

NEBRASKA BOARD OF ADVANCED PRACTICE REGISTERED NURSES

MINUTES OF THE MEETING HELD

December 3, 2018

CALL TO ORDER

The meeting of the Nebraska Board of Advanced Practice Registered Nurses was called to order by Alice Kindschuh, Board Vice-President, at 1:03 p.m. on December 3, 2018, at Staybridge Suites, 2701 Fletcher Ave., Lincoln, Nebraska. 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. Kindschuh announced that a current copy of the Open Meetings Act was in the room.

ROLL CALL

The following board members were present and answered roll call:

- Sheila Ellis, MD
- Jenna Fiala, MD
- Timothy Glidden, APRN-CRNA
- Stephen Jackson, *Public Member*
- Alice Kindschuh, APRN-CNS, *Vice-President*
- Michael Skoch, MD
- Jenda Stauffer, APRN-CNM

The following Board member answered roll call via teleconference: Barbara Foss, APRN-NP, *President*.

The following Board member was absent: Michael Losee, *Public Member, Secretary*.

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

- Ann Oertwich, RN, *Executive Director*
- Sherri Joyner, *Health Licensing Coordinator*
- Kathy Hoebelheinrich, RN, *Nursing Practice Consultant*
- Anna Harrison, RN, *Compliance Monitor*
- Matthew Gelvin, *Program Manager, DHHS Research, Policy, and Quality Improvement*
- Dennis Scott, *Investigations Unit Program Manager*
- Susan Aerni, *Investigator*
- Patricia Lemke, *Investigator*
- Juan Ramirez, *DHHS Contractor*
- Lisa Anderson, *Assistant Attorney General*

A quorum was present, and the meeting convened.

ADOPTION OF THE AGENDA

MOTION: Ellis made the motion, seconded by Glidden, to adopt the agenda for the December 3, 2018, APRN Board meeting.

Voting Yes: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None. Abstain: None. Absent: Losee. Motion carried.

APPROVAL OF THE MINUTES

MOTION: Jackson made the motion, seconded by Ellis, to approve the minutes of the September 17, 2018, Board meeting.

Voting Yes: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None. Abstain: None. Absent: Losee. Motion carried.

These minutes were approved by the
APRN Board on February 1, 2019.

CLOSED SESSION

MOTION: Skoch made the motion, seconded by Glidden, 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: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None.
Abstain: None. Absent: Losee. Motion carried.

1:07 p.m. Meeting went into closed session.
1:53 p.m. Glidden left the meeting.
1:58 p.m. Glidden returned to the meeting.
2:05 p.m. Meeting returned to open session.

LICENSURE RECOMMENDATIONS

No licensure applications were reviewed by the Board.

HEALTH CARE PROFESSIONS DISCIPLINARY ACTIONS

Gelvin, Harrison, and Ramirez presented an analysis of disciplinary actions taken against licensed health care professions during the period from January 2012 to February 2017. The presentation included a breakdown of disciplined licensees by profession, geographic location, age, and type of violation. Of the 1,339 licensees with active discipline during this period, 10 were APRNs.

The analysis showed that 42% of discipline cases involved probation. Substance use disorders represented the most common violation in cases where the probationary term was three or more years. Data collected from 32 other states indicate that they impose an average probation length of 3.4 years for moderate substance use disorders and 4.2 years for severe substance use disorders. Of the Nebraska licensees whose probationary conditions included random body fluid screens during the given time period, 74 experienced a relapse. The average time from probation start date to date of relapse was 10 months, 13 days when outliers were included. Excluding outliers, the average time to first relapse was 8 months, 20 days.

Anderson said that many Nebraska boards began recommending a five-year probation term for licensees with moderate or severe substance use disorders after attending a presentation on the topic at an all-board meeting. She noted that when licensees appeal probation offers arguing that the five-year term is excessive, she needs data to support the effectiveness of the five-year term. She would like to know what national experts in the field of addictionology think the appropriate length of monitoring should be. Glidden recalled a study that showed that people who were tested for substance use for a period of two years eventually had higher relapse rates than people subjected to testing for five years.

ELECTION OF 2019 OFFICERS

Ellis nominated Glidden for the position of Board President. No other nominations were received.

MOTION: Ellis made the motion, seconded by Foss, to elect **Glidden** as APRN Board **President**.

Voting Yes: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None.
Abstain: None. Absent: Losee. Motion carried.

Kindschuh expressed willingness to continue serving as Board Vice-President. No other nominations were received for the position.

