

NEBRASKA BOARD OF NURSING
MINUTES OF THE VIRTUAL MEETING

June 9, 2022

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Patricia Motl, Board President, at 8:32 a.m., June 9, 2022, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members on May 27, 2022, emailed to interested parties on May 27, 2022, posted outside the Licensure Unit within the Nebraska State Office Building on May 27, 2022, and posted on the Department of Health & Human Services website on May 27, 2022. Motl announced that a copy of the Open Meetings Act was available in the room.

Board members, staff, and the public were able to attend the meeting virtually via video conference or phone as authorized by Neb. Rev. Statue 84-1411(7) and Executive Orders Nos. 21-12 and 22-02.

ROLL CALL

The following board members were present and answered roll:

- Theresa Delahoyde, RN
- Tag Herbek, *Public Member*
- Tom Hoover, RN
- Lisa Kollasch, APRN-P
- Angela Kula, LPN
- Kandis Lefler, LPN, *Board Secretary*
- Patricia Motl, RN *Board President*
- Kristin Ruiz, RN
- Brenda Smidt, RN
- Sonét Smutny, RN
- Rita Thalken, *Public Member*

The following Board member attended virtually and answered roll call: Linda Stones, RN, *Board Vice-President*.

No Board members were absent.

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

- Ann Oertwich, RN, *Executive Director*
- Kathy Hoebelheinrich, APRN-NP, *Nursing Practice Consultant*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Sherri Joyner, *Health Licensing Coordinator*
- Anna Harrison, *Compliance Monitor* (attended virtually)
- Teresa Hampton, *DHHS Legal* (attended virtually)
- Lisa Anderson, *Assistant Attorney General*
- Joe Neuhaus, *Assistant Attorney General*
- Brittany Bigham, *Investigator*
- Jessica Bowman, *Investigator*
- Andrea Cramer-Price, *Investigator*
- Susan Held, *Investigator*
- Patricia Lemke, *Investigator*
- Mendy Mahar-Clark, *Investigator*

A quorum was present, and the meeting convened.

These minutes were approved by the Board
of Nursing on July 14, 2022.

ADOPTION OF THE AGENDA

MOTION: Thalken made the motion, seconded by Delahoyde, to adopt the agenda for the June 9, 2022, Board of Nursing meeting.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

APPROVAL OF THE MINUTES

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

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

CLOSED SESSION

MOTION: Smutny made the motion, seconded by Delahoyde, 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: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

Motl announced that the Board was in 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.

8:38 a.m. Meeting went into closed session. Ruiz left the meeting.
 8:45 a.m. Ruiz returned to the meeting.
 9:24 a.m. Ruiz left the meeting.
 9:35 a.m. Ruiz returned to the meeting.
 9:54 a.m. Ruiz left the meeting.
 10:26 a.m. Ruiz returned to the meeting.
 11:19 a.m. Meeting returned to open session. Meeting went into recess.
 11:30 a.m. Meeting reconvened.

LICENSURE RECOMMENDATIONS**MISTY BURR (aka MISTY HUDGINS) – RN REINSTATEMENT FROM DISCIPLINE**

MOTION: Kula made the motion, seconded by Delahoyde, to recommend issuing Misty Burr a temporary license for the purpose of completing an approved refresher course within 18 months, and following successful completion of the refresher course, reinstating her RN license without restrictions. The recommendation for reinstatement is based on applicant's completion of outpatient treatment, compliance with treatment recommendations, reported period of sobriety from March 2017, documented attendance at support group meetings, and positive letters of reference.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

ANTHONY BATISTE – LPN REINSTATEMENT FROM DISCIPLINE

MOTION: Delahoyde made the motion, seconded by Kollasch, to deny Anthony Batiste's request for early release from probation based on no due cause for early termination of probation.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

EDUCATION COMMITTEE

MOTION: The Education Committee moved that the Board approve the following BSN courses for Clarkson College: NS 161: Population-Based Public Health Nursing (Theory); NS361: Program Management and Care of the Client in the Community (Theory); NS362: Program Management and Care of the Client in the Community (Clinical); NS 453: Population Health Nursing-Global Health & Health Policy (Theory); and NS 454: Population Health Nursing-Global Health & Health Policy (Clinical).

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

MOTION: The Education Committee moved that the Board approve the site visit report for the Metro Community College ADN and PN programs conducted March 21, 2022, and March 23, 2022.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

MOTION: The Education Committee moved that the Board approve the site visit report for the Southeast Community College ADN program conducted March 1, 2022, and March 2, 2022.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

MOTION: The Education Committee moved that the Board approve the UNMC Norway Exchange Program.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

CENTER FOR NURSING

Oertwich reported that a contract has been signed with Discuss.io to conduct focus groups with frontline nurses in Nebraska. The Center for Nursing is coordinating the focus groups to better determine what nurses need in order to remain in the workforce.

