

**LOUISIANA STATE BOARD OF NURSING
3510 NORTH CAUSEWAY BLVD., SUITE 501
METAIRIE, LOUISIANA 70002**

MINUTES OF THE SEPTEMBER 11, 2002 BOARD MEETING

Call to Order: This regular meeting of the Board of Nursing was called to order at 8:30, a.m. by Patsy McClanahan, President, on Wednesday, September 11, 2002, at the Louisiana State Board of Nursing, 3510 North Causeway, 6th Floor, Metairie, Louisiana 70002.

Roll Call: The following members were in attendance:

Patsy McClanahan, MSN, RDMS, RN, CNP, President
Deborah Ford, MSN, RN, CNA, Vice-President
Patricia Bourgeois, MSN, CNS, RN, Alternate Officer
Tommie J. Ashby, BSN, RN
Elsie Crapanzano, MSN, RN
Oswald Ferry, EdD, CRNA
Karen Moody, PhD, RNC
Frankie Rosenthal, MSN, RN, CNS, CNA
Nora Steele, DNS, RN, C, PNP
Eli Sorkow, MD (Ex-Officio)

The following staff members were in attendance:

Barbara Morvant, MN, RN, Executive Director
Cynthia Morris, MSN, RN, Assistant Executive Director
Barbara McGill, MSN, RN, Compliance/Practice Director
Ellienne Tate, EdD, RN, Credentialing Director
Patricia Ladner, MN, RN, Nursing Consultant for Practice
Deborah Humphrey, MSN, APRN, Credentialing Manager
Michelle Wells, MSHCM, BSN, RN, C, CPUR, RN Regional Manager
Sue Masters, BSN, RN, RN Regional Manager
Thania Elliott, RN, MSH, JD, RN Regional Manager
E. Wade Shows, Attorney to the Board
Celia Cangelosi, Attorney to the LSBN President
Helen Forrest, Licensing Analyst Supervisor-Compliance
Julie Comeaux, Executive Services Assistant

Introduction: President P. McClanahan established that a quorum of the Board was present.

Opening Prayer: The meeting opened with a prayer by P. Bourgeois.

Motion: by O. Ferry, seconded, that the President be granted the authority to reorder the agenda and to go into Executive Session after completion of the agenda.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes;
Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes;
Steele-yes.

Motion Carried

APPROVAL OF MINUTES:

June 3-4, 2002 - Hearings

Motion: by D. Ford, seconded, that the Board approve the minutes of the Disciplinary Hearings held on June 3-4, 2002.

Voice Vote: Ms. McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes;
Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes;
Steele-yes.

Motion Carried

June 5, 2002 - General Meeting

Motion: by D. Ford, seconded, that the Board approves the minutes of the General Meeting held on June 5, 2002.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

July 15, 2002 – Special Session

Correction: P. McClanahan stated that it should be noted that T. Ashby was excused from the hearings held on this date.

Motion: by D. Ford, seconded, that the Board approves the minutes of the Special Session held on July 15, 2002 with the correction.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

July 16, 2002 – General Meeting

Corrections: P. McClanahan stated that it should be noted that T. Ashby was excused from the General Meeting held on this date.

N. Steele noted that on page 2, the second paragraph should read “if found to be chemically dependent.”

Motion: by N. Steele, seconded, that the Board approval the minutes of the General Meeting held on July 16, 2002 with corrections.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

ACTIONS ON DISCIPLINARY HEARINGS HELD ON SEPTEMBER 9-10, 2002:

B. Morvant announced the names of those registrants whose files were presented at the Monday, September 9, 2002, Disciplinary Hearings.

Anderson, Thomas

The matter was heard before the Board in response to charges as filed.

Recused: D. Ford was recused from this hearing due to the Advisory Council Meeting.

Motion: by F. Rosenthal, seconded, that a letter of reprimand is issued and becomes a part of this registrant’s current file regarding the incident which brought this registrant before the Board. And within three months and prior to reinstatement, submit a payment of one hundred dollars (\$100.00) to the Board, and three hundred dollars (\$300.00) for Court costs.

