T H E E X A M I N E R

a Louisiana State Board of Nursing production

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FROM THE CHIEF EXECUTIVE OFFICER



The 2023 Legislative Session was expected to be a slow session with few bills introduced that would have a significant effect on LSBN. However, between bills and resolutions, it turned out to be a very active session for nursing, and the following report provides significant actions taken that will have varying effects on the agency and nurses in Louisiana.

- HB 181/Act 363: Telemedicine Access for Coroners. Allows for emergency certification designation by Psychiatric/Mental Health Nurse Practitioners or other Nurse Practitioners in accordance with guidelines within their respective Collaborative Practice Agreements (CPAs). The examination may be conducted by telemedicine. Within 72 hours, the patient must be examined independently by the coroner, his deputy, or his assistant. Effective 8/1/2023.
- HB 319/Act 4: Repeals certain aspects of licensure by endorsement. Repeals RS 37:920(B)(1)(b) in its entirety, eliminating the requirement that an applicant for licensure by endorsement holds a
- current license issued from the jurisdiction of his last employment. This routinely has only been an issue for internationally educated nurses. While it will require more work for LSBN, we will still be able to check discipline and licensure through CES documents and former employers. Effective 5/23/2023.
- HB 320/Act 80: HB 320 is now Act 80 related to nursing education and qualifications for a certified nurse aide and a practical nurse, neither of which are under LSBN's regulatory authority but may have implications that affect LSBN. The Act will allow graduates of any LSBN-approved pre-licensure RN program who fails the NCLEX-RN examination to register for and take the NCLEX-PN examination and, if passing, to be employed as an LPN. RN graduates of Louisiana programs will still have 4 attempts within 4 years to take and pass the NCLEX-RN examination. Forty-five (45) days are required between each attempt. Effective 8/1/2023.
- HB 599 (Substituted by HB 652)/Act 296: Provides for signature authority for APRNs to issue certification of illness and extended sick leave for teachers, teaching staff, and bus drivers. Effective 8/1/2023.
- SB 66/Act 322: Relative to telehealth services; provides for the practice of medicine or healthcare services through telehealth and provides definitions and rulemaking authority; repeals provisions of telemedicine and replaces with telehealth terminology. Effective 1/1/2024.
- SB 135/Act 207: Provides for Medicaid reimbursement for midwife services at a minimum of 95% of the reimbursement rate for physicians; prohibits any decrease of the currently authorized reimbursement rate for midwife services for professional midwives and CNMs. Effective 8/1/2023.
- SR 160: To urge and request the Louisiana State Board of Medical Examiners, the Louisiana State Board of Dentistry, and the Louisiana State Board of Nursing to make information regarding collaborative practice agreements, which are publicly accessible to patients. Dr. Culotta, ED of the Medical Board, Arthur Hickman, ED of the Dentistry Board, and I had our first meeting on June 28, 2023, to discuss public access to CPAs and collaborative practice between nurses, physicians, and dentists.
- HCR 100: Continues the Health Disparities in Rural Areas Task Force to identify and study key health issues affecting rural areas and develop strategies to improve health outcomes for rural and under-served communities. Report by 2/1/2024.

NCSBN Update: Dr. Phil Dickison, formerly COO of NCSBN and Chief Examination Officer, has been selected as CEO to replace Dr. David Benton, who is retiring on September 30th.

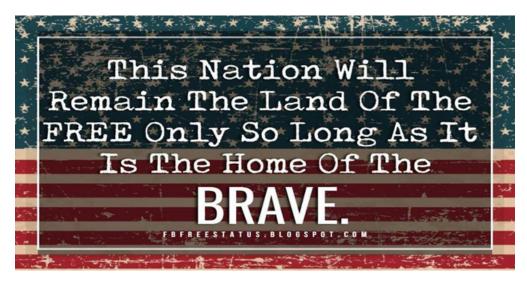
Sarah Luneau, Project Manager for the Center for Nursing, has been working with Qualtrics to transition our SON Annual Reports to their format in preparation for the 2024 SON Annual Reporting period. She has also completed the 2022 Education Capacity and Nurse Supply Reports and has collaborated to produce the infographics with our contract graphics artist.

