

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

MINUTES OF THE SEPTEMBER 12, 2007 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 Deborah Olds, President, on Wednesday, September 12, 2007, at the Holiday Inn Select, 4728 Constitution Avenue, Baton Rouge, Louisiana 70808.

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

The following Board members were not in attendance:
Gerald Bryant, MSN, RN
Bonnie Johnson, MSN, RN
Patricia Johnson, RN, MN, CNA
William St. John LaCorte, MD, MPH, Ex-Officio Member

The following staff members were in attendance:
Barbara Morvant, MN, RN, Executive Director
Thania Elliott, JD, MSH, RN Compliance Director
Elaine Vallette, DrPH, RN, Director of Education/Licensure
Margaret Griener, MPH, APRN, PNP, Credentialing/Practice Director
Cathy Maher-Storm, MA, RN, Regional Manager-RNP
Melodie Knippers, RN Regional Manager
Michelle Wells, MSHCM, BSN, RNC, Regional Manager/Compliance
Charlann Kable, Licensing Analyst
Danielle Smith, RN, MSN, Regional Manager
Lillie Rodgers, Licensing Analyst
Michelle Robert, HR Director
Brandon Overton, Licensing Assistant
Ronda L. Miles, Licensing Assistant
Lenora Thomas, Licensing Analyst
Patrick Cantin, IT Analyst
Sheena Kaiser, Student Worker
Lanetta Smith, Accountant-Technician
Wade Shows, Board Attorney
Sabrita Pierre, Accountant
April Romero, Administrator Coordinator

Suzanne Armand, Court Reporter

Introduction: D. Olds established that a quorum of the Board was Present

Opening Prayer: The meeting opened with a prayer by C. MacMillian

Motion: by J. Harper, seconded, that the Vice-President be granted the authority to reorder the agenda.

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

Motion Carried

APPROVAL OF MINUTES:

June 12, 2007 Special Session Hearings

Motion: by N. Steele, seconded that the Board approve the minutes of the June 12, 2007 Special Session Hearing.

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

Motion Carried

June 13, 2007 General Board Meeting

Motion: by N. Steele, seconded, that the Board approves the minutes of the June 13, 2007 General Board Meeting.

Voice Vote: Olds-yes; Steele-yes; Harper-yes; MacMillan-yes; Oswalt-yes; Steele-yes

Motion Carried

REPORT OF THE PRESIDENT:

D. Olds presented a verbal report stating that she attended the NCSBN Delegate Assembly for 2007 along with Barbara Morvant. Ms. Olds thanked Ms Morvant for her excellence in representing the LSBN and speaking on their behalf.

Motion: by D. Olds, to direct Board staff to develop guidelines for disciplinary action concerning criminal activity. These guidelines should include entry into clinicals that include deny or delay of licensure based on criminal

activity and multiple narcotic or relapses of individuals, and to look at the licensure application concerning questions about prior arrests. These guidelines should be received by October in order for the Board to be able to review it at the next Board meeting.

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

Motion Carried

REPORT OF THE VICE-PRESIDENT:

The Vice President's Report and the fourth quarter financial report, April 1, 2007 through June 30, 2007, was distributed to Board members.

Ms. Morvant reported that the financial statements have been audited by the State Auditor and a clean audit report was received. Board members will be receiving a copy.

Motion: by J. Harper, seconded, to accept the report of the Vice President.

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

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR:

The 2007 audit has been completed and the outcome of the audit will be on the next report. The majority of nurses complied with the audit. There are about 9 individuals who did not submit their CE documentation.

S. Pierre reported that she will meet today with the perspective contractors to bid on the construction part of the new building. The bid opening is scheduled for October 2 and construction could begin immediately after, and hopefully maybe getting into the building before the end of the year. The new construction of the building will probably be completed in February.

Motion: by G. Poirrier, seconded, to accept the report of the Executive Director.

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

Motion Carried

REPORT OF THE ADMINISTRATIVE COMMITTEE

The July 24, 2007 Report of the Administrative Committee was distributed to Board members.

Motion: by J. Harper, seconded, to accept the report of the Administrative Committee Meeting.

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

Motion Carried

AGENDA ITEM 2.1:
GENERAL PAY INCREASE FOR STATE WORKERS

Motion: by D. Olds, seconded, to accept the report of implementation of pay raise for state employees in accordance with Civil Service General Circular No. 1707.

