

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

MINUTES OF THE OCTOBER 15, 2020 BOARD MEETING

Call to Order: The regular meeting of the Louisiana State Board of Nursing was called to order at 9:10 a.m. by L. Bonanno, Vice President, on Thursday, October 15, 2020, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:
Laura Bonanno, PhD, DNP, CRNA, Vice President
Tavell Kindall, PhD, DNP, APRN, FNP, Alternate Officer
Kenneth Alexander, MS, RRT
Ann Carruth, DNS, RN
Jennifer Couvillon, PhD, RN-BC, CNE
Jennifer Manning, DNS, APRN, CNS, CNE
Tracey Moffatt, MHA, BSN, RN
Wendi Palermo, PhD, RN
Frederick Pinkney, Ed.D
Jamie Wiggins, DNS-c, MS, RN, CCRN-K, NEA- BE, FACHE

Board Members not present
Tim Cotita, RN, BSN, MSHCE, President

The following staff members were in attendance:
Karen C. Lyon, PhD, APRN, MBA, NEA-BC, Executive Director/CEO
Isonel Brown, MS, MBA, Chief Administrative Officer
Wanda Matthews, MPA, Chief Compliance Officer
Jennifer Wright, DNP, APRN, FNP-BC, Chief Nursing Officer
Carrie LeBlanc Jones, JD, MBA, Chief Legal Officer/General Counsel
Cynthia Bienemy, PhD, RN, Director, Louisiana Center for Nursing
Monique Calmes, MSN, APRN, FNP-C, Licensure and Practice Director
Patricia Dufrene, PhD, RN, Education and Exam Director
Urhonda Beckwith, MSN, APRN, FNP, RNP Director
Marcia Carter, Administrative Assistant to the Executive Director
Suzanne C. Armand, CCR, CVR, Court Reporter

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

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes;
J. Couvillon-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes;
W. Palermo-yes; F. Pinkney-yes; J. Wiggins-yes

Motion Carried

Approval of Minutes:

Motion: by T. Kindall, seconded, to approve the Minutes of the August 20, 2020 Board Meeting.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

1. Consent Agenda Motions

1. LSBN Staff Program Status Reports
 1. NCLEX Report
 2. Accreditation Reports
2. Louisiana Department of Health – Office for Citizens with Developmental Disabilities – Continuing Education Re-approval.

Motion: by T. Moffatt, seconded, to accept the Consent Agenda Motions.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

2. Division Reports

Agenda Item 2.1

Division of Nursing Practice

Agenda Item 2.1.1

Chief Nursing Officer

Dr. Wright announced that the renewal season has begun as of October 1, 2020. Those who are due to renew will be expiring at the end of January. At this time, 4.5% of licensees who are eligible this season have renewed.

Agenda Item 2.1.4

Center for Nursing

Agenda Item 2.1.4.1

Louisiana Center for Nursing Updates

Please refer to Dr. Bienemy's updates which were placed in Confluence.

Dr. Bienemy was available for questions from Board members.

Agenda Item 2.3
Division of Administration

Agenda Item 2.3.1
Chief Administrative Officer

Agenda Item 2.3.1.1
FY 2020 Financial and Compliance Audit Report

On September 30, 2020, Pinell & Martinez LLC, Certified Public Accountants, issued its independent auditor's report on LSBN's financial statements for the fiscal period ending June 30, 2020. A summary of the auditor's report reflects an "unmodified" opinion with no findings, no material weaknesses or significant deficiencies identified, and no instance of noncompliance were noted that were material to the financial statements.

Ms. Brown reported that the Louisiana State Board of Nursing remains in a strong financial state.

The FY 2020 Financial and Compliance Audit Report is attached.

Ms. Brown was available for questions regarding the audit.

Motion: by T. Kindall, seconded, that the Board accept and approve the FY2020 Financial and Compliance Audit Report.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

Agenda Item 2.3.1.2
Notice of Mandatory Trainings

To ensure LSBN's compliance with regulatory agencies, board members are required to complete an Ethics and Sexual Harassment training each calendar year by December 31st. The 2020 training is only available through December 31st. The Louisiana State Civil Service has created two on-line trainings to assist in meeting this requirement.

Ms. Brown requested that when Board members complete their courses, that everyone print out their training certificate and send it to her so she can place these into the files to be ready for the next audit.