LSBN has completed the reorganization of the Credentialing Department with the promotions of Stacey Jones (joness@lsbn.state.la.us) to Director of Licensure and promotion of Cherie Johnson (johnsonc@lsbn.state.la.us) and Laura Guillory (guilloryl@lsbn.state.la.us) to Licensing Analyst Supervisors for Pre-licensure programs and applicants and APRN programs and applicants respectively. Ms. Jones will oversee all processes related to licensure applications and regulation of nursing education. Ms. Johnson and Ms. Guillory will supervise the licensing analysts in carrying out the laws, rules, and regula-



tions pertaining to licensure and regulation of nursing education. Dr. Calmes, as Chief Credentialing Officer, will be responsible for all functions of the Division.

Wishing all our constituents a safe and happy Independence Day.



For the Public Trust,

Karen C. Lyon, PhD, MBA, APRN, NEA_{BC}

Haren C. Lyon

Chief Executive Officer/Executive Director







Chiefs Corner

Division of Compliance Lauren Byrd Papillion, J.D. Chief Compliance Officer

During the second quarter of 2023, the Compliance Department received 378 complaints. Of the 378 complaints received, 183 new investigations were opened. Department staff closed 129 investigations and, as of the end of the second quarter, the department has 469 open investigations, including 30 open Priority One investigations (Priority One cases pose an imminent and substantial danger to the public health, safety, and welfare of citizens).

At the end of the second quarter, the Recovering Nurse Program/Monitoring Department had 432 participants (275 in RNP and 157 in Monitoring). RNP welcomed 24 new participants and 20 participants completed the program. Monitoring staff was assigned 39 new participants pursuant to Board Orders and 37 participants completed the terms of their Orders.

Division of Legal Affairs Carrie LeBlanc Jones Chief Legal Officer / General Counsel

Save the date! The LSBN recently added hearing dates to the 2023 calendar. The hearing dates are available on the LSBN website at https://www.lsbn.state.la.us/board-agendas/. The dates for the remainder of 2023 include:

- Wednesday, August 9, 2023
- Wednesday, September 13, 2023
- Wednesday, October 11, 2023
- Wednesday, November 8, 2023
- Wednesday, December 13, 2023

Also, with the addition of these new dates, the board hearing panel will no longer meet to ratify stipulated agreements and staff action following regularly scheduled board meetings.

Division of Nursing Monique Calmes, DNP, APRN, FNP-BC Chief Credentialing Officer

Annual Continuing Education Audit

The Nursing Division is set to begin the annual continuing education (CE) audit. RNs and APRNs must ensure that their email addresses are current, as we send notifications to individuals selected for the random audit to the email address of record. Details regarding CE requirements for RN and APRN license renewal were published in the previous edition of The Examiner in October 2022 which can be viewed through LSBN's website or from the following link ExaminerNo42022.pdf (state.la.us).

Remember that APRNs meet the requirements for CEs to renew their Louisiana RN licenses by holding current national certifications. In addition, APRNs with prescriptive authority must obtain six (6) contact/credit hours of CEs in pharmacotherapeutics (pharmacology) each year to maintain the prescriptive authority credential. The prescriptive authority credential renews automatically.

The Nurse Practice Act and LSBN's rules provide for license renewal and audit. The board shall randomly select no less than 3 percent of the licensees for audit of compliance with the requirements for re-licensure. Additionally, the board has the right to audit any questionable documentation of activities to ensure compliance with the rules.





APRN Corner by Monique Calmes, DNP, APRN, FNP-BC Chief Credentialing Officer

2024 APRN Licensure Renewal

Renewal season begins every year on October 1st. Advanced Practice Registered Nurses (APRN) must renew both their Registered Nurse (RN) and APRN licenses before the expiration date. You may check the expiration date of your license(s) through the LSBN Nurse Portal (https://lsbn.boardsofnursing.org/lsbn) or the Licensure Verification link on LSBN's website Licensure Verification - Louisiana State Board of Nursing. To renew as an APRN, you must either:

A. Hold current national certification in each licensed advanced practice role and population focus, with *primary source* evidence on file with the Louisiana State Board of Nursing (LSBN). APRNs whose certification will expire by December 31st during the renewal period will be required to have their certifying body provide primary source verification of their recertification directly to LSBN prior to being eligible to renew their Louisiana nursing license(s) online. If your certification is due to expire this calendar year, apply for recertification with your certifying body as soon as possible and indicate that proof of your recertification must be sent to LSBN by their office.

