

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

MINUTES OF THE AUGUST 10, 2017 BOARD MEETING

Call to Order: The regular meeting of the Louisiana State Board of Nursing was called to order at 10:00 a.m. by L. Bonanno, President, on Thursday, August 10, 2017 at Lod Cook Alumni Center, 3838 West Lakeshore Drive, Baton Rouge, Louisiana 70808

Roll Call: The following Board members were in attendance:
Laura Bonanno, DNP, CRNA, President
Teresita McNabb, RN, MSHSA, NEA, FACHE, Vice President
Tim Cotita, MSHCE, RN, CDE, Alternate Officer
Nancy Davis, MN, RN, NE-BC
Jolie Harris, DNS, RN, NEA, CAS
Jacqueline Hill, PhD, RN
Tavell Kindall, DNP, APRN
Patricia Prechter, EdD, MSN, RN
Marelle Yongue, M.D., Ex-Officio Member

The following Board members were not present:
Sue Westbrook, DNS, RN
Juzar Ali, M.D., Ex-Officio Member

The following staff members were in attendance:
Karen C. Lyon, PhD, APRN, ACNS-BC, NEA-BC, Executive Director
Patricia Dufrene, PhD, RN, Director of Education and Licensure
Jennifer Wright, DNP, APRN, FNP-BC, Director, Advanced Practice
Cynthia York, DNP, RN, CGRN, Director, Practice and Credentialing
Wanda Matthews, MPA, Director of Hearings
Barbara H. McGill, MSN, RN, Director of RNP/Monitoring
Cynthia Bienemy, PhD, RN, Director of Louisiana Center for Nursing
David Bolton, JD, General Counsel, Interim Director of Investigations
Carrie LeBlanc Jones, JD, Board Attorney
Marcia Carter, Administrative Assistant to the Executive Director
Suzanne C. Armand, CCR, CVR, Court Reporter

Adoption of Agenda:

Motion: by T. Kindall, seconded, to adopt the Agenda with the ability to rearrange the agenda items for efficiency.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes;

Motion Carried

Reading of Minutes:

The Minutes of the June 8, 2017 Board Meeting are available for viewing on Confluence.

Motion: by P. Prechter, seconded, to approve the Minutes of the June 8, 2017 Board Meeting.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

UNFINISHED BUSINESS:

Internationally Educated Nurses Task Force

Dr. York stated that the Ad Hoc Committee met after the June 8, 2017 Board Meeting. The scope of work was discussed in accord with the Board's direction. The Committee discussed the actual processes that are presently being used, and what issues they are encountering in licensing international nurses. They are continuing to look at English proficiency and medical H1B visas. Dr. York will be bringing more information back to the Board.

The second part of the Task Force is to develop a whitepaper that is going to look at possible ethical issues for these international nurses.

Dr. York would like to have another meeting with board staff and Board members to present some additional information after which time they will start incorporating stake holders into their meeting.

Solu-Cortef Administration Task Force

Dr. York reported this Task Force stems from requests that nurses be able to delegate administration of medication to children by unlicensed individuals in a school setting. A meeting is set to take place right after the Board meeting today between board staff and board members.

Dr. York initiated a poll with the National Council of State Boards of Nursing to see if there are any position statements or rules that have been developed by other Boards of Nursing.

Dr. York has had communication with the petitioners and individuals with the School Nurses Association. They are working to collect data that actually will tell the Board how many students in the last three-year period have actually had orders from physicians to administer Solu-Cortef in an adrenal crisis, how many times have they actually had to administer it and what was the outcome. And what was the outcome of the child in situations where the delegation was not made.

Task Force on Capacity and Clinical Availability

Dr. Dufrene reported that a second meeting was held by the Task Force. Dr. Clawson from LACANE, and Mr. Salles from LHA were present for discussion. The determination was that the Board of Nursing does not have regulation over who the clinical agencies allow in their agencies.

The next step is for a follow-up meeting with LACANE, LHA and LONE. LSBN has offered to host the meeting on September 29th and allow all entities to get together and determine how to move forward with looking at clinical availability and utilization.

3331 Task Force

Dr. Lyon reported that after three years, the 3331 Task Force has completed its work. It will be brought forward by General Counsel Bolton under his report for a motion to the Board.

