

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

MINUTES OF THE MAY 11, 2011 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 L. Agosta, President, on Wednesday, May 11, 2011, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:
Lucie Agosta, Ph.D., RNC, President
Carlene McMillan, MN, RN, Vice President
Demetrius Porche, DNS, APRN, Ph.D, FNP, Alternate Officer
Nancy Davis, RN, MN, NE-BC
Larry Haley, MSN, CRNA
Patricia Johnson, RN, MN, CNAA
Patricia Prechter, RN, MSN, Ed.D.
Sue Westbrook, DNS, MA, RN
Robert Bass, M.D., Ex-Officio Member

The following Board members were not in attendance:
Jolie Harris, MSN, RN
William LaCorte, MD, Ex-Officio Member

The following staff members were in attendance:
Barbara Morvant, MN, RN, Executive Director
Cynthia T. Bienemy, Ph.D, RN, Director of Nursing Workforce Center
Patricia Dufrene, MSN, RN, Director of Education and Licensure
Danielle Smith, RN, MSN, Director of Monitoring/RNP
Joy Peterson, BSN, RN, Director of Hearings
Janice Britton, MSN, RN, Regional Manager
Rickie Callegan, Director of Investigations
Melodie S. Knippers, RN, Regional Manager
Richard Carroll, RN, RNP Manager
Roy Hebert, CPA
Michelle Wells, MSHCM, BSN, RNC, Regional Manager
Sabrita Pierre, Administrative Program Director
Dr. Louis Cataldie, Medical Consultant
E. Wade Shows, Board Attorney
Wanda Green-Toliver, Administrative Assistant
Suzanne C. Armand, Court Reporter

Introduction: L. Agosta established that a quorum of the Board was present.

Motion: by D. Porche, seconded, to reorder the agenda.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes;
C. MacMillan-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

APPROVAL OF MINUTES:

March 2, 2011 General Board Meeting

April 12, 2011 Special Call Board Meeting

Motion: by D. Porche, seconded, that the Board approve the minutes of the General Board Meeting held on March 2, 2011 and the Special Call Board Meeting held on April 12, 2011.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes;
C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S.
Westbrook-yes

Motion Carried

EDUCATION/EXAMINATION ISSUES

AGENDA ITEM 4.1

Request for Approval as an Approved Provider of Continuing Education from Dillard University

P. Dufrene stated Dillard University sent a proposal at the last meeting and the Board had requested a revision. Several revisions were received which lacked various required elements. On May 4, 2011, a new amended checklist and proposal was received, which staff accepted for approval for two years.

Motion: by D. Porche, seconded, that the Board approve Dillard University as a Continuing Education Provider effective May 11, 2011 – May 11, 2013

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C.
MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

C. Hurst, from Dillard University, thanked the Board for their consideration and decision to approve Dillard University as a Continuing Education Provider.

AGENDA ITEM 4.2

Proposal from Louisiana State University at Eunice for Major Curriculum Changes to Associate Degree Program

A proposal was received from LSU at Eunice at the last Board meeting putting forth a major curriculum change, which involved changing the clinical component of a 1 to 8 ratio. The Board was not in favor of this proposal and requested a revision.

A revised proposal was submitted, reversing the clinical component to a 1 to 4. A call was received from the University stating they had more to their revision packet to share. P. Dufrene requested that it would be helpful to have the last voted curriculum from the faculty for the Board.

S. Dunbar stated it was actually a 1 to 3 ratio rather than a 1 to 4. The revision packet includes the minutes of faculty meetings which show going back to the 1 to 3 ratio and also includes prerequisites. There is no difference in the curriculum.

Discussion ensued.

Motion: by D. Porche, seconded, to approve the revised major curriculum changes to the Associate Degree Program at LSU-Eunice and request that an evaluation of curriculum change be submitted to the Board of within two years.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 4.3

LOYOLA UNIVERSITY REQUEST FOR APPROVAL OF PROCEDURE TO ESTABLISH A POST-BSN TO DNP PROGRAM

Loyola University is submitting a proposal to go from a Post-BSN to a DNP.

Ann Carey, Director of Loyola University New Orleans School of Nursing, stated this program has been approved by SACS and is going for an accreditation in the fall and has requested a State Board visit for the accreditation program for both the BSN and the masters to DNP program. This would be a three year program, a total of 77 credits at the post baccalaureate level.