OR	
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B. If national certification was not available in the advanced role and population focus (formerly referred to as 'specialty') when the APRN was originally licensed, the nurse must submit evidence to LSBN that commensurate requirements were met during the licensure period immediately preceding renewal to be eligible for license renewal. All practice hours and continuing education (CE) **must** be at the advanced practice level (*advanced assessment, diagnosis and management of conditions, pharmacology, etc.*) and directly related to the full scope of the advanced practice role and population focus for which the commensurate licensure had been granted. The VR-1 form is available on LSBN's website and must be completed, signed, and mailed to the LSBN office together with sufficient advanced practice CE for Board staff review and approval *prior* to the APRN being authorized to complete the online licensure renewal. We encourage all APRNs holding a commensurate role to send their complete VR-1 packet to the LSBN office for review as soon as possible.

APRN's with Prescriptive Authority -

Each year an APRN with prescriptive authority must obtain six (6) contact/credit hours of continuing education (CE) in pharmacotherapeutics (pharmacology). The pharmacology CEs must be at the advanced practice level and related to the APRN's licensed role and population focus. APRNs will be requested to attest that they have completed/complied with this requirement during the online renewal. Advanced pharmacology CE documentation for APRN renewal must be accredited by an agency/organization recognized by LSBN for advanced practice.

License Renewal for APRNs with an RN Multistate License (MSL) in another Compact State-

To be eligible to renew your APRN license, you must either have a current RN license issued by this agency or have an RN MSL issued by another compact state. If you are a Louisiana-licensed APRN and hold an RN MSL in another Compact state which is your primary state of residence, you should not renew the Louisiana RN license and must comply with the following instructions in a timely manner before renewing your APRN license.

First, you must apply to inactivate your LA RN license, and second, notify the APRN department that you have an MSL in another Compact state by sending an email to advancedpractice@lsbn.state.la.us or sending a message through your nurse portal account using the category APRN licensure.

After the application to inactivate your RN license is processed, you will be eligible to renew your APRN license within your nurse portal account without being required to renew the Louisiana RN license. You are responsible for notifying



LSBN in a timely manner that you have an RN MSL in another state and provide an opportunity for LSBN staff to process the application to inactivate the RN license so that you may renew the APRN license without being required to renew the Louisiana RN license. You must renew your license(s) before midnight on January 31, 2024, if you wish to maintain active licensure.

Your timely attention to this matter is needed. Keep in mind that license application fees including renewal fees are non-refundable.

RNP Corner by Urhonda Beckwith, MSN, APRN, FNP Director, RNP/Monitoring

This edition of the Recovering Nurse Program (RNP) Corner focuses on the Maintenance of Abstinence for Participants in the RNP.

While in the RNP, Participants agree that during their five-year Agreement, they will follow the Maintenance of Abstinence as one stipulation of their Agreement.

Participants agree to maintain complete and total abstinence from any and all potentially addictive chemicals whether over-the-counter, scheduled, or unscheduled, except as prescribed for a bona fide medical condition by a healthcare provider who is knowledgeable in, and aware of Participant's treatment for, substance use disorder moderate or severe. Participants agree to avoid exposure to anything that will cause a drug test to be positive. Intentional use of any of these products or medications without a healthcare provider's order is a violation of this agreement.

A medication report form should be completed by the healthcare provider for any and all medications prescribed for the Participants. This form should be forwarded by the healthcare provider to the Recovering Nurse Program within five (5) days of the prescription. The Recovering Nurse Program reserves the right to have any and all medications reviewed at Participant's expense by a Board recognized addictionologist. If the need for the medication is ongoing, Participants agree to renew verification every 90 days. Prescriptions for narcotics may not be taken on an as-needed basis, and no prescription over one year should be used for any condition.

If Participants are under the care or supervision of an addictionologist, any and all potentially addictive chemicals must be approved by Participant's addictionologist before use, except in a documented emergency. However, if not under the care or supervision of an addictionologist, any and all potentially addictive chemicals must be approved by the Program before use, except in a documented emergency. In such a case the Program reserves the right to have any and all medications reviewed at Participant's expense by a Board recognized addictionologist.

