

ADMINISTRATIVE COMMITTEE MEETING

MINUTES –JULY 27, 2004

Call to Order: Patricia Bourgeois, Vice President called to order the meeting of the Louisiana State Board of Nursing Administrative Committee at 1:16 p.m. on Tuesday, July 27, 2004 at the Louisiana State Board of Nursing office located at 3510 N. Causeway Blvd., Suite 601, Metairie, Louisiana.

Roll Call: Board Members Present
Patricia Bourgeois, MSN, CNS, RN, Vice President
Frankie Rosenthal, MSN, RN, CNS, CAN, Alternate Officer

Board Members Excused
Deborah Ford, MSN, RN, CNA, President (due to illness)

Staff Present
Barbara Morvant, MN, RN, Executive Director
Cynthia Morris, MSN, RN, Assistant Executive Director
Julie Comeaux, Executive Services Assistant

Note: According to the bylaws, the President serves as Chair for the Administrative Committee and Vice President serves in her absence.

Agenda Item 3 **Review of April 27, 2004 Minutes**

The Committee reviewed the April 27, 2004 Administrative Committee Meeting minutes.

Motion: by F. Rosenthal, seconded, that the Committee approve the minutes of the April 27, 2004 Administrative Committee meeting.

Vote: P. Bourgeois-yes, F. Rosenthal-yes.

Motion carried

Agenda Item 4 **Vice President's Report and Fourth Quarter Financial Report (April 1, 2004 – June 30, 2004)**

The Committee reviewed and discussed the fourth quarter financial statement for the period of April 1, 2004 – June 30, 2004. B. Morvant reviewed with the committee. She pointed out that the year ended with a \$102,000 deficit. This was incurred due to a planned deficit budget and a decrease in actual revenue from what projected. The biggest expense was the attorney fees, which the entire contracted amount was spent and may even go over. The number of lawsuits and this legislative session matters required more legal assistance this year than in the past.

Motion: by F. Rosenthal, seconded, to accept the Vice President report.

Vote: P. Bourgeois-yes, F. Rosenthal-yes

Motion carried

Agenda Item No. 5

Executive Director's Report – Fourth Quarter (April 1, 2004-June 30, 2004)

The Committee reviewed the Executive Director's Report. B. Morvant reported that as the Committee requested, additional trend information has been added for the disciplinary number of open investigations. She also reported that the Board is working towards on-line renewal applications for licensure. A processing fee will need to be applied to use a credit card for this. The Board Attorney was consulted and the Board will need to obtain approval of the Department of Treasurer for a processing fee to be applied. It is recommended to set the processing fee at the highest credit card charge, which is 3.02% and a late charge will be an additional 3.02%. The Board will save banking charges for the lock box. Also, the Board will be sending PIN numbers to all RNs with their renewal application forms. It will be printed on the application form. Part of our proposal is instead of having two part-time positions to process renewals as in the past, we would hire two full-time Assistant positions. Their job will be to do renewals in addition to other responsibilities during the remainder of the year. As more services are offered on-line and more nurses participate, staff can be shifted duties and responsibilities. On-line renewals will have a quicker turn around versus paper. We also included a notice of this in the Brief Examiner and a flyer that may be removed and posted by employers. The Brief Examiner has a new look, due to our new IT employee. (Report on file.)

Motion: by F. Rosenthal, seconded, to accept the Executive Director's report for the fourth quarter (April 1, 2004-June 30, 2004).

Vote: P. Bourgeois-yes, F. Rosenthal-yes

Motion carried

OLD BUSINESS:

Agenda Item 6.1

Charge to the Compliance Committee to Review and Propose Increases in Disciplinary Fees, Summary of Action

B. Morvant pointed out the additional information gathered by the Board's Accountant, George Florane as the Committee requested was attached and entitled Department Cost Comparisons. Also, B. Morvant explained that staff is now tracking attorney cost and time spent for each individual case, so cost may be determined when needed. The committee reviewed and

after discussion suggested acceptance, but to return this to the committee for further discussion.

Agenda Item No. 6.2

Retention of Board Material Documents

B. Morvant reported that the Board attorney is still not ready to propose policy on this, but suggest that the hearing booklets and committee meeting booklets should be considered duplicate copies. Board members and staff should not write on them. Staff suggested that Board members have a tablet to write on. Board attorney suggested that Board members be supplied post-it-notes to make notes on the pages and then pull them off after the meetings. If the pages are highlighted, the booklet is not considered a duplicate. If there is writing on the papers we must retain and get permission to destroy no earlier than (3) three years, as they are not considered duplicates any longer.

