

**LOUISIANA STATE BOARD OF NURSING  
HOLIDAY INN SELECT  
4728 CONSTITUTION AVENUE  
BATON ROUGE, LOUISIANA 70808**

**MINUTES OF THE DECEMBER 7, 2005 BOARD MEETING**

**Call to Order:** This regular meeting of the Louisiana State Board of Nursing was called to order at 9:15 a.m. by Patricia Bourgeois, President, on Wednesday, December 7, 2005, at the Holiday Inn Select, 4728 Constitution Avenue, Baton Rouge, Louisiana 70808.

**Roll Call:** The following members were in attendance:  
Patricia Bourgeois, MSN, CNS, RN, President  
Deborah Ford, MSN, RN, CNA, Vice-President  
Frankie Rosenthal, MSN, RN, CNS, CNA, Alternate Officer  
Tommie J. Ashby, RN, MSN  
James E. Harper, RN, MSN, CFNP  
Deborah D. Olds, RN  
Michelle T. Oswald, CRNA  
Nora Steele, DNS, RN, C, PNP  
Alan J. Ostrowe, MD, Ex-Officio Member  
William St. John LaCorte, MD, Ex-Officio Member

The following Board Member was not in attendance:  
Gail M. Poirrier, RN, DNS

The following staff members were in attendance:  
Barbara Morvant, MN, RN, Executive Director  
Thania Elliott, RN, MSH, JD, Compliance/Practice Director  
Ellienne Tate, EdD, RN, RN Consultant for Education/Research  
Margaret Griener, MPH, APRN, PNP, Credentialing Manager  
Barbara McGill, MSN, RN, RN Regional Manager/Compliance  
Cathy Maher-Storm, RN, MA, RN Regional Manager/RNP  
Joy Peterson, BSN, RN, RN Regional Manager/Compliance  
Lesley Rye, MSN, RN, RN Regional Manager/Compliance  
Michelle Wells, MSHCM, BSN, RNC, RN Regional  
Manager/Compliance  
Celia Cangelosi, Board Attorney  
Sheri Morris, Board Attorney  
Wade Shows, Board Attorney  
Julie Comeaux, Executive Services Assistant  
Helen Forrest, Licensing Analyst Supervisor-Compliance  
Sabrita Pierre, Accountant  
Suzanne Armand, Court Reporter

**Introduction:** President P. Bourgeois established that a quorum of the Board was present.

**Opening Prayer:** The meeting opened with a prayer by D. Ford

**Motion:** by N. Steele, seconded, that the President be granted the authority to reorder the agenda.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**APPROVAL OF MINUTES:**

**June 13-14, 2005 Special Session Hearings**

**Motion:** by D. Ford, seconded, that the Board approve the minutes of the June 13-14, 2005 Special Session Hearings.

**Voice Vote:** Ashby-yes, Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**June 15, 2005 General Board Meeting**

**Motion:** by F. Rosenthal, seconded, that the Board approves the minutes of the June 15, 2005 General Board Meeting.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**October 5, 2005 Special Call Board Meeting**

**Motion:** by D. Ford, seconded, that the Board approves the minutes of the October 5, 2005 Special Call Board Meeting.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**ACTIONS ON DISCIPLINARY HEARINGS HELD ON DECEMBER 5 AND 6, 2005**

B. Morvant announced the names of those registrants whose files were presented at the Monday, December 5, and Tuesday, December 6, 2005 Disciplinary Hearings.

**Gary Wayne Easlic**

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

**Excused:** T. Ashby was excused from this hearing.

**Motion:** by J. Harper, seconded, that the registrant is suspended. Application for reinstatement contingent upon meeting the following stipulations: Immediately surrender current license to Board staff to be retained in registrant's file. Submit to a comprehensive outpatient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist 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 registrant's capability of practicing nursing with reasonable skill and safety to patients.

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 registrant is fully discharged by the respective professionals and until approved by Board staff.

If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program for a minimum of 3 years, and cause to have submitted evidence of compliance with all program requirements. Submit written evidence of completion of 5 hours of LSBN staff approved

continuing education hours to include the areas of Legal Accountability, Ethics, and Legal/Ethical Issues.

Shall submit \$500 as a fine, shall submit \$900 as cost of this hearing.

Not have any misconduct, criminal violations or convictions, or violations of any healthcare regulations reported to the Board related to this or any other incidents.

After completion of the above stipulations, this registrant may be reinstated by staff with stay of suspension and that the license is probated for a period of one year.

By the 1<sup>st</sup> of each month submit a probation fee of \$25.

Failure to comply with the above orders, receipt of any unfavorable report shall result in further disciplinary action. This stipulation can be imposed by action of the staff subject to the discretionary review of the Board.

**Voice Vote:** Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswalt-yes; Rosenthal-yes; Steele-yes

Motion Carried

#### **Lesbay Curt Fontenot**

The matter was heard by the Board as a request for Ratification of Summary Suspension by Board Staff.

**Excused:** T. Ashby was excused from this hearing.

**Motion:** by F. Rosenthal, seconded, that the Board ratifies the summary suspension by Board staff against this individual as the Board finds that the public health, safety and welfare required this emergency action. Further, that the Board ratify the granting of a continuance until the March 2006 Board meeting.

**Voice Vote:** Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswalt-yes; Rosenthal-yes; Steele-yes

Motion Carried

#### **Tammy Cannon Hanner**

T. Hanner appeared before the Board in response to a request for Ratification of Summary Suspension by Board staff and charges as filed.

**Excused:** T. Ashby was excused from this hearing.

**Motion:** by J. Harper, seconded, that the Board ratify action taken by staff against this individual's license for summary suspension of the license, finding that the public health, safety and welfare requires this emergency action. Further, the license of this individual continues on suspension with application for reinstatement contingent upon meeting the following stipulations:

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 outpatient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist 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 registrant's capability of practicing nursing with reasonable skill and safety to patients.

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 registrant is fully discharged by the respective professionals and until approved by the Board staff.

If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program for a minimum of 3 years, and cause to have submitted evidence of compliance with all program requirements. Submit written evidence of completion of 10 hours of LSBN staff approved continuing education hours to include the areas of Legal Accountability, Ethics, and Legal/Ethical Issues.

Shall submit \$500 as a fine, shall submit \$1200 as cost of this hearing. Not have any misconduct, criminal violations or convictions, or violations of any healthcare regulations reported to the Board related to this or any other incidents.

After completion of the above stipulations, registrant may be reinstated by staff with stay of suspension, and that the license is probated for a period of one year.

By the 1<sup>st</sup> of each month, submit a probation fee of \$25.

Failure to comply with the above orders, receipt of an unfavorable report shall result in further disciplinary action.

**Voice Vote:** Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswalt-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**Elizabeth Craig Marshall**

The matter was heard as a request by Board Staff as a Ratification of Summary Suspension.

**Excused:** T. Ashby was excused from this hearing.

**Motion:** by F. Rosenthal, seconded, that Board ratifies Summary Suspension by staff against this individual as the Board finds that the public health, safety and welfare required this emergency action. And furthermore, that the Board approves the request for continuance granted until the March 2006 Board meeting.

**Voice Vote:** Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswalt-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**Lonnie White, Jr.**

L. White, Jr., appeared before the Board with a request for permission to enter the clinical nursing courses by exception.

**Motion:** by N. Steele, seconded, that the Board delays the respondent the right to practice as a student nurse in Louisiana until the following conditions are

met:

Sign and agree to a Recovery Nurse Program agreement, which agreement shall have a term of a minimum of two years. Take this consent and reports with recommendations from Dr. Davis and Dr. Westman to regular physician, Dr. Simpson, to obtain comprehensive report, including recommendations related to medication and treatment needs, and cause recommendation to be sent to Board.

Immediately submit to all recommendations thereafter of Dr. Simpson and cause to be submitted evidence of continued compliance with all recommendations. This stipulation shall continue until the applicant is fully discharged by respective professionals and until approved by the Board staff.

After completion of above stipulations, applicant may be approved for enrollment progression in clinical nursing courses and probated for a minimum of 2 years.

By the 1<sup>st</sup> of each month, submit a probation fee of \$25.

Failure to comply with the above orders, or unfavorable report shall result in further disciplinary action.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-no; Steele-yes  
Motion Carried

**Bobby Ralph Gipson**

The matter was heard as a ratification of Summary Suspension by Board staff and charges as filed.

**Motion:**

by T. Ashby, seconded, that the Board ratify action by Board staff to summarily suspend this license, finding that the public health, safety and welfare requires emergency action and that the license of this registrant continue on suspension with application for reinstatement contingent upon meeting the following stipulations:

Immediately surrender current license to Board staff to be retained in the registrant's file. Refrain from working in any capacity as a registered nurse for 6 months. Failure to do so shall result in further disciplinary action and/or criminal charges.

Submit to a comprehensive outpatient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist 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 registrant's capability of practicing nursing with reasonable skill and safety to patients.

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 registrant is fully discharged by the respective professionals and until approved by the Board staff.

If found to be chemically dependent, immediately sign an agreement with

the Recovering Nurse Program for a minimum of 3 years, and cause to have submitted evidence of compliance with all program requirements. Submit written evidence of completion of 10 hours of LSBN staff approved continuing education hours to include the areas of Legal Accountability, Ethics, and Legal/Ethical Issues.

Shall submit \$500 as a fine, shall submit \$600 as cost of this hearing. Not have any misconduct, criminal violations or convictions, or violations of any healthcare regulations reported to the Board related to this or any other incidents.

After completion of the above stipulations, registrant may be reinstated by staff with stay of suspension, and that the license is probated for a period of one year and signs a new agreement with RNP if applicable.

By the 1<sup>st</sup> of each month, submit a probation fee of \$25.

Failure to comply with the above orders, receipt of an unfavorable report shall result in further disciplinary action.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**Kellie Henry Bordelon**

The matter was heard as response to request for ratification of Summary Suspension by Board Staff.

**Motion:** by D. Ford, seconded, that the Board ratifies the Summary Suspension by Staff against this individual as the Board finds that the public health, safety and welfare required this emergency action.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**Automatic Suspensions:**

There were twenty-eight (28) matters heard as ratification of Automatic Suspension by Board Staff.

**Motion:** by N. Steele, seconded, that the Board ratify the Automatic Suspension by staff of the following registrants:

**Carl Aram Caloian, Jr.  
Tony Michael Chevalier  
Lisa Beth Washington Comeaux  
Georgia Theresa Martin Flowers  
Deana Todaro Gaconi  
Robert Newton Gaspard  
Elizabeth Frances Sandifer Hefner  
Vicki Teressa Henson  
Susan Reeves Hinson  
JoAnn McAlister Hose  
Sandra Bates Ieyoub  
Shawn Bryan Irle  
Amy Hagan Lawrence  
Luke Anthony Leader  
Kerrie Cadzow Leblanc  
Heather Leigh Lemaire**

**William Abbott Lewis  
Kenneth Duane Little  
Clement Michael Martin  
Amanda Lynn May  
Maurgretta Slayton McCoy  
Wendy Daniele McKay  
Debbie Marie Schnitzlwer Naugle  
Era Vivian Alsup Norris  
Robin Renae Riedinger  
Christopher Sean Piper  
Andrew Gray Sharp  
Robert Michael Trickett**

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**CONSENT ORDERS:**

There were seventy-six (76) matters that appeared before the Board in the form of Consent Orders entered into by Board Staff.

**Motion:** by D. Ford, seconded, that the consent orders of the following registrants be accepted.

**Ijeoma Ibe Anadi  
Kevin Clayton Arundel  
Valentina Jude Alvarez Babinski  
Melanie Day Bateman  
Susan Ann Hillman Bearden  
Gina Garris Bennett  
Micki Rose Delaune Besse  
Suzanne Vetsch Burchfield  
Holly Oakes Burns  
Cindy Marie Ahle Chatelain  
Debbie Jane Merritt Chelette  
Earline Mandigo Davis  
William Charles Davis  
Brandi Michelle Godeaux Doucet  
Natalie Dawn Thornhill Eddy  
Cynthia May Maddox Farish  
Raquel Loretta Foster  
Charles Leslie Fowler, III  
Tammy Rankin Gamble  
Charles Francois Garrison  
Alex Wade Gobert  
Melissa Ann Graham  
Iesha Ishea Grant  
Shervon Shevette Gray  
Marguerite Chatherine Hardy  
Sonya Lane Hardy  
Lois Marie Harris-Alexander  
Catherine Nicole Harris-Williams  
Robert Bradley Hebert  
Karen Theresa Hoffman  
Cynthia Lynn Hollingsworth  
Thomas D. Hughes  
Stephen Ray Humble  
Jackson Douglas Jinks  
Martha McLelland Johnson  
Michael Delon Johnson**

**Penny Pense Joseph  
Lisa Nicole Kellogg  
Michael Blake Korman  
Bonnie Elaine Smithe LaCour  
Gregory Brandon Lux  
Pamela Elisabeth Zaunbrecher LeLeux  
Leslie Linda Gail Etcheson  
Terry Wayne Lawley  
Mark Christian Lueg  
Rachel Denise Lyons  
Charlene K. Maraffi  
Ricky Joseph Matherne  
Timothy John Mason  
John Elton McCracking  
Rita Ann Crain McIntyre  
Derrick Anthony Mehal  
Melody Ann Wilson Merritt  
Julie Ann Capers Moon  
Billy Franklin Morales  
Michael Stephen Randall  
Gina Drago Rapp  
Noreen Marie Rase  
Kathleen Marie Reed  
Eva Jeannine Meados Schultheis  
Catherine Edna Simmons  
Dusty Lee Gaspar Slaton  
Brenda Kay Lafleur Stanford  
Jeanette Elizabeth Sudan  
Shelley Griffith Tatum  
Kathy Denise Smith Taylor  
Stephen Scott Temes  
Dixie Lynn Tullier  
Mary Breaux Turner  
Jason Paul Villelmarette  
Virginia Redden West  
Charlene Anne Loo Whatley  
Robin Gay Horton Whittington  
Deborah Ann Calcagno Wolfe**

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**RECALL OF TEMPORARY PERMIT**

One (1) matter was heard before the Board as a recall of a temporary permit.

Motion: by J. Harper, seconded, to ratify the recall of the temporary permit by staff of the following individual:

**Alvin Emmett Brundage**

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**MULTIPLE ACTIONS:**

Twelve (12) matters came before the Board involving multiple Actions by Board staff.



Motion: by D. Olds, seconded, that the Board ratifies multiple actions as follows:

**Vivian Dale Tyner Arbuckle**  
**Kimberlee Corianne Black**  
**Lisa Renee Euchaski**  
**John Alan Hagen**  
**Bambi Lee Lawson**  
**Joshua Shawn McCracken**  
**John Francis Perrett**  
**Richie Reed Redondo**  
**Jason Michael Stevens**  
**Susan Renee Stringer**  
**Cicely Shawn Stilly Vidrine**  
**Leondra Marie Wesley**

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**RATIFICATION OF DELAY/DENIAL OF STAFF ACTION:**

Six (6) matters that were heard before the Board as request for ratification of delay or denial by staff.

Motion: by M. Oswald, seconded, that the Board ratify the delay or denial of licensure by staff on the following registrants.

**Nicole Simone Gillison**  
**Karen Janette Lathers**  
**Jane Elizabeth Miller**  
**Julia Marie Carol Mirabile**  
**Felicia Renee Walpool**  
**Peggy Byrd Ward**

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**REPORT OF THE PRESIDENT:**

P. Bourgeois presented a written report. (Report on file.)

Motion: by D. Ford, seconded, that the Report of the President be accepted.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**REPORT OF THE VICE-PRESIDENT:**

D. Ford presented the Vice-President's report and financial summary. (Report on file)

**ADMINISTRATIVE ISSUES:**

**AGENDA ITEM 2.1:**

**VICE-PRESIDENT'S REPORT AND FOURTH QUARTER FINANCIAL STATEMENT REPORT (APRIL 1, 2005 – JUNE 30, 2005)**

The Board reviewed and discussed the Vice-President's Report and Fourth

Quarter Financial Statement Report.

**Motion:** by F. Rosenthal, seconded, to accept the Vice-President's Report and Fourth Quarter Financial Statement Report.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**REPORT OF THE EXECUTIVE DIRECTOR:**

A report of the Executive Director for the Fourth Quarter (April 1, 2005 – June 30, 2005) was distributed.

The original Executive Director's Report was provided through June 30, 2005, and then the First Quarter Report, which began July 1 and covers the period through September 30.

The Louisiana State Board of Nursing met on October 5, 2005 in a Special Call Board Meeting. The Board approved emergency rules to extend the annual licensure expiration date to March 31, 2006 and to waive the 2005 continuing education (CE) requirements for relicensure for Registered Nurses and Advanced Practice Registered Nurses. The Board ratified the action of the Executive Director in securing temporary offices at 5207 Essen Lane, Suite 6, Baton Rouge, Louisiana 70809. Additionally, the LSBN voted unanimously to move the permanent location of the Board to Baton Rouge by June 2008. The Board, further, authorized the Executive Director to secure interim office space in order for the Board and staff to function at its optimum from the present to relocation to Baton Rouge. In order to assure an efficient and effective transition, the Board will retain both a Baton Rouge office and the Metairie office for a period of time.

There was access to the Metairie office November 30<sup>th</sup>. Less than 1/3 of the staff left are now moved or getting ready to move back to the Metairie office. Negotiations are being made to retain reduced space in the Metairie office and keep the present office in the Baton Rouge area. New individuals will be hired as much as possible in the Baton Rouge office. New staff may be needed in the Metairie office to help support staff there until 2008. The Board should recognize that they will have some additional expenses associated with this and the aftermath of the Katrina. The FEMA report is being filed presently and the Loss of Business Insurance claims.

The Louisiana State Board of Nursing has presently 12 vacant staff positions. Ms. Morvant stated that the remaining staff members should be commended as they have been working hard due to an increased volume of work in addition to dealing with being impacted by the hurricane.

The Board has had an overwhelming response of nurses asking for PIN letters. Two temporary staff members had to be hired to handle the backlog that dealt with the PIN letters because so many came in within a 24 hour period. There have been 2,000 individuals to renew their license on-line.

There have been requests coming in to consider allowing the use of 2005 CE's next year for renewal if they already have them. Ms. Morvant stated that maybe the Administration Committee can look at that at its next meeting.

Ms. Morvant reported that there was an editorial in the Alexandria paper, published November 29, 2005, entitled "Help Evacuee Nurses," which

distains the Board for not going forth with the compact. This article does have some misinformation which presumes the reasons for which the Board is not going forward with the compact. Ms. Morvant asked for direction from the Board as to how to handle the matter.

A discussion ensued among Board members.

**Motion:** by T. Ashby, seconded, that B. Morvant, Executive Director, publish information regarding the compact in the Examiner in order to educate the audience served by the LSBN.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

D.. Morvant stated that there was litigation filed with the Board, Spinal Diagnostic Center of Baton Rouge versus Louisiana State Board of Nursing. The matter is on the agenda at 2.8, Report on Litigation, Executive Session, and then with Practice Item, 6.1, CRNA Scope of Practice. D. Morvant asked the Board to go into Executive Session to hear the matter first, the Report on Litigation, for the Board to have background information in order to act on Agenda Item 6.1., and also allow M. Griener and D. Morvant to remain as well as counsel in Executive Session.

**Motion:** by D. Ford, seconded, to go into Executive Session for the purposes of hearing pending litigation.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

(The Board went into Executive Session at 10:22 a.m.)

**Motion:** by D. Ford, seconded, that the Board of Nursing reconvenes in Open Session.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

## **AGENDA ITEM 2.2** **LEGISLATIVE END OF SESSION TRACKING REPORT**

The Nurse Licensure Compact Study has been charged to the Nurse Supply and Demand Commission. Dr. Tate has been assigned to staff that group. An interim report is anticipated to go to the legislature by February 1<sup>st</sup> informing them what the scope of study will be. Gallop Pole has been engaged by the National Council to do a study on behalf of the National Council, which will be objective and extensive.

There were no major bills in Special Session that were monitored on behalf of the Board. A full report will be coming on the Bills that were enrolled from that Special Session for information purposes.

## **AGENDA ITEM 2.3** **LOUISIANA COMPLIANCE QUESTIONNAIRE**

B. Morvant stated a resolution is needed to accept a Compliance Questionnaire Report, which essentially charges the Executive Director and staff to attest that they have complied with all the auditing

requirements and state regulations.

N. Steele noted that there was a typo on page 5, in that “nay” should be “any.”

T. Ashby noted a correction of her credentials on the first and third page of the Louisiana Compliance Questionnaire, stating that “BSN” should be “MSN.”

**Motion:** by N. Steele, seconded, that the Board approves the Louisiana Compliance Questionnaire for the Louisiana State Board of Nursing’s Audit 2005 as corrected.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**AGENDA ITEM 2.4**  
**VICE-PRESIDENT’S REPORT AND FIRST QUARTER FINANCIAL STATEMENT REPORT (JULY 1, 2005 – SEPTEMBER 30, 2005)**

The Board reviewed and discussed the Vice-President’s Report and First Quarter Financial Statement Report.

**Motion:** by F. Rosenthal, seconded, to accept the Vice-President’s Report and First Quarter Financial Statement Report.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**AGENDA ITEM 2.5**  
**PROPOSED 06/07 BUDGET**

B. Morvant submitted the proposed 2006/2007 budget and asked that it be accepted as a working document. A more precise budget cannot be done until the Administrative Committee can get a better look at what the fiscal impact will be regarding the fee increase and the changes Katrina has brought.

**Motion:** by F. Rosenthal, seconded, to adopt the proposed 2006/2007 budget.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**AGENDA ITEM 2.6**  
**PROPOSED 2006 MEETING DATES**

B. Morvant submitted draft #1 and draft #2 for the proposed 2006 Board meeting dates, and draft #1 and draft #2 for the proposed 2006 Settlement Committee Conference Schedule for the Board to review and approve.

Draft #1 follows same timeline as 2005.

Draft #2 Board meetings’ schedule does not include committee dates, changes board meeting dates from 3 days to 2 and increases frequency from quarterly to monthly.

Draft #2 Settlement schedule – 4<sup>th</sup> Monday of each month with no meetings in February, November and December.

Discussion ensued.

**Motion:** by F. Rosenthal, seconded, to approve draft #1.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**Motion:** D. Ford, seconded, to accept the Administrative Report and minutes of the Administrative Committee.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**CREDENTIALING COMMITTEE:**

**AGENDA ITEM 3.1:**

**SCHEDULE II CONTROLLED SUBSTANCE APPROVAL PROCESS FOR APRNs**

M. Griener requested that the Board authorize the Credentialing Committee to fulfill the requirements of LAC 46:XLVII.4513.D.2.b.iii *“controlled substances which may be prescribed by an APRN shall include Schedule III, IV and V. Schedule II shall be approved by the Board on an individual basis...”*

**Motion:** by D. Steele, seconded, that the Board authorize the Credentialing Committee to fulfill the requirements of LAC 46:XLVII.4513.D.2.b.iii *“controlled substances which may be prescribed by an APRN shall include Schedule III, IV and V. Schedule II shall be approved by the Board on an individual basis...”*, with the intent to develop guidelines for staff authority.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**EDUCATION COMMITTEE:**

N. Steele reported that the Education Committee met on July 26, 2005 and made the following recommendations.

**AGENDA ITEM 4.1:**

**REQUEST TO INITIATE EDITORIAL CHANGES IN LAC 46:XLVII.3529. SELECTION AND USE OF CLINICAL FACILITIES.**

**Motion:** by N. Steele, seconded, to recommend approval of the initiation of rule making for editorial changes in LAC 46:XLVII.3529. Selection and Use of Clinical Facilities, to reflect appropriate titles of approval/accreditation agencies by removing Health Care Financing Administration (HCFA) and correcting title of Joint Commission on the Accreditation of Healthcare Organizations.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 4.2:**

**REQUEST FROM SOUTHWEST COMMUNITY COLLEGE FOR CONTINUED USE**

**OF LOUISIANA HEALTH CARE FACILITIES.**

**Motion:** by N. Steele, seconded, to recommend approval of the request of Southwest Community College for continued use of Lallie Kemp Medical Center, North Oaks Medical Center and Hood Memorial Hospital for student clinical teaching, and that Southwest Community College report their NCLEX-RN pass rate for the next cohort of graduates who take the examination; further, the continued use of Louisiana clinical facilities will be dependent on their meeting §3523.B., *The nursing education program shall have a pass rate of 80 percent or greater achieved by the candidates taking the licensure examination for the first time in any one January to December calendar year, or the program shall be placed on conditional approval.*

Southwest Mississippi Community College has used Louisiana facilities for several years and this request is a “renewal” for continued use. All criteria for the use of Louisiana clinical facilities by an out-of-state program has been met with the exception of the NCLEX-RN pass rate for 2004. Their pass rate for 2004 was 79.01, hence their continued approval depends on meeting all criteria.

Dr. Tate reported that she talked with the head of the program at Southwest Mississippi Community College, and thus far their pass rate for 2005 is 80 percent. They did not use Louisiana clinical facilities in the fall as they were advised that not having 80 percent was problematic. As soon as they get the official report, it will be shared with the Board.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 4.3:**  
**SITE-VISIT TO OUR LADY OF HOLY CROSS COLLEGE, BACCALAUREATE IN NURSING PROGRAM**

**Motion:** by N. Steele, seconded, to recommend acknowledgment of the letter of intent from Herzing College to establish an Associate of Science in Nursing Program.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 4.4:**  
**OUR LADY OF THE LAKE COLLEGE, UPDATE ON MASTER OF ANESTHESIA PROGRAM FOR NURSES.**

**Motion:** by N. Steele, seconded, to recommend acknowledgement of documentation of approval by the Southern Association of Colleges and Schools (SACS) and the Commission on the Accreditation of Nurse anesthesia Education Programs (COC) for Our Lady of the Lake College to offer the Master of Anesthesia Program for Nurses.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 4.5:**

**SOWELA TECHNICAL COMMUNITY COLLEGE – STATUS OF PROGRESS IN MEETING LSBN CRITERIA FOR ESTABLISHMENT OF AN ASSOCIATE DEGREE OF NURSING PROGRAM.**

**Motion:** by N. Steele, seconded, to recommend acknowledgement of information received relative to the prospective faculty, and advise Sowela Technical Community College that the faculty must represent knowledge and skills in area of responsibility, LAC 46:XLVII.3515.B.6., *Nurse Faculty shall maintain current knowledge and skills in areas of responsibility and provide documentation of same.* Further, it is expected that faculty will represent preparation of the master's level in major nursing specialties, i.e. adult health, maternal-infant, children, and mental health.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**AGENDA ITEM 4.6:**

**SOUTHERN UNIVERSITY, SHREVEPORT, REPORT ON EMPLOYMENT OF ADDITIONAL APPROPRIATELY PREPARED FACULTY**

**Motion:** by N. Steele, seconded, recommends acknowledgement of receipt of a report on the employment of additional appropriately prepared faculty as recommended in the initial approval of the Associate of Science in Nursing Program at Southern University at Shreveport. The two faculty to be employed include one masters prepared in maternal-infant nursing and the other in psychiatric mental health nursing.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 4.7:**

**REQUESTS FOR FACULTY EXCEPTIONS**

**Motion:** by N. Steele, seconded, recommend approval of **James S. Kilgour, Debra Angelina White McMillion, Kim Michelle Warner Gordon, and Tamla Thomas Pierre** – Delgado/Charity School of Nursing.  
**Sandra L. Duck, Darlene Ann Dupuis Deshotels, Sandra Jean Lovett Martin, Laura Ann Martien Fernandez** – LSU at Alexandria

**Lucy Ann Blunk Douglas** – La Tech University

**Carmen Lynnette Solomon Brown** – Our Lady of the Lake College

**Arleen Clare Trahan Tekell, Kimberly K. Landry** – UL at Lafayette

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**Motion:** by N. Steele, seconded, to accept the report of the Education Committee

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**COMPLIANCE COMMITTEE:**

D. Olds reported that the Compliance Committee met on July 26, 2005 and recommended the following:

**AGENDA ITEM 5.1:**  
**REVIEW OF CRITERIA FOR INDIVIDUAL PROVIDERS**

**Motion:** by D. Olds, seconded, to approve the Criteria for Individual Treatment providers as corrected, direct staff to make editorial changes and to direct staff to approve Individual Treatment Providers in accordance with Criteria.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

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

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**NURSING PRACTICE ISSUES:**

**AGENDA ITEM 6.1:**  
**CRNA SCOPE OF PRACTICE – WHETHER IT IS WITHIN THE SCOPE OF PRACTICE FOR A CRNA TO PERFORM PROCEDURES INVOLVING THE INJECTION OF LOCAL ANESTHETICS, STEROIDS AND ANALGESICS FOR PAIN MANAGEMENT PURPOSES, INCLUDING, BUT NOT LIMITED TO, PERIPHERAL NERVE BLOCKS, EPIDURAL INJECTIONS (62310), AND SPINAL FACET JOINT INJECTIONS (64470 & 64472) WHEN THE CRNA CAN DOCUMENT EDUCATION, TRAINING AND EXPERIENCE IN PERFORMING SUCH PROCEDURES.**

**Motion:** by F. Rosenthal, seconded, to approve the Practice Committee recommendation regarding CRNA scope of practice as follows: that it is within the scope of practice for the CRNA to perform procedures under the direction and supervision of the physician involving the injection of local anesthetics, steroids and analgesics for pain management purposes, peripheral nerve blocks, epidural injections, and spinal facet joint injections when the CRNA can document education, training and experience in performing such procedures and has the knowledge, skills, and abilities to safely perform the procedures based on an order from the physician.

John Wolff, attorney for Spine Diagnostics Center, stated that they are opposing the recommendation by the Board in that it constitutes an authorization to practice medicine, and is beyond the scope of authority of the Board, thereby creating a public risk. J. Wolff further stated that they are initiating a preliminary injunction against the Board, and will file a declaratory action, if needed, and will challenge the rule making authority. They request that the Board reject this recommendation and advise CRNS not to engage in any of these procedures.



Richard MacMillian, representing Mr. Rantz, stated that Mr. Rantz has made 4 trips to the Board asking for the advisory opinion, and that they have demonstrated that the AANA recognizes that pain management is within the scope of practice of the CRNA, that there is an overlap of scope of practice between physicians and CRNAs, and it was the legislature that designated the LSBN to determine what the scope of practice for a nurse is and the CRNA, not the State Medical Board.

Dr. Ostrowe expressed his concerns regarding the recommendation.

Dr. Michael Burdine addressed the Board, stating that the scope of acute pain management is clearly outlined in the CRNA handbook training, but that what is at issue is chronic pain management and that there is a clear distinction and definition between the two, that there is clear board certification by the American Board Association in interventional pain management.

A. Rantz, CRNA, stated that he is not a physician and does not intend to practice medicine, but has, in fact, been trained to do anesthetic blocks. Mr. Rantz has been performing these blocks for 13 years. Mr. Rantz stated that he has gone before the Practice Committee twice to review all the documentation. Most of the documentation says how a physician needs to be trained to practice medicine. It has nothing to do with how a CRNA needs to be trained to perform these injections, which, it has been shown, is what he does.

Discussion ensued.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 6.2:**  
**REQUEST FOR AN OPINION RELATED TO THE RN PERFORMING ULTRASOUND TO DETERMINE FETAL PRESENTATION IN LABOR AND DELIVERY.**

**Motion:** by F. Rosenthal, seconded, to approve the Practice Committee recommendation that the request for an opinion related to the RN performing ultrasound to determine fetal presentation in Labor and Delivery be deferred for the attendance of the Petitioner to the Committee.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 6.3:**  
**RN (OR NURSES) ASSISTING IN THE CLOSURE OF THE SKIN WITH A SKIN STAPLER OR SUTURES WHILE SURGEON IS PRESENT, MANAGING THE WOUND AND POSITIONING THE SKIN**

**Motion:** by F. Rosenthal, seconded, that the Board approves the Practice Committee recommendation that the RN may assist the surgeon in the Operating Room/Surgical suite, in the closure of the skin, not to include closure beneath the skin, with a skin stapler or sutures while the surgeon is present.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 6.4:**

**ADMINISTRATION OF NATRECOR IN THE HOME SETTING WITH RN SUPERVISION**

**Motion:** by F. Rosenthal, seconded, that the administration of Natrecor in the home setting with RN supervision be deferred until the next meeting and further that staff attempt to have the petitioner appear before the board at said meeting.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes  
Motion Carried

**AGENDA ITEM 6.5:**

**RN DELEGATING TO THE LPN VACUUM ASSISTED CLOSURE (VAC)/ WOUND VAC DRESSING CHANGES/NEGATIVE PRESSURE WOUND THERAPY IN THE HOME SETTING FOR STABLE WOUNDS PROVIDED THE RN SEES THE PATIENT AT LEAST ONE TIME PER WEEK FOR DRESSING CHANGE AND WOUND ASSESSMENT AND, PROVIDED THERE ARE NO WOUND COMPLICATIONS SUCH AS: SIGNS AND SYMPTOMS OF INFECTION, EXPOSURE OF ORGANS OR OTHER VITAL STRUCTURES, EXCESSIVE BLEEDING OR ANTICOAGULANT THERAPY.**

**Motion:** by F. Rosenthal,, seconded, that the Board approves the Practice committee recommendation that the RN may delegate to the LPN vacuum assisted closure (VAC)/Wound Vac dressing changes/negative pressure wound therapy in the home setting for stable wounds provided the following:

1. RN performs the initial wound assessment and determines that the wound is stable;
2. the RN performs a wound assessment at least one time per week during dressing; and
3. provided that the RN resumes wound care management immediately upon report/direct observation of wound complications such as signs and symptoms of infection, exposure of organs or other vital structures, excessive bleeding or anticoagulant therapy or other symptoms of an unstable wound.

Further, that the compliance with the rules on delegation LAC 46:XLVII.3703.a-c is maintained.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

Motion Carried

**AGENDA ITEM 6.6:**

**ADMINISTRATION OF RADIONUCLEOTIDES, NAMELY CARDIOLITE AND NEUROLITE, WHICH ARE DIAGNOSTIC TRACER ELEMENTS USED FOR CARDIAC STRESS TESTING AND FOR FOCAL SEIZURE DIAGNOSIS.**

**Motion:** by F. Rosenthal, seconded, that the administration of radionucleotides, namely Cardiolite and Neurolite, which are diagnostic tracer elements used for cardiac stress testing and for focal seizure diagnosis, that the Board approves the Practice Committee recommendation that staff study such and bring back findings to the Practice Committee.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.7:**

**PREPARATION OF INTRAVENOUS FLUIDS WITH ANESTHETIC AGENT (NAROPIN) AND OPIATE AGONISTS (SUFENTA) FOR EPIDURAL ANESTHESIA AND ASSEMBLING THE PUMP BY PRIMING THE TUBING WITH THE MIXTURE FOR ADMINISTRATION OF THE MEDICATION BY THE ANESTHESIA PROVIDER.**

**Motion:** by F. Rosenthal, seconded, that the Board approves the Practice Committee recommendation to defer this agenda item to the next committee meeting at the request of the petitioner.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.8:**

**RN DELEGATING THE ADMINISTRATION OF INTRAMUSCULAR (IM) RH IMMUNE GLOBULIN (RHOGAM, RHOPHYLAC) TO THE LPN AFTER REVIEW AND UNDER THE SUPERVISION OF THE RN.**

**Motion:** by R. Rosenthal, seconded, that the Board approves the Practice Committee recommendation that the RN may delegate the administration of intramuscular (IM) Rh (D) Immune Globulin (Rhogam, Rhophylac) to the LPN after review and under the supervision of the RN.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.9:**

**RN ADMINISTERING CHEMOTHERAPY INTO AN IMPLANTED HEPATIC ARTERIAL PUMP OR HEPATIC ARTERIAL INFUSION (HAI) FOR THE PURPOSE OF TREATING METASTATIC CANCER OF THE LIVER.**

**Motion:** by F. Rosenthal, seconded, that the Board approves the Practice Committee recommendations that it is within the scope of practice for the RN to administer chemotherapy into the implanted hepatic arterial pump or hepatic arterial infusion (HAI) for the purpose of treating metastatic cancer of the liver provided the RN has the necessary knowledge, skills, and abilities and there are institutional policies and procedures to guide this practice.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.10:**

**CRNA REQUESTING TO WRITE ORDERS FOR MEDICATION IN RELATION TO ANESTHESIA CARE WITHOUT PRSCRIPTIVE AUTHORITY OR A COLLABORATIVE AGREEMENT.**

**Motion:** by F. Rosenthal, seconded, that the Board approves the Practice Committee recommendations that a CRNA requesting to write orders for

medication in relation to anesthesia care would need to be approved for prescriptive authority and have a collaborative practice agreement.

Discussion ensued regarding the motion.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.11:**

**RN DELEGATING TO THE LPN FUNCTIONS RELATED TO PATIENT CONTROLLED ANALGESIA (PCA).**

**Motion:** by F. Rosenthal, seconded, that the Board approve the practice Committee recommendation that the previous opinion rendered May 14, 1993 on RN delegation to the LPN functions related to patient controlled analgesia (PCA) be reaffirmed.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.12:**

**RN REMOVING MEDICATION FROM THE AUTOMATED DISPENSING MACHINE (PYXIS) FOR PHYSICIANS**

**Motion:** by F. Rosenthal, seconded, that the Board approves the Practice committee recommendation that the Board staff issue a letter to said facility on the practice of the automated dispensing machine (Pyxis) denoting administration of medications outside of the RN's scope of practice.

Discussion ensued regarding the motion.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 6.13:**

**RN AS MEMBER OF A RAPID RESPONSE TEAM TO ADMINISTER THE FOLLOWING CLASSIFICATIONS OF DRUGS FOR RAPID INTUBATION FOR EMERGENT AIRWAY MANAGEMENT IN A PATIENT HAVING AN ACUTE, LIFE-THREATENING AIRWAY EVENT; NEUROMUSCULAR BLOCKING AGENTS, PROPOFOL, AND ETOMIDATE WITH THE FOLLOWING PROVISOS: (INTENSIVIST MD) IS PRESENT PERFORMING THE INTUBATION AND THE SETTING COULD BE ANYWHERE IN THE FACILITY IN RESPONSE TO A "CODE" OR EMERGENCY.**

**Motion:** by F. Rosenthal, seconded, that the Board approves the Practice Committee recommendation to defer the request until the petitioner can attend the committee to clarify its use of rapid sequence intubation in setting(s) and further direct Board staff to seek a legal opinion as statutes relate to the subject matter.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**Motion:** by F. Rosenthal, seconded, that the Board approve the report of the Practice Committee.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswalt-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**NATIONAL COUNCIL OF STATE BOARDS OF NURSING:**

**AGENDA ITEM 7.1:**

**NCSBN 2005 ANNUAL MEETING AND DELEGATE ASSEMBLY – REPORT ON**

B. Morvant reported several documents were adopted at the assembly that were very significant related to the delegation model. There were some model rules on delegation to Nursing Assistive Personnel, and then regulation using criminal record checks adopted by the Council that may impact what the Board policy decisions will be. Those documents will be routed to the appropriate committees for further review in consideration as they might affect the rules and interpretations of the Board.

P. Bourgeois commended B. Morvant, Executive Director, for receiving the Louise McManus Award, the highest award which can be given at National Council.

**AGENDA ITEM 8.1:**

**ANNOUNCEMENTS AND COMMUNICATIONS**

Board members received information regarding Centers of Excellence in Nursing, and that the University of Louisiana at Lafayette was among the four outstanding programs. Excelsior College was also noted as one of the four outstanding programs as well, which college continues to have controversy about licensure of their graduates.

**AGENDA ITEM 8.2:**

**PRESCRIPTION MONITORING PROGRAM**

House concurrent resolution 98 establishes a Task Force to assist the Board of Pharmacy in the study of feasibility and effectiveness of implementing a prescription monitoring program for controlled and dangerous substances. Task Force has been established and the meetings are set monthly.

M. Griener was appointed to serve as the Board's designee and to give feedback to B. Morvant and P. Bourgeois on the progress of the work group.

M. Griener reported that the intent now is writing the legislation that will be presented in the legislative session this year. Essentially, there will be a database, software program, that when a prescription is negotiated at a pharmacy, the person who wrote the prescription and the person who negotiates the prescription are monitored. The LSBN has over 100 APRNS who have controlled substance approval to write prescriptions and the Board would be part of the monitoring program.

Because of all the publicity and all the issues related to pain management clinics who were writing for controlled substances in a number of the

parishes and there being a number of deaths, the legislature has put timelines on the matter.

There were 36 overdoses, in St. Bernard Parish, of people presenting to the emergency room and a number of these patients died. There were people crossing over the lines from Mississippi, Arkansas and Texas to get controlled substances from Louisiana because we did not have a monitoring system.

**AGENDA ITEM 8.3:**  
**EMERGENCY RULE LAC 46:XLVII.1601 & 1603**

Louisiana State Board of Practical Nurse Examiners adopted emergency rules effective November 4, 2005 that allows LPNs to delegate part of oral medication administration.

B. Morvant reported that there were some real concerns with this emergency rule and felt this was a major issue for the Board. The rules say very specifically that the RN may not delegate medication administration to an unlicensed person. These rules would seem to have the RN in a situation where they would be assigning individuals to the care of residents and then have individuals working under them who are delegating something which they cannot delegate by the Board's rules.

B. Morvant stated that she would like the Board to draft a response with review of counsel that would be a basis of the Board's response. Board attorneys S. Morris and W. Shows were asked to be present along with Lisa Deaton, to assist in a discussion concerning what should be done regarding the matter.

S. Morris explained legal options which the Board would have.

A lengthy discussion was had concerning the matter.

**Motion:** by J. Harper, seconded, that Board direct staff to take the necessary steps to oppose Emergency Rule LAC 46:XLVII.1601 and 1603.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM A:**  
**PROPOSED RULE LAC 46:XLVII.3703. DEFINITIONS OF TERMS APPLYING TO NURSING PRACTICE AND 3705. ADMINISTRATION OF ANESTHETIC AGENTS- PROMULGATION OF NO EARLIER THAN OCTOBER 20, 2005 AND NO LATER THAN JULY 20, 2006.**

Proposed Rule LAC 46:XLVII.3703 may now be adopted

**Motion:** by D. Ford, that the Board approves the Proposed Rule LAC 46:XLVII.3703, Definitions of Terms applying to nursing practice and LAC 46:XLVII.3705. Administration of anesthetic agents no earlier than October 20, 2005 and no later than July 20, 2006.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM B.:**

**PROPOSED RULE LAC 46:XLVII.4507. LICENSURE AS ADVANCED PRACTICE REGISTERED NURSE – REPORT ON RULE PUBLISHED IN LOUISIANA REGISTER ON JULY 20, 2005**

Rule LAC 46:XLVII.4507 were adopted and published in the Louisiana Register on July 20, 2005.

**AGENDA ITEM C.:**

**PROPOSED RULE LAC 46:XLVII.CHAPTER 45. ADVANCED PRACTICE REGISTERED NURSES – REPORT ON RULE PUBLISHED IN THE REGISTER ON AUGUST 20, 2005.**

Proposed Rule LAC 46:XLVI, CHAPTER 45, were adopted and published in the Louisiana Register August 20, 2005.

**AGENDA ITEM D.:**

**PROPOSED RULE LAC 46:XLVII. CHAPTER 34. DISCIPLINARY PROCEEDINGS; ALTERNATIVE TO DISCIPLINARY PROCEEDINGS – REPORT ON RULE PUBLISHED IN LOUISIANA REGISTER JULY 20, 2005.**

Proposed Rule LAC 46:XLVII.CHAPTER 34, were adopted and published in the Louisiana Register July 20, 2005.

**AGENDA ITEM E.:**

**PROPOSED RULE LAC 46:XLVII.3341. FEES FOR REGISTRATION AND LICENSURE – REPORT ON RULE PUBLISHED IN LOUISIANA REGISTER ON AUGUST 20, 2005.**

Proposed Rule LAC 46:XLVII.3341 were adopted and published in the Louisiana Register on August 20, 2005.

**AGENDA ITEM F:**

**PROPOSED RULE LAC 46:XLVII.3333.RENEWAL OF LICENSURES AND 4507. LICENSURE AS APRN-REPORT ON NOTICE OF INTENT PUBLISHED IN LOUISIANA REGISTER ON NOVEMBER 20, 2005.**

Proposed Rule LAC 46:XLVII.3333 was published for final adoption on November 20, 2005. No action required.

**ELECTIONS:**

**Motion:** by D. Ford, seconded, that the Board nominate F. Rosenthal for president.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**Motion:** by D. Ford, seconded, that the Board nominate D. Olds for vice-president.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**Motion:** by D. Ford, seconded, that the Board nominate N. Steele for alternate officer.

**Voice Vote:** Ashby-yes; Bourgeois-yes; Ford-yes; Harper-yes; Olds-yes; Oswald-yes; Rosenthal-yes; Steele-yes

**Motion Carried**

**AGENDA ITEM 2.8.1**

**JACQUELINE CARROLL VERSUS LOUISIANA STATE BOARD OF NURSING**

W. Shows, Board Attorney, reported that the legal matter has been dismissed and J. Carroll has paid her fine and all costs to the Louisiana State Board of Nursing.

**AGENDA ITEM 2.8.2.**

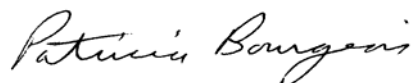
**CHERLYN C. ARMSTRONG-SCHERER VERSUS LOUISIANA STATE BOARD OF NURSING**

W. Shows reported that Ms.. C. Armstrong-Scherer was disciplined by the Board's, after which she filed an appeal. The Board contends that she filed her appeal too late. Her attorney asked the Court to continue the matter. It has not been rescheduled.

B. Morvant reported that there are four Board members completing their term. P. Bourgeois and D. Ford have been with the board eight years and will be leaving. T. Ashby and N. Steele are completing their first term and are eligible to continue. The Board awards will be presented at the next meeting.

**ADJOURNMENT:**

The meeting adjourned at 1:00 p.m.



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**PATSY BOURGEOIS, PRESIDENT  
LOUISIANA STATE BOARD OF NURSING**

Approved: March 8, 2006