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

Motion Carried

AGENDA ITEM 2.2
NCSBN CORE SURVEY RESULTS

Motion: by D. Olds, seconded, to accept the report of the National Council of State Boards of Nursing (NCSBN) Commitment to Ongoing Regulatory Excellence (CORE) survey results.

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

Motion Carried

AGENDA ITEM 2.3
LEGISLATIVE REPORT FROM THE 2007 LEGISLATIVE SESSION

Motion: by D. Olds, seconded, to accept the Legislative Report for 2007 Regular Legislative Session.

Voice Vote: Olds-yes; Harper-yes; MacMillan-yes; Oswald-yes;

Poirrier-yes; Steele-yes

Motion Carried

CREDENTIALING COMMITTEE:

The Credentialing Committee met on July 24, 2007 and made the following recommendations:

AGENDA ITEM 3.1

APPROVAL OF INDIVIDUAL CREDENTIALS FOR APPROVAL OF FULL SCHEDULE II CONTROLLED SUBSTANCES FOR PRESCRIPTIVE PRIVILEGE FOR APRNS.

Motion: by J. Harper, seconded, recommend to have Schedule II approvals delegated to credentialing staff utilizing present approved policies and procedures for Schedule II approval.

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

Motion Carried

AGENDA ITEM 3.2

REVIEW OF NURSING CONTINUING EDUCATION REQUIREMENTS FOR RELICENSURE.

Motion: by J. Harper, seconded, to approve Board Staff, Ms. Morvant, Ms. Griener and Dr. Vallette, to review Rules for continuing education requirements and make recommendations at the next Credentialing Committee.

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

Motion Carried

AGENDA ITEM 3.3

NAME CHANGE OF CERTIFYING ORGANIZATION APPROVAL FOR CONTINUING EDUCATION REQUIREMENT FROM: ASSOCIATION FOR ENTEROSTOMAL THERAPY, TO: WOUND, OSTOMY AND CONTINENCE NURSING CERTIFICATION BOARD.

Motion: by M. Oswalt, seconded, to accept name change of LSBN recognized certifying body as "Wound, Ostomy and Continence Nursing Certification Board."

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

Motion Carried

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

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

Motion Carried

EDUCATION/ EXAMINATION ISSUES

N. Steele stated that the Education Committee met on July 24, 2007 and made the following recommendations:

Motion: by N. Steele, seconded, to accept the minutes of the Education meeting of July 24, 2007.

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

Motion Carried

AGENDA ITEM 4.1: **SITE VISIT REPORT – LOYOLA UNIVERSITY SCHOOL OF NURSING, NURSE PRACTITIONER PROGRAM.**

Motion: by N. Steele, seconded, to accept the Site Visit Report and continue full approval of the Nurse Practitioner Program at Loyola University School of Nursing with the following recommendations:

1. Commend the faculty on high program satisfaction ratings.
2. Commend the faculty on high NP pass rates

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

Motion Carried

AGENDA ITEM 4.2

**SITE VISIT REPORT – WILLIAM CAREY UNIVERSITY SCHOOL OF NURSING
BACCALAUREATE DEGREE PROGRAM, NEW ORLEANS CAMPUS.**

Motion: by N. Steele, seconded, to accept the Site Visit Report and continue full approval of the Baccalaureate Degree Program at William Carey University School of Nursing, New Orleans campus with the following commendations:

1. Commend the University administration for its support of the New Orleans campus following Hurricane Katrina.
2. Commend the School of Nursing on its William Carey Student Nurses Association and active participation in the Louisiana Association of Student Nurses.

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

Motion Carried

AGENDA ITEM 4.3

**SITE VISIT REPORT – SOUTHEASTERN LOUISIANA UNIVERSITY SCHOOL OF
NURSING, BACCALAUREATE DEGREE PROGRAM.**

Motion: by N. Steele, seconded, to accept the Site Visit Report and continue full approval of the Baccalaureate Degree Program at Southeastern Louisiana University School of Nursing with the following commendation:

1. Commend the School of Nursing on the number of doctorally prepared faculty (of 52 currently employed part-time and full-time faculty, 22 hold the doctorate = 42.3%).

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

Motion Carried

AGENDA ITEM 4.4

POLICY FOR SCHOOLS ON CONDITIONAL APPROVAL

Motion: by N. Steele, seconded, to revise Section 3.C of the Policy on Conditional

Approval for Programs in Nursing to read as follows:

After being placed on conditional approval for the third year, the program shall not admit any students into the clinical nursing course sequence until the Board determines that all standards have been met (§3535.L) and provides opportunity for an administrative hearing.

Further, the Board staff shall notify the school about the conditional approval policy and procedure for conditional approval.

Discussion ensued for clarification of the motion.

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

Motion Carried

AGENDA ITEM 4.5

CONDITIONAL APPROVAL STATUS OF DILLARD UNIVERSITY

Motion: by N. Steele, seconded, to accept the focused report from Dillard and commend them on their efforts to increase their NCLEX-RN pass rate; accept the staff Site Visit Report; and continue conditional approval for Dillard University until the next committee meeting in October when NCLEX results of the May 2007 graduates can be reviewed.

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

Motion Carried

AGENDA ITEM 4.6

CONDITIONAL APPROVAL STATUS OF SOUTHERN UNIVERSITY BATON ROUGE

Motion: by N. Steele, seconded, to accept the focused report from Southern University Baton Rouge, continue conditional approval until the next committee meeting in October when NCLEX results of the May 2007 graduates can be reviewed and that the Board staff conduct a site visit based on the policy and procedure for programs on conditional approval for two consecutive years.

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

Motion Carried

AGENDA ITEM 4.7

CONDITIONAL APPROVAL STATUS OF GRAMBLING STATE UNIVERSITY

Motion: by N. Steele, seconded, to accept the focused report from Grambling State University, continue conditional approval until the next committee meeting in October when NCLEX results of the May 2007 graduates can be reviewed, and that the Board staff conduct a site visit based on the policy and procedure for programs on conditional approval for two consecutive years.

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

Motion Carried

AGENDA ITEM 4.8

LOUISIANA DELTA COMMUNITY COLLEGE PROPOSAL TO INITIATE AN ASSOCIATE DEGREE IN NURSING PROGRAM.

Motion: by N. Steele, seconded, to approve Louisiana Delta Community College to continue to follow the steps for establishing a new program as stated in LAC46:XLVII.3535 and that staff conduct a site visit following their hiring of a director and faculty.

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

Motion Carried

AGENDA ITEM 4.9

L.E. FLETCHER COMMUNITY COLLEGE PROPOSAL TO INITIATE AN ASSOCIATE DEGREE IN NURSING PROGRAM

Motion: by N. Steele, seconded, to approve L.E. Fletcher Community College to continue to follow the steps for establishing a new program as stated in LAC46:XLVII.3535 and that staff conduct a site visit following their hiring of a director and faculty.

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

Motion Carried

Ms. Vallette reported that Delta Community College has hired Dr. Brown as director, and that she as well as Dr. Jones, with Academic Affairs, was present for the Board meeting.

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

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

Motion Carried

COMPLIANCE COMMITTEE

M. Oswald reported that the Compliance Committee met on July 24, 2007.

Motion: by Ms. Oswald, seconded, to approve the minutes from the Compliance Committee Meeting.

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

Motion Carried

AGENDA ITEM 5.1

HEALTHCARE INTEGRITY AND PROTECTION DATA BANK (HIPDB)

Ms. Oswald asked that the Board review the new HIPDB reporting requirements. (No action necessary.)

AGENDA ITEM 5.2

REVIEW OF COMPLIANCE/MONITORING REPORT

Motion: by Ms. Oswald, seconded, that the Board accept the Compliance Committee Report from April 1, 2007 through June 30, 2007.

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

Motion Carried

NURSING PRACTICE COMMITTEE

Mr. Harper reported that the Practice Committee met on July 24, 2007 and had the following recommendation.

Motion: by J. Harper, seconded, to accept the minutes of the July 24, 2007 Practice Committee Meeting.

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

Motion Carried

AGENDA ITEM 6.1

COMMITTEE DEVELOPMENT: LEGISLATIVE DIRECTIVE TO LSBN TO STUDY THE SCOPE OF PRACTICE IN RELATION TO RNS PERFORMING MEDICAL SCREENING EXAMS (EMTALA).

Mr. Harper reported that the task force is being developed and will meet around the October 23, 24 committee meetings.

AGENDA ITEM 6.2

REQUEST FOR OPINION: WHETHER IT IS WITHIN THE SCOPE OF PRACTICE FOR AN RN TO INSERT A INTRAOSSEOUS (IO) INFUSION DEVICE (LANE REGIONAL MEDICAL CENTER)

Motion: by J. Harper, seconded, recommends to the Board that it is within the scope of practice for an RN to insert intraosseous infusion devices based on ACLS protocols, in an emergency situation, provided that the RN demonstrates the knowledge, skills and abilities to perform the procedure and provided training and competencies are demonstrated.

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

Motion Carried

SETTLEMENT COMMITTEE:

The Board received the written report of the Settlement Committee meetings held July 23, 2007, August 24, 2007, and September 4, 2007. No Action required by the Board.

AGENDA ITEM 7.1

NCSBN DELEGATE ASSEMBLY 2007

The actions of National Council were distributed to Board members and are available on the National Council Web site. There is information regarding the NCLEX test plan, a statement on pain management, and work on transitioning of new graduates.

NEW BUSINESS:

ACTIONS ON DISCIPLINARY HEARINGS HELD ON TUESDAY, SEPTEMBER 11, 2007

B. Morvant announced the name of the registrant whose file was presented at the September 11, 2007 Hearing.

Excused: B. Johnson and G. Bryant, were excused from the disciplinary hearing on Tuesday, September 11, 2007

Stephanie Isabell Charles

The matter was heard in response to charges as filed.

Motion: by C. MacMillan, seconded, that the license of the respondent is suspended and she shall not be able to request reinstatement until 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 5 to 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 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 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 Board staff.

If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with the 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 shall cause to have submitted evidence of compliance with all programs for a minimum of 3 years.

Submit a payment of \$1350 to the Board as cost for investigation to the Board and Hearing.

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

Further, submit a payment of \$1000 as a fine.

This is a public record and will be reported under the unauthorized administration of medication and other failure to document medication administration. This will be reported to the Healthcare Integrity and Protection Data Bank narrative as RN's license was suspended and prior to license reinstatement, RN must submit to comprehensive in-patient evaluations among other stipulations.

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

Motion Carried

CONSENT ORDERS:

There were sixty-two (62) matters that came before the Board in the form of Consent Orders entered into by Board staff.

Motion: by J. Harper, second, that the consent orders submitted for the following registrants be accepted.

**Eyad Lutfi Abdulhalim
Erica Moore Adams
Ebonyaeda Sade Allen
Jeremy B. Andrews
Nancy Seward Babcock
Jamika Lynese Bass
Elizabeth Helo Blake
Barbara Rhodes Bordelon
James Eugene Brown
Stanley Calvin Brown
Joshua John Bruce
Francesca DeSilva Buchert
Sandra Whittaker Carpenter
Adrienne Anders Chaney
Lisa Hilbert Clark
Tyger Ashley Coston
Charlotte Marie Crochet
William Charles Davis
Philip Michael Devillier
Melanie Spence Dye
Garnet Wirth Edward**

**Lianne Larson Firth
Margaret Mestayer Foster
Brandice Mignon Foucher
Ralph Gene Fowler, Jr.
Rachel Calix Garcia
Melissa Ann Graham
Connie Dianne Greer
David Matthew Guidry
Courtney Prothro Harris
Echo Rae Hensley
Robert Shane Hodges
Roro Kay Lang
Melinda Tabary Laurent
Shameka Shontell Lewis
Marvin Bradly Lilly
James Fife Lumsden
Maurgretta Slayton McCoy
Anjeanette Tramonte Magree
Robert Ronny Manshack
Erica Renee Napoli
Ashley Nicole Neff
Julie Ann Olguin-Phillips
Rhonda Kolonich Parker
Christian Roberts Reeves
Kami Lynne Roccaforte
Kimberly Shetler Rogers
Henry Louis Rojas, Jr.
Lori Stephens Sandifer
Dana McKinnon Sansalone
Christopher James Sellers
Samuel Allen Senegal
Joseph Calvin Sims
Jonah Stafford Smith
Paige Ann Sweeney
Rachel Elizabeth Tanner
Letha McFall Taylor
Christine Brown Van Kirk
Cicely Stelly Vidrine
William Nathan Welch**

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

Motion Carried

Automatic Suspensions:

There were twenty-seven (27) 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:

**Charlotte Johnston Alexander
Stacy Anderson Arnold
Malinda Midkiff Barthels
Donald Stephens Berry, Jr.
Jason Glen Breedlove
Heather Noelle Brown
Thomas Darren Carpenter
Angela Gregg Dykes
Kemron Lincoln Ebanks
Susan Dupuy Ferdinand
Rochelle Williams Gauthier
Bradley Burkes Graham
Tammy Cannon Hanner
Cheri Renee Hebert
Kristin Foret Ledet
Kenneth Duane Little
Marsha Elizabeth Myers
Marchelle Fulgham Patterson
Todd B. Pigott
Rachael Doiron Prosperie
Chadwick Mancil Randow
Julie Shawnette Roberts
Elizabeth Jones Scott
Lori Mayard Simons
Deborah Hebert Smith
Bernard Edward Stubbs
Sandra Trammell**

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

Motion Carried

RATIFICATION OF DELAY/DENIAL OF STAFF ACTION:

Twelve (12) matters came before the Board as delay or denial by staff action.

Motion: by N. Steele, seconded, that the Board ratify the delay/denial of the licensure by staff of the following individuals

**Shalonda Renee Andrus
Avalon Clark Borel
Timothy L. Cureau
Amie Gunter Futrell
Gabariral Bell Hall
Natasha Nicholle King
Ronald Scott McCart
Tresslyn Patrice Neff
Dametra Savoie Peterson
Cassandra Marie Santiago
Randall Trantham
Michelda Makeba West**

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

Motion Carried

MULTIPLE ACTIONS:

Two (2) matters were heard before the Board involving Multiple Actions by Board staff.

Motion: by M. Oswalt, seconded, that the Board ratify multiple actions of the following individuals:

**David Chad Cooper
Barbara Johannsen Timm**

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

Motion Carried

AGENDA ITEM A:

REPORT ON RULEMAKING OF LAC 46:XLVII.4513, AUTHORIZED PRACTICE

There have been no requests for a public hearing or comments received. Therefore, the Final Rule will be published in the September 20, 2007 Louisiana Register.

Motion: by G. Poirrier, seconded, to adopt revisions to LAC46:XLVII.4513, Authorized Practice.

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

Motion Carried

AGENDA ITEM B:

**REPORT ON RULEMAKING OF LAC46:XLVII.3335 CONTINUING EDUCATION –
NURSING PRACTICE**

These rules will be submitted to the Louisiana Register and it is anticipated that the Notice of Intent will be published in the September 20, 2007 Louisiana Register.

Motion: by N. Steele, seconded, to accept the report on the update of rulemaking of revisions to LAC46:XLVII.3335 Continuing Education

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

Motion Carried

AGENDA ITEM 2.4

REPORT ON LITIGATION

W. Shows reported that the only litigation in which the LSBN is involved with is Spine Diagnostics, which concerns a surgical procedure which is an issue before the Board to determine whether that procedure is solely a practice of medicine or whether a nurse anesthetist has the ability to perform those particular procedures.

The Board concluded that the practice was within the scope of practice of nursing. Litigation ensued by Spine Diagnostics against the LSBN over several issues. It has been to the Court of Appeals and back and now the case has evolved down to a determination by the court as to whether the procedures are solely the practice of medicine or whether it's a procedure that a nurse anesthetist has the ability to perform in the State of Louisiana. The trial is scheduled for the first week of November.

ADVISORY COMMITTEE:

The Advisory Council met on Monday, September 10th, 2007. The meeting was well attended with the following organizations being

represented: Louisiana Organization of Nurse Executives, the Louisiana School Nurse Organization, Louisiana School Nurse Organization from the Legislative Committee, the LPN Board, and Louisiana Pharmacist Association, Louisiana Hospital Association, Department of Health and Hospitals, Office of Public Health, Louisiana Association of Nurse Practitioners, and Louisiana State Nurses Association, Louisiana Association of Nurse Anesthetists, and Louisiana Nursing Home Association.

Joni Nickens, President of the Louisiana Association of Nurse Practitioners, thanked the Board for all of the work they did in working with their organization in making changes to Chapter 45.

Marci Guidry, from L.E. Fletcher Community College, thanked the Board for initiating the program at Fletcher. Ms. Guidry inquired if Fletcher would be allowed to start the program in January.

Discussion ensued.

ADJOURNMENT:

Motion: by N. Steele, seconded, that the meeting be adjourned.

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

Motion Carried

The meeting adjourned at 11:00 a.m.

DEBORAH OLDS, PRESIDENT
LOUISIANA STATE BOARD OF NURSING