Gwen George requested permission to market their program.

Discussion ensued

Motion: by D. Porche, seconded, that the Board approves the request that Loyola University proceed to establish a Post-BSN to DNP nursing program in Louisiana, with all the privileges of marketing that program.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 4.4

INTERCOLLEGIATE CONSORTIUM FOR A MASTERS OF SCIENCE IN NURSING (ICMSN) PROPOSAL FOR MAJOR CURRICULUM CHANGES

P. Dufrene reported that this is the second part for the ICMSN to transition some of their tracks into different roles.

Dr. Poirrier commented that they are now moving into concentrations to provide for adult and nurse practitioner tracks. With the proposed changes, they are following the national trends related to the Consensus Model relevant to psychiatric/mental health nurse practitioner.

Discussion ensued

Motion: by D. Porche, seconded, that the Board approves the major curriculum changes for ICMSN from adult psychiatric/mental health nurse practitioner to family psychiatric/mental health nurse practitioner.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 4.5

LOUISIANA COLLEGE RESPONSE TO BOARD QUESTIONS REGARDING CURRICULUM AND ACTION ON LOUISIANA COLLEGE 2009-2010 ANNUAL

P. Dufrene reported that the Board had questions regarding the current curriculum being utilized at Louisiana College at the last Louisiana State Board of Nursing meeting. The LSBN ----activities regarding the School Nurse Report and requested clarification . Staff has received documentation supporting that there was some confusion and that the actual curriculum that is in place and utilized is the one that was attached to the annual report. The curriculum that was put forth in the catalog was the one that was not approved. That was subsequently rescinded by Louisiana College faculty but had already gone to print. This was explained to students.

Dr. Sharp explained that when the catalog was provided with their report, that clarification was not made clear.

Discussion.

Motion: by D. Porche, seconded, that the Board accepts the annual report and supplemental report on previously submitted curricular template from BSN program to Louisiana College and restore to Full Approval.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 4.6 ANNOUNCEMENTS

P. Dufrene reported that they had received a Board of Regents letter from LSUA that announced a program name change, that they were moving from an associate nursing to associate science in nursing.

A letter of intent from LSUA to implement an RN to BSN curriculum.

No Action Required.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

ADMINISTRATIVE ISSUES

AGENDA ITEM 2.1

**Vice President's Report and Third Quarter Financial Statement Report
(January 1, 2011 – March 31, 2011)**

Motion: by D. Porche, seconded, to accept the Vice-President's Report and Third Quarter Financial Statement

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 2.2

House Concurrent Resolution No. 196 (Regular Session 2010) – “A Study of Means by Which the Louisiana State Board of Nursing May Obtain Access to Investigate Records so as to Fulfill the Statutory Mandate to Protect Citizens Of Louisiana.”

This report was submitted in relation to House Concurrent Resolution No. 196 regarding the Board having access to investigative records particularly of the criminal system. A full resolution has not been reached in regard to how the Board will have access to these records. Communication has been opened up and all parties have agreed to work together on a case-by-case basis to move the matter forward. Mr. Shows and Ms. Morvant will continue to work to obtain these records as needed for Louisiana State Board of Nursing's investigation.

Discussion ensued.

AGENDA ITEM 2.4

Report on 2011 Legislative Session

Board members received a copy of the Legislation which staff has been tracking.

The Medication Attendants bill is being heard currently, which deals with medication attendants in nursing homes that has been in effect for the past three years. The Nursing Home Association requested support from the Board of Nursing and LSNA regarding a bill to continue the pilot. LSBN and LSNA agreed to continue the pilot. The bill was introduced by Senator McPherson continuing as a permanent program. LSBN met with Senator McPherson regarding concerns as to why it will not be continued as a pilot rather than putting it into permanency without the pilot having occurred. Senator McPherson agreed that language be put in the bill which would state that every three years DHH will have to submit a report to the Legislature for evaluation and continuation of the program. A report will be sent back to the Legislature as to whether or not it should be continued.