For any further information and/or to request an RNP presentation for your students or employees, please contact the RNP Department at (225)755-7546 or via email @ rnp@lsbn.state.la.us.







Hearings by Carrie LeBlanc Jones Chief Legal Officer / General Counsel

Medical marijuana continues to be a hot topic. The number of U.S. jurisdictions and territories permitting the medical use of marijuana is steadily increasing. Depending on the jurisdiction, marijuana may be legalized medically, recreationally, or both. There is a contradiction between federal and state laws when it comes to marijuana.

Louisiana legalized medical marijuana for qualifying medical conditions; however, Louisiana law does not preempt federal law. Marijuana is still classified as a Schedule 1 CDS under federal law (21 U.S.C. 821). This means that the federal government views marijuana to have a high potential for dependency or addiction with no accepted medical use. It is illegal to "prescribe" and possess marijuana under federal law. Therefore, patients legally possessing marijuana and authorized clinicians legally recommending marijuana under Louisiana law are potentially subject to federal criminal prosecution.

Louisiana law authorizes certain licensed health professionals to "recommend" therapeutic marijuana for debilitating medical conditions enumerated in <u>La. R.S. 40:1046</u>. The following licensed health professionals are authorized to recommend medical marijuana to patients and are referred to as "authorized clinicians" under Louisiana law:

- (1) Any physician licensed by and in good standing with the Louisiana State Board of Medical Examiners to practice medicine in this state.
- (2) Any nurse practitioner licensed by and in good standing with the Louisiana State Board of Nursing to practice advanced practice registered nursing in this state and who has prescriptive authority conferred by the Louisiana State Board of Nursing.
- (3) Any medical psychologist licensed by and in good standing with the Louisiana State Board of Medical Examiners to practice medical psychology in this state.

With the legalization of medical marijuana, the LSBN is faced with the challenge of adapting its regulatory framework to address inquiries and disciplinary cases involving marijuana. Most recently, at the June 22, 2023, board meeting, the LSBN board members discussed a question from nursing school deans regarding nursing students using marijuana with a legitimate recommendation card from an authorized clinician. Marijuana is similar to prescribed narcotics in the sense that if a student nurse or licensee is found to be impaired on duty, regardless of the substance, he or she is in violation of the Nurse Practice Act and subject to discipline.

One of the biggest challenges when it comes to marijuana is the limitations on testing/screening. Current lab testing can determine whether THC or its metabolite is in a specimen but does not indicate when it was ingested. There is also no objective threshold to establish impairment based on THC or THC metabolite concentration.

The board reviewed the LSBN's Advisory Statement Regarding Practicing While Taking Prescribed Narcotic Medication and discussed the difference between narcotic prescriptions and marijuana recommendations. As a result, the Board instructed staff to revise the advisory statement to provide additional guidance relevant to marijuana.







Louisiana Center for Nursing by Sarah Luneau

Public Information Director for the Louisiana Center for Nursing



The 2022 Louisiana State Board of Nursing (LSBN) Licensure Renewal season marked the eighth year of renewals using the National Council of State Boards of Nursing (NCSBN) Optimal Regulatory Board System (ORBS) online licensure renewal system. This is the fifth year that LSBN will have licensure data on all licensed registered nurses (RNs) and advanced practice registered nurses (APRNs) available through ORBS. The LSBN IT Department, Center for Nursing, and the ORBS Team have worked diligently over the last eight years to ensure the quality and accuracy of the data that will be used by our stakeholders to inform policy makers related to Louisiana's RN and APRN workforce.

