

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

MINUTES OF THE DECEMBER 10, 2008 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 N. Steele, Vice-President, on Wednesday, December 10, 2008, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810

Roll Call: The following Board members were in attendance:
Nora Steele, DNS, RN, C, PNP, Vice-President
Lucie Agosta, Ph.D.
Bonnie Johnson, RN, MSN
Patricia Johnson, RN, MN, CNA
Carlene MacMillan, MN, RN
Michelle T. Oswald, CRNA
Gail Poirrier, RN, DNS
William St. John LaCorte, MD, MPH, Ex-Officio Member

The following Board members were not in attendance:
Deborah Olds, RN, President
Alan J. Ostrowe, MD, Ex-Officio Member

The following staff members were in attendance:
Barbara Morvant, MN, RN, Executive Director
Margaret Griener, MPH, APRN, PNP, Credentialing/Practice Director
Joy Peterson, BSN, RN, Director of Investigations
Elaine Vallette, Dr PH, RN, Director of Education/Licensure
Janice Britton, MSN, RN
Rickie Callahan, MSN, RN, Regional Manager
Jennifer Gueho, MSN, APRN, Credentialing Manager
Melodie Knippers, RN Regional Manager
Michelle Wells, MSHCM, BSN, RNC, Regional Manager
Danielle Smith, RN, MSN, Regional Manager
Wade Shows, Board Attorney
Celia Cangelosi, Board Attorney
Wanda Green, Administrative Assistant
Suzanne Armand, Court Reporter

Introduction: N. Steele established that a quorum of the Board was present

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

Motion: by C. MacMillan, seconded, to reorder the agenda.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

APPROVAL OF MINUTES:

October 20-21, 2008 Special Session Hearings

Motion: by C. MacMillan, seconded, that the Board approve the minutes of the Special Session Hearings held on October 20-21, 2008

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

October 22, 2008 General Board Meeting

Motion: by G. Poirrier, seconded, that the Board approve the minutes of the General Board Meeting held on October 22, 2008 as corrected.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

REPORT OF THE PRESIDENT:

No Report.

REPORT OF THE VICE-PRESIDENT:

The Report of the Vice-President and 1st Quarter Financial Report was circulated among Board members.

AGENDA ITEM 2.1

Report of the Vice-President

Motion: by C. MacMillan, seconded, to accept the Report of the Vice-President and 1st Quarter Financial Report.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR:

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

Ms. Griener reported 24,140 RNs and 1,972 APRNs have renewed their license. Another email will go out mid month to remind those who have not yet sent in their renewals.

Board members had previously adopted a basic structure to establish a Louisiana Center for Nursing. Ms. Morvant has been working on developing a position description and is waiting for Civil Service to approve the position. The position announcement will go out in the Examiner and will also go out by email to all qualified licensees. This is anticipated to happen before the 1st of the year. Ms. Morvant is continuing to move on opportunities that emerge in this area until the Center is established. There will be more information to present by the January Committee meetings.

ADMINISTRATIVE COMMITTEE:

Dr. Steele reported that the Administrative Committee met October 22, 2008.

Motion: by N. Steele, seconded, to accept the report of the October 22, 2008 Administrative Committee.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

ADVISORY COUNCIL

The Advisory Council did not meet. No action required by the Board.

CREDENTIALING COMMITTEE

The Credentialing Committee did not meet. No action required by the Board.

EDUCATION COMMITTEE

Dr. Steele reported that the Education Committee met on October 22, 2008

Motion: by N. Steele, seconded, to accept the report of the Education Committee held on October 22, 2008

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

COMPLIANCE COMMITTEE

The Compliance Committee did not meet. No action required by the Board.

NURSING PRACTICE COMMITTEE

The Nursing Practice Committee met on October 22, 2008.

Motion: by M. Oswald, seconded, to accept the report of the Nursing Practice Committee.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

SETTLEMENT COMMITTEE

The Settlement Committee met on November 17, 2008.

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

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

UNFINISHED BUSINESS:

AGENDA ITEM A

Report of Rulemaking of LAC 46:XLVII.3331, Denial or Delay of Licensure

On August 19, 2008, the Fiscal and Economic Impact statement was submitted to the Legislative Fiscal Office for approval. The Notice of Intent was submitted for publication in the September 10, 2008 Louisiana Register. There were no comments or requests for public hearing received. The rules are ready to be adopted.

Ms. Morvant reported that she has been trying to use the rules and apply them to the individual cases which have come through and discovered that there are issues with lack of clarity as well as other issues. Ms. Morvant requested that these rules be sent back to Committee to address these issues.

Discussion.

Motion: by M. Oswalt, seconded, to delay adoption and refer back to the Compliance Committee for further review.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswalt-yes; G. Poirrier-yes;
N. Steele-yes

Motion Carried

AGENDA ITEM B

Report on Rulemaking of LAC 46:XLVII.3333. Renewal of License

Rule LAC 46:XLVII.3333 is being submitted to the Fiscal Office for December 20, 2008. It will appear in the January 10th Louisiana Register.