Last year there **cite** resolutions repealed by direct service workers (DSW) administering medications to individuals in their homes. The training -----from that authorization was repealed by resolution in 2010. One year was given by which to come back and introduce substantive language. Ms. Morvant and Lisa Deaton, LSNA Health Policy Chair, have been meeting regularly with the DHH and DSW _____ to reach agreement or prepare stricter language and subsequent rules. To date, a bill not been filed. without resolution between the PCA providers and nursing. It is anticipated that the Department will amend some bill to authorize medication administration by direct service workers.

AGENDA ITEM 2.5

Legislative Audit Procedure Change

New Guidelines used by Legislative Auditor's office reclassified LSBN requirements on the type of records review required. Historically, LSBN had engaged a full audit, the new requirements is for an Agreed Upon Procedure Report. Similar test procedures will be performed. The auditing company will not be required to render an opinion. The report will indicate whether LSBN is in compliance.

R. Hebert, CPA, reported that the procedures in the Agreed Upon Procedure Report is substantially less than a full scope audit. So the level of assurance is not there which the Board has been receiving in the past by having a full scope audit. The Board needs to determine whether it is comfortable having the Agreed Upon Procedures performed in lieu of an audit or whether they would prefer to have a full scope audit.

The estimated costs for the Agreed Upon Procedures is running slightly less than 50 percent of the cost of the annual audit.

Discussion ensued.

Motion: by D. Porche, seconded, that the LSBN continue to have an annual full audit.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 2.6

Paperless license revisions to Chapter 33, Subchapter C. Registration and Registered Nurse licensure, Sections 3323. Registration and Licensure, 3329 Temporary Permits, 3333. Renewal of Licensure, 3339. Verification of Licensure, 3341. Fees for Registration

and Licensure, and Chapter 45, Advanced Practice Registered Nurses, Section 4507. Licensure as Advanced Practice Registered Nurse.

In order for paperless licensure to be accomplished by the 2012 renewal period, rule making must be initiated. D. Smith gave an overview of language and proposed rule changes in order to initiate the rule-making process.

The proposed rule changes include the elimination of duplicate license fee and duplicate application fee as both are eliminated by the electronic application paperless license, but the Board will save more than \$25,000 annually on postage, printing, licenses and envelopes.

Discussion ensued

Motion: by D. Porche, seconded, that the Board accepts the proposed rule changes in order to initiate rule-making process.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

COMPLIANCE ISSUES:

AGENDA ITEM 5.1

Approve for Promulgating the Revisions and Additions to Section 3419 Rules and Regulations, Title 46, Professional and Occupational Standards, Part LXVII, Nurses, Subpart 2: Registered Nurses

In 2008, the NCSBN appointed a committee to review alternative and disciplinary programs to determine best practices. In 2010, the NCSBN Substance Use Disorder Guidelines Forum presented findings from that committee review and began to provide recommendations for alternative and disciplinary programs. The findings from the Conference, Model Guidelines for Alternative Programs and Discipline Monitoring Programs, and also Re-entry and Recidivism for Certified Registered Nurse Anesthetists were distributed to Board members for their review.

Discussion ensued

Motion: by C. MacMillan, seconded, that the Board accept the proposed changes to Section 3419 Alternative to Disciplinary Proceedings Rules and Regulations as published.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

NURSE PRACTICE ISSUES

AGENDA ITEM 6.1

Proposed Declaratory Statement in response to Petition by Office of Public Health regarding registered nurses that are employed by entities other than DHH-OPH and work under the auspices of DHH-OPH providing STD treatment as specified by DHH-OPH standing orders which follow the Centers for Disease Control's (CDC) current STD treatment.

This matter was originally presented at the March 2011 Board meeting and was referred back to staff to

research the topic further and report back at the May Board meeting.

LSBN staff reviewed the literature and proposed consideration of a rule revision to provide for to operate STD treatment protocols registered nurse clinicians.

Ms. Morvant shared with the Board letter from Dr. Marier expressing concerns on behalf of the Louisiana State Board of Medical Examiners regarding the practice of registered nurses providing STD clinical services under standing orders.

Claire Millet, Chief Nurse with DHH-OPH, appeared before the Board to present request for proposal submission. It is ____ the DHH-OPH employed registered nurses specially prepared as STD nurses have been engaged in the practice since 1993. The issue was brought to the Board due to ____ sent to DHH-OPH, Department needs to utilize registered nurses that are employed by entities other than DHH-OPH. Ms. Millet shared that the Department originally utilized the ten STD nurse clinician; however, the use of that title caused confusion with clinical nurse specialist.

Discussion ensued.

This matter by the Board President to provide **the _____ of a notice** to confer with legal counsel regarding appropriate wording for motion and will return to the agenda item later in the meeting.

AGENDA ITEM 2.3

Public Relations Outreach Plan 2011-2012 Centennial Plan

Board members authorized Executive Director to engage a public relations firm to assist with the activities surrounding the 100 year centennial. The contract was initiated with Jeff Wright, Wrightfeigley Communications.

Rachel Rivet reported that they are working on a full scale comprehensive roll out plan and presented three logos for the Board's review and selection. These were passed around to Board members.

Discussion ensued

The President tabled this matter to allow the Board to look at the logos and vote on their decision at the end of the Board meeting.

AGENDA ITEM 7.1

2010 Nursing Education Capacity and Nursing Supply Report

The 2010 Nursing Education Capacity and Nursing Supply Report was released and placed on the web site in April 2011. The report was distributed to Board members.

AGENDA ITEM 7.2

Nurse Employer Survey, Demand and Forecasting Study Update

Dr. Bienemy reported on the status of he Nurse Employer Survey, Demand and Forecasting Study within the next two to three months. She intends to have a quality document.

AGENDA ITEM 7.3

The Future of Nursing in Louisiana Campaign for Action – A Partnership between the Louisiana Center for Nursing and AARP Louisiana

The Louisiana Center for Nursing and AARP Louisiana application to become a regional action coalition state with the Robert Wood Johnson Foundation was accepted and was assigned a state liaison by the Robert Wood Johnson Foundation. Phone conferences are held every two weeks with the liaison as well as the other 14 regional action coalition states across the country and are sharing ideas. A skeleton group has been formed compiled of nurse and non-nurse interested persons. A steering group is meeting to plan strategies planning session. The next phone conference is scheduled for May 25th to finalize the date, place and the time for the strategic planning session.

Motion on Agenda Item 6.1

Motion: D. Porche, seconded, that the LSBN acknowledge that the practice of registered nurses providing STD treatment as specified by DHH-OPH standing orders has been in place in Louisiana since 1993 and the LSBN further acknowledges that there is nothing to prohibit DHH-OPH for furthering the training and oversight of registered nurses under the auspices of DHH-OPH to provide STD treatment.

Discussion ensued

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 9.1

APRN Task Force Report (Meeting schedule for April 29, 2011)

Dr. Porche and Dr. Agosta co-chair the committee. A Task Force meeting was held on April 29, 2011. Working continuous on proposed revisions to Chapter 45.

REPORT OF THE EXECUTIVE DIRECTOR

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

Ms. Morvant requested that the Board vote to meet with her in Executive Session, following the Executive Session on litigation, regarding a personnel matter involving the Executive Director.

Motion: by D. Porche, seconded, that following the Report on Litigation in Executive Session, that Board meet with the Executive Director regarding a personnel matter involving the Executive Director.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried.

Motion: by D. Porche, seconded, to go into Executive Session for the purpose of hearing the Report on Litigation.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; J. Harris-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

Motion: by D. Porche, seconded, to come out of Executive Session into open meeting.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

Motion: by D. Porche, seconded, to go into Executive Session to discuss a personnel matter involving the Executive Director.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

EXECUTIVE SESSION

Motion: by P. Johnson, seconded, for Mr. Shows to investigate the compensation package of the Executive Director.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

Motion Carried

Motion: by D. Porche, seconded, to direct a subcommittee of the Board to work with the Executive Director to establish a succession plan.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Prechter-yes; S. Westbrook-yes

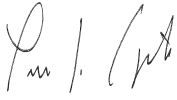
Motion Carried

Motion: by D. Porche, seconded, to come out of Executive Session into open meeting.

Voice Vote: L. Agosta-yes; P. Johnson-yes; N. Davis-yes; L. Haley-yes; C. MacMillan-yes; D. Porche-yes; P. Preacher-yes; S. Westbrook-yes

Motion Carried

ADJOURNMENT: The meeting adjourned at 11:45 a.m.



LUCY AGOSTA, PRESIDENT
Louisiana State Board of Nursing