The 2022 Nurse Supply Report and accompanying infographic is based on a snapshot of every RN and APRN that had an active license to practice in Louisiana on December 31st, 2022. This will be the fourth year that LCN will have the ability to continue the process of trending data since LSBN's transition to ORBS. You can read the report in its entirety and view the infographic at the following links:

2022 Nurse Supply Report

2022 Snapshot of Nursing Education Capacity and Nursing Supply in Louisiana

The 2022 Nursing Education Capacity Report and accompanying infographic provides valuable information to employers of RNs and APRNs, schools of nursing, workforce planners, policy makers, and other interested stakeholders, about the state's capacity to educate new and existing RNs and APRNs, as well as the state's ability to provide opportunities to those RNs and APRNs desiring to advance their education. This report is based on data taken from the 2022 annual reports completed by Louisiana's undergraduate and graduate nursing programs. Information such as the number of applicants admitted to undergraduate and graduate nursing programs each year, the number of students enrolled in clinical nursing courses, the number of graduates, the passage rate on the National Council Licensure Examination and qualifications of faculty teaching in Louisiana's pre-RN and APRN programs can be found in the 2022 Nursing Education Capacity Report. You can read the report in its entirety and view the infographic at the following links:

2022 Nursing Education Capacity Report
2022 Snapshot of Nursing Education Capacity and Nursing Supply in Louisiana







2024 Registered Nurse Licensure Renewal: Continuing Education/Nursing Practice Requirements by Monique Calmes, DNP, APRN, FNP-BC Chief Credentialing Officer

Registered Nurse (RN) license renewal season begins October 1st.

If your primary state of residence (PSOR) is another compact state and you hold an active multistate license in that state, do not renew your current single-state Louisiana RN license. RNs with an active multistate license in another compact state are authorized to practice under a privilege to practice in Louisiana provided no discipline or restriction is taken on the multistate license or privilege to practice. You may submit an application to voluntarily inactivate your RN license, or you may allow the license to lapse which will occur at midnight CST on January 31, 2024.

Submit only one RN renewal application. <u>The compact license is not a separate license but rather a "type" of RN license that renews upon completion of the renewal application.</u>

What is the number one reason nurses will have an unsuccessful Continuing Education (CE)/Nursing Practice audit? Failure to complete CEs that have been approved by the American Nurses Credentialing Center (ANCC) or a state board of nursing (BON).

What is my CE/Nursing Practice requirement to qualify for Louisiana RN license renewal for 2024?

All Louisiana licensed RNs except those issued a 1st time Louisiana license in the 2023 calendar year must follow LSBN rules regarding nursing CE requirements. All CEs must have been accredited by either the ANCC or a specific State BON.

Each year, following renewal season, a random CE/nursing practice audit is performed by board staff. A total of three percent of all active licensees are selected to demonstrate compliance with the nursing CE/nursing practice requirement. Failure to respond or successfully pass the CE/nursing practice audit may result in the inactivation of the nurse's license and/or disciplinary action. Maintaining LSBN-accepted nursing CE documentation for at least five (5) years is the responsibility of the individual nurse.

How many nursing CE contact hours or nursing practice hours do I need to renew my Louisiana RN license?

For RN license renewal, at least one of the two options below must have been completed during the two-year licensure period:

a. a minimum of 30 board-approved contact hours of continuing education during the two-year licensure period;

<u>OR</u>

b. a minimum of 900 practice hours during the two-year licensure period as verified by the employer on a form provided by the board when you are selected for the audit.

Further details regarding the requirements for CE/nursing practice are available at CE Brochure (state.la.us).

The requirements must be completed before you renew. Practice hours are not required to have been completed in Louisiana. There are exceptions and other important information in the link above.

There are no separate requirements for compact licensure issued by LSBN. The definition of nursing practice and roles that RNs fulfill are described in the brochure.

See the article in this issue of The Examiner under the APRN Corner for details regarding APRN renewal.





Major Motions

Major Motions and Other Actions Taken at the April 13, 2023 Board Meeting

Motion to Adopt the Agenda as presented.

Motion Carried.

Motion to approve the minutes of the February 16, 2023 Board Meeting.

Motion Carried.

