

NEBRASKA BOARD OF NURSING

MINUTES OF THE MEETING

June 13, 2024

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Theresa Delahoyde, Board President, at 8:30 a.m., June 13, 2024, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members on June 3, 2024, emailed to interested parties on June 3, 2024, posted in the east entryway of the Nebraska State Office Building on June 3, 2024, and posted on the Department of Health & Human Services website on June 3, 2024. Delahoyde announced that a copy of the Open Meetings Act was available in the room.

ROLL CALL

The following board members were present and answered roll call:

- Theresa Delahoyde, *Board President*
- Kathy Harrison, RN
- Clay Jordan, RN
- Lisa Kollasch-Parker, APRN-NP
- Angela Kula, LPN, *Board Secretary*
- Patricia Motl, RN
- Eric Rogat, RN
- Kristin Ruiz, RN
- Jules Russ, *Public Member*
- Brenda Smidt, *RN, Board Vice-President*

The following Board member arrived after roll call: Kandis Lefler, LPN (arrived at 8:33 a.m.)

The following Board member was absent: Mary Guthrie, *Public Member*.

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*
- Ginger Rogers, APRN-NP, Nursing Practice Consultant.
- Sherri Joyner, *Health Licensing Coordinator*
- Anna Harrison, *DHHS Compliance Monitor*
- Teresa Hampton, *DHHS Legal*
- Mindy Lester, *Assistant Attorney General*
- Vincent Schiffiano, *Law Clerk*
- 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.

ADOPTION OF THE AGENDA

MOTION: Motl made the motion, seconded by Jordan, to adopt the agenda for the June 13, 2024, Board of Nursing meeting.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie and Lefler. Motion carried.

These minutes were approved by the Board of Nursing on July 11, 2024.

APPROVAL OF THE MINUTES

MOTION: Motl made the motion, seconded by Jordan, to approve the consent agenda.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

CLOSED SESSION

MOTION: Ruiz made the motion, seconded by Kula, 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, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

Delahoyde 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.

8:35 a.m. *Meeting went into closed session.*
 8:44 a.m. *Delahoyde left the meeting.*
 8:50 a.m. *Delahoyde returned to the meeting.*
 9:58 a.m. *Meeting went into recess.*
 10:09 a.m. *Meeting reconvened.*
 10:36 a.m. *Meeting returned to open session.*

LICENSURE RECOMMENDATIONS**LOIS AKUMEH– RN APPLICANT**

MOTION: Motl made the motion, seconded by Ruiz, to recommend issuing Lois Akumeh an unrestricted RN license.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

THOMAS J. SMITH– RN APPLICANT

MOTION: Ruiz made the motion, seconded by Motl, to recommend issuing Thomas J. Smith an unrestricted RN license.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

ROBERT S. YBARRA – RN REINSTATEMENT (Request to Remove Limitation)

MOTION: Jordan made the motion, seconded by Ruiz, to recommend reinstating an unrestricted RN license to Robert Ybarra.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

TRACY L. ROSS – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Jordan to recommend reinstating Tracy Ross’s RN license on probation subject to the terms specified in the Order dated August 23, 2023, with an additional twelve months added to the end date of the original probation term.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

EDUCATION COMMITTEE

MOTION: The Education Committee moved that the Board of Nursing approve the updated Southeast Community College End of Program Learning Outcomes for the SCC LPN program.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

MOTION: The Education Committee moved that the Board of Nursing approve the redistribution of credits between the following Union College BSN Program courses: NURS 383 Mental Health (for 3.5 credit hours) and NURS 208 Fundamentals (for 5.5 credit hours).

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

NCSBN ANNUAL MEETING

Delahoyde and Kula are expected to attend the National Council of State Boards of Nursing’s Annual Meeting in August and will likely serve as delegates representing the Nebraska Board of Nursing. Oertwich and Kollasch-Parker are expected to serve as delegates for the Nebraska APRN Board. Smidt will also attend the meeting and be a back-up delegate.

CENTER FOR NURSING UPDATES

Oertwich reported that under the partnership between the Nebraska Center for Nursing and the Nebraska Hospital Association, over \$1.1 million has been distributed to schools and facilities for purchase of simulation equipment. Student nurses are also expected to start internships this summer at facilities in rural Nebraska.

The Center for Nursing’s marketing campaign to recruit new nurses and retain existing nurses also seems to be having an impact. Oertwich reported that since the campaign launched, the Center for Nursing’s website has received over 11,000 visitors. Oertwich noted that ads targeted to Latino communities seems to be particularly effective.

Oertwich encouraged members to visit the Center for Nursing’s website - center4nursing.ne.gov – to see the resources the site offers. Persons interested in pursuing nursing careers, for example, use an interactive map to find nursing schools in their vicinity.

COMMUNICATION

Draft Revisions to Chapter 97 - Oertwich reported that the proposed changes to Chapter 97 (Regulations Governing the Approval of Basic Nursing Programs in Nebraska) have been forwarded to DHHS Legal for review. Multiple additional steps will need to occur before the revised regulations can be approved. Hampton explained that if DHHS Legal makes suggestions for changes, the draft will be returned to the Board of Nursing for review and approval. Once DHHS Legal approves the revisions, the regulations will be reviewed by the Governor’s Policy Research Office, after which public

hearings will be held. Once the hearing process has concluded, the regulations will need to be reviewed by the Attorney General's Office and by the Governor's Office before they will go into effect.

Nursing News – Oertwich reported that the newest edition of *Nursing News* was recently mailed to all Nebraska-licensed nurses. Mailing costs were covered by the State. Hard copies of the newsletter are also scheduled to be mailed out in August and November. After the November 2024 issue, the only issue that will be mailed directly to all licensed Nebraska nurses is the annual August issue, which contains information on license renewals. The publisher will cover the mailing costs for the annual renewal issues.

Staff Updates – Oertwich reported that the Nursing Section is currently fully staffed. She also noted that DHHS is beginning to implement a new process improvement plan. The new plan is based on Theory of Constraints methodology.

11:04 a.m. Board went into recess.

12:00 a.m. Board reconvened.

BOARD HEARING

The reinstatement hearing requested by Misty Masters, convened at 12:11 p.m. Teresa Hampton, Department Attorney, served as the hearing officer. Ms. Masters appeared *pro se*. The Department was represented by Mindy Lester, Assistant Attorney General. A court reporter was present. Exhibits were presented, and testimony was provided.

MOTION: Kula made the motion, seconded by Motl, for the Board to go into closed session in order to deliberate upon the hearing.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

1:06 p.m. *Masters, Lester, Oertwich, and other persons not authorized to be in closed session left the meeting. Meeting went into closed session.*

1:16 p.m. *Meeting returned to Open Session. Masters, Lester, and Oertwich returned to the meeting.*

MOTION: Jordan made the motion, seconded by Smidt, to deny Misty Masters' application for reinstatement based on insufficient evidence presented to substantiate a change in circumstances.

Voting Yes: Delahoyde, Harrison, Jordan, Kollasch-Parker, Kula, Lefler, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Guthrie. Motion carried.

PUBLIC COMMENT

No requests were received from members of the public to speak before the Board.

CONCLUSION

The meeting adjourned at 1:16 p.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator