

**LOUISIANA STATE BOARD OF NURSING
5207 ESSEN LANE, SUITE 6
BATON ROUGE, LOUISIANA 70809**

MINUTES OF THE SEPTEMBER 13, 2006 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 Frankie Rosenthal, President, on Wednesday, September 13, 2006, at the Cook Conference Center, 3848 W. Lakeshore Drive, Baton Rouge, Louisiana 70808.

Roll Call: The following Board members were in attendance
Frankie Rosenthal, MSN, RN, CNS, CNA, President
Deborah Olds, RN, Vice-President
Nora Steele, DNS, RN, C, PNP, Alternate Officer
Gerald Bryant, MSN, RN
James E. Harper, MSN, RN, CFNP
Bonnie Johnson, MSN, RN
Carllene MacMillan, MN, RN
Michelle T. Oswald, CRNA
Gail M. Poirrier, DNS, RN
Alan J. Ostrowe, MD, Ex-Officio Member

The following Board Member was not in attendance:
William St. John LaCorte, MD, MPH, Ex-Officio Member

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

Introduction: President F. Rosenthal established that a quorum of the Board was Present

Opening Prayer: The meeting opened with a prayer by F. Rosenthal

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

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

ACTIONS ON DISCIPLINARY HEARINGS HELD ON SEPTEMBER 11, 2006

B. Morvant announced the names of those registrants whose files were presented at the Monday, September 11, 2006 Hearings.

Laura Tuminello

The matter was heard by the Board in response to Ratification of Automatic Suspension by Board staff and a Show Cause Order for Revocation.

Excused

N. Steele and M. Oswalt were excused from this hearing.

Motion:

by C. MacMillan, seconded, that the board ratify the action taken by staff against this individual for automatic suspension of licensure. That the license of this registrant be suspended for a minimum of five (5) years, after which time she may request a hearing for the purpose of reinstatement. Prior to requesting reinstatement, the respondent will submit a payment of \$2000 as a fine and a payment of \$900 as a cost of the hearing to the Board.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Poirrier-yes; Rosenthal-yes

Motion Carried

Thomas Wallace

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

Excused

N. Steele and M. Oswalt, and F. Rosenthal were excused from this hearing.

Motion:

by J. Harper, seconded, that the Board ratify the Summary Suspension by staff against this individual in that the Board finds that the public health, safety and welfare required this emergency action.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Poirrier-yes

ACTIONS ON DISCIPLINARY HEARINGS HELD ON SEPTEMBER 12, 2006

B. Morvant announced the names of those registrants whose files were presented at the Tuesday, September 12, 2006 Hearings.

Julia Allen

by C. MacMillan, seconded, that the license of this registrant is suspended 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.

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

Submit to a comprehensive out-patient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist who have been 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 the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff. Must demonstrate, to the satisfaction of the Board that she poses no danger to the practice of nursing or to the public and that she can safely and competently perform the duties of a registered nurse. If the Board approves continued licensure, a period of probation along with supportive conditions or stipulations will be required to ensure that patients and the public are protected.

If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program, and cause to have submitted evidence of compliance with all program requirements for a minimum of three (3) years.

Submit written evidence of completion of 20 hours of LSBN staff approved continuing education hours to include the areas of Ethics, Legal accountability, and substance abuse in healthcare professionals.

The respondent will submit payment of \$300 to the Board as a fine, and submit payment of \$750 to the Board as cost of the hearing.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswalt-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Sharon Moss

The matter was heard in response to charges as filed:

Motion:

by M. Oswalt, seconded, that the license of the respondent is suspended and she shall not be able to request application for reinstatement until completion of the following stipulations:

Submit certified copies of all criminal charges. Have resolved any and all pending criminal arrests, convictions, probation, and parole including any pre-trial diversion programs prior to request for Board consideration.

Submit to a comprehensive 5-7 day in-patient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist who have been 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 of the 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 the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff.

Must demonstrate, to the satisfaction of the Board, that she poses no danger to the practice of nursing or to the public and that she can safely and competently perform the duties of a registered nurse.

If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program, and cause to have submitted evidence of compliance with all program requirements for a minimum of three (3) years.

If the Board approves licensure, a period of probation along with supportive conditions or stipulations, may be required to ensure that patients and the public are protected.

Submit written evidence of completion of 20 hours of LSBN staff approved continuing education hours to include the areas of Ethics, Legal accountability, and substance abuse in healthcare professionals.

Submit a payment of \$1000 as a fine to the Board and \$450 as cost of the hearing.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Shannon Hanks

Appeared before the Board in response to delay of application to enroll in clinical nursing courses by Board staff.

Motion: by D. Olds, seconded, that Board ratify the action by staff for delay in entering/progressing in clinical nursing courses pursuant to LAC46:XLVII.3331.

Further, that the cause for delay no longer exists and that Shannon Liegros Hanks is allowed to enter/progress in nursing courses pursuant to LAC46:XLVII.3331.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Dorinda Ezell

Appeared before the Board in response to delay of application for licensure by endorsement by Board staff.

Motion: by B. Johnson, seconded, that staff action in delaying licensure by endorsement be ratified and that the applicant presented sufficient evidence that the cause for the delay will not affect safe nursing practice.

That the licensure by endorsement be granted and that within six months, a \$750 fine be paid to the Board as a cost of the hearing.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Russell Gooch

Appeared before the board with legal counsel in response to charges filed August 1, 2005, May 18, 2006, and amended charges August 16, 2006.

Motion:

by G. Poirrier, seconded, that respondent's license is suspended and that he should not be able to make application for reinstatement until completion of the following listed stipulations:

Refrain from working in any capacity as a Registered Nurse in the state of Louisiana. Failure to do so shall cause further disciplinary action and/or criminal charges.

Submission to a comprehensive in-patient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist who have been 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 respondent'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 the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff. Must demonstrate, to the satisfaction of the Board, that he poses no danger to the practice of nursing or to the public and that he can safely and competently perform the duties of a registered nurse.

If the Board approves licensure, a period of probation along with supportive conditions or stipulations, may be required to ensure that patients and the public are protected.

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

Submit a payment of \$2,000 to the Board as a fine, and submit payment of \$1,800 to the Board as cost of the hearing.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Automatic Suspension:

There were nineteen (19) matters heard as ratification of Automatic Suspensions by Board staff.

Motion:

by G. Poirrier, seconded, that the Board ratify the Automatic Suspensions by staff of the following registrants:

**David Wallace Chadderdon
Katherine Eileen Colgin
Tracey Michelle Deegan
Maxine Ann Floris Derouen
Heather Alayne Hall**

**Tina Christine Collins Hockman
Chasity Michelle Humphrey Holmes
Donna Martinez Johnson
KellyMcDermott Keenan
Michael Blake Korman
Todd Brent Lavinghouse
Julie Ann Capers Moon
Tyrone Lee Robinson
Kory Michael St. Pe
Joe A. Suits
Rachel Elizabeth Tanner
Christine Marie Teets
Jenny Rebecca Tomson**

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes;
Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-
yes

Motion Carried

CONSENT ORDERS:

There were fifty-seven (57) matters that appeared before the Board in the form of Consent Orders entered into by Board staff.

Motion: by N. Steele, seconded, that the consent orders of the following registrants be accepted.

**Fayetta Bartley Alexander
Susan Marie Jones Barbo
Lori Gremillion Bigner
Ronald James Bonar
Joanne Christine Brouwer
Suzanne Vetsch Burchfield
Carl Aram Caloian, Jr.
Karen Kilpatrick Chapman
Chastity Dannette Crain
Melissa Anne Desoto
Brian Dixon
Patricia McDermott Donelon
Betty Williams Fomby
Tammy Cannon Hanner
Linda Scamardo Heldenbrand
Kimberly Coleman Holley
Caroline Virginia Horner
Veronica Robicheaux Knight
Triontris Barker Lampkin
Ronald James Lavergne
William Abbott Lewis
Pamela Elaine Huffman Lockridge
Margaret Shann Mathews
Sharon Michelle McBride
Kimberly Prudhomme McCandlish
Ronald Scott McCart
Judith Ann Stamm McGill
Wendy Daniele McKay
Pamela Floyd McLean
Antoinette Barone Mehrtens
Beth Frances Mantaldo
Emile R. Montegut
Janelle Larose Netters
Luke Thurmond Norwood
Jennifer Lynn Naugher Peltier
Eric Maurice Randall**

**Renee Davis Rasch
Bennie Kyle Richarson
Holly Enloe Ries
Kathy England Rivers
Aline Fritz Roberts
Enizs Lodge Robertson
Tarashea Quave Robertson
Brenta Nelson Rowland
Juli St. Martin
Andrew Gray Sharp
Enrica Sileman Kinchen Singleton
Deborah Hebert Smith
Gerryn Sharone Stoot
Cheryl S. Taylor
Marie Ann Valente
Felicia Renee Walpool
Mary Morse Wesson
Rhonda Marie McBride Whitmore
Monica Ann Wyatt**

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

MULTIPLE ACTIONS:

Four (4) matters were heard before the Board involving Multiple Action by Board staff.

Motion: by G. Bryant, seconded, that the Board ratifies multiple actions as follows:

**O'Neal Joseph Baptiste
Brigette Lequetta Coleman
Catrina Davison Manning
Paul Kevin Schultz**

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

RATIFICATION OF DELAY/DENIAL OF STAFF ACTION:

Nine (9) matters came before the Board as delay or denial by staff action.

**Michael S. Abernathy
Bethany De'Jean Bourgeois
Troylyn A. Brown
Katie Louise Moore
Jenny Ann Johnson Newman
Jared Paul Norris
Barbara Shuffield Rabalais
Seth Scanlon Soileau
Dorthea Acklin Trevino**

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Late Arrival: Dr. A. Ostrowe entered the meeting at this time.

RECALL OF TEMPORARY PERMIT

Three (3) matters were heard by the Board as ratification of recall of temporary permit.

**Mary Windmiller Ethridge
David Ervin Goodwin
Amelia M. Massucco**

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes;
Olds-yes; Oswalt-yes; Poirrier-yes; Rosenthal-yes; Steele-
yes

Motion Carried

The Board received the written report of the Settlement Committee meeting held 7//24/06, 8/15/06 and 8/24/06. No action required by the Board.

APPROVAL OF MINUTES:

June 12-13, 2006 Special Session Hearings

Motion: by J. Harper, seconded, that the Board approve the minutes of the June 12-13, 2006 Special Session Hearings.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes;
Olds-yes; Oswalt-yes; Poirrier-yes; Rosenthal-yes; Steele-
yes

Motion Carried

June 14, 2006 General Board Meeting

Motion: by G. Poirrier, seconded, that the Board approves the minutes of the June 14, 2006 General Board Meeting.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes;
Olds-yes; Oswalt-yes; Poirrier-yes; Rosenthal-yes; Steele-
yes

Motion Carried

REPORT OF THE PRESIDENT:

F. Rosenthal gave a verbal report, and reported that she attended the National Council of State Boards of Nursing in Salt Lake City Utah, along with B. Morvant, C. Morris and G. Bryant. The Louisiana State Board of Nursing was selected to win the Regulatory Excellence Award.

Motion: by N. Steele, seconded, to accept the report of the President.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes;
Olds-yes; Oswalt-yes; Poirrier-yes; Rosenthal-yes; Steele-
yes

Motion Carried

REPORT OF THE VICE-PRESIDENT:

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

AGENDA ITEM 2.1:

**VICE-PRESIDENT'S REPORT AND FOURTH QUARTER FINANCIAL STATEMENT
REPORT (APRIL 1, 2006 – JUNE 30, 2006, 2006)**

The Board reviewed the Vice-President's Report and Fourth Quarter
Financial Statement.

Motion:

by D. Olds, seconded, that the report of the Vice-President and the Fourth
Quarter Financial Statement Report (April 1, 2006 – June 30, 2006) be
accepted.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes;
Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-
yes

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR:

Staff continues to seek to fill job vacancies as a result of Hurricane
Katrina. A report was submitted on the positions that are still vacant
along with projected positions. Interviews are ongoing and offers are
being prepared on the RN positions. All administrative staff positions
have been filled with the exception of one licensure analyst and one
licensure assistant.

The annual report has been completed, and is available on line. Each
Board member received a copy on a disc for their individual use.

Board members also received their 2006-2007 Travel regulations. The
only major change has been an increase in reimbursement to reflect the
post-Katrina hotel rates.

A copy of the auditor's report was received by Board members.

October 27th is the expected closure date for the purchase of the building.
A resolution is needed to issue the bonds to provide the money for this
building purchase. Ms. Morvant asked that Board members look over the
resolution and vote on it later in the meeting. The Board attorney, Bond
attorney and Bank attorney have been working on this resolution to work
out the wording.

S. Morris stated that a series of revenue bonds will be issued, which are
tax exempt bonds, through the bank. The Board was approved by the
Bond Commission to borrow at a rate of up to 7.5%, but the actual
borrowing will be at 5.85%. It's a 10 year loan amortized over a 15 year
period, which will mean 10 years of scheduled payments of \$18,782, with
a balloon payment at the end of \$91,885. The bonds will be secured by
the revenues received from licensing and other functions of the Board as
well as a mortgage on the building. The bonds are being purchased by
Capital One.

Some question was raised as to the validity of the mortgage because of the
way the statute is worded. For that reason, the bond resolution will be
advertised immediately following the Board meeting so that the 30 day

preemption can run before the closing.

The Bond resolution authorizes either the chairman or vice-chairman to sign as the issuer of the bonds.

Language was put into the resolution that the loan could be prepaid at any time. The Administrative Committee and the Board can make a determination from year to year if they want to prepay any or the entire loan without penalties.

Staff is comfortable recommending that the Board adopt the resolution which would entail the entire wording of the first paragraph.

Ms Rosenthal stated that the resolution will be added to Agenda Item 8 for approval.

Motion: by D. Olds, seconded, to accept the report of the Executive Director.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

ADMINISTRATIVE COMMITTEE:

F. Rosenthal reported that the Administrative Committee met on April 25 and 26, 2006, and June 13, 2006 (Report on file).

AGENDA ITEM 2.1:
PROPOSED REVISION TO THE 2006-2007 BUDGET

Attached to the report are summary background changes that were included in the revisions. After looking at the previous year's budget, the Administrative Committee adjusted the 2006-2007 budget, which included the on-line renewal processing fee being removed.

Motion: by N. Steele, seconded, to approve the Proposed Revision to the 2006-2007 Budget.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 2.2:
ON-LINE RENEWAL TIMELINE/PROCESS

The Administrative Committee requested that staff prepare an on-line renewal process for policy review and procedure. The proposed time-line reflects a process by which all RN's with on-line accounts will receive postcard notices to update profiles and renew on line or notify the office by a projected date if they want a hard copy application. All RN's without an account will receive the postcard and also a hard copy application.

Motion: by G. Poirrier, seconded, to approve on-line renewal process/timeline requiring on-line renewals in 2008.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 2.3

PROPOSED RULES REGARDING PRACTICE PRIVILEGES DURING TIMES OF DISASTER AND DISASTER PERMIT AFFIDAVIT FORM

At the July meeting, the Board approved to initiate rulemaking and consolidation of the proposed drafts to Chapter 33. Since that time, a disaster permit affidavit form was developed and a copy of the rulemaking draft to Chapter 33, §3329 Temporary Permits was sent to Legal Counsel for review. At this time, staff is currently working with Catherine Brindley, Editor, Louisiana Register to reorganize Chapter 33 to include adding a new section, “§3328” in chapter 33 for Temporary Permits and to replace the current §3329 Temporary Permits with “§3329 Disaster Permits.” This will allow Disaster Permits to be segregated in its own section.

Discussion ensued.

Motion: by G. Poirrier, seconded, to approve Disaster Permit Affidavit Form and accept update to rulemaking Chapter 33, §3329 Temporary Permits.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 2.4:

EXTENSION OF DISASTER PERMITS THROUGH OCTOBER 31, 2006 FOR DHH VOLUNTEERS

Claire Millet, Chief Public Health Nurse, Office of Public Health, Louisiana Department of Health and Hospitals, contacted the LSBN, requesting that LSBN extend the existing disaster relief permit process. The need for assistance still exists in the New Orleans area for out of state volunteer nurses/health care professionals to offer gratuitous services to evacuees and displaced citizens.

Discussion ensued.

Motion: by M. Oswald, seconded, to ratify LSBN Staff’s recommendation to extend time period of LSBN’s Administrative Policy 5.6 Disaster Relief Permit from June 30, 2006 through October 31, 2006.

Voice Vote: Bryant-no; Harper-yes; Johnson-yes; MacMillan-no; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-no

Motion Carried

AGENDA ITEM 2.5:
LEGISLATIVE REPORT – 2006 LEGISLATIVE SESSION

The Board received a final report of all bills tracked by LSBN. SCR 134 was passed which has particular interest to the LSBN. This resolution urges the Board of Regents and the two nursing boards to work together to study the feasibility of expanding nursing programs in order to alleviate the nursing shortage crises that exists in Louisiana and present recommendations to the Committees on Health and Welfare of the Senate, House and Representatives no later than March 1, 2007.

Dr. Tate was asked to work with the representatives of the Board of Regents and the Board of Nursing Practical Nurse Examiners. A meeting is scheduled for October 2, 2006 to discuss how to collaborate and respond to the resolution.

HCR 127 passed which addresses a health care redesigned collaborative which is a new group to make recommendations on rebuilding Louisiana and replaces other groups which were in existence before.

G. Poirrier expressed concern that nursing was not included in the makeup of the list of members of a committee which will be formed for expanding health education.

Discussion ensued.

Joni Nickels, President of LANP stated that the State Nurses Association is making sure that even though they are not included on the Board itself, they are trying to go to meetings to make sure that they are heard.

W. Shows pointed out that the resolution says “other members may be designated as appropriate by the chair.”

Joe Ann Clark, Executive Director of the LSNA stated they were asked to submit the name of a nurse, which they have done, but there has not been any follow up as far as naming that person.

Motion: G. Poirrier, seconded, to request that LSBN have a membership representative on this committee.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

The following bills also passed and are of particular interest to the LSBN: HB70, HB 846, HB 153, SB 135, SB 139, SB 482, and SB 624.

Motion: by D. Olds, seconded, to accept the report from the 2006 Legislative Session.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 2.6:
2006-2008 STRATEGIC PLAN

A copy of the 2006-2008 Strategic Plan was received by Board members.

Motion: by J. Harper, seconded, to adopt the 2006-2008 Strategic Plan.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Motion G. Poirrier, seconded, to accept the report of the Administrative Committee.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

NURSING PRACTICE ISSUES:

AGENDA ITEM 6.1:
WHETHER IT IS WITHIN THE SCOPE OF PRACTICE FOR THE RN TO PERFORM CLASS IV LASER PROCEDURES UNDER THE DIRECT SUPERVISION OF A QUALIFIED PHYSICIAN.

Motion: D. Olds, seconded, that it is within the scope of practice for the RN to perform Class IV laser procedures under the direct supervision of a qualified physician with the following provisos:

the procedures are non-ablative

the MD/authorized prescriber possesses the specific knowledge, experience and expertise in laser therapy

the MD/authorized prescriber assesses the patient prior to each procedure, gives specific orders and is physically present on the premises and immediately available

the procedure be performed in a medical facility or medical office

the RN has the knowledge, skills and ability to safely and competently perform the procedure

the education and training of the RN to perform the procedure be documented, and

the patient is informed that the RN will perform the procedure.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 6.2:

PHYSICIAN REQUESTS CLARIFICATION OF THE DECLARATORY STATEMENT ON THE ROLE AND SCOPE OF PRACTICE OF THE REGISTERED NURSE IN THE ADMINISTRATION OF MEDICATION AND MONITORING PATIENTS DURING THE LEVELS OF PROCEDURAL SEDATION (MINIMAL, MODERATE, DEEP AND ANESTHESIA AS DEFINED HEREIN.)

Motion: D. Olds, seconded, the RN may monitor an adult patient with an ASA classification higher than Class II for minimal or moderate sedation.

Ray Campo, Clinical Manager of Special Procedures, West Jefferson Medical Center, and Wayne Rau, Clinical Coordinator of PACU, West Jefferson Medical Center, asked for clarification regarding rules in compliance with actual work practices.

A lengthy Discussion ensued.

Board advised that the current declaratory statement should be followed.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 6.3

WHETHER NON-COMPLEX PROCEDURES CAN BE DELEGATED TO CERTIFIED/LICENSES HEALTH CARE PROFESSIONALS WHO ARE CONTRACTED EMPLOYEES OF THE EAST BATON ROUGE PARISH SCHOOL SYSTEM (EBRPSS).

Motion: J. Harper, seconded, to continue this matter until the next Practice Committee meeting

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

Motion: by G. Poirrier, seconded, to accept the report of the Practice Committee

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

CREDENTIALING COMMITTEE:

J. Harper reported that the Credentialing Committee met July 25, 2006. A written report was submitted to Board members.

AGENDA ITEM 3.1:

REPORT ON PRESCRIPTION MONITORING TASK FORCE RECOMMENDATIONS AND LEGISLATIONS.

These recommendations have passed through the legislature and the Board of Pharmacy is now administering this program.

AGENDA ITEM 3.2

TASK FORCE DEVELOPMENT: REVIEW OF 500 CLINICAL HOURS REQUIREMENTS FOR APRN'S TO QUALIFY FOR INITIAL PRESCRIPTIVE AUTHORITY.

Interested parties were invited to participate in this task force. The board members that will participate will include G. Poirrier, J. Harper, and Dr. LaCorte as well as representation from LANP, LSNA, LSMS, and faculty members from graduate nursing programs. A meeting for discussion will most likely be scheduled on October 13, 2006.

AGENDA ITEM 3.3

REPORT ON NCSBN VISION PAPER: THE FUTURE OF ADVANCED PRACTICE

This report is still under consideration from the National Council.

Motion: J. Harper, seconded, to accept the report of the Credentialing Committee meeting.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

EDUCATION COMMITTEE:

N. Steele reported that the Education Committee met on July 25, 2006 and had the following recommendations:

AGENDA ITEM 4.1:

HERZING COLLEGE: §3533, DOCUMENTATION OF APPROVAL FROM HERZING COLLEGE TO PURSUE APPROVAL FOR ASSOCIATE OF SCIENCE IN NURSING PROGRAM AT NEW ORLEANS CAMPUS

Motion: by N. Steele, seconded, Acknowledge receipt of correspondence from Herzing College verifying approval to pursue approval of an Associate of Science program at the New Orleans Campus in accord with §3533.a.b., which states: A parent institution wishing to establish a new program in nursing shall submit, at least one year in advance of anticipated date for admission of students, 15 copies of the following:

- a. a written notice of intent to establish a new program in nursing stating the purpose and type of program.
- b. documented evidence of approval from the parent institution to award the appropriate degree or diploma and a copy of the current bulletin or catalog

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 4.2:

INITIATE RULEMAKING FOR CHANGES IN LAC 46:XLVII.3515.B.7.A.B, FACULTY AND FACULTY ORGANIZATION

Motion: by N. Steele, seconded, to recommend approval to initiate rule making for changes in LAC46:XLVII.3515.B.7.a.b., for an increase in the time that a program may request for a faculty exception; in 3515B.7.a., change one calendar year to two calendar years in any consecutive five year period; and in b, change three calendar years to four.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 4.3:

RECOGNITION OF GRADUATES FROM THE RN TO MSN PROGRAM AT LSUHSC AS HAVING PREPARATION EQUIVALENT TO A BACCALAUREATE AND A MASTER'S DEGREE IN NURSING TO MEET FACULTY QUALIFICATIONS (LAC46:XLVII.3515.B.4)

Motion: by N. Steele, seconded, to recommend recognition of graduates of the RN to MSN program at Louisiana State University Health Science Center as having preparation equivalent to a baccalaureate and a master's in nursing (LAC 46:XLVII.3515.b.4.) for those individuals seeking faculty positions in Louisiana nursing programs.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 4.4

WILLIAM CAREY COLLEGE, NEW ORLEANS, LOUISIANA, PROGRESS REPORT

Motion: by N. Steele, seconded, to recommend acknowledgement of progress report from William Carey College.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

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

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

COMPLIANCE COMMITTEE:

M. Oswald reported that the Compliance Committee did not meet this last quarter.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING
REPORT ON THE 2006 DELEGATE ASSEMBLY

The Delegate Assembly met and the major focus was changes in the bylaws. After much debate, the changes were not approved.

Model rules for criminal background checks were adopted to guide the states who are moving forward. LSBN rules were used as a model to draft these rules.

There was no further action on the Vision Paper. The matter has been referred back to the ARPN Advisory Council.

B. Morvant reported that on the rulemaking there is a motion to accept the report

AGENDA ITEM A:

REPORT ON RULEMAKING OF LAC 46:XLVII.3305. OFFICIAL OFFICE OF THE BOARD AND 3339. VERIFICATION OF LICENSURE.

At the June 13, 2006 meeting, the LSBN Board approved to initiate rulemaking of the proposed changes. LSBN has initiated rulemaking. The Fiscal and Economic Impact Statement was submitted to the Legislative Fiscal Office on August 18, 2006. It is anticipated that the Notice of Intent will be published in the September 20th Louisiana Register. If there is a request for public hearing, the Board will be notified.

ADVISORY COUNCIL:

F. Rosenthal reported that the Advisory Council met on September 11th. There was attendance from the Louisiana Organization of Nurse Executives, Louisiana School of Nurses Association, the Louisiana Nurses Association, Louisiana State Board of Practical Nurse Examiners, the Louisiana Nursing Home Association, the Louisiana Association of Nurse Practitioners, and the Louisiana Hospital Association. The meeting was very informative. The group meets twice a year for information sharing.

Motion: by J. Harper, seconded, to accept the report of the Advisory Council meeting.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswalt-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

AGENDA ITEM 8:
RESOLUTION

Motion: by G. Poirrier, second, to approve the resolution authorizing the issuance of Two Million Two Hundred Thirty-Five Thousand Dollars (\$2,235,000) of Revenue Bonds, Series 2006, of the Louisiana State Board of Nursing, prescribing the form, fixing the details and providing for the payment thereof, confirming the sale of the Bonds and entering into certain other covenants and agreements in connection with the security and payment of said Bonds, authorizing the publication of a Notice of Intention and providing for other matters in connection therewith.

Brief discussion concerning the resolution was had.

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

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

Voice Vote: Bryant-yes; Harper-yes; Johnson-yes; MacMillan-yes; Olds-yes; Oswald-yes; Poirrier-yes; Rosenthal-yes; Steele-yes

Motion Carried

ADJOURNMENT:

The meeting adjourned at 1:00 p.m.



**FRANKIE ROSENTHAL, PRESIDENT
LOUISIANA STATE BOARD OF NURSING**

APPROVED: DECEMBER 6, 2006