

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

MINUTES OF THE MARCH 11, 2009 BOARD MEETING

Call to Order: The regular meeting of the Louisiana State Board of Nursing was called to order at 9:00 a.m. by N. Steele, President, on Wednesday, March 11, 2009, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:
Nora Steele, DNS, RN, C, PNP, President
Carlene MacMillan, MN, RN, Vice-President
Lucie Agosta, Ph.D., RNC
Bonnie Johnson, MSN, RN
Patricia Johnson, RN, MN, CNA
Deborah Olds, MSN, RN
Demetrius Porche, DNS, APRN, Ph.D, FNP
William St. John LaCorte, MD, MPH, Ex-Officio Member

The following Board members were not in attendance:
Larry Haley, MSN, CRNA

The following staff members were in attendance:
Barbara Morvant, MN, RN, Executive Director
Margaret Griener, MPH, APRN, PNP, Credentialing/Practice Director
Joy Peterson, BSN, RN, Director of Compliance
Elaine Vallette, Dr PH, RN, Director of Education/Licensure
Janice Britton, MSN, RN, Regional Manager
Rickie Callahan, Regional Manager
Jennifer Gueho, MSN, APRN, Credentialing Manager
Michelle Wells, MSHCM, BSN, RNC, Regional Manager
Danielle Smith, RN, MSN, Director of RNP
Sabrita Pierre, Administrative Director
Celia Cangelosi, Board Attorney
Wade Shows, Board Attorney
Wanda Green, Administrative Assistant
Suzanne Armand, Court Reporter

Introduction: N. Steele established that a quorum of the Board was present.

Opening Prayer: The meeting opened with a prayer by C. MacMillan

Motion: by C. MacMillan, seconded, to reorder the agenda.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

APPROVAL OF MINUTES:

December 9, 2008, Special Session Hearings

Motion: by C. MacMillan, seconded, that the Board approve the minutes of the Special Session Hearings held on December 9, 2008

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

December 10, 2008, General Board Meeting

Motion: by C. MacMillan, seconded, that the Board approve the minutes of the General Board Meeting held on December 10, 2008.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

REPORT OF THE PRESIDENT:

Dr. Steele gave a verbal report, stating that January 7th was the first meeting of the Nursing Center Advisory Committee. The February 19th meeting had to be rescheduled and will meet after the Board meeting. On January 29th and 30th, Dr. Steele attended a meeting in Chicago on Innovations in Nursing Education.

On March 20th, Dr. Steele will be attending the Nursing Summit.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

REPORT OF THE VICE-PRESIDENT:

The Report of the Vice-President and Second Quarter Financial Report was circulated among Board members.

AGENDA ITEM 2.1

Accept the Vice-President's Report (Second Quarter Financial Report, October 1, 2008 – December 31, 2008)

Motion: by C. MacMillan, seconded, to accept the Report of the Vice-President and Second Quarter Financial Report.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR:

The report of the Executive Director was distributed to Board members.

Ms. Morvant reported that Dr. Vallette is in the process of preparing the annual report. The data collected as a result of renewal questions shows that in the year 2008 through January 31, 2009, there are 52,052 registered nurses licensed in the state to practice, and 44,700 residing in the state of Louisiana. This indicates a steady increase from the previous year.

The American Association of College Nursing News Release regarding nurses nationwide, how nationally the numbers of nurses being selected into programs or program capacity, was provided to Board members.

An update of the status of the 2007 to 2010 strategic plan was provided to Board members.

The Call technology has been initiated in two departments and they are working diligently on getting all of the departments on at least the scanning process of the electronic records. Plans are being made to eventually move to electronic processing.

Dr. Vallette will be leaving her position with the Board of Nursing to take a position as Dean with the Baton Rouge Community College.

An additional Recovering Nurse Program position is now being recruited. This is a newly created position based on the fact that there is a high volume of cases in the Recovering Nurse Program. This high volume is probably due to the fact that Louisiana has better reporting.

A Nursing Center position is also available. This is for a director to man the Louisiana Nursing Center, which is a newly created division of the Board of Nursing.

Motion: by D. Porche, seconded, to accept the Report of the Executive Director.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

ADMINISTRATIVE COMMITTEE:

Dr. Steele reported that the Administrative Committee met January 21, 2009.

Motion: by C. MacMillan, seconded, to accept the report of the Administrative Committee.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

ADVISORY COUNCIL

Ms. MacMillan stated that the Advisory Council meet on March 9, 2009. No action required by the Board.

Motion: by C. MacMillan, seconded, to accept the Report of the Advisory Council.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

CREDENTIALING COMMITTEE

Ms. Agosta reported that the Credentialing Committee meet on January 21, 2009 and had the following recommendation:

AGENDA ITEM 3.1:

Proposed draft rule revisions to LAC 46:XLVII.3330. Criminal History Record.

Motion: by L. Agosta, seconded, to accept the rule change to have letters “J” and “K” added to LAC 46XLVII:3330 Criminal History Record.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: L. Agosta, seconded, to accept the report of the Credentialing Committee.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

EDUCATION COMMITTEE

B. Johnson reported that the Education Committee met on January 21, 2009 and made the following recommendations:

AGENDA ITEM 4.1:

Request from Southern Arkansas University Department of Nursing to Use a Clinical Site in Louisiana

Motion: by B. Johnson, seconded, approve the request of Southern Arkansas University at Magnolia, AND Program, to conduct clinical offerings at Springhill Medical Center as a clinical rotation site for their fundamentals course effective January through December 2010.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Agenda Item 4.2:

Request from Earl K. Long Hospital to approve CE for their Program on Interventions and Management in Aggressive Behavior in All Louisiana Health System Hospitals

Motion: by B. Johnson, seconded, to approve the request from Earl K. Long Hospital to approve CE for their program on Interventions and Management of Aggressive Behavior for employees of all Louisiana State University Health Care Service Division Hospitals through January 2011.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 4.3

Louisiana Delta Community College Proposal to Initiate an Associate Degree Nursing Program

Motion: by B. Johnson, seconded, to approve the request from Louisiana Delta Community College to continue to implement the steps required to establish a new associate of science in nursing program and grant initial approval to admit students in Fall 2009 pending the appointment of nursing program head.

Dr. Jones, the Academic Dean from Louisiana Delta Community College, reported that they are still advertising and reviewing applicants.

(Discussion ensued.)

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 4.4

International University of Nursing Intent to Partner with Nursing Programs in Louisiana

Motion: by B. Johnson, seconded, to acknowledge receipt of the International University of Nursing's letter.

(Discussion ensued)

Motion: by C. MacMillan, seconded, to table the motion

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 4.5

Renewal of Herzing College's Request to Initiate an Associate Degree Nursing Program.

Motion: by B. Johnson, to acknowledge receipt of the letter from Herzing College renewing their intent to initiate an associate degree nursing program and approve them to continue to follow the steps outlined in LAC 46:XLVII.3533 Procedure for Establishing a New Nursing Program.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 4.6

Annual Reports – Undergraduate Degree Programs in Nursing

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the diploma program in nursing at Baton Rouge General Medical Center

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by P. Johnson, seconded, to accept the Annual Report and continue initial approval of the associate degree in nursing program at Baton Rouge Community College.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Delgado Community College/Charity School of Nursing.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue initial approval of the associate degree in nursing program at Fletcher Technical Community College.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Louisiana State University at Alexandria.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by L. Agosta, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Louisiana State University at Eunice.

Voice Vote: L. Agosta-yes; P. Johnson-yes; C. MacMillan-yes;
D. Olds-yes; D. Porche-yes; N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Louisiana Tech University.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;

N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Nicholls State University and commend them on their 100% NCLEX-RN pass rate.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at McNeese State University.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by N. Steele, seconded, to accept the Annual Report from the associate degree in nursing program at Northwestern State University and restore full approval.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Our Lady of the Lake College School of Nursing.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the associate degree in nursing program at Southern University at Shreveport.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Dillard University, and commend them on their 100% NCLEX-RN pass rate.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and restore full approval of the baccalaureate program in nursing at Grambling State University.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report of the baccalaureate program in nursing at Louisiana College and continue full approval.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by N. Steele, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Louisiana State University Health Science Center.

Voice Vote: L. Agosta-yes; P. Johnson-yes; C. MacMillan-yes;
D. Olds-yes; N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at McNeese State University.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Nicholls State University.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Northwestern State University.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Our Lady of Holy Cross College.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Southeastern Louisiana University

Voice Vote: B. Johnson-yes; P. Johnson-yes; MacMillan-yes;
D. Olds-yes; D. Porche-yes; N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at Southern University at Baton Rouge.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at University of Louisiana at Lafayette.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by B. Johnson, seconded, to accept the Annual Report and continue full approval of the baccalaureate program in nursing at University of Louisiana at Monroe.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by N. Steele, seconded, to accept the Annual Report from the baccalaureate program in nursing at William Carey College and continue full approval and commend them on their 100% pass rate.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;

C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 4.7

Annual Reports – Graduate Programs in Nursing

Motion: by B. Johnson, to accept the Annual Reports from the following graduate programs preparing candidates for Advanced Practice Registered Nurse Licensure and continue full approval status for:

**Grambling State University
Louisiana State University Health Sciences Center
Loyola University
Northwestern State University
Our Lady of the Lake College
Southern University**

And to accept the Annual Report and continue full approval status of the Intercollegiate Consortium for a Master of Science in Nursing Program.

Voice Vote: B. Johnson-yes; P. Johnson-yes; C. MacMillan-yes;
D. Olds-yes; N. Steele-yes

Motion Carried

Motion: by B. Johnson, to accept the report of the Education Committee.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

COMPLIANCE COMMITTEE

D. Olds stated that the Compliance Committee met on January 21, 2009 and had the following recommendations:

AGENDA ITEM 5.1

Proposed revisions to LAC 46:XLVII.3505. A. Other Causes.n

Motion: by D. Olds, seconded, to approve the following revision to LAC 46:XLVII.3405. A. Other Causes.n
Currently reads:

n. Failing to report, through the proper channels, facts known regarding the incompetent, unethical, or illegal practice of any health care provider.

Proposed Change:

n. Failing to report, through the proper channels, facts know regarding the incompetent, unethical, illegal practice, *suspected or possible impairment due to /from controlled or mood-altering drugs; alcohol, or a mental or physical condition of any health care provider.*

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 5.2

Reconsideration of Staff Request to Decrease Frequency of RNP Reports

Motion: by D. Olds, seconded, to approve staff request to decrease frequency of RNP program reports to every other month for employers, group facilitators and aftercare reports. Calendars will be documented monthly but submitted every other month.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by D. Olds, seconded, to accept the report of the Compliance Committee

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

NURSING PRACTICE COMMITTEE

The Nursing Practice Committee met on January 21, 2009 and made the following recommendations:

AGENDA ITEM 6.1

Whether it is within the scope of practice for a registered nurse to independently monitor a patient during the abdominal paracentesis, change bottle/collection device until flow of ascites fluid stops. Remove Trocar and dress site, with physician in the endoscopy center.

Motion: by D. Olds, seconded, that it is within the scope of practice for a registered nurse to independently monitor a patient during abdominal paracentesis, change bottle/collection device until flow of ascites fluid stops, and dress site, provided a physician is present in the endoscopy center.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 6.2

Whether it is within the Scope of Practice for a Registered Nurse working in the Recovery School District (RSD) to work with an unsupervised LPN “School Nurse” employed by a Charter School sharing a common nursing station. (Recovery School District (RSD) of New Orleans, LA).

Motion: by D. Olds, seconded, to direct Board staff to write a letter of support to the Department of Education supporting the role of the school nurse in a public school system.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM 6.3:

LSBN Inserts to Consensus Document – Dermatological and Cosmetic Procedures Performed by Registered Nurses.