Voice Vote: Ms. McClanahan-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Peterson, Dana L. Was heard before the Board as a request for a continuance.

Recused: D. Ford was recused from this hearing due to the Advisory Council meeting.

Motion: by K. Moody, seconded, that the Board grant the request for a continuance until the December 2nd Board Hearing contingent upon the registrant's voluntary surrender of her license at this time.

Voice Vote: Ms. McClanahan-yes Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.
Motion Carried

Williams, Cynthia Appeared before the Board with a request for reinstatement.

Motion: by O. Ferry, seconded, that the request for reinstatement is approved after completion of an application process with a court cost of a hundred and fifty dollars (\$150.00) to be paid within three months.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.
Motion Carried

Henning, Stephen Appeared before the Board with a request for reinstatement .

Motion: by E. Crapanzano, seconded, that this individual is granted approval to take the NCLEX RN, to be issued a probated temporary work permit and to receive a license probated for one year upon successful passing of the NCLEX exam contingent upon adherence to the following stipulations:

Within sixty (60) days submit to a comprehensive outpatient substance abuse evaluation by an addictionist, who has been approved by the Board; Shall authorize and cause a written report of the said evaluation to be submitted to the Board; Shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to registrant's capability of practicing nursing with reasonable skill and safety to patients.

Immediately submit to all recommendations thereafter of the therapist, physician or treatment team and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals.

This stipulation shall continue until the registrant is fully discharged by the respective professionals and until approved by the Board staff.

If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with the Broad 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 the registered nurse.

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

Have supervised random drug screens, urine and blood alcohol done monthly through an approved LSBN laboratory. Additional screenings may be requested by Board Staff. Written reports of same shall be submitted to the Board.

Immediately (within seventy-two (72) hours) inform the Board in writing of any change in address. Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within seventy-two (72) hours) notified in writing.

Prior to beginning or returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license.

Within five days shall cause all employers to submit in writing to the Board that they have reviewed all pages of this order.

Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment.

Within six months, submit payment of one thousand and fifty dollars (\$1,050.00) hearing cost to the Board.

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.

Quarterly reports are due on or before the first day of January, April, July, and October.

Failure to comply with the above orders, receipt of an unfavorable report or non-receipt of reports on or before the date due shall result in the immediate suspension of this registrant's permit or license and shall cause a hearing to be scheduled for revocation of this registrant's license.

This suspension can be imposed by the action of the staff subject to the discretionary review by the Board.

Voice Vote: Ms. McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes
Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.
Motion Carried

Slaydon, Thomas

Appeared before the Board in response to a Show Cause Order as filed..

Motion:

by F. Rosenthal, seconded, that this student is granted approval to enter and progress to the next clinical nursing course of sequence contingent upon meeting admission requirements established by the nursing program. Furthermore, within fifty days submit to a comprehensive psychological evaluation by a clinical psychologist who has 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 regarding report including diagnosis, course of treatment, prescribed and recommended treatment, prognosis and professional opinion as to registrant's capability of practicing nursing with reasonable skill and safety to patients.

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 he poses no danger to the practice of nursing or to the public and that he can safely and competently perform the duties of the registered nurse.

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

Within six (6) months, submit payment of four hundred and fifty (\$450.00) to the Board for hearing fee.

Failure to comply with the above order within the stated time shall result in immediate suspension of this registrant's permit, denial of license or shall result in immediate denial of student's request to enter progress to the next clinical course.

This stipulation can be imposed by the action of the staff, subject to the discretionary review of the Board.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes;

Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Ellis, Kerri

The matter was heard before the Board in response to charges as filed.

Motion:

by K. Moody, seconded, that a letter of reprimand be issued and become a part of this registrant's permanent file regarding the incident of practicing without a license, and that prior to requesting license renewal, the registrant pay to the Board one hundred and fifty dollars (\$150.00) in court costs and a one hundred (\$100.00) fine.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Temes, Stephen

Appeared before the Board with a request for reinstatement.

Motion:

by D. Ford, seconded, that the license of this registrant is reinstated with probation for one year contingent upon adherence to the following stipulations:

Within sixty (60) days submit to a comprehensive substance abuse evaluation by an addictionist, who has been approved by the Board; Shall authorize and cause a written report of the said evaluation to be submitted to the Board; Shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to registrant's capability of practicing nursing with reasonable skill and safety to patients.

Immediately submit to all recommendations thereafter of the therapist, physician or treatment team and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals.

This stipulation shall continue until the registrant is fully discharged by the respective professionals and until approved by the Board staff.

If 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 two years.

Have supervised random drug screens done monthly through an approved LSBN laboratory. Additional screenings may be requested by Board Staff. Written reports of same shall be submitted to the Board.

Prior to beginning or returning to work, inform all nursing employers of these discipline measures and of the probationary status of license.

Within five days shall cause all employers to submit in writing to the Board that they have received all pages of this order.

Within one year, submit a payment of a two hundred dollar (\$200.00) fine and six hundred dollars (\$600.000) court costs.

Further, failure to comply with the above orders, receipt of an unfavorable report or non-receipt of reports on or before the date due, shall result in immediate suspension of this registrant's license.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Muneer, Elazah

Appeared before the Board in response to a Show Cause Order as filed.

Recused: O. Ferry was recused from this hearing.

Motion: by D. Ford, seconded, that this student is granted approval to enter progress to the next clinical nursing course sequence contingent upon meeting admission requirements established by the nursing program and the following stipulations are met:

Within sixty (60) days submit to a comprehensive psychiatric/ psychological evaluation by a psychiatrist, clinical psychologist in a treatment facility approved by the Board; Shall authorize and cause a written report of the said evaluation to be submitted to the Board and the contracting health professional; Shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment and prognosis.

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

Failure to comply with the above orders, receipt of an unfavorable report shall result in the immediate suspension of this registrant's request to enter or progress to the next clinical course.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

DeBerry, Pamela The matter was heard by the Board in response to charges as filed.

Motion: by D. Ford, seconded, that the license of this registrant is suspended and shall not be able to request reinstatement for a minimum of three months, after which time she may request a hearing for the purpose of reinstatement with application for reinstatement contingent upon meeting the following stipulations.

Upon request for reinstatement, submit written evidence of completion of ten (10) hours or LSBN staff approved continuing education hours to include the areas of medication, administration and documentation.

Prior to reinstatement submit a payment of three hundred dollars (\$300.00) for court costs and a fine of one hundred dollars (\$100.00).

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Eruge-Dodd, Glenda

Appeared before the Board in response to a Show Cause Order as filed.

Motion: by N. Steele, seconded, that the RN student is granted approval to enter and progress to the next clinical nursing course, contingent upon meeting the admission requirements established by the nursing program, and the following stipulations are met:

Within sixty (60) days submit to a comprehensive evaluation by a clinical psychological who had 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.

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

Within twelve months, submit a payment of four hundred dollars (\$400.00) to the Board with at least twenty-five dollars (\$25.00) due on the first of each month.

Failure to comply with the above orders within the stated time shall result in the immediate denial of the student's request to enter or progress to the next clinical course.

This stipulation can be imposed by action of the staff subject the discretionary review of the Board.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Ferguson, Tracy Was heard by the Board as a request for a Rehearing.

Recused: O. Ferry and T. Ashby was recused from this hearing.

Motion: by D. Ford, seconded, that the Board reconsider the matter, which will involve reconsidering the case on the basis of the record. Board staff is directed to acquire the transcript of the hearing held July 15th, 2002. The reconsideration is pursuant to a petition requesting the decision be reconsidered by the Board and specifying the particular grounds therefore.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Steele-yes.

Motion Carried

Automatic Suspensions:

There were eleven (11) matters brought before the Board in the form of automatic suspensions by Board Staff.

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

Shirley Clifton Bates, Daniel Paul Estevez, Angela Nichols Graffeo, Karla Mary Hanks, David Brian Johnson, Mary Ellen Darby Keene, Jonathan Isaac Little, Toni Terrell Lowenstein, Connie Degler Ricketts, Kelli Trentcosta Ruiz, Amy W. Waddell.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Consent Orders:

There were forty-eight (48) matters that came before the Board in the form of Consent Orders.

Motion: by N. Steele, seconded, that the Consent Orders submitted by the following registrants be accepted.

Marline Clarke Bashkiharatee, Amanda Belcher, Annette Lane Bell, Edgar Waldo Booth, Ginger Anne Crooks Bradford, Tamara Nicole Bradford, Osby Matrine Butler, Johnny Brian Cappell, Amelia Dalonna Carter, Amber Cavalier, Peter Thomas Coble, Jacques Paul Cole, Steven Thomas Coppock, Monique Jevay Gauthier, Heather Lott Goodwin, Christopher Michael Graham, Charles Walter Gras, Kaci Marie Hale, Bryan K. Hall, Janice Carole Hayes-Ellis, Keith Edwin Husser, Racquel Cummings Johnson, Lisa Jones Jacobs, Roberta M. Kalmanson, Sharon Turner Keathley, William Paul Lawler, Misty Grosch Lejeune, Pamela Huffman Lockridge, Nancy Evans Meserve, Leslie Miller, Michelle Marie Michell, James Herbert Norris, Jr., Charlotte Froechtenich Petit, Karen Cook Powell, Gail Elizabeth Rabinowitz, Emathious Kashara Robinson, Cecilia Rojas, Allison Hoffman Rosario, Marie A. Sayles, Carrie J. Shorter, Jonah Stafford Smith, Tambi Sonora Smith, Richard Roland Stromboe, Anthony Joseph Taffaro, Jayson Alton Thornhill, Lillie Ann Shears Vautour, Michael James Villejoin, Peter Vacaus, Jon Timothy Wall.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

RATIFICATION OF DELAY/DENIAL STAFF ACTION:

Six (6) matters came before the Board as delay or denial by staff action.

Motion: by P. Bourgeois, seconded, that the Board ratify the delay/denial by staff action of the following individuals:

Jeannette Monet Babineaux, Jeremy Lynn Brazzel, Judy Harris Bright, Chastity Crain, Glenda Marie Fruge-Dodd, Gloria Elizabeth Mejia.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

The Board received the written report of the Settlement Committee meetings held July 15, 2002 and August 20, 2002. No action required by the Board.

REPORT OF THE PRESIDENT:

P. McClanahan presented a written report. (Report on file.)

Motion: by O. Ferry, seconded, to accept the report of the President.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

SETTLEMENT COMMITTEE:

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

REPORT OF THE VICE-PRESIDENT:

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

AGENDA ITEM 2.1:

REVIEW OF VICE PRESIDENT REPORT FOR APRIL 1, 2002 TO JUNE 30, 2002.

Discussed in Vice President's Report.

Motion:

by D. Ford, seconded, to accept the report of the Vice-President and the Fourth Quarter Financial Statement for the period April 1, 2002 to June 30, 2002.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes;
Crapanzano-yes; Rosenthal-yes; Moody-yes, Ashby-yes
Steele-yes.

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR:

B. Morvant presented a report on the activities of the Board for the quarter April 1, 2002 to June 30, 2002. (Report on file.)

Ms. Morvant stated that she has met with staff since the report has come out and will be making changes in the format of the report, making it a little easier, ensuring that the numbers will be reported consistently throughout the year and welcomed suggestions if anyone wanted additional information to be included in the report.

Ms. Morvant reported that the auditors were in for the 2001 and 2002 fiscal year audit, and that everyone should be receiving their copy of the report shortly. It was due August 29th to the Oversight Committee and to the Budget Office. Staff does not expect major findings from that audit.

Some expanded information on complaints will be reported, starting with the new fiscal year, in an effort to try and report the numbers more accurately. The number of complaints for the fiscal year are much higher in that staff was not inputting all the complaints that came in, in the form of yes answers and renewals and those types of investigations and an effort is being made to correct this to ensure that everything gets into the computer and will be reporting those. Internal target dates have been set to work on older cases, which cases are progressing well.

Ms. Morvant reported that the redesigned web site is nearing completion. The goal is to make available more of the application processes on the web site. Renewals are targeted to go out October 1st.

Motion:

by O. Ferry, seconded, that the report of the Executive Director be accepted.

Voice Vote: McClanahan-yes; Ford -yes; Bourgeois-yes; Ferry-yes;
Crapanzano-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

ADMINISTRATIVE COMMITTEE:

AGENDA ITEM 2.1, PROPOSED RULES AND REGULATIONS REGARDING PUBLIC COMMENT AT MEETINGS THAT ARE SUBJECT TO THE NOTICE REQUIREMENTS OF R.S 42:7 (A).

P. McClanahan stated that the Administrative Committee met on July 16, 2002.

Ms. Morvant stated that LA RS 42:5.D. was amended to require public comments at all Board meetings subject to the Open Meetings Law and to

require the adoption of the rules and regulations regarding same.

Ms. Morvant commented that she believes that the Board has been in compliance with the spirit of this legislation for some time because the Board does permit public comment. But now that it is mandated to all agencies, the Board has the authority to structure it, and is given guidelines in order to accomplish this. The Administrative Committee requested that the rules reflect what the general practice is, that individuals are allowed to speak on particular items throughout the meeting.

Motion: by P. McClanahan, seconded, that the Board accept the Administrative Committee Report and accept the proposed Rules and Regulations regarding public comment at meetings that are subject to the notice requirements of R.S. 42:7(A).

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

ADVISORY COUNCIL:

D. Ford reported that the Advisory Council met on September 9, 2002. The minutes were distributed to the Board. The next meeting will be held on March 10, 2003. (No action required by the Board.)

Motion: by O. Ferry, seconded, that the report of the Advisory Council be accepted.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

CREDENTIALING COMMITTEE:

O Ferry stated that the Credentialing Committee had no agenda items at the last committee meeting and had no report to submit.

EDUCATION COMMITTEE:

P. Bourgeois reported that the Education Committee met on July 16, 2002 and made the following recommendations:

AGENDA ITEM 4.1:

CLARIFICATION OF DEFINITION OF APPROPRIATE ACCREDITING BODIES AS STATED IN §3513.B .

Motion: by P. Bourgeois; seconded, that the Louisiana State Board of Nursing accept the definitions of appropriate accrediting body and national nursing accrediting body as specified in the definitions in Chapter 35 and recommend for rule making.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

AGENDA ITEM 4.2:

REQUEST FROM CHARITY/DELGADO SCHOOL OF NURSING AND CAROL LEEFE TO DETERMINE IF HER ACADEMIC CREDENTIALS QUALIFY HER FOR A FACULTY POSITION ACCORDING TO LAC 46:XLVII.3515.B.4.

Motion: by P. Bourgeois, seconded, to accept the academic credentials equivalency of Carol

Leefe for a faculty position at Delgado Community College/Charity School of Nursing according to LAC 46:XLVII.3515.3.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

AGENDA ITEM 4.3:
REQUESTS FOR FACULTY EXCEPTIONS TO FACULTY QUALIFICATIONS,
LAC 46:XLVII.3515.B.7.

Motion: by P. Bourgeois, seconded, to accept faculty exceptions as follows:

Elizabeth Landy Bouillion and Constance Marie Stittig, ISU at Eunice for the 2002-2003 academic year.

Hope Claire Duet, Robbie Roberts Stefanski, and Patricia Kay Pace for Fall 2002 and Spring 2003; and **Kathy R. Guidry** for Fall 2002, at **University of Louisiana at Lafayette.**

Nancy Eleanor Whitmore Moss, Dorothy Nannette Reece, Danita Sims Potter, and Frances M. Sandoz-Downhour, University of Louisiana at Monroe for Fall 2002, Spring 2003, and Summer 2003.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Motion: by P. Bourgeois, seconded, that that the faculty requests for exceptions qualifications be referred to the Education Committee to clarify the intent of the Board in reference to academic qualifications for nurse facility in keeping with the maintenance of the qualifying standards.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Motion: by O. Ferry, seconded, that the Education Committee report be accepted.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes

Motion Carried

COMPLIANCE COMMITTEE:

F. Rosenthal reported that the Compliance Committee had no agenda items and no report to submit to the Board .

NURSING PRACTICE COMMITTEE:

D. Ford stated that the Nursing Practice Committee met on July 16, 2002. The following recommendations were made:

AGENDA ITEM 6.1:
ADDITIONAL CPT CODES FOR NURSE PRACTITIONERS.

Motion: by D. Ford, seconded, that it is within the scope of practice of a certified nurse practitioner to perform the following CPT codes:

95805 - Multiple sleep testing and interpretation of measurements.

95810 – Sleep staging with 4 or more additional parameters of sleep, attended by a technologist.

95811 – Sleep staging with 4 or more additional parameters of sleep with initiation of continuous positive airway therapy or bilevel ventilation, attended by a technologist.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

AGENDA ITEM 6.2:

RN PERFORMING MEDICAL SCREENING EXAM.

Motion:

by D. Ford, seconded, that in accordance with R.S. 37:913.(13) it is not within the authorized scope of practice for a registered nurse to perform an appropriate medical screening exam for the purpose of determining if an emergency medical condition exists. The Board reaffirms its previous opinion 96.18 that it is within the scope of practice for a registered nurse qualified in emergency care with documented knowledge, skills and abilities to triage (assess the health status of an individual to determine a non-emergent status and to formulate nursing diagnosis based on healthcare needs to serve as the basis for indicating nursing care or for which referral to appropriate medical or community resources for the non-emergent health status) provided that triage guidelines are in place to assist

the registered nurse with appropriate referrals approved by the agency's medical director. Furthermore, it is within the scope of practice for an advanced practice registered nurse to perform an appropriate medical screening exam for the purpose of determining if an emergency condition exists in accordance with the law (R.S. 37:913.(3)(b)(i)(ii) & R.S. 37:913(8) & (9).

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

Motion:

by P. Bourgeois, seconded, to accept the report of the Nursing Practice Committee.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

SPECIAL TASK FORCE/SUBCOMMITTEES

JOINT ADMINISTRATIVE COMMITTEE ON PRESCRIPTIVE AUTHORITY.

P. McClanahan stated that the Joint Administrative Committee met June 28 and August 23rd and commented that Susan Duhon was appointed as a new member to the Committee..

Ms. McClanahan reported that the Committee reviewed 113 applications at the June 28th meeting, of those, 25 were reviewed for controlled substances. As of the June 28th meeting, there were 127 APRNs currently active in collaborative practice agreements.

On August 23rd, the Committee met again and reviewed a total of 77 applications and had a total of 430 active collaborative practice agreements. From that meeting, it was asked that the Committee do a site visit at two different practice groups in Monroe. Ms. Humphrey and Ms. McClanahan will

be doing those site visits on September the 27th.

There are now approximately 68 APRNs that do have prescriptive authority for controlled substances.

The next meeting will be on October 18, 2002.

Motion: by K. Moody, seconded, that the report of the Joint Administrative Committee be accepted.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

AGENDA ITEM A:

LAC 46:XLVII.3329.TEMPORARY PERMITS

Ms. Morvant reported that LAC 46:XLVII.3329 are being redistributed just to advise the Board as to the time line. The Board had accepted it for rule making at the June meeting, and it is anticipated that it will be published in the September 20th Louisiana Register and will be promulgated respective to that date.

AGENDA ITEM B:

LAC 46:XLVII.3505. APPROVAL - REPORT ON

Ms. Tate reported that LAC 46:XLVI.3505 was promulgated June 20, 2002.

AGENDA ITEM C:

LAC 22:I CHAPTER 5. ADMINISTRATION OF MEDICATIONS TO CHILDREN IN DETENTION FACILITIES – REQUEST FOR ADOPTION OF FINAL RULE

Ms. Movant stated that these rules were jointly promulgated by the Department of Public Safety and Corrections and have actually been submitted for promulgation for final adoption by the Department of Public Safety and Corrections. The Board has not, as of this date, voted on the rules.

Ms. Ladner stated there was a correction on page 1082, in that 3.e.should read "...only after authorization and **with** additional training, supervision and documentation." The Department of Public Safety and Corrections has been notified twice to correct this error. Board staff will edit the copy for them in an effort to facilitate correct promulgation and get it ready for the Examiner.

Motion: by D. Ford, seconded, the adoption of LAC 22:I, Chapter 5, Administration of Medications to Children in Detention Facilities with the change made on page 1082.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

AGENDA ITEM 7.1

2002 DELEGATE ASSEMBLY – REPORT ON

A summary of actions of the National Council of State Boards of Nursing at the 2002 Delegate Assembly were submitted to Board members who did not attend.

Ms. Morvant reported that Louisiana had the largest state representation between the combined number of Board members and the Louisiana State Board of Practical Nurse Examiners who attended.

Ms. Morvant stated that she completed her term as Treasurer.

The actions of the Delegate Assembly, which will be significant in the future, are to study international testing. The Delegate Assembly decision as to whether or not to go forth with international testing and to do so no earlier than 2004 to provide adequate time for study and review by the Delegate Assembly prior to implementation.

A proposed language for a Nurse Licensure Compact for APRNs was adopted, which will be the platform for mutual recognition states to have APRN recognition across state lines.

AGENDA ITEM 7.2:

NEW ORLEANS SELECTED AS THE LOCATION OF THE 2007 MID-YEAR MEETING.

Ms. McClanahan stated that she had received notification that the 2007 Mid-Year Meeting of the National Council will be held in New Orleans.

AGENDA ITEM 8.1

AMERICAN ASSOCIATION OF COLLEGES OF NURSING, ISSUE BULLETIN ON ACCELERATED PROGRAMS.

A copy was distributed to all Board Members. The Education Committee will review this.

EXECUTIVE SESSION:

Motion: by O. Ferry, seconded, to go into Executive Session for the purpose of hearing the report on litigation, Agenda Item 2.3, and also to hear one additional disciplinary matter.

Voice Vote: McClanahan-yes; Ford-yes; Bourgeois-yes; Ferry-yes; Crapanzano-yes; Rosenthal-yes; Moody-yes; Ashby-yes; Steele-yes.

Motion Carried

(A break was taken from 10:00 to 10:20 a.m.)

The Board went into Executive Session at 10:20 a.m. to hear the report on litigation as published under Agenda Item 2.3.

Shumock, Lydia

At 11:10 a.m., Mr. Tom Murphy, attorney for Ms. Schumock, entered the room.

Mr. Shows stated that the matter before the Board today was the ratification of the summary suspension of Ms. Shumock's license. The Board will then schedule the hearing on December 2 or 3, 2002.

Ms. Shumock's license will be suspended without any prejudice as to any right to assert any defenses or any claims, bring any witnesses or any exhibits at the December 2 or 3, 2002 hearing. Mr. Shows stated that Mr. Murphy has consented to allow this Board to ratify the August 27, 2002 summary suspension.

Mr. Murphy stated he had no objection to the ratification as stated by Mr. Shows.

One (1) exhibit was introduced into evidence as Exhibit A.

Motion: by O. Ferry, seconded, to go into open session.

The Board resumed in open session at 11:30 a.m.

Motion:

by O. Ferry, seconded, that the Board ratify the action taken by staff against this individual based upon the finding that public health, safety and welfare require emergency action, the license of registrant is summarily suspended until such time that she can appear before the Board to show cause why the suspension should not be continued.

ADJOURNMENT:

The meeting adjourned at 11:30 a.m.

Patsy McClanahan, President
Louisiana State Board of Nursing