MOTION: Kindschuh made the motion, seconded by Skoch, to elect **Kindschuh** as APRN Board **Vice-President**.

Voting Yes: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None.
Abstain: None. Absent: Losee. Motion carried.

Glidden nominated Sheila Ellis for the position of Secretary. No other nominations were received.

MOTION: Glidden made the motion, seconded by Kindschuh, to elect **Ellis** as APRN Board **Secretary**.

Voting Yes: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None.
Abstain: None. Absent: Losee. Motion carried.

2019 BOARD MEETING SCHEDULE

APRN Board Meetings will be scheduled for February 1, 2019, May 3, 2019, August 9, 2019, and October 25, 2019.

JOINT BOARD DERMATOLOGIC WORKGROUP UPDATES

Hoebelheinrich gave an update on the Joint Board Dermatologic Workgroup, which was reconvened in August 2018 to determine if the 2011 report on dermatologic procedures should be updated. The group has identified thirteen boards that govern professions involved with dermatologic procedures. The group recommended holding an all-board meeting with all thirteen boards but recognizes that such a meeting might not be feasible logistically. The workgroup is asking that each board make recommendations on the education needed to perform various procedures. Hoebelheinrich reported that in order to develop education recommendations for nursing, the Board of Nursing's Practice Committee plans to interview interested parties beginning in January, 2019. The Committee has worked with Melissa O'Neill, a dermatology nurse practitioner, to develop a set of questions for the interviews. Hoebelheinrich reported that the Dermatologic Workgroup also recommends the creation of a consumer task force to educate consumers on what kinds of questions they should ask when considering dermatologic procedures.

OPIOID CONFERENCE

Members reviewed the objectives of a conference on opioid prescribing that is being organized by the DHHS Divisions of Public Health and Behavioral Health. The conferences will be held in Omaha on March 13, 2019, and Kearney on March 14, 2019. The organizers would like attendees to be able to use the conference to meet LB731's requirement that Nurse Practitioners and Certified Nurse Midwives complete three hours of continuing education in opioid prescribing. Stauffer noted the Certified Nurse Midwives do not have the same ability to prescribe controlled substances that Nurse Practitioners do.

MOTION: Kindschuh made the motion, seconded by Glidden, that the objectives of the opioid conference will meet the requirements for three hours of continuing education in opioid prescribing.

Voting Yes: Ellis, Fiala, Foss, Glidden, Jackson, Kindschuh, Skoch, and Stauffer. Voting No: None.
Abstain: None. Absent: Losee. Motion carried.

NCSBN GUIDELINES FOR MEDICAL MARIJUANA

Members reviewed the National Council of State Boards of Nursing's recently released guidelines on the use of medical marijuana in nursing care. The guidelines prompted questions regarding the popularity of cannabidiol (CBD) oil. Anderson said that if the product contains THC, it violates Nebraska statutes. She also noted that only two marijuana-containing products – Epidiolex and Marinol – can be legally prescribed in Nebraska.

APRN CONSENSUS MODEL UPDATE

Kindschuh reported that a coalition of four APRN groups in Nebraska is looking into NCSBN's APRN Consensus Model and the possibility of introducing legislation that would align Nebraska's APRN statutes with the Consensus Model.

COMMUNICATION

2018 Renewals – Oertwich reported the more than 29,000 RNs renewed their Nebraska licenses during the 2018 renewal period. Approximately 2,015 Nurse Practitioners, 594 CRNAs, 89 Certified Nurse Specialists, and 51 Certified Nurse Midwives renewed their APRN licenses.

Regulations Development Process – Oertwich reported that following last year's moratorium on new regulations, the Department has started reviewing proposals to revise existing regulations. Nursing has submitted a revision of 172 NAC 99 (Regulations Governing the Provision of Nursing Care), but the review process appears to be moving slowly. Nursing identified 172 NAC 99 as a high priority item because the elimination of the LPN-C credential created a need for new regulations governing LPNs doing intravenous therapy tasks. Oertwich noted that if legislation to adopt the APRN Consensus Model is passed, APRNs would need fewer sets of regulations, making the regulations easier to update.

Staff Updates – Hoebelheinrich reported that she has been appointed to Blueprint Nebraska's Healthcare Industry Council. Draft initiatives for the Council include building awareness of health care among business leaders, developing better exchanges of health care data between public and private entities, and building structures to expand team-based health care across Nebraska and in rural areas in particular.

CONCLUSION AND ADJOURNMENT

There being no further business, the meeting adjourned at 3:27 p.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator