

NEBRASKA BOARD OF NURSING

MINUTES OF THE MEETING

August 8, 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., August 8, 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 July 30, 2024, emailed to interested parties on July 30, 2024, posted in the east entryway of the Nebraska State Office Building on July 30, 2024, and posted on the Department of Health & Human Services website on July 30, 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*
- Clay Jordan, RN
- Lisa Kollasch-Parker, APRN-NP
- Patricia Motl, RN
- Eric Rogat, RN
- Kristin Ruiz, RN
- Jules Russ, *Public Member*

The following Board members were absent: Mary Guthrie, *Public Member*, Kathy Harrison, RN, Angela Kula, LPN, *Board Secretary*, Kandis Lefler, LPN, and Brenda Smidt, RN, *Board Vice-President*.

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*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- 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*
- Abigail Nissen, *Assistant Attorney General*
- Andrea Cramer-Price, *Investigator*
- Susan Held, *Investigator*
- Mendy Mahar-Clark, *Investigator*
- Dennis Scott, *Program Manager, Investigations*

A quorum was present, and the meeting convened.

ADOPTION OF THE AGENDA

MOTION: Motl made the motion, seconded by Rogat, to adopt the agenda for the August 8, 2024, Board of Nursing meeting.

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

These minutes were approved by the Board of Nursing on September 12, 2024.

APPROVAL OF THE MINUTES

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

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

CLOSED SESSION

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

8:33 a.m. Meeting went into closed session.

8:41 a.m. Rogat left the meeting.

8:46 a.m. Rogat returned to the meeting.

9:25 a.m. Meeting returned to open session. Meeting went into recess.

9:38 a.m. Meeting reconvened.

LICENSURE RECOMMENDATIONS**HENRY AMINDE – RN APPLICANT**

MOTION: Jordan made the motion, seconded by Ruiz, to recommend denying Henry Aminde's application for an RN license based on misrepresentation of material facts on a license application, failure to cooperate with an investigation, and failure to demonstrate competency.

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

MINDY M. BUTCHER – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Jordan, to deny Mindy Butcher's reinstatement application based on insufficient evidence presented to substantiate a change in circumstances.

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

CHRISTINA MALDONADO – LPN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Jordan, to recommend reinstating Christina Maldonado's RN license on probation for one year 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 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; active practice for 1,040

hours; 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; 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. The recommendation for probation is based upon previous disciplinary history. The recommendation for reinstatement is based on active participation in treatment, compliance with treatment recommendations, active involvement in the recovery process, reported period of sobriety from November 2022, and positive letters of reference.

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

LYNNE R. BECKSTEAD – RN COMPACT PRIVILEGE REINSTATEMENT FROM DISCIPLINE

MOTION: Jordan made the motion, seconded by Motl, to recommend approving Lynne Beckstead's application to reinstate her privilege to practice nursing in Nebraska without restrictions based on her completion of treatment and her successful completion of the probation conditions that were imposed on her Iowa RN license.

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

EDUCATION COMMITTEE

MOTION: The Education Committee moved that the Board of Nursing approve the request from Central Community College's LPN Program to redistribute the credits for NURS 1100 Lifespan I.

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

MOTION: The Education Committee moved that the Board of Nursing approve Metropolitan Community College's admission criteria for their ADN and PN programs.

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

MOTION: The Education Committee moved that the Board of Nursing approve the following documents for Nebraska Methodist's proposed PN program: 1) Assessment of Need. 2) Identification of resources, 3) Governing institution approval and support, 4) Description of readiness for community support, 5) Type of education program, 6) Evidence of state and regional/national institution accreditation, 7) Evidence of seeking nursing accreditation, 8) Description of education facilities, 9) Provision for clinical opportunities, 10) Description of qualified faculty, 11) Proposed program outcomes, plan of study, and course descriptions, 12) Proposed timeline, 13) Articles of incorporation and governing body approval, and 14) Official notification of the LPN Program Director appointment.

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

Reznicek reported on NCLEX results for the second quarter of 2024. The pass rate for the 123 graduates of Nebraska LPN programs who took NCLEX-PN for the first time was 98.37%. Only seven jurisdictions had higher PN pass rates. The pass rate for the 633 graduates of Nebraska RN programs

who took NCLEX-RN for the first time was 96.52%. Only three jurisdictions had higher RN pass rates. Reznicek also reported that the pass rates for internationally educated nurses are increasing. For international candidates who took NCLEX-RN for the first time this quarter, the pass rate was 53.59%. In previous years, the pass rate for international candidates was often under 40%.

NCSBN ANNUAL MEETING

Oertwich reported that Delahoyde and Kula will represent for the Nebraska Board of Nursing at the Delegate Assembly held during the NCSBN Annual Meeting, August 28-30, 2024. Oertwich and Kollasch-Parker will represent the APRN Board.

CENTER FOR NURSING UPDATES

Oertwich will ask Stacey Ocander from the Nebraska Hospital Association to present at a future Board of Nursing meeting on the initiative to expand Nebraska's nursing workforce. Oertwich said that the joint project between the Nebraska Hospital Association and the Nebraska Center for Nursing has been busy with implementation of clinical sites for nursing students at critical access hospitals.

Oertwich is also working on renewing the contract with Learfield, the company that is spearheading the Center's media campaign to promote nursing careers. Spots are appearing on a wide variety of platforms, including Facebook, Instagram, and radio stations, directing persons who are interested in nursing careers to the Center's website for additional information. Preliminary data indicates that the campaign is making an impact. The Center's website recently received 1,200 visitors in just one day. There were previous years when it would take almost a whole year for the Center to receive a comparable number of visits.

COMMUNICATION

Draft Revisions to Chapter 97 - Oertwich reported that she expects DHHS Legal to finish its review of the proposed changes to Chapter 97 (Regulations Governing the Approval of Basic Nursing Programs in Nebraska) in 3-4 weeks. Once DHHS Legal finishes its review and the Board reviews any proposed changes, the draft regulations will be sent to the Governor's Policy Research Office (GPRO). Following GPRO review, a public hearing will be scheduled.

Nursing News – Oertwich reported that the August issue of *Nursing News* is currently being printed. In addition to information about RN and APRN renewals, the issue includes the first part of a three-part series on delegation, and an article on pharmaceutical compounding. Rogers expects that there will be future articles on compounding giving how much misunderstanding exists on the topic.

Staff Updates – Oertwich reported that the Nursing Section is fully staffed and is currently preparing for RN and APRN renewals. The Licensure Unit is also beginning to implement a process improvement program based on the Theory of Constraints.

PUBLIC COMMENT

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

CONCLUSION

The meeting adjourned at 10:06 a.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator