

## Minutes of the Compliance Committee

The scheduled meeting of the Compliance Committee was held on Wednesday, July 16, 2003 in the Conference Room of the Louisiana State Board of Nursing, 3510 North Causeway Boulevard, Suite 601, Metairie, Louisiana. Ms. Frankie Rosenthal, Chairperson, called the meeting to order at 9:22 a.m.

### Roll Call

#### *Present:*

Frankie Rosenthal, Committee Chairperson  
Nora F. Steele, Committee Member  
Elsie Crapanzano, Committee Member  
Barbara McGill, MSN, RN, CNAA, Compliance Staff  
Barbara Morvant, Executive Director (joined Committee in progress)  
Helen Forrest, Supervisor for Compliance, Recorder

### Approval of

#### Minutes:

Minutes of the January 14, 2003 meeting were distributed for review prior to the March 12, 2003 Board meeting. Correction made at the Board meeting to delete Dr. Karen Moody as an "Absent" Committee Member. Corrected copies were distributed and reviewed by the committee members.

Motion: by N. Steele to accept the minutes of the January 14, 2003 meeting as corrected at the March 12, 2003 Board hearing.

Second: by E. Crapanzano.

Vote: N. Steele, yes; E. Crapanzano, yes. Motion approved.

### Old Business:

#### Review of Motion Sheets:

The Disciplinary Motion Sheet, revised at the January 14, 2003 Committee meeting was reviewed for needed changes. Discussion ensued regarding identifying the RNP components in an effort to avoid duplication of written stipulations.

Motion: by N. Steele that the Motion Sheet be revised to identify the RNP components by an asterisk (\*). See attached copy.

Vote: N. Steele, yes; E. Crapanzano, yes. Motion approved.

**Response from Legal Counsel:** At the January 14, 2003 Committee meeting, B. McGill and C. Morris has been directed to consult with legal counsel regarding the Board's authority to recoup some of the cost for the disciplinary process.

B. McGill informed the Committee of the response from Mr. Wade Show in which he implied that the Board could impose additional fines for individuals who sign a Consent Order the day of a scheduled Board hearing, however, such a decision can prevent the individual from signing. It is benefiting for the Board to have a consent order because it is agreed to, not imposed. The Board hearing is subject to an appeal or request for rehearing.

**New Business:**

**Review of Schedule of and Cost Hearings:** The Committee reviewed and discussed the schedule of fines and costs for hearings as recommended by the Administrative Fines Committee. Although there was a lengthy discussion on the matter, for there was no guidance from the Board.

Discussion followed regarding that there be an increase of fees across-the-board with an additional fee for individuals who sign a Consent Order the day of their scheduled hearing. Also, that the Committee would like more direction from the Board in regards to the percentage of the increase.

**Review of Policy Regarding Applicants:** B. McGill requested the Committee to review the Policy Regarding Applicants for Licensure, Reinstatement or Practice as a Student Nurse with a Criminal History or Disciplinary Action for possible revisions. Although these are good guidelines, her problem has been when there is a combination of issues.

In an effort to make the guidelines easier to follow, B. McGill request the Committee give the permission for her to do "flow chart" to indicate the procedures for such things as criminal incidents, misdemeanors, felonies (1 occurrence, more than 1 occurrence), when the staff can approve, when it need to be presented to the Board, or when they need to be monitored.

**Motion:** by N. Steele, request that B. McGill organize a flow chart relative to the Policy Regarding Applicants for Licensure, Reinstatement, or Practice as a Student Nurse.

**Vote:** N. Steele, yes; E. Crapanzano, yes. Motion approved.

**Review of Statistics from September 2000:** In response to the request of the Committee, a copy of the Statistics from September 2000 was reviewed and discussed. This is the last Review of Files completed on the Recovering Nurse Program.

B. McGill expressed her desire to update the data, especially on the treatment facilities because of the known changes

**File Retention Policy:** A "Draft" copy of the Disciplinary File Retention Policy was reviewed and discussed by the Committee. The policy resulted from the staff's request for more filing space for disciplinary files.

In addition to documents addressed in the policy, concerns were related to the volume of documents collected as evidence in cases as part of the investigation process. Specifically, whether or not such information can be destroyed after time has passed for the individual to appeal the Board's decision.

With the approval of the Committee, B. Morvant requested permission to further discuss this matter with W. Shows prior to presenting to the Board at the September meeting.

**Motion:** by N. Steele that the proposed Disciplinary File Retention Policy be accepted by the Committee and that following further discussion with W. Shows the policy be approval by the Board.

**Vote:** N. Steele, yes; E. Crapanzano, yes. Motion approved.

**Compliance Staff Report:** The Compliance Activity Report for Fourth Fiscal Quarter (April 1, 2003 – June 30, 2003) was distributed, reviewed and discussed.

The Committee requested additional statistics be added for New Program Entries (1<sup>st</sup> time), Re-entry (relapse) and Non-compliant (re-entry).

B. McGill informed the Committee that interviews are being done for an additional Group Facilitator in Lafayette because there is a need for three (3) groups. In the process, they made a choice; but one of the Group Facilitator in the area died.

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

**Vote:** N. Steele, yes; E. Crapanzano. Motion approved.

**Announcement/  
Communications:** The Committee was informed of the FirstLab Report relative to the new test for alcohol use. A copy of the report was reviewed and discussed.

**Adjournment:** Meeting adjourned at 11:47 a.m.