

**MINUTES OF THE MEETING**  
**of the**  
**NEBRASKA BOARD OF NURSING**  
**February 18, 2016**

**CALL TO ORDER**

The meeting of the Nebraska Board of Nursing was called to order by Maxine Guy, Board President, at 8:34 a.m., February 18, 2016, at the Gold's Building, Room 534, 1033 O St, 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. Guy 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
- Maxine Guy, LPN, *Board President*
- Kelley Hasenauer, APRN-NP, *Vice-President*
- Louise LaFramboise, RN
- Anthony LaRiche, *Public Member, Secretary*
- Kathleen Pepin, RN
- Kristene Perrin, RN
- Dawn Straub, RN
- Rita Thalken, *Public Member*
- Karen Weidner, RN

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

- Becky Wisell, *Administrator, Licensure Unit*
- Laura Weber, *Interim Practice Consultant, Investigator*
- Sherri Joyner, *Health Licensing Coordinator*
- Amy Alexander, *Health Licensing Specialist*
- Anna Harrison, RN, *Compliance Monitor*
- Matt Gelvin, *Program Manager*
- Teresa Hampton, *Attorney*
- Christopher "C.J." Roberts, *Attorney* (arrived at 9:30 a.m.)
- Lisa Anderson, *Assistant Attorney General*
- Ami Huff, *Assistant Attorney General*
- Mindy Lester, *Assistant Attorney General*
- Peggy Persell, *Investigations Unit Program Manager* (arrived at 12:00 p.m.)
- Jessica Bowman, *Investigator* (arrived at 12:00 p.m.)
- Sharon Fitts, *Investigator* (arrived at 11:45 a.m.)
- Pat Lemke, *Investigator* (arrived at 11:45 a.m.)
- Mendy Mahar-Clark, *Investigator* (arrived at 12:00 p.m.)

A quorum was present, and the meeting convened.

**ADOPTION OF THE AGENDA**

**MOTION:** Andrew made the motion, seconded by Weidner, to approve the agenda of the Nebraska State Board of Nursing for February 18, 2016.

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** None. **Absent:** None. **Motion carried.**

These minutes were approved by the  
Board of Nursing on March 10, 2016.

## **APPROVAL OF THE CONSENT AGENDA**

**MOTION:** Straub made the motion, seconded by Thalken, to approve the consent agenda with revisions as discussed for the February 18, 2016, Board of Nursing meeting.

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** None. **Absent:** None. **Motion carried.**

## **EDUCATION COMMITTEE**

Wisell reported that she recently received requests for MSN faculty waivers from Northeast Community College and Creighton University. She will send mail ballots regarding these items to Board members.

**Motion:** The Education Committee made the motion for the Board of Nursing to approve the new curriculum for Mid-Plains Community College's PN and ADN programs.

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** None. **Absent:** None. **Motion carried.**

**Motion:** The Education Committee made the motion for the Board of Nursing to approve the Kaplan University-Omaha BSN program courses: NU 310 – Nursing Research; NU 327 – Nursing Care of Children, Adolescents, and Families; NU 327ME - Nursing Care of Children, Adolescents, and Families Clinical; NU 330 – Nursing Care of the Mental Health Patient and Family; NU 330ME - Nursing Care of the Mental Health Patient and Family Clinical; NU 411 – Nursing Care of Adults III; NU 411ME – Nursing Care of Adults III Clinical; NU 452 – Community-Based Nursing Care; and NU 452ME – Community Based Nursing Care Clinical.

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, LaRiche, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** Pepin. **Absent:** None. **Motion carried.**

**Motion:** The Education Committee made the motion for the Board of Nursing to approve the ITT/Breckinridge ADN Program course NU 1320, Clinical Nursing Concepts and Techniques I.

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** None. **Absent:** None. **Motion carried.**

## **NCLEX 2015 PASS RATES**

Members reviewed reports of NCLEX-RN and NCLEX-PN pass rates for 2015. Weidner noted that Nebraska is doing well on the NCLEX-RN and that Nebraska's NCLEX-PN pass rates are well above the national average. Members said that staff could proceed with posting the 2015 pass rates for Nebraska nursing programs on the Department's website.



## **COMMUNICATION**

### **Staff Updates**

Wisell said that the top candidate for the Board of Nursing Executive Director position accepted another position before the Department was able to make the candidate an offer. Weber's service as Interim Practice Consultant will end in a couple of weeks as she has accepted another position. LaFramboise asked if the Department was still waiting to hire an Executive Director first before trying to fill the Education Consultant and Practice Consultant positions. Wisell said she would discuss the issue with Jenifer Roberts-Johnson. Wisell also introduced Alexander, noting that Alexander has played an important role in the Nursing Section's recent achievements towards making the licensing process more efficient.

### **Nursing News**

Joyner reported that the next edition of the newsletter should be published within two weeks. The edition scheduled for publication in May is expected to include bios submitted by LaFramboise, Pepin, and Perrin. Guy also agreed to write an item about the National Council of State Boards of Nursing Midyear Meeting for the May edition.

### **Legislative Updates**

Wisell reported the following:

- The Legislature has held a hearing on LB 721, a proposal to create a Surgical First Assistant license.
- LB 859, a proposal to have the Department, rather than boards, issue cease and desist orders, has advanced to the select file.
- LB 471, which would make reporting of prescriptions to the Prescription Monitoring Program mandatory, is on final reading. Wisell reported that Nebraska has received significant grant funding to strengthen its Prescription Monitoring Program.
- A hearing has been scheduled for LB 1061, a proposal to create a Surgical Technologist Registry. Gelvin added that the credentialing review process determined that licensure was not warranted for surgical technologists.

### **NCSBN Mid-Year Meeting**

Guy, Pepin, Perrin, and Wisell are scheduled to attend the National Council of State Boards of Nursing (NCSBN) Mid-Year Meeting on March 14-16, 2016.

## **CENTER FOR NURSING FOUNDATION UPDATE**

LaRiche reported that he had no updates.



## REVIEW OF DRAFT NURSING REGULATIONS

The Board reviewed proposed revisions to the Regulations Governing the Practice of Nursing (172 NAC 101). Members asked that the term “acceptable nursing continuing education” in 101-005.04A be revised to “continuing education from an approved provider.” Members asked for greater clarity in what counts as nursing practice for the purpose of fulfilling continuing competency requirements. Roberts recommended that language regarding acceptable practice hours should be in line with the statutory definitions of the practice of nursing.

Straub said that she was uncomfortable issuing temporary licenses when the results of the criminal background check have not yet been received. Weidner suggested checking with NCSBN to see if issuing temporary licenses without a criminal background check would be acceptable under the Enhanced Nurse Licensure Compact. LaRiche noted that the draft regulations specified that the temporary license could only be issued if the applicant’s fingerprints had been submitted to the State Patrol. Members agreed that this requirement made it acceptable to issue temporary license when the results of the criminal background check were still pending.

[See below for additional discussion of the draft regulations that occurred after the hearing.]

9:50 a.m. Meeting went into recess.

10:10 a.m. Meeting reconvened.

## CONTINUATION OF BOARD HEARING – STEPHANIE BLOME-WEIBEL, RN

The reinstatement hearing requested by Stephanie Blome-Weibel, RN, reconvened at 10:10 a.m. Teresa Hampton, Department Attorney, served as the hearing officer. The Department was represented by Lisa Anderson, Assistant Attorney General. A court reporter was present. Board members who were not present at the hearing on January 21, 2016, confirmed that they had read transcripts of the proceedings. Ms. Blome-Weibel provided additional testimony.

**MOTION:** Andrew made the motion, seconded by Hasenauer, to go into closed session for the Board to deliberate upon the hearing of Stephanie Blome-Weibel, RN.

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** None. **Absent:** None. **Motion carried.**

10:20 a.m. The meeting went into Closed Session.

*Blome-Weibel, Anderson, Huff, Lester, Pepin, and Weidner left the meeting.*

10:40 a.m. The meeting returned to Open Session.

*Anderson, Huff, Lester, Pepin, and Weidner returned to the meeting.*

**Motion:** Andrew made the motion, seconded by Hasenauer, to deny Stephanie Blome-Weibel’s request for early termination of probation based on the following: dependency diagnosis with opioid dependency; prior suspension of nursing license; less than five years of monitored sobriety; current success of probationary terms, the probationary period has not been completed; there is no due cause for early termination of probation; and there is insufficient evidence presented to substantiate a change in circumstances

**Voting Yes:** Andrew, Guy, Hasenauer, LaFramboise, and Straub. **Voting No:** LaRiche, Perrin, and Thalken. **Abstain:** Pepin and Weidner. **Absent:** None. **Motion carried.**



## **REVIEW OF DRAFT NURSING REGULATIONS - CONTINUED**

The Board reviewed Roberts' feedback on the Nurse Licensure Compact (NLC) section of the draft regulations. The language in this section is taken from the NLC's Model Rules. Roberts noted that some of the terms defined in the section also had statutory definitions. Members agreed to move the definitions from the NLC section to the Definitions section of the draft regulations. Hampton noted the use of "complaint" in the NLC section and recommended using "petition" instead. Wisell said she would try to find out why July 1, 2005, is the starting date for requiring NCLEX or a predecessor exam in order to issue a multistate license.

Discussion of the draft regulations will be placed on the March 2016 agenda. The discussion should include application requirements for foreign-educated nurses. Wisell and others said they wished to finish the discussion of the draft regulations in March.

**MOTION:** Weidner made the motion, seconded by Andrew, 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, Guy, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** None. **Absent:** None. **Motion carried.**

## **CLOSED SESSION**

11:30 a.m. Meeting went into closed session. Anderson, Hampton, Huff, and Lester left meeting.  
12:13 p.m. Roberts left the meeting. Anderson, Huff, and Lester returned to the meeting.  
2:30 p.m. The meeting returned to Open Session.

## **LICENSURE RECOMMENDATIONS**

### **RYAN J. TIEMEYER – LPN REINSTATEMENT FOLLOWING DISCIPLINARY ACTION**

**MOTION:** Weidner made the motion, seconded by Andrew, to deny early termination of probation of Tiemeyer's LPN and LPN-C licenses based on: the probationary period has not been completed; there is no due cause for early termination of probation; and there is insufficient evidence presented to substantiate a change in circumstances.

**Voting Yes:** Andrew, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner. **Voting No:** None. **Abstain:** Guy. **Absent:** None. **Motion carried.**

### **MICHAEL D. CARROLL – RN APPLICATION**

**MOTION:** Thalken made the motion, seconded by Straub, to issue Carroll an unrestricted RN license.

**Voting Yes:** Andrew, Hasenauer, LaRiche, Pepin, Perrin, Straub, and Thalken. **Voting No:** LaFramboise and Weidner. **Abstain:** Guy. **Absent:** None. **Motion carried.**

### **DANIELLE N. FRIGGE – RN APPLICATION**

**MOTION:** Hasenauer made the motion, seconded by Perrin, to issue Frigge a RN license on probation for five 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 of 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; have no access to controlled substances in course of nursing employment for one year, followed by access to controlled substances under direct supervision for one year; active practice for 3120 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 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. This motion is based on the following: history of criminal convictions and substance dependency diagnoses.

**Voting Yes:** Andrew, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner.  
**Voting No:** None. **Abstain:** Guy. **Absent:** None. **Motion carried.**

#### **KELSEY K. KREIFELS – RN APPLICATION**

**MOTION:** LaRiche made the motion, seconded by Hasenauer, to issue Kreifels an unrestricted RN license.

**Voting Yes:** Andrew, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner.  
**Voting No:** None. **Abstain:** Guy. **Absent:** None. **Motion carried.**

#### **DELLORA P. CASELLA – RN APPLICATION**

**MOTION:** LaRiche made the motion, seconded by Pepin, to issue Casella an unrestricted RN license if the results of the criminal background check report no history of misdemeanor or felony convictions and if evidence of compliance with the 2015 Ohio Board of Nursing order is received.

**Voting Yes:** Andrew, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner.  
**Voting No:** None. **Abstain:** Guy. **Absent:** None. **Motion carried.**

#### **JENNIFER A. KNUTSON – RN APPLICATION**

**MOTION:** Andrew made the motion, seconded by Weidner, to request a pre-licensure investigation in order to make a more informed decision.

**Voting Yes:** Andrew, Hasenauer, LaFramboise, LaRiche, Pepin, Perrin, Straub, Thalken, and Weidner.  
**Voting No:** None. **Abstain:** Guy. **Absent:** None. **Motion carried.**

#### **CONCLUSION AND ADJOURNMENT**

There being no further business, the meeting adjourned at 2:44 p.m.

Respectfully submitted,



Sherri Joyner  
 Health Licensing Coordinator