NEW BUSINESS

Consent Agenda Motions

- 1. LSBN Staff Program Status Reports
 - 1. NCLEX Report
 - 2. Accreditation Reports
- 2. 2022 Schools of Nursing Annual Reports
 - 1. Baton Rouge Community College ASN
 - 2. Delgado Community College ASN
 - 3. Dillard University BSN
 - 4. Fletcher Technical Community College ASN
 - 5. Franciscan Missionaries of Our Lady University BSN
 - 6. Grambling State University BSN
 - 7. Herzing University BSN
 - 8. Louisiana State University Eunice ASN
 - 9. Louisiana State University Health New Orleans-BSN
 - 10. Louisiana Tech University ASN
 - 11. Loyola University BSN
 - 12. McNeese State University BSN
 - 13. Nicholls State University BSN
 - 14. Northwestern State University ASN and BSN
 - 15. Southeastern Louisiana University BSN
 - 16. Southern University at New Orleans BSN
 - 17. SOWELA Technical Community College ASN
 - 18. University of Holy Cross BSN
 - 19. University of Louisiana at Lafayette BSN
 - 20. University of Louisiana at Monroe BSN
 - 21. Franciscan Missionaries of Our Lady University MSN
 - 22. Grambling State University MSN
 - 23. Intercollegiate Consortium for a Master of Science in Nursing MSN
 - 24. Louisiana State University Health New Orleans MSN
 - 25. Loyola University MSN
 - 26. McNeese State University MSN
 - 27. Northwestern State University MSN
 - 28. Southeastern Louisiana University MSN

- 29. Southern University Baton Rouge MSN
- 30. University of Louisiana at Lafayette MSN
- 31. University of Louisiana at Monroe MSN
- 3. Continuing Education Providers Reapproval
 - 1. AcheiveCE
 - 2. Association of Women's Health Obstetrics and Neonatal Nurses (AWHONN)
- 4. Education Announcements

Motion to accept the Consent Agenda Motions.

Motion Carried.

EDUCATION AND EXAMINATION

Motion to accept Baton Rouge General Medical Center's School of Nursing report and action plan regarding the probationary status of the diploma program.

Motion Carried.

Motion to accept Chamberlain University's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.

Motion Carried.

Motion to accept Louisiana Christian University's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.

Motion Carried.

Motion to accept Louisiana Delta Community College's report and action plan regarding the probationary status of the Associate of Science in Nursing education degree program.

Motion Carried.

Motion to accept Louisiana State University at Alexandria's report and action plan regarding the probationary status of the Associate of Science in Nursing education degree program.

Motion Carried.

Motion to approve Southern University at Baton Rouge's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.





Motion Carried.

Motion to approve Southern University at Shreveport's report and action plan regarding the probationary status of the Associate of Science in Nursing education degree program.

Motion Carried.

Motion to approve William Carey University at Baton Rouge General's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.

Motion Carried.

Motion to approve Step II from Louisiana Christian University to establish a baccalaureate of science in nursing education degree program and grant initial approval.

Motion Carried.

Motion to approve the request of Troy University to offer graduate clinical experiences in Louisiana until April 13, 2026 for the following roles/populations:

Psychiatric Mental Health Nurse Practitioner: Master of Science in Nursing.

Motion Carried.

Motion to approve the addition of the Psychiatric Mental Health Nurse Practitioner program to the currently approved role/population at Simmons University.

Motion Carried.

Motion to approve the substantive change request from SOWE-LA Technical Community College for greater than 50% increase in enrollment in the Associate of Science in Nursing degree program.

Motion Carried.

OFFICE OF THE EXECUTIVE DIRECTOR

Motion to approve the 2022 Louisiana State Board of Nursing (LSBN) Annual Report.

Motion Carried.

Motion to accept the 2022 Nursing Education Capacity Report.

Motion Carried.

REPORTS

Motion to accept the reports of the President, Vice President, and the CEO/Executive Director as submitted.

Motion Carried.

EXECUTIVE SESSION

Motion to go into Executive Session for the purposes of hearing the Report on Litigation and Personnel Issues.

Motion Carried.

Motion to adjourn. Meeting was adjourned at 3:00 PM.

Motion Carried.

Disciplinary Matters

The LSBN took a total of 51 actions at the April 13, 2023 hearing panel. For a complete listing click the link:

April 13, 2023

The LSBN took a total of 41 actions at the May 17, 2023 hearing panel. For a complete listing click the link:

May 17, 2023

The LSBN took a total of 29 actions at the June 22, 2023 hearing panel. For a complete listing click the link:

June 22, 2023

2023 State Holiday Schedule

Labor Day	September 4, 2023
Veterans Day	November 10, 2023
Thanksgiving Day	November 23, 2023
Christmas Day	December 25, 2023

Future Board Meeting Dates

August 10, 2023 October 12, 2023 December 14, 2023

