

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

April 11, 2019

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Patricia Motl, Board President, at 8:30 a.m., April 11, 2019, at the Staybridge Room, Staybridge Suites Lincoln I-80, 2701 Fletcher Ave, Lincoln NE 68504. 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 Cuffe, LPN
- Tag Herbek, *Public Member*
- Louise LaFramboise, RN
- Patricia Motl, RN, *Board President*
- Kristene Perrin, RN
- Kristin Ruiz, RN
- Linda Stones, RN
- Rita Thalken, *Public Member*
- Karen Weidner, RN, *Board Secretary*

The following Board members were absent: Anne Dey, RN, and Katherine Werth, APRN-NP.

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*
- Sherri Joyner, *Health Licensing Coordinator*
- Kathy Hoebelheinrich, RN, *Nursing Practice Consultant*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Anna Harrison, *Compliance Monitor*
- Lisa Anderson, *Assistant Attorney General*
- Ami Huff, *Assistant Attorney General*
- Jessica Bowman, *Investigator*
- Sharon Fitts, *Investigator*
- Susan Held, *Investigator*
- Patricia Lemke, *Investigator*
- Sherri Lovelace, *Investigator*
- Mendy Mahar-Clark, *Investigator*

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 April 11, 2019, Board of Nursing meeting.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
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.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

These minutes were approved by the
Board of Nursing on May 9, 2019.

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, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

8:35 a.m. Meeting went into closed session. Weidner left the meeting.
8:43 a.m. Weidner returned to the meeting.
9:12 a.m. Cuffe left the meeting.
9:17 a.m. Cuffe returned to the meeting.
9:32 a.m. Cuffe and Weidner left the meeting.
9:38 a.m. Cuffe and Weidner returned to the meeting.
10:18 a.m. Ruiz left the meeting.
10:28 a.m. Ruiz returned to the meeting.
10:50 a.m. Perrin left the meeting.
10:53 a.m. Perrin returned to the meeting.
11:00 a.m. Meeting returned to Open Session. Meeting went into recess.
11:10 a.m. Meeting reconvened. Huff left the meeting.

EDUCATION COMMITTEE

MOTION: The Education Committee moved that the Board of Nursing approve the Union College LPN-BSN Online Program, Course Descriptions, and Course Outcomes, and the LPN-BSN Online Clinical Curriculum Plan.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve the Clarkson College courses NS 161, Introduction to Population-Based Public Health Nursing, and NS 261, Population-Based Public Health Nursing: Health Policy and Current Trends.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve the MidPlains Community College courses NURS 2202, Nursing Concepts VI: Care of Patients Across the Lifespan with Complex Conditions, and NURS 2203 Clinical VI.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve the Purdue University Global alterations in general education course requirements and plan of study from 100 to 116 quarter credit hours, and the Purdue University Global Course NU420, Leadership and Management in the Changing Health Care Environment.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve Southeast Community College's LPN Program courses LPNS 1113 Professional Nursing 1, LPNS 1213 Professional Nursing 2, LPNS 1210 Holistic Nursing 2, LPNS 1212 Practical Nursing Clinical 2, and LPNS 1211 Practical Nursing Lab 2.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Stones, Thalken, and Weidner. Voting No: None. Abstain: Ruiz. Absent: Dey and Werth. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve the Army Program 68WM6 as equivalent to the LPN curriculum.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner. Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve the annual school reports from Bryan College of Health Sciences BSN Program, Central Community College AD Program, Central Community College LPN program, Clarkson College BSN Program, College of St. Mary LPN Program, College of St. Mary BSN Program, Creighton University College of Nursing BSN Program, Nebraska Methodist College BSN Program, Metropolitan Community College AD Program, Metropolitan Community College PN Program, Midland University BSN Program, Mid Plains Community College ADN Program, Mid Plains Community College LPN Program, Northeast Community College ADN Program, Northeast Community College PN Program, Purdue University Global BSN Program, Purdue University Global AD Program, Southeast Community College ADN Program, Southeast Community College PN Program, Union College BSN Program, UNMC College of Nursing BSN Program, Wesleyan University BSN Program, Western Nebraska Community College ADN Program, and Western Nebraska Community College PN Program.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner. Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

PRACTICE COMMITTEE

MOTION: The Practice Committee moved that the Board of Nursing approve the revisions to the Sub-Anesthetic Ketamine Advisory Opinion.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner. Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING (NCSBN) MIDYEAR MEETING

Members who attend the NCSBN Midyear Meeting reported on their experiences. Motl found it interesting to learn that many other board presidents are appointed by their Boards of Health rather than being elected by board members. Motl also provided information on the NCSBN's Global Leadership Academy of Regulatory Excellence (GLARE). The new program will provide leadership training through a variety of online courses. Motl said the course catalog will be available this summer, and the first courses will be in October 2019. All fees for participating in the program will be covered by NCSBN. Oertwich said she could send Board members information about the program, but noted that the currently available document is still a draft copy.