Agenda Item C

Report on Rulemaking of LAC 46:XLVII.3405. Definitions of Terms, Other Causes and x.ii. Failure to Cooperate with the Board- revision to additions.

Rule LAC 46:XLVII.3405 is being submitted to the Fiscal Office for December 20, 2008. It will appear in the January 10th Louisiana Register.

Agenda Item D

Report on Proposed Rulemaking of LAC 46:XLVII.3419. Alternative Disciplinary Proceedings H.3.

Rule LAC46:XLVII.3419 is being submitted to the Fiscal Office for December 20, 2008. It will appear in the January 10th Louisiana Register.

Agenda Item E

Report on Rulemaking for Guidelines on IV Therapy to Include PICC Line Infusion and Competencies.

This rule is being submitted to the Fiscal Office for December 20, 2008. It will appear in the January 10th Louisiana Register.

NEW BUSINESS

ACTIONS ON DISCIPLINARY HEARINGS HELD ON DECEMBER 9, 2008

B. Morvant announced the names of the registrants whose file was presented at the December 9, 2008 Hearings.

Excused: D. Olds was excused from the disciplinary hearings held on Tuesday, December 9, 2008

Mark Christan Lueg

The matter was heard by the Board as an Automatic Suspension by Board Staff and a Show Cause Order for Revocation as filed.

Motion: by M. Oswalt, seconded, that the license of respondent is suspended for a minimum of 24 months and shall not be able to request reinstatement of his license until the following stipulations are met.

Submit to inpatient psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist approved by the Board; shall submit all pages of this final order to evaluator prior to start of the evaluations. 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 Respondents capability of practicing nursing with reasonable skill and safety to patients. Copies of this order shall be sent to all evaluators.

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.

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 continued licensure, the probation period, conditions or stipulations may be revised to ensure that patients and the public are protected.

Prior to reinstatement, immediately sign an agreement with the Recovering Nurse Program and cause to have submitted evidence of compliance of all program requirements for a minimum of five (5) years.

Prior to reinstatement, submit payment of \$300.00 to the Board as a fine.

Prior to reinstatement, submit payment of \$900.00 as cost of Board Hearing.

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.

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

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

Cheryl Wiggins Ross

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

Motion:

by C. MacMillan, seconded, that the license of this registrant is suspended and she shall not be able to request reinstatement until she meets with the Board staff and shows cause as to why she should be allowed to practice as a registered nurse 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.

Prior to reinstatement, submit to a comprehensive outpatient 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 registrants 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 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.

If found not to be chemically dependent, the licensee may submit an application for reinstatement.

Prior to reinstatement of license, will submit payments of \$600.00 to the Board as cost of this hearing and \$500.00 payment for fine.

After completion of above, the respondent may meet with Board or Board staff and request license reinstatement and present evidence to show cause as to why the respondent should be allowed to practice as a registered nurse.

If approved for license reinstatement, the respondent shall be reinstated with license suspension with stay and probation and monitoring to ensure patient safety.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

Consent Orders:

There were twenty-six (26) matters presented to the Board in the form of Consent Orders.

Motion: by G. Poirrier, seconded, that the Consent Orders submitted by the following registrants be accepted.

**Robert Glen Baldrige
Andrew Paul Benoit
Nicholas Thomas Bertucci
Lori Berger Dean
Kristy Rachal Dibble
Shirley Crocker Hansford
Jennifer Ann Harris
Rachel Berg Hollander
Leigh Anne Landry
Miki Coig Lund
Kenneth Paul Mayfield, II
Nancy Ann McDermott
Heidi Myers Mier
Cynthia Kyra Moore
Mary Elizabeth Mouton
Jared Paul Norris
Kalavati Paresh Patel
Scott Patrick Pomes
Amy Gulino Renfrow
Christina Danielle Roberts
Linda Hood Sansone
Laralea Moss Scott
Jessica McIntyre Sevin
Lori Mayard Simon
Dorthea Acklin Trevino
Shelly Adair Young**

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

Automatic Suspensions:

There were twelve (12) matters heard before the Board as ratification of Automatic Suspensions.

Motion: by B. Johnson, seconded, that the Board ratify Automatic Suspensions by the staff of the following registrants:

**Valarie Veillon Broussard
Sue Scarborough Coons
Christine Ranson Jarrott
Theresa Stafford McCorkhill
Lana Surry Morgan
Laurie Tarter Runco
Ralph Jacob Schwarz
Richard Joseph Slingerland
Sally Maroney Spann
Ted James Sylvester
Ginger Hale Taylor
Cheryl Folse Trahan**

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

RATIFICATION OF DELAY/DENIAL BY STAFF ACTION:

There was one (1) matter heard by the Board as Ratification of Delay/Denial by staff.

Motion: by L. Agosta, seconded, that the Board ratify the Delay/Denial of licensure by staff of the following individual:

Junies Craig Williams

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

N. Steele-yes

Motion Carried

MULTIPLE ACTIONS:

There were four (4) matters heard by the Board involving Multiple Actions by Board Staff.

Motion: by P. Johnson, seconded, that the Board Ratify Multiple Actions by Staff on the following individuals:

**Ronda Watkins Akers
Lauren Rae Anderson
Kellie Lavergne Salvadras
Sheri Schaefer Sauls**

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

SETTLEMENT COMMITTEE:

The Board received the written report of the Settlement Orders that were offered on 11/17/08.

No Action required by the Board.

ADMINISTRATIVE ISSUES:

AGENDA ITEM 2.2

Proposed 2009-2010 Fiscal Budget

The Proposed 2009-2010 Fiscal Budget will be submitted to the Oversight Committee in January. This budget must be accepted at the December meeting so that it will go into effect for the next fiscal year.

Motion: by M. Oswald, seconded, to adopt the Proposed 2009-2010 Fiscal Budget.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

AGENDA ITEM 2.3

Proposed 2009 Meeting Dates

Motion: by C. MacMillan, to approve the Committee Meeting dates for 2009 as circulated.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

Motion: by G. Poirrier, seconded, to approve the Board Meeting dates for 2009 as circulated with the following changes:

March 9, 10, 11
September 14, 15, 16

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

Motion: by C. MacMillan, seconded, to approve the Settlement Committee Conference Dates for 2009 as circulated with the following changes:

February 16, 2009
January 25, 2010

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

Amended Motion: by G. Poirrier, seconded, to amend the previously approved January 19, 2010 Committee Meeting date to January 20, 2010.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

AGENDA ITEM 2.4
REPORT ON LITIGATION

2.4.1 Spinal Diagnostics versus Louisiana State Board of Nursing

Mr. Shows updated the Board members on the status of the case. The matter was heard by the First Circuit Court of Appeal on November 3rd. A decision will be rendered within the next few weeks.

2.4.2 Debra Lewis versus Louisiana State Board of Nursing

Mr. Shows updated the Board members on the status case. The matter had been appealed to the District Court. After a review of the Record, a decision will be rendered within the next several weeks.

CREDENTIALING ISSUES:

The Credentialing Committee did not meet. No action required by the Board.

EDUCATION/EXAMINATION ISSUES

AGENDA ITEM 4.1:

Renewal of Approval of Panola College ADN Program to conduct clinical offerings in Louisiana.

Motion: by G. Poirrier, seconded, to approve the request of Panola College, to conduct clinical offerings at LSU or Willis Knighton in Shreveport for their maternal child nursing course effective January 2009 through December 2010.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

AGENDA ITEM 4.2

Policy on conditional approval for programs in nursing

Motion: by G.Poirrier, seconded, to approve the revised policy *Conditional Approval for Programs in Nursing*.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes;

Motion Carried

COMPLIANCE ISSUES

(No Agenda Items)

NATIONAL COUNCIL OF STATE BOARDS OF NURSING

AGENDA ITEM 7.1

Uniform Licensure Requirement Conference

Ms. Morvant reported that the Uniform Licensure Requirement Conference was held November 5th-6th, 2008 in Chicago, Illinois. Boards were asked to look at the Uniform Licensure Requirements that are proposed by NCSBN and examine how well they do or do not match those Uniform Licensure Requirements and have a plan to adhere to those requirements.

Discussion ensued.

Motion: by B. Johnson, seconded, to have a Special Call Board Meeting Work Shop on January 22, 2009 to address issues of the Uniform Licensure strategic plan.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswalt-yes; G. Poirrier-yes;

Motion Carried

AGENDA ITEM 8.

Financial Disclosure:

Mr. Shows reported that financial disclosure reports are now required for individuals that are members of boards.

It was suggested by Mr. Shows that it may be beneficial if an individual with the State Board of Ethics is invited to come speak to Board members regarding this matter.

Discussion ensued.

ELECTION OF OFFICERS:

Motion: by M. Oswalt, seconded, to nominate N. Steele as president for 2009.

N. Steele accepts the nomination to serve as president for 2009.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G.Poirrier-yes;

Motion Carried

Motion: by B. Johnson, seconded, to nominate G. Poirrier as vice-president for 2009.

G. Poirrier accepted the nomination to serve as vice-president for 2009.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes;

Motion Carried

Motion: by M. Oswald, seconded, to nominate C. MacMillan as alternate officer for 2009.

C. MacMillan accepted the nomination to serve as alternate officer for 2009

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes;

Motion Carried

PRESENTATIONS:

D. Olds' gavel was retired and will be presented to her in appreciation for serving as President of the Louisiana State Board of Nursing for 2008.

G. Poirrier and Ms. Oswald were recognized and honored for their service on the Board.

N. Steele presented the Louisiana State Board of Nursing with the honorary flag of her deceased father William Steele, Lt. Col, USAF (retired).

ADJOURNMENT:

Motion: by G. Poirrier, seconded, to adjourn the meeting.

Voice Vote: L. Agosta-yes; B. Johnson-yes; P. Johnson-yes;
C. MacMillan-yes; M. Oswald-yes; G. Poirrier-yes

Motion Carried

The meeting adjourned at 11:00 a.m.

Nora F. Steele

**NORA STEELE, VICE-PRESIDENT
LOUISIANA STATE BOARD OF NURSING**