Motion: by D. Olds, seconded, approval of “LSBN Inserts to Consensus Document – Dermatological and Cosmetic Procedures Performed by Registered Nurses” to continue collaboration with the Louisiana State Board of Medical Examiners (LSBME) regarding consensus document.

(Discussion ensued.)

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Motion: by D. Olds, seconded, to accept the report of the Practice Committee

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D. Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

SETTLEMENT COMMITTEE

The Board members received the report of the Settlement Committee –
No Action Required.

NURSING CENTER ADVISORY COUNCIL

The Advisory Council met on January 7, 2009. Members of the Advisory Council were Joanne Clark, representing the Organization of Nurses, Dr. Plachock representing LACANE, and Denise Danna, representing LSNA, Patricia Johnson, representing the Louisiana Organization of Nurse Executives.

There will be a meeting of the Council after the Board meeting to discuss setting up a web site to promote nursing as a career and as a resource center for nursing.

The team that went to Baltimore for the Educational Capacity Summit submitted an application to be one of the 10 additional states selected for the project. Ms. Morvant reported that Louisiana was named as one of the 10 additional states selected.

UNFINISHED BUSINESS:

AGENDA ITEM A

Report of Rulemaking of LAC 46:XLVII.3331, Denial or Delay – Revision update

These rules had been tabled and sent back to Committee. These rules will have to be republished as there will possibly be substantial changes in the original rules.

AGENDA ITEM B

Report on Rulemaking of LAC 46:XLVII.3333. Renewal of License – Revision to addition

Notice of Intent was resubmitted for publishing to the State Register on February 10, 2009. Notice of Intent published to the State Register on February 20, 2009.

Agenda Item C

Report on Rulemaking of LAC 46:XLVII.3405. Definitions of Terms, Other Causes and x.ii. Failure to Cooperate with the Board- revision to additions.

Notice of Intent was resubmitted for publishing to the State Register on February 10, 2009. Notice of Intent published to the State Register on February 20, 2009.

Agenda Item D

Report on Proposed Rulemaking of LAC 46:XLVII.3419. Alternative Disciplinary Proceedings H.3.

Notice of Intent was resubmitted for publishing to the State Register on February 10, 2009. Notice of Intent published to the State Register on February 20, 2009.

Agenda Item E

Report on Rulemaking for Guidelines on IV Therapy to Include PICC Line Infusion and Competencies.

A request from the Louisiana State Medical Society for a Public Hearing was received. A Public Hearing on those rules will be held on March 27, 2009 at 10:00 at the Louisiana State Board of Nursing.

(Discussion ensued.)

ELECTION OF ALTERNATE OFFICER

Motion: by C. MacMillan, seconded, to nominate Deborah Olds as Alternate Officer.

D. Olds accepts nomination to serve as Alternate Officer.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

(BREAK)

NEW BUSINESS

ACTIONS ON DISCIPLINARY HEARINGS HELD ON DECEMBER 9, 2008

B. Morvant announced the names of the registrants whose file was presented at the March 10, 2008 Hearings.

Angela D. Johnson

The matter was heard by the Board in response to charges as filed.

Motion:

by D. Olds, seconded, the Respondent's license is suspended and shall remain suspended, with the opportunity to request reinstatement after having complied with the following stipulations as well as with the applicable reinstatement process:

Refrain from working in any capacity as a Registered Nurse. Failure to do so shall cause further disciplinary action and/or criminal charges.

Submit to a comprehensive psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist who have been approved by the Board. Shall authorize and cause a written report of the said evaluation to be submitted to the Board; Shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to Respondent's capability of practicing nursing with reasonable skill and safety to patients.

Respondent is responsible to submit a copy of all pages of this agreement to each evaluator prior to the start of the ordered evaluations.

Immediately submit to all recommendations thereafter of the therapist, physician, or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. This stipulation shall continue until the Respondent is fully

discharged by the respective professionals and until approved by the Board staff.

If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff. Must demonstrate, to the satisfaction of the Board, that the Respondent poses no danger to the practice of nursing or to the public and that Respondent can safely and competently perform the duties of a registered nurse. If the Board approves licensure, a period of probation along with supportive conditions or stipulations, will be required to ensure that patients and the public are protected.

If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program and cause to have submitted evidence of compliance with all program requirements for a minimum of three (3) years.

Shall remain free of alcohol and all unprescribed mood altering substances. Any mood altering, addictive, or dependency-inducing substance must be currently prescribed for a bona fide medical condition by a physician knowledgeable about the individual's history and the information underlying the Board's concerns. All prescribed drugs must be verified in writing to the Board on a specified form by the individual and the prescribing physicians within five (5) days of the date and within five (5) days of any new prescriptions. The Board reserves the right to have a LSBN recognized addictionist review and approve the prescriptions for continued nursing practice.

After completion of evaluations and initiation of following recommendations, if any, shall submit to supervised random drug screens for a minimum of twelve (12) months through an LSBN-approved laboratory (bodily fluids [urine, blood, saliva] and/or hair may be tested). Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.

Submit payment of \$300.00 to the Board as administrative hearing costs.

Shall submit payment of \$500.00 to the Board as fine.

Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incident.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;

N. Steele-yes

Motion Carried

Marilyn Theard

The matter was heard before the Board as a request for Ratification of Automatic Suspension by Board staff and charges as filed.

Excused

P. Johnson and L. Agosta were excused from this hearing.

Motion:

by C. MacMillan, seconded, that the automatic suspension is ratified, the license shall remain suspended, and Respondent shall not be able to request license reinstatement until satisfaction of reinstatement application requirements and upon completion of the following:

License will remain suspended until Respondent receives clearance to return to work from an Addictionist/Psychiatrist, Dr. A. Kennison Roy at Addiction Recovery Resources of New Orleans or another Board recognized psychiatrist specifically pre-approved by board staff and submits appropriate documentation to the Board and must meet with Board staff to demonstrate that she poses no danger to the practice of nursing or to the public and that she can safely and competently perform the duties of a registered nurse. If the Board approves licensure, a period of probation, along with supportive conditions or stipulations, will be required to ensure that patients and the public are protected.

Immediately submit to all recommendations of the therapist, physician, or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. This stipulation shall continue until the registrant is fully discharged by the respective professionals and until approved by the Board staff.

After initiation of recommendations of the evaluators, and prior to reinstatement, shall submit to supervised random drug screens for a minimum of two (2) months through an LSBN-approved laboratory (bodily fluids [urine, blood, saliva] and/or hair may be tested). Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.

If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program, and cause to have submitted evidence of compliance with all program requirements for a minimum of three (3)

years.

Not have any other misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board.

Prior to reinstatement, submit payment of \$500 to the Board as a fine.

Prior to reinstatement, submit payment of \$1800 to the Board as cost of this hearing,

Voice Vote: B. Johnson-yes; C. MacMillan-yes; D-Olds-yes;
D. Porche-yes; N. Steele-yes

Motion Carried

Shelly Maggio Nash

The matter was heard by the Board as Ratification of Summary Suspension.

Motion

by D. Porche, seconded, that the Board ratify the Summary Suspension by staff against this individual as the Board finds that the public health, safety and welfare require this emergency action.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Consent Orders:

There were thirty-eight (38) matters presented to the Board in the form of Consent Orders.

Motion:

by B. Johnson, seconded, that the Consent Orders submitted by the following registrants be accepted.

**Eyad Lutfi Abdulhalim
Ebonyaeda Sade Allen
Lauren Rae Anderson
Derrick Ryan Arnold
Nancy Seward Babcock**

**Myra Melancon Benetiz
Amy Cureington Barlow
Elizabeth Lee Bergeron
Wedon Allen Brown
Edward Alvin Brunt
Juan Pablo Cabrera
Nicole Rene Chiasson
Courtney B. Cook
Kristen M . Entrekin
Kristi Carr Fontana
Raymond Alvin Franklin
Julie Richardson Fry
Margaret Beck Goyette
Shelley St Cyr Graphia
Beverly Bard Maretta
Cebrin Keith Marshall
David William Prieur
Wanda Marie Rivers
Kellie Lavergne Salvadras
Linda Hood Sansone
Georgieann Paul Schmitt
Kimberly Ann Scovern
Sunny Morales Simoneaux
Suzanne Smith
Steve Landon Sutherland
Ronald Wayne Stancil
Brenden Cade Usry
Jason Paul Villemarette
Laketra Lynette Williams
Loranne Keller Williams
Rita Marie Williams
Amy Miller Young
Julie Shirley Holder**

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

Automatic Suspensions:

There were eighteen (18) matters heard before the Board as ratification of Automatic Suspensions.

Motion: by B. Johnson, seconded, that the Board ratify Automatic Suspensions by the staff of the following registrants:

Sherri Bowman Arias
Kati Blair Trygg Brown
Francesca De Silva Buchert
Terry Lynn Conner
Roslyn Laine Cooper
Jillene Parkerson Faulk
Brandin Lynn Frost
Rachel Calix Garcia
Heather Dawn Herpin
Tammy Waxham Johnson
Leah Ann Koehler
Geralyn Michelle Moss
Kathleen Milliken Napolitano
Crystal Rogers Plaisance
Gerald David Rodgers
Kathryn Canton Slavich
Roxanne Snell Toups
Julie Nash LaPrease

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

There were two (2) matters heard by the Board as Ratification of Delay/Denial by staff.

Motion: by D. Olds, seconded, that the Board ratify the Delay/Denial of licensure by staff of the following individual:

Kelly Anne O'Quinn
Tammy Davis Williams

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

MULTIPLE ACTIONS:

There were four (4) matters heard by the Board involving Multiple Actions by Board Staff.

Motion: by P. Johnson, seconded, that the Board Ratify Multiple Actions by Staff on the following individuals:

**Lonnie Lynn Blankenship
Lisa Roberts Netherton
April Eve Romero
Heather Holton Windecker**

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

SETTLEMENT COMMITTEE:

The Board received the written report of the Settlement Committee.

No Action required by the Board.

NCSBN

AGENDA ITEM 7.1

Report on the NCSBN Mid Year Meeting

C. MacMillan attended the three day Mid Year NCSBN. The first day of the meeting was a leadership type symposium for executive directors and board presidents to facilitate relationships and how to have a more effective board in processing information. Ms. MacMillian gave an overview of the Committee reports, which were given on the second day. The last day of the meeting was a research day where all the boards submit different data which evolve into best practices for boards.

Discussion ensued.

AGENDA ITEM 8

PUBLIC COMMENT

Ms. Gwen Wilcox, with the Louisiana Department of Insurance, Senior Health Insurance Information Program (SHIP). This program was provided funding to help them locate people throughout the state who are

eligible for Medicare Part D, but for whatever reason have not yet enrolled. Ms. Wilcox asked the Board for advice on how the nursing community can help them find those persons who are on Medicare, who are Medicare eligible for Part D and need assistance in getting that drug plan. Materials were left by Ms. Wilcox for the Board to review.

AGENDA ITEM 2.4
REPORT ON LITIGATION

2.21 Spinal Diagnostics versus Louisiana State Board of Nursing

Mr. Shows updated the Board members on the status of the case. The LSBN and the LANA have requested that the Louisiana Supreme Court hear the case. A decision on whether or not the Supreme Court will hear the case will be made within the next month.

2.22 Debra Lewis versus Louisiana State Board of Nursing

Mr. Shows updated the Board members on the status of the case. The matter had been appealed to the District Court. The District Court upheld the sanctions imposed by the LSBN. The case has now been appealed to the Baton Rouge 1st Circuit Court of Appeals.

ADJOURNMENT:

Motion: by C. MacMillan, seconded, to adjourn the meeting.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; D-Olds-yes; D. Porche-yes;
N. Steele-yes

Motion Carried

The meeting adjourned at 11:30 a.m.



NORA STEELE, PRESIDENT
LOUISIANA STATE BOARD OF NURSING