion of inpatient treatment, active involvement in the substance abuse/addiction recovery process, reported period of sobriety from January 2019, and positive letters of reference.

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

**EDUCATION COMMITTEE**

**MOTION:** The Education Committee moved that the Board of Nursing approve the Mid-Plains Community College courses NURS 1106 Professional Nursing I and NURS 1107 Pharmacology I.

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

**CREDENTIALING REVIEW**

The Department has approved the Board's letter of intent to pursue a Credentialing Review on the topic of aligning Nebraska's APRN statutes with the APRN Consensus Model. The next step is to submit an application to the Credentialing Review Program. Hoebelheinrich reported that the draft application is about 75% completed. One area that she and Oertwich are researching is whether or not there have been any changes in discipline cases since Nurse Practitioners were given full practice authority in Nebraska.

3:59 p.m.      *Ruiz left the meeting.*

**COMMUNICATION**

Nursing Regulations Update – Joyner reported that the Board of Health has a teleconference meeting scheduled for April 15, 2020. The agenda includes the amended nursing regulations.

Nursing News – Articles for the next edition of *Nursing News* are due at the publisher on April 15<sup>th</sup>.

Staff Updates – Reznicek reported that the Nursing Section is still looking to hire a Health Licensing Specialist for the vacant APRN-desk position as well as a temporary staff person to help with RN renewals. The COVID-19 emergency is slowing down the hiring process. Reznicek also reported that several staff members are working from home a couple of days per week.

Stones reported that NCSBN's International Center for Regulatory Scholarship is offering a course on COVID-19. Stones said she found the course to be well worth her time and recommended it to other Board members who want to learn more on the topic.

**CONCLUSION AND ADJOURNMENT**

There being no further business, the meeting adjourned at 4:05 p.m.

Respectfully submitted,



Sherri Joyner  
Health Licensing Coordinator