Agenda Item 2.2

Compliance Division

Agenda Item 2.2.1

Chief Compliance Officer

Ms. Matthews gave a brief update on the Priority 1 investigations. At the December Board meeting, a full report on the Division will be presented which will include all open investigations.

As of October 14, 2020, there are a total of 68 open Priority 1 investigations. Thirty-eight of the 68 cases are out of compliance; therefore, 56% of the cases are out of compliance. The majority of the out of compliance cases are in the 1 – 3 month range.

Sixteen cases are out of compliance 1 to 3 months.

Five cases are out of compliance 4 to 6 months

Five cases are out of compliance 7 to 9 months.

Eight cases are out of compliance 10 to 12 months.

Four cases are out of compliance 13 to 15 months.

Four cases have not been closed because the investigators are either waiting on information from the DEA or other law enforcement agencies and the agencies are unwilling to share information regarding the investigations until the investigations are completed.

At the August 2020 board meeting, Ms. Matthews reported 55 open Priority 1 investigations, 33 cases were out of compliance and the percentage of out of compliance cases was 60 percent. This month, Ms. Matthews reported 56 percent of the cases were out of compliance.

Ms. Matthews was available for questions.

Agenda Item 2.2.2

RNP/Monitoring

No Report

Agenda Item 2.3.2

Information Technology

No Report

Agenda Item 2.3.3

Human Resources

No Report

Agenda Item 2.3.4

Financial/Records Management

No Report

Agenda Item 2.1.2

Education and Examination

Agenda Item 2.1.2.1

School of Nursing Probationary Status Report

Agenda Item. 2.1.2.1.1

Louisiana College

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

Dr. Lyon received a letter from Dr. Brewer asking to meet again with her and the Board regarding the use of second time NCLEX test rates. Dr. Lyon called Dr. Brewer on his cell phone and left a message but did not hear back from him and then followed up with an email stating she would be happy to meet with him. Dr. Lyon stated that, besides herself and the Education Division, she needed representation from the Board and asked for feedback from Board members.

Discussion ensued.

Motion: by J. Wiggins, 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.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

Agenda Item 2.1.2.2

Major Substantive Changes

Agenda Item 2.1.2.2.1

Franciscan Missionaries of Our Lady University

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

Motion: by T. Kindall, seconded, that the Board approve the major substantive change request to add the accelerated pre-licensure option to the Baccalaureate of Science in Nursing program at Franciscan Missionaries of Our Lady University.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;

J. Wiggins-yes

Motion Carried

Agenda Item 2.1.2.3

Out-of-State APRN Clinical Approval

Agenda Item. 2.1.2.3.1

University of South Alabama

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

Dr. Heather Hall, Dean of the College of Nursing University of South Alabama, was present to provide information and to answer questions by Board members.

Motion: by T. Kindall, seconded, that the Board approve the request of the University of South Alabama to offer graduate clinical experiences in Louisiana until October 15, 2023 for the following roles/populations:

RN-MSN, MSN, PGC, BSN-DNP, PM DNP, DNP

Family Nurse Practitioner (FNP)

Adult Gerontology Primary Care Nurse Practitioner (AGNP)

Adult Gerontology Acute Care Nurse Practitioner (AGACNP)

Pediatric Primary Care Nurse Practitioner (PNP)

Pediatric Acute Care Nurse Practitioner (PNP-AC)

Women's Health Nurse Practitioner (WHNP)

Neonatal Nurse Practitioner (NNP)

Family Mental Health Nurse Practitioner (FMHNP)

Family Nurse Practitioner/Adult Gerontology Acute Care Nurse Practitioner (FNP/AGACNP)

CNS

MSN - Adult Health Clinical Nurse Specialist (ACNS)

DNP and PMC - Adult Gerontology Clinical Nurse Specialist (AGCNS)

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

Agenda Item 2.1.2.4

Request for New Undergraduate Program in Louisiana

Agenda Item 2.1.2.4.1

Loyola University's Intention of an Undergraduate Nursing Degree Program.

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

Dr. Laurie Anne Ferguson, Dean of Nursing at Loyola University, was present to provide information and answer questions by Board members.

Motion: by J. Wiggins, seconded, that the Board accept the Site Visit report and Step II from Loyola University to establish a baccalaureate of science in nursing education degree program and grant initial approval.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-abstained; W. Palermo-yes; F. Pinkney-yes; J. Wiggins-yes

Motion Carried

(Break)

(Dr. Bonanno called the Board meeting back to order)

Agenda Item 2.1.2.5
Excelsior College Accreditation

Summary/Background presented by Dr. Dufrene.

Dr. Dufrene requested that the Board discuss and act on the current accreditation status and request of Excelsior College regarding eligibility of currently enrolled students to be licensed in Louisiana.

Michael DiSiena, Deputy General Counsel, Excelsior College, was present via Microsoft TEAMS to present information and answer questions by Board members.

Discussion ensued.

Motion: by T. Kindall, seconded, that approval of the Excelsior College LPN to RN program terminate effective May 10, 2021 the day at which ACEN accreditation terminates.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes; T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes; J. Wiggins-yes

Motion Carried

Agenda Item 2.1.2.6
Cohort Definition Discussion

Summary/Background presented by Dr. Dufrene.

Dr. Dufrene requested that the Board discuss and direct staff regarding the rules and regulations as they relate to a new program under initial approval and eligibility for full approval.

Discussion ensued.

Dr. Sharon Hutchinson, Dean and Professor of the College of Nursing at Dillard University, was present via Microsoft TEAMS, to present information and answer questions by Board members.

Motion: by J. Wiggins, seconded, to direct staff to use Option A for Dillard University:
Consider the described students as a cohort of the phased-out program.

Effected students graduated out of sequence.

Effected students were not initially admitted to and did not have opportunity to experience full implementation of the entire curriculum under the newly developed program and revised teaching strategies.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

Motion: by T. Kindall, seconded, to direct staff to use Option A for Chamberlain University:
Consider the described students as a cohort and first class of graduates of the new program.

Effected students applied to the new program and completed core upper division nursing courses together.

Effected students were not initially admitted to and did not have opportunity to experience full implementation of entire curricular program.

Full approval should be requested per Step III.

Additional discussion.

T. Kindall withdrew his motion.

Motion: by T. Kindall, seconded, to direct staff to use Option B for Chamberlain University:
Consider the future group of students that complete the full curriculum as the initial cohort and first class of graduates of the new program.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-recused;

T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

(Break)

(Dr. Bonanno called the Board meeting back to order.)

Agenda Item 2.1.4.2

Louisiana's Multi-Regional Statewide Nursing Workforce Forecast Model and Simulation Tool

Dr. Cynthia Bienemy and Dr. Craig Moore, Economic Consultant and Model Developer, presented to the Board Louisiana's updated and enhanced forecast model which projects Louisiana's nurse supply and demand through 2025. When the 2020 Census data becomes available, the model can be updated and will have the ability to project out to 2030. Dr. Moore is appearing today via Microsoft TEAMS.

(Due to technical difficulties, the presentation was not able to be concluded.)

Dr. Bienemy was available for questions from the Board.

Agenda Item 2.1.2.5 (Continued)

Excelsior College Accreditation

Motion: by T. Kindall, seconded, to rescind the Motion regarding Excelsior College LPN to RN Program terminate effective May 10, 2021 the date at which ACEN accreditation terminates.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

Motion: by T. Kindall, seconded, based on new information that Excelsior will lose its ACEN accreditation effective May 11, 2021, that the board amend the board action on June 14, 2018 which allowed that Excelsior College's students who are LPNs enrolled in the college prior to June 14, 2018 AND who take the NCLEX prior to July 1, 2022 are eligible to apply for licensure by examination. The motion to amend is to change the NCLEX date to May 11, 2021, and the revised action would provide that Excelsior College's students who are LPNs enrolled in the college prior to June 14, 2018 AND who take the NCLEX prior to May 11, 2021, are eligible to apply for licensure by examination. In other words, the eligibility to sit for the NCLEX-RN through approval from LSBN terminates contemporaneously with the termination of the ACEN accreditation.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;

J. Wiggins-yes

Motion Carried

Agenda Item 2.4

Division of Legal Affairs

Agenda Item 2.4.1

Chief Legal Officer

No report

Agenda Item 2.4.1.1

Louisiana Real Estate Appraisers Board vs United States Federal Trade Commission, U.S. Court of Appeals for the 5th Circuit, No. 19-30796.

Ms. Jones discussed a case involving the *Louisiana Real Estate Appraisers Board vs United States Federal Trade Commission* and its potential impacts on regulatory agencies such as the LSBN.

A discussion was had regarding *Louisiana Real Estate Appraisers Board vs United States Federal Trade Commission* and potential implications on occupational licensing/regulatory agencies.

Agenda Item 2.4.2

Hearings

Ms. Jones will give her Report on Litigation during Executive Session.

Agenda 3

Office of the Executive Director

Agenda Item 3.1

Vaccine Action Collaborative

Dr. Lyon reported that she has been on the planning group for the Vaccine Action Collaborative. The Louisiana Department of Health has put together a COVID-19 vaccination plan. The state of Louisiana has developed its own vaccination plan in preparation for mass distribution of vaccinations once available. This plan must go back to the CDC for approval.

See attachment.

Agenda 3.2

NCSBN Waiver Language Draft for COVID19 Vaccines

The following Waiver Language by the NCSBN was presented by Dr. Lyon Board to Board members.

To assist in the administration of a vaccine for COVID-19

1. A registered nurse and licensed practical nurse licensed in good standing in this jurisdiction may delegate to an assistive personnel the administration of the vaccine(s) under established delegation guidelines.
2. A registered nurse and licensed practical nurse licensed in good standing in this jurisdiction may delegate to students enrolled in a board-approved nursing education program, the administration of the vaccine(s) under established delegation guidelines.

An Advanced Practice Registered Nurse licensed in good standing in this jurisdiction is authorized to own and operate a clinic for purposes of administration of a vaccine(s) for COVID-19 without a supervisory or collaborative relationship with a physician.

Agenda Item 3.3 **Legislative Update**

Dr. Lyon updated Board members regarding bills which were enacted in California having to do with the California BON establishing a new nurse practitioner advisory committee to advise and make recommendations about APRNs. Dr. Lyon stated she was concerned about this bill because wording in the bill refers to a three-year transition to practice period before the APRN would be allowed to practice without a collaborative practice agreement and that the state plans to develop a separate and distinct examination from the certification exams for Nurse Practitioners. This would be state developed.

Dr. Lyon updated Board members that Senator Peacock reintroduced bills for Physician Assistants, Emergency Medical Services, the Medical Licensure Compact, and Audiology and Speech Pathology.

See attachment.

Agenda Item 3.4. **2021 Board Meetings and Board Hearing Panel Meetings Calendar**

The 2021 Board Meetings and Board Hearing Panel Meetings Calendar was posted for Board members.

Motion: by T. Kindall, seconded, to approve the 2021 Board Meetings and Board Hearing Panel Meetings Calendar.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

4 Reports

Agenda Item 4.1

Report of the President

No Report

Agenda Item 4.2

Report of the Vice President

Report Posted

Agenda Item 4.3

Report of the Executive Director

Report Posted.

Discussion was had concerning the September 10, 2020 Microsoft Teams meeting with representatives from Louisiana Tech University concerning request to initiate BS in Nursing & Informatics.

Motion: by L. Bonanno, seconded, to accept the reports of the Vice President and the CEO/Executive Director.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

5. Professional Development

No presentation.

6. National Council State Boards of Nursing

Agenda Item 6.1

2020 Environmental Scan Discussion

This discussion will be scheduled for a future Board meeting. Dr. Lyon will send out the 2020 Environmental Scan for Board members to review.

7. Public Comments

There were no public comments

Unfinished Business:

1. C.E. Broker Proposal

Dr. Lyon reported that they will not be going with a C.E. Broker at this time.

Motion: by J. Manning, seconded, that the Board will not accept the C.E. Broker Proposal for monitoring Continuing Education.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

Motion Carried

2. Participation in NCSBN's Annual Reporting process

Dr. Lyon requested that this item be moved to the December 3, 2020 Board meeting.

8. Executive Session

Motion: by T. Kindall, seconded, to go into Executive Session for the purposes of hearing the Report on Litigation and Personnel Issues.

Voice Vote: L. Bonanno-yes; K. Alexander-yes; A. Carruth-yes; J. Couvillon-yes;
T. Kindall-yes; J. Manning-yes; T. Moffatt-yes; W. Palermo-yes; F. Pinkney-yes;
J. Wiggins-yes

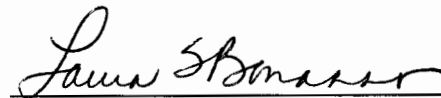
Motion Carried

ADJOURNMENT:

After returning from Executive Session, the Board Meeting was adjourned.

Motion: by T. Kindall, seconded, to adjourn.

The meeting adjourned at 2:36 p.m.



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