Hoebelheinrich reported on both the Midyear Meeting and the NCSBN's APRN Round Table. At the Round Table, participants analyzed the APRN Consensus Model, the primary document dealing with national standards for APRNs. Issues of concern that were raised included: whether APRN titles enable the public to understand APRN roles; whether current certifications adequately protect the public; whether the profession is producing enough generalists; and the need to help consumers be more knowledgeable about APRNs. Hoebelheinrich said that there was a push to address APRNs who were certified under exams that have since been retired. Another item discussed was the role state boards can play to address federal barriers to APRN practice, such as the prescribing of durable medical equipment, or whether it would be better to have other bodies address these issues.

Perrin reported that she found it valuable to learn more about nursing in other countries, such as Spain's use of real-time data in electronic medical records. She also appreciated learning about innovative ideas from other state boards of nursing. The Kansas Board of Nursing has developed an app that allows people to use Alexa to answer questions about license numbers, required number of continuing education hours, or other common questions. Perrin said she is considering participating in the Leadership Succession Committee. She has also made arrangements to have further discussion with NCSBN staff about night-shift nursing and why some nurses are or are not good candidates for night shifts.

Weidner reported on Next Generation NCLEX, a new model for NCLEX aimed at better assessing clinical judgment. Between July 2017 and December 2018, pilot test questions were given to many NCLEX test takers. The new questions are more complicated than the traditional multiple choice format. Some questions involve extended drag and drop or have more than one correct answer. The Next Generation NCLEX program has identified how to score the non-traditional questions, such as how to assign partial credit for questions with more than one correct answer. Weidner reported that they are still studying whether to have a separate section on the new NCLEX for clinical judgment or if the new questions will be integrated into the existing categories.

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, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

12:01 p.m. Meeting went into closed session.
12:10 p.m. Meeting returned to Open Session.

LICENSURE RECOMMENDATIONS (INITIAL APPLICATIONS)

KAREN M. LOVE– LPN REINSTATEMENT (NONDISCIPLINARY)

MOTION: Perrin made the motion, seconded by Thalken, to recommend reinstating an unrestricted LPN license to Karen Love.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

MARY B. GARVIN – RN APPLICANT

MOTION: Andrew made the motion, seconded by Ruiz, to recommend issuing an unrestricted RN license to Mary B. Garvin.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Ruiz, Stones, Thalken, and Weidner. Voting No: None. Abstain: Perrin. Absent: Dey and Werth. Motion carried.

JENILEE F. BROWN – RN REINSTATEMENT FROM DISCIPLINE

MOTION: LaFramboise made the motion, seconded by Thalken, to deny Jenilee Brown's application for modification of probation conditions. The denial is based on a substance use disorder diagnosis, a misdemeanor conviction rationally related to the profession, and no due cause for modification of probation.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

BARBARA J. SVOBODA – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Andrew, to recommend reinstating an unrestricted RN license to Barbara Svoboda based on her compliance with treatment recommendations and probation conditions and positive letters of reference.

Voting Yes: Andrew, Cuffe, Herbek, LaFramboise, Motl, Perrin, Ruiz, Stones, Thalken, and Weidner.
Voting No: None. Abstain: None. Absent: Dey and Werth. Motion carried.

12:15 p.m. Meeting went into recess. Anderson left the meeting.

12:43 p.m. Meeting reconvened.

LEGISLATION

Oertwich reported that the bill to create a Surgical Technologist Registry, LB205 has not advanced out of committee. She said that Becky Wisell and Daryl Klein had talked with the Nebraska Medical Association about adding language to the bill that would allow physicians to delegate.

Oertwich reported that the APRN bill, LB730, is also still in committee. She noted that removing the requirement that Certified Nurse Midwives have a supervising physician might need to go through a 407 Review process. If a 407 process is required, Oertwich said that the Board of Nursing would partner with the Certified Nurse Midwives' association to apply for the review.

Oertwich reported that LB112 has passed. She said that the Licensure Unit managers have started talking about how to implement the bill, which Oertwich said requires the Licensure Unit to waive the application fee for people who are ages 18-25, low income, active duty military, or spouses of active duty military members.

COMMUNICATION

Board Member Public Contact Information – Oertwich reported that the Department is looking into the requirements regarding making contact information for board members available to the public. She said the Department will develop a uniform policy for all boards.

Substance Use Disorders & Monitoring – Oertwich reported that she spoke with Kris Chiles, the program manager for the Board of Alcohol and Drug Counselors. She requested that the board provide specific guidelines that other boards could use when making recommendations on cases that involve substance use disorders.

Oertwich passed around the agenda for the NCSBN's Discipline Case Management Conference to be held June 10-12, 2019. Several members noted that the topics seemed informative and expressed interest in attending.

Staff Updates – Oertwich reported that Dan Taylor has been on the job for three weeks as supervisor for the medication aide and nurse aide registries. She expects that he will be able to streamline processes.

Nursing News – Oertwich reported that the next edition of *Nursing News* is expected to be mailed out in the next couple of weeks. Hoebelheinrich expressed interest in including information on APRN "practice lanes" in a future edition.

CONCLUSION AND ADJOURNMENT

There being no further business, the meeting adjourned at 1:00 p.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator