

NEBRASKA BOARD OF NURSING

MINUTES OF THE MEETING

November 14, 2024

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Theresa Delahoyde, Board President, at 8:32 a.m., November 14, 2024, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members and to interested parties on November 4, 2024, posted in the east entryway of the Nebraska State Office Building on November 4, 2024, and posted on the Department of Health & Human Services website on November 4, 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, RN, *Board President*
- Mary Guthrie, *Public Member*
- Kathy Harrison, RN
- Clay Jordan, RN
- Angela Kula, LPN, *Board Secretary*
- Kandis Lefler, LPN
- Patricia Motl, RN
- Eric Rogat, RN
- Kristin Ruiz, RN
- Jules Russ, *Public Member*
- Brenda Smidt, RN, *Board Vice-President*

The following Board member was absent: Lisa Kollasch-Parker, APRN-NP.

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 (arrived at 8:39 a.m.)*
- Milissa Johnson-Wiles, *Assistant Attorney General*
- Brittany Bigham, RN, *Investigator*
- Jessica Bowman, RN, *Investigator*
- Andrea Cramer-Price, RN, *Investigator*
- Susan Held, RN, *Investigator*
- Patricia Lemke, RN, *Investigator*
- Mendy Mahar-Clark, RN, *Investigator*
- Dennis Scott, *Program Manager, Investigations*

A quorum was present, and the meeting convened.

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

ADOPTION OF THE AGENDA

MOTION: Ruiz made the motion, seconded by Motl, to adopt the agenda for the November 14, 2024, Board of Nursing meeting.

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

APPROVAL OF THE MINUTES

MOTION: Kula made the motion, seconded by Smidt, to approve the consent agenda.

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

CLOSED SESSION

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

8:34 a.m. Meeting went into closed session.
8:38 a.m. Smidt left the meeting.
8:49 a.m. Smidt returned to the meeting.
8:53 a.m. Smidt left the meeting.
9:01 a.m. Smidt returned to the meeting.
10:08 a.m. Meeting went into recess.
10:19 a.m. Meeting reconvened.
10:34 a.m. Meeting returned to open session.

LICENSURE RECOMMENDATIONS**BRITTANY A. TURNQUIST – RN APPLICANT**

MOTION: Ruiz made the motion, seconded by Jordan, to recommend issuing an unrestricted RN license to Brittany Turnquist.

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

CONSUELO MCDANIEL – LPN REINSTATEMENT FROM DISCIPLINE

MOTION: Motl made the motion, seconded by Rogat, to table Consuelo McDaniel's application in order to obtain additional information.

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

PRACTICE COMMITTEE

Rogers reported that the Practice Committee is reviewing the Board's existing Advisory Opinions to determine if any updates are needed. The Committee is also developing a new Advisory Opinion on working with EMTs in "pre-hospital" settings. Oertwich noted that the Department's facility surveyors have expressed interest in having additional guidance on the role of paramedics in acute care settings.

EDUCATION COMMITTEE

MOTION: The Education Committee moved that the Board of Nursing approve the Site Visit Survey Report conducted at Northeast Community College for their ADN and PN programs on October 7 and October 8, 2024.

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

Reznicek reviewed the NCLEX pass rates for Nebraska nursing programs during the third quarter of 2024. Of the 98 graduates of Nebraska LPN programs who took NCLEX-PN for the first time during this period, the pass rate was 98.98%. There were 6 jurisdictions with higher NCLEX-PN pass rates. Of the 279 graduates of Nebraska RN programs who took NCLEX-RN for the first time during this period, the pass rate was 90.688%. There were 21 jurisdictions with higher NCLEX-RN pass rates. Reznicek noted that the NCLEX-RN pass rate for Nebraska's RN graduates during the first three quarters of 2024 combined was the third highest nationally.

Reznicek reviewed the English language proficiency exam requirements specified in 172 NAC 101, the Regulations Governing the Practice of Nursing ("Chapter 101"). Reznicek suggested updating Chapter 101 to reflect that 1) the Michigan English Language Assessment Battery, is no longer being offered and has been replaced by the Michigan English Test, 2) the Commission on Graduates of Foreign Nursing Schools (CGFNS) has raised the minimum passing speaking score on the Pearson Test of English-Academic to 63, and 3) the Board has already approved accepting the Occupational English Test (OET). Oertwich explained that additional potential changes to Chapter 101 will be brought to the Board at future meetings. At some point in 2025, staff expect to work with DHHS Legal to initiate the formal process of revising Chapter 101

NCSBN UPDATES

Motl reported that enrollment is now open for winter courses through NCSBN's International Center for Regulatory Scholarship (ICRS). Board members can take the courses for free. Motl particularly recommended the Experts in Humanity: The History of Nursing Regulation course, which helps show how nurses were in the forefront of many movements for improved health and well-being.

PROPOSED CHANGES TO REGULATIONS GOVERNING BASIC NURSING PROGRAMS

Oertwich reported that a hearing is scheduled on December 2, 2024, to receive comments from the public on the proposed changes to Title 172, Chapter 97, Approval of Basic Nursing Programs in Nebraska. Any comments received will be reviewed by to Board to determine if additional revisions to the regulations are warranted.

CENTER FOR NURSING UPDATES

Oertwich reported that the Learfield's contract, which expired in October, is currently at the Governor's Office for approval. Learfield was initially awarded the contract to conduct a media campaign to recruit new nurses to the profession and retain existing nurses. The monies for the campaign come from LB227, passed by the Legislature in 2023.

NOMINATIONS FOR 2025 BOARD OFFICERS

Theresa Delahoyde was nominated to be Board President in 2025. Brenda Smidt was nominated for Board Vice-President. Angela Kula was nominated for Board Secretary. No other nominations for the three officer positions were received.

RN & APRN RENEWALS

Oertwich reported that during the 2024 renewal cycle, 31,063 RN licenses were renewed along with 4,147 APRN-Nurse Practitioner licenses, 712 APRN-CRNA licenses, 72 APRN-Certified Nurse Midwife licenses, and 64 APRN-Clinical Nurse Specialist licenses.

Reznicek reported that notices will be mailed soon to those RNs and APRNs who have been randomly selected for continuing education audits. Because continuing education was waived during the COVID-19 emergency, this is the first RN and APRN audit to be conducted since 2018. It is also the first time that APRN-NPs and APRN-CNMs are being audited to ensure they have met the 3-hour requirement for opioid continuing education. Reznicek noted that APRN-NPs also need to have either 2,080 practice hours in the previous five years or to have graduated from their Nurse Practitioner program in the previous five years in order to meet their continuing competency requirement. This poses a problem for Nurse Practitioners who have completed a refresher course but have not accumulated 2,080 practice hours by the time their licenses are due for renewal. Reznicek said that based on her preliminary review, Nebraska's practice hour requirement for Nurse Practitioners seems to be higher than other states.

COMMUNICATION

Nursing News – Oertwich reported that the 2024 winter edition of *Nursing News* is now available electronically. Hard copies will be mailed out soon. Licensure Unit funds will be used to cover the mailing cost. In the future, only the fall edition of the newsletter will be mailed directly to licensees.

Staff Updates – Oertwich reported that the Nursing Section is fully staffed.

PUBLIC COMMENT

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

STRATEGIC PLANNING

MOTION: Ruiz made the motion, seconded by Jordan, to approve the Board's Strategic Plan for 2024-2026.

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

CONCLUSION

The meeting adjourned at 11:21 a.m.

Respectfully submitted,



Sherri Joyner
Health Licensing Coordinator