1. Consent Agenda Motions:

1. LSBN Staff Program Status Reports
 1. NCLEX Report
 2. Accreditation Reports
2. Approved Program Reports
 1. McNeese State University - CCNE Correspondence
 2. Bossier Parish Community College - ACEN Correspondence
 3. Herzing University - CCNE Correspondence
 4. Southern University - SACSCOC Warning
3. Request for Continuing Education Providership
 1. Women's and Children's Hospital
4. Education Announcements

Motion: by J. Hill, seconded, to approve the Consent Agenda Motions.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

3. Department Reports

Agenda Item 3.1

Education/Examination Issues

Agenda Item 3.1.1

Schools of Nursing Probationary Status Reports

Agenda Item 3.1.1.1

Baton Rouge General Medical Center's Probationary Status Report

Summary/Background presented by Dr. Dufrene. Recommended acceptance.

Motion: by J. Hill, seconded, that the Board accept Baton Rouge General Medical Center's report and action plan regarding the probationary status of the Diploma program.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Agenda Item 3.1.1.2

Dillard University's Probationary Status Report

Summary/Background presented by Dr. Dufrene. Recommended acceptance.

Motion: by P. Prechter, seconded, that the Board accept Dillard University's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.

Discussion ensued regarding Dillard University's metric pass rate.

Dr. Sharon Hutchinson, Chair of Nursing, was present to provide information and answer questions by Board members.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Agenda Item 3.1.1.3

Franciscan Missionaries of Our Lady University's Probationary Status Report

Summary/Background presented by Dr. Dufrene. Recommended acceptance.

Dr. Bronwyn Doyle, Academic Director, and Dr. Amy Hall, Dean of Nursing, were present for comments, to provide information and to answer questions by Board members.

Motion: by P. Prechter, seconded, that the Board accept the Franciscan Missionaries of Our Lady University's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Agenda Item 3.1.1.4

Louisiana College's Probationary Status Report

Summary/Background presented by Dr. Dufrene. Recommended acceptance.

Motion: by P. Prechter, seconded, that the Board accept Louisiana College's report and action plan regarding the probationary status of the Baccalaureate of Science in Nursing education degree program.

Discussion ensued regarding Louisiana College's metric.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Agenda Item 3.1.1.5

Southern University at Shreveport's Probationary Status Report

Summary/Background presented by Dr. Dufrene. Recommended acceptance.

Motion: by P. Prechter, seconded, that the Board accept Southern University at Shreveport's report and action plan regarding probationary status of the Associate of Science in Nursing education degree program.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Discussion ensued regarding Board members receiving a baseline information report.

Agenda Item 3.1.2

Request for Major/Substantive Changes

Agenda Item 3.1.2.1

Herzing University

Summary/Background presented by Dr. Dufrene. Recommended approval.

Dr. Mary Yoho, Senior System Dean for Nursing, Herzing University, and Maria Lauer-Pfrommer, Chair, Herzing University, were present for comments, to provide information and to answer Board member's questions.

Motion: by P. Prechter, seconded, that the Board approve the major/substantive change request from Herzing University to add a Post Master's Certificate Family Nurse Practitioner to the current approval to offer clinical experiences for the role/population of FNP (MSN).

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Agenda Item 3.1.3

Request for Out-of-State APRN Clinical experiences in Louisiana

Agenda Item 3.1.3.1

Bradley University's Request to Offer Graduate Clinical Experiences in Louisiana.

Summary/Background presented by Dr. Dufrene. Recommended approval.

Rachel Borton, Bradley University, was present for comments, to provide information, and to answer questions by Board members.

Discussion ensued regarding Board's concerns.

Motion: by T. McNabb, seconded, that the Board approve the request of Bradley University to offer graduate clinical experiences in Louisiana until August 10, 2020 for the following roles/populations:

Family Nurse Practitioner (FNP) – Master's, Post Master's (PMC).

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-abstained

Motion Carried

Agenda Item 3.1.3.2

Simmons College's Request for Re-approval to Offer Graduate Clinical Experiences in Louisiana.

Summary/Background presented by Dr. Dufrene. Recommended approval.

Discussion ensued regarding Board's concerns.

Norma Mann, Simmons College, was present to provide information and to answer questions by Board members.

Motion: by P. Prechter, seconded, that the Board approve the request of Simmons College to offer graduate clinical experiences in Louisiana for the role and population of Family Nurse Practitioner (BSN-MSN, RN-MSN).

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-yes; P. Prechter-yes

Motion Carried

Agenda Item 3.2

RN Practice/Credentialing

Agenda Item 3.2.1

Request for Revisions to LSBN'S Declaratory Statement (Adopted 1988, Revised 1996, 2015): On the Registered Nurse Transporting Critically Ill Neonates.

Summary/Background presented by Dr. York.

Board staff recommends that the Board:

Approve a change to the Declaratory Statement on Registered Nurses Transporting Critically Ill Neonates so that Position Statement 4 on page 3 reads:

“4) That as of January 1, 2020, any neonatal RN who participates on the critically ill neonate transport team, should have obtained at least a BSN degree. Any neonatal RN that has functioned on the critically ill neonate transport team prior to January 1, 2020 and has demonstrated necessary knowledge, skills and abilities, may continue to practice at their existing level of education”.

Discussion ensued regarding clarity of the motion and Board's concerns.

Ann Lockhart, Nursing Informatics, and Janice Neill, representing Ochsner Foundation Hospital, Dr. Susan Orlando, Program Director of the Neonatal Nurse Practitioner (NNP) Program at LSU HSC School of Nursing and Task Force member, were present to provide information and to answer questions by Board members.

Discussion ensued regarding guidelines, competencies and qualifications.

Donna Martin, Chief Nursing Officer, Ochsner Baptist, was present for comments.

Motion: by T. Kindall, seconded, that the Board approve a change to the Declaratory Statement on the Registered Nurse Transporting Critically Ill Neonates so that Position Statement 4 on page 3 reads:

“4) That as of January 1, 2020, any neonatal RN who participates on the critically ill neonate transport team, should have obtained at least a BSN degree. Any neonatal RN that has functioned on the critically ill neonate transport team prior to January 1, 2020 and has demonstrated necessary knowledge, skills and abilities, may continue to practice at their existing level of education”.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes; J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

(Break taken)

Dr. Bonanno called the meeting back to order.

Agenda Item 3.3

Advanced Practice

Agenda Item 3.3.1

Proposed Rules for Chapter 45 RE: DEA Registration

Summary/Background presented by Dr. Wright.

Dr. Wright stated that the request today is an addition to the proposed rules (approved at the April, 2017 board meeting.) to maintain compliance with federal laws and to maintain effective collaboration with regulatory agencies.

Current rules in Chapter 45 (LAC XLVII:4513.2. b. ii) state that “any APRN authorized to prescribe controlled substances shall provide to the board a copy of his or her initial Louisiana controlled dangerous substance permit and Drug Enforcement Administration registration number **prior** to prescribing or distributing controlled substances.” Thus, LSBN’s approval letters required provision of the LCDS and DEA to board staff prior to final approval to prescribe.

Dr. Wright stated that the revision today is to discontinue requiring that the Board have a copy of the APRN’s Controlled and Dangerous Substance license as well as a copy of their DEA registration number and defer to the federal guidelines rather than making it a state requirement in the LSBN’s rules.

Motion: by T. McNabb, seconded, that the Board approve the following rule change:

“ii. any APRN authorized by the Board to prescribe controlled substances shall comply with provisions in 21 U.S.C. §821-831 including but not limited to obtaining and possessing an active Louisiana controlled dangerous substance license and Drug Enforcement Administration registration number prior to prescribing or distributing controlled substances;”

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

4. Operations

Agenda Item 4.1

Louisiana Compliance Questionnaire for the period ending June 30, 2017

Dr. Lyon reported that the preparation and adoption of the Louisiana Compliance Questionnaire is a required component of the financial and compliance audit of Louisiana governmental units. The questionnaire must be presented to and adopted by the governing body by means of a formal resolution in an open meeting. The document will be signed by the executive director, board president and vice-president.

Through a competitive bid process managed by the Louisiana Legislative Auditors, Pinell and Martinez was awarded a three-year professional services contract to conduct LSBN’s audit for the fiscal years ending June 30, 2017, June 30, 2018 and June 30, 2019. The fee for services

and all reimbursement of expenses shall not exceed \$9,080.00/year. The annual audit report is due on or before September 1st.

Motion: by T. Cotita, seconded, for the Board's Acceptance and Approval of the following LSBN Board Resolution:

“On the 10th day of August 2017 at a meeting of the Board of Directors of the Louisiana State Board of Nursing, with a quorum of the directors present, the following business was conducted:

“It was duly moved and seconded that the following resolution be adopted:

“BE IT RESOLVED that the Board of Directors of the Louisiana State Board of Nursing hereby accepted and approved the Louisiana Compliance Questionnaire for the period ending June 30, 2017 as a component of LSBN financial audit.

“I certify that the above and foregoing constitutes a true and correct copy of a part of the minutes of a meeting of the Board of Directors of the Louisiana State Board of Nursing. “

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes; J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

5. RNP/Monitoring

B. McGill reported that they are monitoring 611 nurses presently. There has been only one relapse in 2017. The RNP had a relapse rate of 3.6% in 2016.

Agenda Item 5.1

“How God and Palmetto Saved My Life”

(See Attachment)

6. Investigations

Investigations

(No report)

7. Hearings

(No Report)

8. Office of General Counsel

Agenda Item 8.1

Proposed Revision to the Louisiana Administrative Code, Professional and Occupational Standards Title 46 XLVII. Nurses: Practical Nurses and Registered Nurses, Subpart 2. Registered Nurses. Chapter 33, Section 3331.

D. Bolton recognized the Task Force members for Chapter 33, Section 3331: The members included: Dr. Westbrook, Chair, Dr. Porche, Dr. Prechter, Dr. Lyon, W. Matthews, R. Callegan, W. Shows, C. Jones, and Dr. Hill.

The Task Force attempted to give the Board greater discretion for hearing cases and to progress those matters forward.

Mr. Bolton reviewed with Board members the revisions which were made to Chapter 33, Section 3331.

Discussion ensued regarding language changes and issues with Failure to Disclose.

Motion: by P. Prechter, seconded, to accept the proposed revision of Chapter 33, Section 3331 of the Louisiana Administrative Code, Professional and Occupational Standards Title 46 XLVII. Nurses: Practical Nurses and Registered Nurses, Subpart 2. Registered Nurses.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

9. Center for Nursing

Agenda Item 9.1

Louisiana Center for Nursing Updates

Dr. Bienemy stated they have not submitted data on the 2016 licensure renewals as they are still waiting on that data. The Nurse Supply component of both reports will be submitted as an addendum when the data is available for analysis and the report is completed.

Dr. Bienemy reported they are currently working on preparing the data regarding Tracking Minority and Male Students enrolled in Louisiana's Undergraduate and Graduate nursing programs. They are partnering with the Board of Regents in preparing the data to move forward with that initiative.

In 2013, the Health Works Commission received funding to help with the Forecasting Model. Their goal was to enhance and update their model, but because the data is not available at this time, they were not able to move forward. Dr. Bienemy submitted a proposal to the Health Works Commission regarding supplying them data which has been obtained from the LSBN, and other data obtained in terms of what are other contributing factors to the potential nursing shortage in Louisiana. The concept was presented at the Nursing Supply and Demand Council. This proposal was extended to include all faculty. If funded, this may provide objective data to help tell the story of the nursing/faculty shortage. The proposal has been submitted to Board members.

Discussion ensued.

2. Office of the Executive Director

Agenda Item 2.1

Replacement of Consumer Member on 2017 Board Hearing Panel Schedule

(No action required)

Dr. Ali, Ex-officio member, will rotate off the Board in December of 2017.

Dr. Young, Ex-officio member, will rotate off the Board in 2018.

Dr. Ali's position will be replaced by a consumer member beginning January 2018. Dr. Young's position will be replaced by a consumer member beginning January 2019.

The new Board Hearing Panel Schedule from September 2017 through December of 2017 is attached.

Agenda Item 2.2

Update on New Organizational Structure

(No action required)

Dr. Lyon reported they have implemented the chief's positions. The Chief Nursing Officer position and the Chief Regulatory Officer position were advertised by the Civil Service System. The Civil Service has provided a list of applicants to Dr. Lyon. There were good candidates for both positions. Dr. Lyon will be selecting candidates for interviewing and will be moving forward with the selection process in hopes of having the positions filled by the end of August.

Dr. Jackson came on board on August 7, 2017 as a part time staff member in the Operations Division. He will be working with Board staff on professional development training.

Agenda Item 2.3

Amended Supplemental Payment for Executive Director - Carrie Jones

Dr. Lyon reported to the Board that an Amendment to the Contract for Supplemental Payment for the Executive Director was necessary to amend the description and anticipated completion dates of the projects for which the prospective payment supplement was approved.

Attorney C. Jones reported that when they realized that the payment could not be fulfilled based on the contract as written due to an ORBS issue, the modifications were made. The Legislative Auditor's office was contacted and have met with their attorney and got their approval for the Amendment Contract.

Motion: by P. Prechter, seconded, for the Board to approve the Contract for Prospective Payment Supplement to the Executive Director as revised and to adopt the following Resolution:

“WHEREAS, at the February 16, 2017, meeting of the Board Members of the Louisiana State Board of Nursing, the Board approved a Prospective Payment Supplement to Karen C. Lyon, Ph.D., APRN, NEA (“Dr. Lyon”), Executive Director of the Louisiana State Board of Nursing;

“WHEREAS, as discussed at the August 10, 2017, meeting of the Board Members of the Louisiana State Board of Nursing, it was necessary to revise the Contract for Prospective Payment Supplement to amend the description and anticipated completion dates of the projects for which the prospective payment supplement was approved;

“WHEREAS, at the August 10, 2017, meeting of the Board Members of the Louisiana State Board of Nursing, the Board was presented with a revised draft of the Contract for Prospective Payment Supplement;

“WHEREAS, at the August 10, 2017, meeting of the Board Members of the Louisiana State Board of Nursing, the Board approved the Contract for Prospective Payment Supplement as revised;

“BE IT RESOLVED, that the Board hereby authorizes and empowers **Laura S. Bonanno, DNP, CRNA**, President, Louisiana State Board of Nursing, to execute the Contract for Prospective Payment Supplement with Dr. Lyon.”

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes; J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

Agenda Item 2.4
2018 Board Meetings Calendar

(See attachment)

Attached are the proposed dates for the 2018 panels and Board meetings.

Motion: by T. McNabb, seconded, to accept the 2018 meeting Schedule.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes; J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

4. Reports

Agenda Item 4.1
Report of the President

(Report posted)

Agenda Item 4.2
Report of the Vice President

(June 2017 Financial Statements posted)

Ms. McNabb reported that for June 2017, income is slightly higher than for 2015 and 2016 revenues. Expenses are a little lower except for Payroll and Building expansion.

Discussion ensued.

Agenda Item 4.3
Report of the Executive Director

(Report posted)

Motion: by J. Harris, seconded, to accept the report of the President, Vice President and the Executive Director.

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

6. National Council State Boards of Nursing

Agenda Item 6.1
Tri-Regulator Symposium

Dr. Lyon attended the July 24-26, 2017 Tri-Regulator Symposium in Chicago. This symposium, which is held every two years, brings together medical, pharmacy, and nursing regulators that belong to the Federation of State Medical Boards, the National Council of State Boards of Nursing and the National Association of Boards of Pharmacy. Dr. Lyon gave a brief synopsis of the Symposium. The main topics were the opiate epidemic and immigration. The keynote speaker was Dr. Kahn who is the Executive Vice President of the Council of Medical Specialty Regulatory groups. Dr. Lyon stated it was an excellent conference.

5. Professional Development

Agenda Item 5.1
The ABC's of Consent Orders

A presentation was given by B McGill, W. Matthews and D. Bolton on the ABC's of Consent Orders.

7. Public Comments

(No Public Comments)

Motion: by T. McNabb, seconded, for the Board to go into Executive Session

for the purposes of hearing the Report on Litigation and Personnel Issues.

ADJOURNMENT:

Motion: by N. Davis, seconded, to adjourn

Voice Vote: L. Bonanno-yes; T. Cotita-yes; N. Davis-yes; J. Hill-yes;
J. Harris-yes; T. Kindall-yes; T. McNabb-no; P. Prechter-yes

Motion Carried

The meeting adjourned at 3:00 p.m.



**LAURA BONANNO, PRESIDENT
LOUISIANA STATE BOARD OF NURSING**