Motion: by F. Rosenthal, seconded, to accept the suggestion of the attorney and for this to be conveyed to staff and Board members.

Vote: P. Bourgeois-yes, F. Rosenthal-yes

Motion carried

Agenda Item No. 6.3

Nurse Practice Opinions on the Website

B. Morvant reported to the committee that this information was sent to the Board Attorney, Sheri Morris for her review. S. Morris was requested to consider the proposed formats and the Administrative Procedure Act and advised regarding a format that is appropriate or not appropriate. Her opinion is to publish opinions as they were issued. Further, that we cannot generalize and put in a framework or restate them without getting into some possible problems of interpretation. She also recommended going back as far enough for the most common ones. She also recommended that we change the format in that every opinion restates the question and sites the legal statute, rules, and the rationale of the opinion. B. Morvant suggested that in order to do this, staff would need to draft a document that sets the legal framework for the committee's review. Also, Ms. Morris advised to add a disclaimer stating that opinions are not generalized and that they are for specific situations on the website. P. Bourgeois asked for instructions to be added giving direction to call for questions or if not sure of accuracy pertaining to individual situation. Committee discussed further.

Motion: by F. Rosenthal, seconded, to publish on the website the actual letter to the petitioner that gave the decision rendered on their practice opinion and that at this time the Board start publishing from 1995 on the website

unless a demand to go back further develops. Furthermore to publish an index of all opinions rendered on the website. For the Executive Director to draft a policy to include the components of future nurse practice opinions as recommended by legal counsel to go to the Board.

Vote: P. Bourgeois-yes, F. Rosenthal-yes
Motion carried

Agenda Item No. 6.4
Strategic Planning Day Plans

B. Morvant reported work on this is progressing. That she will be using the Board members' surveys for determination of topics of discussion. The surveys reflect a request for more time on disciplinary proceedings and how to conduct efficient deliberations, students' jurisdiction and criminal history. The dates are tentatively set for November 17 and 18, 2004 and the location may be downtown New Orleans.

NEW BUSINESS:

Agenda Item No. 7.1
2004/05 Budget Revisions

B. Morvant presented proposed revisions to the 2004/05 Budget. B. Morvant explained past revenue projections were too high, so we have down turned the estimates to more realistic projections from our experience. She also reported an increase is expected in salaries due to civil service merit increases, the addition of two new positions an Analyst and Assistant Analyst, and the replacement of one Assistant Analyst position that is vacant. Life, Health and Retirement premiums have increased since last budget projections and this budget reflects the increases. Legal counsel expenses have increased. B. Morvant requested additional funds for staff training, and presented a proposal from New Horizon's Learning Center with a total cost of \$35,965.00. She also mentioned that management is continuing to observe and work on telephone problems and concerns and have considered eliminating flextime, and/or writing a policy on attendance/absenteeism. The committee discussed further.

Motion: by F. Rosenthal, seconded, to accept the proposed budget revisions for 2004/2005 and to include the recommended revisions. To increase Other Meetings Attended by Board members to \$27,000, to increase Staff Travel to \$30,000, and to add half of the cost for Staff Training with New Horizon's.

Vote: P. Bourgeois-yes, F. Rosenthal-yes
Motion carried

Agenda Item No. 7.2

2003 and 2004 Audit Report, Adoption of Louisiana Compliance Questionnaire

B. Morvant reported that the audit is underway and part of the procedure is for the Board to adopt the Compliance Questionnaire. The completed questionnaire was distributed to committee for their review and approval.

Motion: by F. Rosenthal, seconded, to accept the Louisiana Compliance Questionnaire as completed. (Committee signed this document.)

Vote: P. Bourgeois-yes, F. Rosenthal-yes
Motion carried

Agenda Item No. 7.3

Executive Director's Evaluation

Committee decided to postpone the evaluation of the Executive Director due to the absence of Deborah Ford, Chair. If possible, the Committee will call a meeting for this before the next Board meeting.

F. Rosenthal presented a question to B. Morvant regarding the CRNA position on the Board. B. Morvant responded that after discussion with legal counsel regarding this matter the Act which amended the Board composition does not become effective until January 2005. We will need to consult with the Governor's office on this. B. Morvant suggested that the Board could develop what areas they believe the Board members positions should consist of to present to the Governor's office.

Adjournment: The meeting adjourned at 3:15 p.m.

Submitted by: _____
Barbara L. Morvant, MN, RN, Executive Director

BLM:jcc