

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

**August 13, 2015**

**CALL TO ORDER**

The meeting of the Nebraska Board of Nursing was called to order by Maxine Guy, Board President, at 8:33 a.m., August 13, 2015, at the Gold's Building, 1033 O Street, Room 534, 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*
- Anthony LaRiche, *Public Member, Secretary*
- Kristene Perrin, RN
- Rita Thalken, *Public Member*
- Karen Weidner, RN

The following board members were absent during roll call: Jane Carmody, RN; Wendy Kallhoff, RN; Kate Pepin, RN & Dawn Straub, RN.

A quorum was present and the meeting convened.

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

- Karen Bowen, RN, *Executive Director*
- Teresa Roddy, RN, *Education Consultant*
- Nancy "Niki" Eisenmann, RN, *Practice Consultant*
- Teresa Hampton, *Attorney (arrived 8:35 a.m.)*
- Lisa Anderson, *Assistant Attorney General*
- Anna Harrison, RN, *Compliance Monitor*  
(arrived 9:25 a.m.)

The following new staff member was present at the meeting:

- Sherri Joyner, *Health Licensing Coordinator* (effective August 24, 2015)

**ADOPTION OF THE AGENDA**

**MOTION:** Andrew made the motion, seconded by Hasenauer to adopt the agenda.

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

**APPROVAL OF THE CONSENT AGENDA**

**MOTION:** Perrin made the motion, seconded by Andrew, to approve the consent agenda with revisions.

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

**These minutes were approved by  
the Board of Nursing.**

## **EDUCATION COMMITTEE**

1) The Education Committee moved that the Board of Nursing approve Northeast Community College's following PN & ADN program revisions: Mission and Philosophy.

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

2) The Education Committee moved that the board approve Clarkson College's PN Closure Plan as submitted.

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

3) The Education Committee moved that the board approve Western Nebraska Community College's ADN Course revisions: ANDR-1112 Fundamentals of Nursing Practice; ANDR-1160 Health Assessment and ANDR-1132 Pathophysiology I.

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

## **COMMUNICATION**

### **Nursing News**

Bowen informed the board that all the articles for the next Nursing News are with the publisher. The deadline date was set earlier as Bowen will be at the NCSBN Annual Meeting next week. Bowen stated she was shooting for a September delivery date of the Nursing News. The September issue will focus on Carmody and Straub biographies as well as a reminder for LPN renewal in October.

### **National Council of State Boards of Nursing (NCSBN)**

Bowen informed the board that the conference this year filled up so quickly that Perrin was not registered in time to attend. Perrin will be first on the list to go to the next meeting. Bowen, Guy, Eisenmann and Roddy will be attending the annual meeting next week in Chicago. Most of the focus will be on Kathy Apple's farewell. Perrin has stated that she would like to apply for the NCSBN Practice Committee with the board's approval. The board agreed.

### **Miscellaneous discussion**

PN renewal post cards should be mailed out tomorrow (Friday). Due to a vacant IT position, the department is running late on the mailing of the renewal postcards. Postcards have been condensed in language and format. The department will be using Post Office data that corrects old addresses to cut down on the returned postcards. Andrew and Guy were beta testers for the online LPN renewal. Wisell, Bowen and other managers are continuing to have the conversation about becoming paperless. The department is trying to go paperless in other areas. Bowen reminded the board there are some professionals that require paper license cards. Hampton stated that the bar association is allowing lawyers to log into the website and print out their cards.

Bowen announced her retirement for September 18<sup>th</sup>. The September board meeting will be Bowen's last meeting. Plans will be finalized for a dinner after next month's committee meetings. Wisell will announce plans for transition at a later time. The position is not posted as of yet. Next board meeting will focus on reviewing Chapter 101. Most of the changes are stemming from the updates/changes from the Uniform Credentialing Act (UCA).

**2016 Board Meeting Dates**

The following dates have been tentatively set for Board meetings, Issue Forums and Committee Meetings:

<u>January</u> 13-Committee Meetings 14-Board Meeting	<u>May</u> 12-Board Meeting	<u>September</u> 7-Committee Meetings 8-Board Meeting
<u>February</u> 10-Issues Forum 11-Board Meeting	<u>June</u> 8-Committee Meetings 9-Board Meeting	<u>October</u> 12-Issues Forum 13-Board Meeting
<u>March</u> 9-Committee Meetings 10-Board Meeting	<u>July</u> 13-Committee Meetings 14-Board Meeting	<u>November</u> 9-Committee Meetings 10-Board Meeting
<u>April</u> 13-Issues Forum 14-Board Meeting	<u>August</u> 11-Board meeting	<u>December</u> 8-Board Meeting

NCSBN Mid-Year Meeting: March 14-16, 2016

NCSBN Annual Meeting: August 17-19, 2016

9:27 a.m.      *Andrew left the meeting.*  
 9:30 a.m.      *Andrew returned to the meeting.*  
 9:33 a.m.      *Meeting recessed.*  
 9:50 a.m.      *Meeting reconvened*

**Peggy Persell, Program Manager-Investigations (Nursing, Medicine & Miscellaneous)**

Persell gave a presentation on the Investigations Unit and gave an overview of recent activities for 2014 and 2015 thus far. She discussed the top professions in relation to received, opened and closed cases. Persell also gave the breakdown of sources of complaints and reports. Lastly, Persell listed the nature of allegations for the investigations.

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

**CLOSED SESSION**

10:16 a.m.      *The meeting went into closed session.*  
 10:27 a.m.      *Anderson left the meeting.*

*The following staff members from the Department were in attendance during Closed Session:*

- Jessica Bowman, RN, *Investigator*
- Kristi Chapman, RN, *Investigator*
- Sharon Fitts, RN, *Investigator*
- Anna Harrison, RN, *Compliance Monitor*
- Pat Lemke, RN, *Investigator*
- Mendy Mahar-Clark, RN, *Investigator*
- Peggy Persell, RN, *Program Manager*
- Laura Weber, RN, *Investigator*

10:40 a.m.      *Andrew left the meeting.*  
 10:40 a.m.      *Hampton left the meeting.*  
 10:40 a.m.      *Anderson returned to the meeting.*  
 10:44 a.m.      *Andrew returned to the meeting.*

11:30 a.m. Roddy left the meeting.  
 11:36 a.m. Roddy returned to the meeting.  
 11:40 a.m. Perrin left the meeting.  
 11:42 a.m. Bowen left the meeting.  
 11:45 a.m. Perrin returned to the meeting.  
 11:46 a.m. Bowen returned to the meeting.  
 11:55 a.m. Meeting recessed for lunch.  
 12:18 p.m. Meeting reconvened.  
 12:18 p.m. Andrew not present during reconvening of the meeting.  
 12:19 p.m. Andrew returned to meeting.  
 2:00 p.m. Perrin left the meeting.  
 2:05 p.m. Weidner left the meeting.  
 2:06 p.m. Perrin returned to the meeting.  
 2:08 p.m. Weidner returned to the meeting.  
 2:08 p.m. Meeting came out of closed session.

### **LICENSURE RECOMMENDATIONS**

#### **▪ ROXANNE WYNNE—LPN REINSTATEMENT**

**MOTION:** Hasenauer made the motion, seconded by Andrew, for the Board to recommend a pre-reinstatement investigation in order to make a more informed decision.

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

#### **▪ NAKIA KELLY—LPN REINSTATEMENT**

**MOTION:** Weidner made the motion, seconded by Thalken, for the Board to deny early termination of probation. The probationary period has not been completed. There is no due cause for early termination of probation. There is insufficient evidence presented to substantiate a change in circumstances. Therefore, the request is denied.

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

#### **▪ STEPHANIE BLOME-WEIBEL—RN REINSTATEMENT**

**MOTION:** Hasenauer made the motion, seconded by Perrin, for the Board to table the case of Stephanie Blome-Weibel, RN.

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

#### **▪ YVETTE RUSH—RN PRE-LICENSURE**

**MOTION:** Thalken made the motion, seconded by Hasenauer, for the Board to recommend issuing a license with limitations: shall not provide home health care services based on past misdemeanor convictions. The following terms and conditions also apply: provide notice of disciplinary proceedings to employer and other states where licensed and provide written notice to Department of any employment, address or phone changes within 7 days.

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

**▪ SAMANTHA KENDALL—LPN PRE-LICENSURE**

**MOTION:** Andrew made the motion, seconded by Hasenauer, for the Board to recommend denial of licensure based on misdemeanor convictions.

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

**▪ SHANNON DYER—LPN REINSTATEMENT**

**MOTION:** LaRiche made the motion, seconded by Thalken, for the Board to reinstate the LPN license of Shannon Dyer on probation for three years with the following terms and conditions: abstain from alcohol; abstain from controlled substances and other Rx 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 & submit reports; comply with treatment recommendations including recommendations for attendance at support group meetings and sponsor; active practice (probation 3 years-3120 hours nursing practice); provide notice of disciplinary proceedings to employer and other states where licensed; 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; provide written authorization to Department for all treatment/counseling reports; promptly respond to Department regarding compliance during probation; obey all state and federal laws, rules and regulations regarding practice of nursing; 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 Board recommends reinstatement based on the following: Diagnosis of Alcohol Use Disorder, in Sustained Remission; completion of residential, intensive outpatient and outpatient treatment; active involvement in the substance abuse/addiction recovery process; reported period of sobriety from February 27, 2013; and reported attendance at support group meetings.

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

**▪ EMILY ARAGON—RN APPLICANT**

**MOTION:** Hasenauer made the motion, seconded by Andrew, for the Board to recommend a pre-licensure investigation in order to make a more informed decision.

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

**▪ ANDREA CHRISTINA QUEEN—LPN APPLICANT**

**MOTION:** Andrew made the motion, seconded by Hasenauer, for the Board to recommend a pre-licensure investigation in order to make a more informed decision.

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

**CONCLUSION AND ADJOURNMENT**

There being no further business, the meeting adjourned at 2:17 p.m.

Respectfully submitted,



Teresa Roddy, MSN, RN  
Nursing Education Consultant