Members reviewed the Center's 2022-2023 budget request in the amount of \$140,000. The majority of that amount would cover the salary for the Center's statistical consultant. The budget request also includes \$15,000 to hire a marketing firm to develop social media campaigns and other efforts to promote the nursing profession. Oertwich said that the need for a marketing plan to ensure that nurses' voices get heard has become apparent during the past several years.

MOTION: Stones made the motion, seconded by Smidt, to accept the budget as submitted for the Center for Nursing's 2022-23 fiscal year.

Voting Yes: Delahoyde, Herbek, Hoover, Kollasch, Kula, Lefler, Motl, Ruiz, Smidt, Smutny, Stones, and Thalken. Voting No: None. Abstain: None. Absent: None. Motion carried.

LPN IV THERAPY COURSE REQUIREMENT

Oertwich reported on the requirement that LPNs complete an 8-hour IV therapy education course or equivalent by August 24, 2022. In March, Licensure Unit records showed that 2,700 LPNs had still not met the requirement. That number has been reduced to approximately 1,800 LPNs. Oertwich said that many LPNs were not aware that they needed to submit their course certificates to the Licensure Unit. Joyner noted that after emailing all LPNs who had not yet met the IV therapy requirement, and she received over 200 course certificates within 24 hours.

HRSA GRANT

Oertwich reported the Center for Nursing, in partnership with the UNMC School of Public Health and the UNMC College of Nursing are recruiting five critical access hospital to pilot a psychological first aid program for nursing that will focus first on recognizing mental health needs in oneself and in others. Later, they hope to expand the project to cover other resiliency issues. Oertwich also reported that a Wellness Workshop for nurses is being planned for September 16th as part of the HRSA grant project.

2022 RN AND APRN RENEWALS

Oertwich reported that RNs and APRNs will not need to meet continuing competency requirements in order to renew their licenses this fall. CE and other continuing competency requirements will be waived in accordance with Executive Order 22-02. Oertwich said that nurses have called the Licensure Unit asking if continuing education they already completed can be used for future renewal cycles. Currently there is no mechanism that allows nurses to “bank” CE for future renewals.

JOURNAL ARTICLE DISCUSSION

The Board discussed the article “A Comparison of Discipline Between Nurses Holding a Multi- or Single-State License,” by Elizabeth Zhong, et al. The article was published in the April 2022 issue of the Journal of Nursing Regulation. The study found that while overall discipline rates for nurses in Nurse License Compact states were virtually identical to discipline rates in non-Compact states, nurses with single-state licenses were disciplined at rates 2 to 4 times higher than nurses with multistate licenses. Ruiz asked if opposition to the Compact was due primarily to concerns about patient safety. Oertwich said that when Compact legislation is introduced in new states, the primary opposition comes from unions. Board members expressed interest in finding out if the increase in travel nurses during COVID will affect discipline rates and patient safety.

11:58 a.m. *Stones left the meeting.*

COMMUNICATION

NCSBN Annual Meeting – The NCSBN Annual Meeting will be held August 17th through August 19th in Chicago. Motl, Oertwich, and Stones plan to attend in person. Oertwich advised other Board members interested in attending to contact her, noting that they might be able to obtain funding to cover conference and travel costs. Members can also attend the conference virtually by registering online through the NCSBN website. Motl provided an overview of what typically occurs during the Annual Meeting.

Reznicek reported that she attended an NCSBN NCLEX Review Committee meeting. The Committee reviewed over 1,000 NCLEX questions during the three day event. Oertwich explained that NCSBN performs LPN and RN job analyses periodically, and that the results of these studies inform the questions that are asked on NCLEX exams. Delahoyde expressed concerns about the implementation of Next Generation NCLEX, noting that many nursing education programs do not have technical platforms that allow them to mimic the types of problems that will appear on the new version of the exam. Motl said that the actual implementation date for Next Generation NCLEX will not be known until the Delegate Assembly votes on the issue at the Annual Meeting.

Staff Updates – Oertwich reported that a Health Licensing Specialist in the Nursing Section will leave at the end of June. Hoebelheinrich will also retire at the end of the month. Oertwich said that they have interviewed a promising candidate for Hoebelheinrich's position.

Motl reported that she sent a letter of support to the Board of Health on behalf Holly Chandler, a CRNA who is applying for a Board of Health vacancy. Oertwich noted that both the Center for Nursing and the Board of Health has been affected by vacancies that cannot be filled until the Governor officially appoints new members.

Nursing News – Oertwich reported that the most recently published edition of *Nursing News* includes articles about RN/APRN renewals and the LPN IV therapy requirement.

CONCLUSION AND ADJOURNMENT

There being no further business, the meeting adjourned at 12:20 p.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator