

**LOUISIANA STATE BOARD OF NURSING
17373 PERKINS ROAD
BATON ROUGE, LOUISIANA 70810**

MINUTES OF THE AUGUST 12, 2021 BOARD MEETING

Call to Order: The regular meeting of the Louisiana State Board of Nursing was called to order at 9:10 a.m. by T. Kindall, President and Presiding Officer, on Thursday, August 12, 2021, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:
Tavell Kindall, PhD, DNP, APRN, FNP, President
Tim Cotita, RN, BSN, MSHCE
Jennifer Manning, DNS, APRN, CNS, CNE
Jennifer Couvillon, PhD, RN- bc, CNE
Ann Carruth, DNS, RN
Kenneth Alexander, MS, RRT
Wendi Palermo, PhD, RN (virtually)
Frederick Pinkney, EdD (virtually)

The following Board members were not in attendance:
Tracey Moffatt, MHA, BSN, RN, Vice President
Mimi Primeaux, MS, BSN, CRNA

The following staff members were in attendance:
Karen C. Lyon, PhD, MBA, APRN-CNS-BC , NEA-BC, Executive Director/Chief Executive Officer
Isonel Brown, MS, MBA, Chief Administrative Officer
Wanda Matthews, MPA, Chief Compliance Officer
Jennifer Wright, DNP, APRN, FNP- bc, Chief Nursing Officer
Carrie LeBlanc Jones, JD, MBA, Chief Legal Officer/General Counsel
Monique Calmes, DNP, APRN, FNP-C, Licensure and Practice Director
Patricia Dufrene, PhD, RN, Education and Examination Director
Geneva Carter, MSN, APRN, FNP, RNCO Team Leader
Urhonda Beckwith, MSN, APRN, FNP- bc, RNP Director
Carl Nagin, IT Management Consultant 1
Marcia Carter, Administrative Assistant to CEO
Suzanne C. Armand, CCR-CVR, Court Reporter

Dr. Lyon stated there was a quorum.

Motion: by J. Couvillon, seconded, to adopt the Agenda as presented with the ability to rearrange the Agenda items for efficiency.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

Approval of Minutes:

Motion: by J. Manning, seconded, to approve the minutes of the June 17, 2021 Board Meeting.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

Dr. Bienemy, who retired as the first Director for the Louisiana Center for Nursing on February 9, 2021, was recognized by Dr. Lyon and the Board with a plaque to honor her for eleven years of outstanding service and dedication at the Louisiana State Board of Nursing.

Dr. Bienemy thanked the Board for their recognition and support.

1. Consent Agenda Motions

1. LSBN Staff Program Status Reports
 1. NCLEX Reports
 2. Accreditation Reports
2. Approved Program Requests
 1. Northwestern State University
 2. Northwestern State University
 3. University of South Alabama
 4. Southwest Mississippi Community College
3. Chamberlain University-CARE Scholars
4. Southeastern Louisiana University- Substantive Change
5. Education Announcements

Dr. Couvillon gave a brief overview of the Called-To-Care Scholars Program which is designed to bring students and new nurses into the state of Louisiana. This Program will give financial support for students who commit to nursing programs and who commit to employment within the LCMC system.

Motion: by K. Alexander, seconded, to accept the Consent Agenda Motions.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

5. Professional Development

Dr. Barry Lubin, Affinity eHealth Medical Director, Medical Review Officer, National Marketing and Sales Manager, delivered a presentation to the Board on Alcohol and CDS Testing.

(Break)

(Dr. Kindall called the meeting back to order)

2. Division Reports

Agenda Item 2.1

Division of Nursing

Agenda Item 2.1.1

Chief Nursing Officer

Dr. Wright presented an update to the Board regarding the Division of Nursing.

Renewals are coming October 1, 2021. Dr. Calmes and Dr. Wright are working on renewal activities.

A remote schedule has been resumed. Dr. Wright thanked Dr. Lyon for facilitating the remote work policy and process. Dr. Wright also thanked Chief Brown for being a key person to help develop that policy and facilitate employees having the equipment and tools needed to be able to provide the full range of services remotely.

Dr. Wright wrote articles for The Examiner regarding renewal and CE and nursing practice updates. Dr. Lyon invited Dr. Wright to write an article for the Health Care Journal about renewal.

There was a blood drive and several members of the Division of Nursing participated.

Cross training continues.

Dr. Dufrene continues to work on drafting rule changes to update rules to meet the requirements of being part of the compact and to modernize some of the language.

The Division continues to answer a lot of practice questions.

The Performance Evaluation Process is in full swing, and staff are working on evaluation processes of staff in the Division.

For the Board's information, Dr. Wright stated that last spring Ohio's governor signed a proclamation that allowed individuals who had not passed the NCLEX to have a permit. These individuals have applied for licensure in other jurisdictions that do require the NCLEX. There were 14 applications received over the weekend from these individuals. A hundred percent of these were from programs in Florida that do not meet Louisiana's requirements, and none have passed the NCLEX. Some have graduated as long ago as 2013. The Division is checking and vetting applications for disaster permits.

LSBN provides an annual legislative update to the NPJournal regarding the number of APRNs in Louisiana and any legislation that has impacted APRN practice.

Dr. Wright is attending national meetings and participating in the APRN knowledge network and policy network calls. The annual meeting is next week which will be virtually.

Dr. Wright had continued to attend the bi-monthly Louisiana Action Coalition Executive Committee meetings until they found a new nursing co-lead. Dr. Lisa Harthorne with LACANE has agreed to take over as the new nursing co-lead.

Dr. Wright was available for questions.

Agenda Item 2.1.2

Education and Examination

Dr. Dufrene updated the Board on the Department of Education and Examination. Staff is continuing to be cross trained on all different application types and processes to be able to support not only the Department, but the Division of Nursing.

Dr. Dufrene attends webinars and trainings from NCSBN, including but not limited to the Compact, the NCLEX RN and NURSYS.

Dr. Dufrene attended several virtual meetings including but not limited to NCSBN and Next Generation NCLEX presentations. She is scheduled to attend the annual meeting in August 2021.

Dr. Dufrene will continue to follow the NCLEX scores in the Consent Agenda. In 2020, there was a trend downward, but she is now seeing scores trend back up. This will continue to be monitored.

Agenda Item 2.1.2.1

Out of State APRN Clinical Approval

Agenda Item 2.1.2.1.1

Maryville University

Summary/Background presented by Dr. Dufrene. Recommended acceptance.

Motion: by T. Cotita, seconded, that the Board approve the request of Maryville University to offer graduate clinical experiences in Louisiana until August 12, 2024 for the following roles/populations:

Family Nurse Practitioner (MSN, BSN-DNP, Post Graduate Certificate)

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Agenda Item 2.1.3

Licensure and Practice

Dr. Calmes reported that since her last report, Licensure and Practice has focused on timely and efficient licensing. They have been receiving an increase in calls and messages related to the pandemic. Dr. Calmes thanked staff members for helping with these increased calls.

Licensure and Practice staff have been invited to provide four presentations to APRN students.

Dr. Calmes reported that this renewal season will be the second renewal season that staff who process APRN applications as well as prescriptive authority will be collecting controlled substance continuing education data that is required of APRNs who have controlled substance authority (per SB 55 Act 76).

Dr. Calmes was available for questions.

Dr. Wright shared a positive message they received through ORBS from a nurse, who applied to convert her single state license to a multistate license, thanking staff for all their hard work and for helping her.

Agenda Item 2.3.

Division of Administration

Agenda Item 2.3.1

Chief Administrative Officer

Agenda Item 2.3.1.1

Forecasted Budget

Ms. Brown provided a copy of the forecasted budget to Board members to support Mr. Roy Hebert's presentation on future projections.

Ms. Brown and Mr. Hebert reviewed with Board members some of the assumptions which were used to forecast a projected budget for 2023, 2024 and 2025 Fiscal Periods considering some of the changes in their operational expenses and the income which has been received and categories that have been impacted.

Discussion ensued with questions and comments from Board members regarding the Projected Budget.

Ms. Brown was available for questions.

Agenda Item 3

Human Resources

Ms. Ricks reported LSBN has 59 full time employees, one part time employee and nine WAE seasonal hourly employees and two job appointments.

They are currently interviewing for two Compliance Investigator positions and one RN Compliance Officer in the RNP Department.

Open enrollment for the Office of Group Benefits will begin October 1st through November 15th.

PES evaluation period is in process for the Fiscal Year 2021.

On July 20, 2021 and July 28, 2021, Human Resources held their Catapult Clinic onsite in the boardroom.

The Human Resource Department is currently fully staffed.

Agenda Item 3.4
Administrative Services

Ms. Brown introduced and welcomed Ms. Katrina Duncan who serves as the Administrative Program Manager that is over Accounting and all Administrative Services.

Ms. Duncan reported that they are now in the process of working on the Audit as LSBN is currently in Audit season.

Agenda Item 3.2.
Information Technology

Mr. Nagin reported that LSBN has received all the Dell laptops purchased and have deployed them to all the staff.

The new telephone system is being implemented. The goal is to have the new phone system in place before the renewal season which starts October 1st. IT will have a month and a half to address any issues which may arise.

Mr. Nagin was available for questions.

Agenda Item 2.2
Compliance Division

Agenda Item 2.2.1
Chief Compliance Officer

Ms. Matthews reported the Compliance Division continues to review, revise, and create new internal and external policies.

Staff has been working remotely and there has been a significant increase in productivity.

The Compliance Division is now in the process of evaluating employees for FY 2021 performance period.

During the 2020-2021 performance evaluation period, staff closed 609 investigations. For the 2019 to 2020 evaluation period, staff closed 452 investigations. This is a 35 percent increase in productivity with staff working remotely.

Ms. Matthews reported that for Priority 1 investigations, there are 13 open investigations and 2 investigations are out of compliance. One Priority 1 investigation has been out of compliance 1 to 3 months, and one has been out of compliance 3 to 6 months. The Compliance Division is waiting on additional evidence to close the two out of compliance investigations.

As a comparison, at the August 10, 2020 Board Meeting, Ms. Matthews reported 55 open Priority 1 investigations. Thirty-three investigations were out of compliance with a 60% out-of-compliance rate. In one year, the out of compliance rate has decreased from 60 percent to 15 percent.

Ms. Matthews thanked her staff for their hard work.

The Compliance Department has 4 Priority 1 investigations that staff has been unable to close as they are waiting for evidence from law enforcement. Evidence for 2 of the cases was received and the investigations will be closed in August.

Ms. Matthews reported that the Compliance Department collaborated with the Hearings Department to revise the Case Review Report to make the report efficient for the investigators' use. The team will also create an activity log. The project was completed and was submitted to management for approval.

The RNP Department has a case log of 478 cases, 365 are RNP cases and 113 are monitoring cases. Forty-one participants entered RNP this year and 55 participants are being monitored under Board orders. Twenty-seven RNP participants completed the program and 53 participants completed the terms of their Consent Order. The case managers continue to receive accolades from former participants stating the program saved their life.

Ms. Matthews was available for questions.

Agenda Item 2.2.2 **RNP/Monitoring**

Ms. Beckwith reported that on April 27, the RNP video shoot was completed at Our Lady of the Lake Hospital. On July 6, the RNP video was added to the LSBN RNP page and under the News on the home page. Since the pre-roll started on July 15 for watching the RNP video, there have been approximately 971 views as of August 9th.

Agenda 2.2.3 **Compliance**

Ms. Carter reported they have closed all 2016-2017 open cases and are currently awaiting additional evidence to close 4 remaining 2018 cases.

The Compliance Department has 347 open cases for 2019, 185 open cases for 2020 and 163 cases open for 2021.

On July 21, 2021, the Compliance Department hired another employee to assist with the backlog. The closing of these backlog cases remains a top priority for the Compliance Department.

Ms. Carter was available for questions.

Agenda Item 2.3.1.2

LA Compliance Questionnaire

The preparation and adoption of the Louisiana Compliance Questionnaire is a required component of the financial and compliance audit of Louisiana governmental units. The questionnaire must be presented to and adopted by the governing body by means of a formal resolution in an open meeting. The document will be signed by the Chief Executive Officer, Board President and Alternate Officer.

Motion: by K. Alexander, seconded, that the Board accept and approve the Louisiana Compliance Questionnaire and the LSBN Board Resolution.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes; J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

(Break)

(Dr. Kindall called the meeting back to order.)

Agenda Item 2.4

Division of Legal Affairs

Agenda Item 2.4.1

Chief Legal Officer

Agenda Item 2.4.2

Hearings

The Hearings Department transitioned to a hybrid work schedule within the work parameters and requirements of the telecommuting policy.

Most employees in the Hearings Department have attended the basic Board of Nursing Investigator Training which NCSBN offers to all jurisdictional staff with compliance responsibilities. Only one employee has not completed the training but is scheduled to do so in October.

There are several staff members who are participating in the ICRS (International Center for Regulatory Scholarship) trainings through NCSBN.

The Hearings Department employees have participated in virtual NCSBN Discipline Knowledge Network meetings that happen on a routine basis and the virtual NCSBN Discipline Case Management Conference.

Cases continue to be settled. Ms. Jones applauded Ms. Reyna Witt, who was solely tasked with the fast-track Reinstatement Consent Orders for licensees who practice with an inactive license after failing to timely renew.

The Hearing Department continues to utilize Microsoft TEAMS for Board Panel Meetings and to accommodate witnesses. This will continue to be used when it's possible.

Regarding continuing education, Ms. Jones presented at an administrative law continuing education panel with employees from other regulatory boards talking about COVID and its impacts on regulatory aspects specific to discipline, hearings, and board meetings.

Ms. Jones reported she was pleased with the revision to the Case Review Report which the Hearings Department did in collaboration with the Compliance Department. This will help the Hearings Department process cases more efficiently.

Ms. Jones updated the Board regarding the 2022 Board Panel Calendar.

There are currently 87 Priority-1 cases, 51 Priority-2 cases, 54 Priority-3 cases and 40 Priority-4 cases. The Hearings Department, does not have a set timeline for processing these cases T

In 2019, there were 288 files reviewed, including hearings and all ratification actions. In 2020, there were 255 files reviewed by the Board. Currently, in 2021, including yesterday's Panel, 141 files have been reviewed.

If the new Board Panel Format for 2022 is adopted, Ms. Jones is confident that the Hearings Department will continue to maintain the same number of cases submitted for board action. Having the extra time between hearings would improve the quality of the materials, witnesses, and preparation in general without having a decrease in the number of cases that the Board is reviewing.

Ms. Jones and Ms. Papillion were available for questions.

Agenda Item 2.4.1.1

2022 Board Hearing Panel Schedule

The 2022 Board Hearing Panel Schedule will be approved at the October Board meeting.

Dr. Lyon stated that they would like to try the proposed 2022 Board Hearing Panel Schedule on a temporary basis. The schedule will be created and will be presented as a motion for the October 14th, 2021 Board meeting.

3. Office of the Executive Director/CEO

Agenda Item 3.1

Center for Nursing

Agenda Item 3.1.1

Louisiana Action Coalition Annual Dues

The Louisiana State Board of Nursing was previously a co-lead for the Louisiana Action Coalition (LAC). LSBN is no longer a co-lead of the organization, but supports its work. Dr. Lyon continues to be a member of the LAC leadership team. LACANE has taken over the representation of nursing. The significance of their work to advancing the nursing profession is evidenced in the 2020 Annual Report.

Dr. Lyon requested that the Board approve the annual dues of \$1000.00 in support of the LAC.

Motion: by J. Couvillon, seconded, that the Board approves the annual dues of \$1000.00 in support of the LAC.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

Agenda Item 3.2

Appointment of Alternate Officer

J. Wiggins, who was the Board's former Alternate Officer, resigned his position with the LSBN to accept a position out of state. Dr. Manning had been the other nominee for that position who received a significant number of votes under Mr. Wiggins. Dr. Kindall asked the Board if there were any other nominees on the floor for Alternate Officer. There were no other nominations.

Motion: by K. Alexander, seconded, to approve the appointment of Dr. Jennifer Manning as the new Alternate Officer.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

Agenda Item 3.3

Charitable Donation Thank You Letters

Dr. Lyon stated that their Governance Committee does a Friendship Fund every year. Staff is asked if they want to contribute to the Fund. The fund underwrites many social activities for the staff. It is also an important aspect of LSBN's charitable giving campaign each month. Staff are allowed to wear jeans every Thursday for a minimum donation of \$2 to the Friendship Fund. We contribute the money raised to different organizations each month LSBN has received thank you letters from recipients of this Friendship Fund. These include the Young People in Recovery, the Mental Health Association for Greater Baton Rouge, the Parkinson's Foundation. For July, they have raised over \$300.00, and this

will be going to the First Responders. For August, they will be giving to the Dana and Christopher Reeve Foundation.

Agenda Item 3.4

Update on Governor’s Emergency Health Proclamation

Dr. Lyon updated the Board on the current proclamation. The governor’s order was extended yesterday through September 1, 2021. All orders are in place as per the original governor’s emergency proclamation.

Agenda Item 3.5

LACANE School of Nursing Circle of Support

Dr. Lyon wanted the Board to be aware that LACANE has formed the Louisiana Council of Administrators of Nursing Education (LACANE) Giving Circle with the primary purpose to offer resources and financial support to Schools of Nursing in Louisiana during declared states of emergency. Dr. Couvillon presented an overview of this endeavor and the reasons it was formed.

Agenda Item 3.6

Request by LSBME for Collaboration on APRN Issues

Dr. Culotta with the LSBME (Louisiana State Board of Medical Examiners) contacted Dr. Lyon regarding future collaboration with the LSBN regarding APRN issues. Dr. Lyon stated that the LSBN would be very happy to be a part of any discussions between the two boards to arrive at successful legislation that could pass.

Discussion ensued.

Agenda Item 3.7

ANA Foundation Initiative on Reimagining Nursing

For the Board’s information, Dr. Lyon reported that she received a letter concerning a report entitled Reimagining of Nursing Initiative in which the ANA (American Nurses Association) is preparing content regarding what the future of nursing education is going to look like. This is a 15-million-dollar grant program for transforming nursing education, regulation, and practice. There will be request for proposals. The applications will open on August 17, 2021 with a deadline of October 25, 2021.

Agenda Item 3.8

Pre-RN Graduation Disaster Permit

Dr. Lyon requested feedback from the Board as to their positions and concerns regarding the Pre-RN Graduation Disaster Permit.

Discussion ensued.

4. Reports

Agenda Item 4.1
Report of the President

Report Posted.

Agenda Item 4.2
Report of the Vice President

Report Posted

Agenda Item 4.3
Report of the Executive Director

Report Posted.

Motion: by J. Couvillon, seconded, to accept the report of the President, Vice President, and the CEO/Executive Director as submitted.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes

Motion Carried

6. National Council State Boards of Nursing

Nothing presented.

7. Public Comments

There were no public comments.

8. Executive Session

Motion: by T. Cotita, seconded, to go into Executive Session for the purposes of hearing the Report on Litigation and Personnel Issues.

Voice Vote: T. Cotita-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes;
J. Manning-yes; W. Palermo-yes; F. Pinkney-yes


Motion Carried

ADJOURNMENT:

After returning from Executive Session, the Board Meeting was adjourned.

Motion: by T. Cotita seconded, to adjourn.

The meeting adjourned at 2:18 p.m.



**T. KINDALL, PRESIDENT and PRESIDING OFFICER
LOUISIANA STATE BOARD OF NURSING**