

Minutes of the Compliance Committee

The scheduled meeting of the Compliance Committee was held on Tuesday, January 14, 2003 in the Conference Room of the Louisiana State Board of Nursing, 3510 North Causeway Boulevard, Suite 501, Metairie, Louisiana. Ms. Frankie Rosenthal, Chairperson, called the meeting to order at 1:05 p.m.

Roll Call

Present:

Frankie Rosenthal, Committee Chairperson
Nora F. Steele, Committee Member
Dr. Oswald Ferry, EdD, CRNA, Board Member
Barbara McGill, MSN, RN, CNAA, Compliance Staff
Cynthia Morris, Assistant Executive Director
Helen Forrest, Supervisor for Compliance, Recorder

Absent:

Elsie Crapanzano, Committee Member

Guests:

Cathy Storm, MA, RN, RNP Manager

Approval of Minutes:

Minutes of the October 22, 2002 meeting were reviewed. Correction to name, "Tommie Jean Ashby, not Ashley", was made.

Motion: by Dr. Ferry to accept the minutes of the October 22, 2002 meeting as corrected.

Second: by N. Steele.

Vote: Dr. Ferry, yes; N. Steele, yes. Motion approved.

Compliance Staff Report:

The Compliance Activity Report for Fourth Quarter (October 1, 2002 – December 31, 2002) was distributed, reviewed and discussed. Ms. McGill reported that revisions have been made in the statistical report according to the statistics currently monitored by B. Morvant. Correction made to the report: "# of RN Reported to RNP Year-to-Date is 224", not 324.

Motion: by N. Steele to accept the Compliance Activity Report.

Second: by Dr. Ferry.

Vote: Dr. Ferry, yes; N. Steele, yes. Motion approved.

Old Business:

5.1 Changes to Disciplinary Motion Sheets: Following the revisions to the “Motions” at the October 22, 2002 Committee meeting, Ms. McGill presented a draft copy of revisions to the “Stipulations” to the Committee for review and discussion.

Motions Sheets, with revisions to “Stipulations”, will be distributed at the upcoming Settlement Conference and Board Hearings for use.

Motion: by Dr. Ferry to accept the revisions to “Stipulations” for the Disciplinary Motion Sheets.

Seconded: by Dr. Steele.

Vote: Dr. Ferry, yes; N. Steele, yes. Motion approved.

New Business:

6.1 Charges for Disciplinary Hearing: At the December 4, 2003 Board meeting, the issue of concerns was discussed relative to a cost for disciplinary matters being charged to individuals who have been scheduled for a Board hearing, witness(es) subpoenaed and present, but prior to actual hearing, the individual agrees to a Consent Order, and also, whether or not to include the cost for deliberation after hearing the matter. Issue was assigned to the Compliance Committee for review.

The *General Information on Disciplinary Process*, specifically, *Cost Structure for Disciplinary Matters* was reviewed and discussed by the Committee. The administrative hearing actually includes the deliberation time, being that the hearing is not completed until the Board has deliberated on the matter. The cost is in place, but not used as such by the Board. At this time, the Board needs only to include the cost accordingly.

In reference to the cost of the Consent Order or Settlement process, B. McGill and C. Morris are asked to look at ways to recoup some of the cost and then to seek consultation from legal counsel. Following, present draft to the Committee at the next meeting in April, 2003 for review and discussion.

Recommendation: That the Board include the cost for deliberation time as part of the hearing charged at the same increment of pay. (Administrative

Hearing: \$600.00 per hour billed in quarter hours increments.) It will be necessary to make note of the beginning time and the end time of each case, preferably, on the Board hearing scheduled for *Case of Alleged Violations*

6.2 Report on Approved Treatment Providers: One application submitted for Individual RNP Provider by Ed Bergeron, Ph.D. met the criteria and was granted approval by staff since last Committee meeting.

6.3 Rationale discussed regarding recommendations for inpatient versus outpatient evaluations by the Committee. Clarification was given by B. McGill in reference to the concerns discussed at the last Board meeting. Evaluations performed on RNP participants are usually very good because they are initially required to enter inpatient treatment. There are times when the individual ordered to have outpatient evaluations may not be getting an accurate report according to the evidence obtained staff. In such case, the staff would recommend inpatient evaluations.

Following the discussion, the Committee believes that the evaluations should be at the discretion of the Board.

**Announcement/
Communications:**

FARB Annual Forum – Some of the Board Members will have the opportunity to attend the upcoming conference in Austin, TX in February, 2003.

Adjournment: Meeting adjourned at 2:30 p.m.