

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

MINUTES OF THE OCTOBER 10, 2012 BOARD MEETING

Call to Order: The regular meeting of the Louisiana State Board of Nursing was called to order at 9:00 am by D. Porche, on Wednesday, October 10, 2012, at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, Louisiana 70810.

Roll Call: The following Board members were in attendance:
Demetrius Porche, DNS, APRN, Ph.D, FNP, President
Patricia Prechter, Ed.D, MSN, RN, Alternate Officer
Lucie Agosta, Ph.D., RNC,
Nancy Davis, MN,RN, NE-BC
Jolie Harris, MSN, RN
Sue Westbrook, DNS, RN

The following Board members were not in attendance:
Larry Haley, MSN, CRNA
Patricia Johnson, MN, RN, CNA, DNP
Carlene MacMillan, MN, RN, Vice President
J Robert Bass, M.D., Ex-Officio Member
William LaCorte, M.D. Ex-Officio Member

The following staff members were in attendance:
Barbara Morvant, MN, RN, Executive Director
Rickie Callegan, MSN, RN Director of Investigations
Patricia Dufrene, MSN, RN, Director of Education and Licensure
Joy Peterson, BSN, RN, Director of Hearings
Cynthia York, MSN, RN, Director
Jennifer Alleman, APRN, FNP, BC, APRN Compliance Officer
E. Wade Shows, Board Attorney
Suzanne C. Armand, Court Reporter

Introduction: D. Porche established that a quorum of the Board was present.

Motion: by L. Agosta, seconded, to reorder the agenda.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried.

EDUCATION/EXAMINATION ISSUES

AGENDA ITEM 4.1

TROY STATE UNIVERSITY REQUEST FOR OUT-OF-STATE SCHOOL APRN CLINICAL APPROVAL

On July 20, 2012 LSBN staff received proposal from Troy University to offer Graduate Clinical Experiences in Louisiana for the following course offerings:

Post BSN-DNP

Post Master's DNP

Post Master's FNP certificate

There is no documented faculty Licensed in Louisiana for any specialties requesting experiences. There is one student awaiting approval to proceed.

Ms. Dufrene recommended approval of the FNP tracts for two years contingent upon compliance with the faculty licensure requirements.

Dr. Porche asked about the anticipated number of students to be enrolled and the impact of clinical placement on Louisiana schools

Ms. Dufrene stated there was currently only one and it was not stated where he was going to do his clinicals.

Discussion ensued

Motion: by P. Prechter, seconded, that the Board approve the request of Troy State University to offer graduate clinical experiences in Louisiana for the following Specialty/Concentrations:

MSN/Family Nurse Practitioner

Post BSN-DNP(FNP)

Post Master's DNP(FNP)

Post Master's FNP Certificate

Approval effective Fall 2012-Fall 2014 contingent on:

1. becoming compliant with faculty licensure in Louisiana and submission of clinical affiliation and preceptor agreement, and reporting impact on LA approved schools utilizing the agency; and
2. continued adherence to and submission of required documentation regarding faculty qualifications, preceptor qualifications, clinical site appropriateness and approval and student criteria as outlined in LAC46:XVII.4509.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried.

AGENDA ITEM 4.2

FLETCHER TECHNICAL COMMUNITY COLLEGE REQUEST FOR FULL APPROVAL STATUS OF ASSOCIATE DEGREE IN NURSING PROGRAM

On September 7, 2012, LSBN staff received request for Full Approval by FTCC due to achieving graduate first time takers NCLEX-RN pass rate of 96.15% for 2012. LSBN staff has verified that all 2012 graduates have completed testing. Of the 26 graduates, only one student was unsuccessful on their first attempt. Their NLNAC Site visit for Initial Accreditation is planned for the Spring 2013. Ms. Dufrene recommended full approval.

Motion: by P. Prechter, seconded, that the Board accept the Letter of Request for Full Approval from Fletcher Technical Community College School of Nursing Associate of Science in Nursing Degree and grant Full Approval status to be reviewed following Spring 2013 Site Visit and annually with annual reports.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried.

AGENDA ITEM 4.3

LETTER FROM INTERCOLLEGIATE CONSORTIUM FOR A MASTER OF SCIENCE IN NURSING (ICMSN) REQUESTING FULL APPROVAL OF MAJOR CURRICULUM CHANGES TO OFFER POST MASTER'S CERTIFICATE PROGRAM

At the August 15, 2012 Board Meeting, the Board moved as follows:

Acknowledged the Letter from Intercollegiate Consortium for a Master of Science in Nursing (ICMSN) announcing a Post Master's Certificate program for Family Nurse Practitioner (FNP) and Family Psych/Mental Health Nurse Practitioner (FNP); and further,

Granted conditional approval as a Major Curriculum Change; and further, Instructed the ICMSN to submit a request for approval of Major Curriculum Change and clarifications requested to Board staff within 30 days.

On September 13, 2012, LSBN received a letter from Dr. Poirrier, Chair, ICMSN Accreditation and Approval Activities requesting full approval of major curriculum changes to offer the Post Master's Certificate programs for Family Psychiatric/Mental Health Nurse Practitioner and for Family Nurse Practitioner in an accelerated format. Included in the letter were points of clarification requested by the Board at the August Board Meeting.

Ms. Dufrene recommended full approval.

Motion: by P. Prechter, seconded, that the Board grant full approval to the Intercollegiate Consortium for a Master of Science in Nursing (ICMSN) for major curriculum changes to offer the Post Master's Certificate programs for Family Psychiatric/Mental Health Nurse Practitioner and for Family Nurse Practitioner in an accelerated format.

Voice Vote: D. Porche-yes; P. Prechter-yes; N. Davis-yes; J. Harris-yes; Recused: L. Agosta; S. Westbrook

Motion Carried.

AGENDA ITEM 4.4

Announcements/Information

(No action required)

Ms. Dufrene brought forth the following announcements/information:

University of Louisiana at Monroe School of Nursing Name Change

On August 29, 2012 LSBN received notification that the ULM School of Nursing has been officially named the Kitty DeGree School of Nursing.

William Carey University Administrative Change

On August 2, 2012 LSBN was notified that LaRue Hatten has taken the position as Undergraduate Coordinator for the William Carey University School of Nursing on the New Orleans Campus.

Louisiana College Administrative Change

LSBN received a letter of notification dated August 13, 2012 stating that Mrs. Renee Shamblin has been appointed as the Department Chair with the Division of Nursing at Louisiana College. Dr. Kimberly Sharp who previously held that position will continue to serve as Dean of the School of Nursing and Allied Health.

NURSE PRACTICE ISSUES

AGENDA ITEM 6.1

REQUEST FOR AMENDMENT OF LAC46:XLVII:3707.B. 5:

ADD THAT CATHETER TIP PLACEMENT OF A PICC LINE MAY BE CONFIRMED BY A PHYSICIAN OR ADVANCED PRACTICE REGISTERED NURSE PRIOR TO INITIATION OF THERAPY

A petition was originally received from Gerry Matranga and Dr. Susan Orlando regarding LSBN's regulation with regard to PICC line placement.

In an initial question submitted via email February 27, 2012, Ms. Matranga desired to clarify if there was an exception to Chapter 37's statement that catheter tip placement must be determined by a physician prior to initiation of therapy. The request was to add that catheter tip placement of a PICC line may be confirmed by a physician or APRN prior to initiation of therapy.

Ms. Alleman stated that staff's recommendation is to propose a revision to the actual regulation to include that Advanced Practice Registered Nurses under specified provisos may determine PICC catheter placement prior to initiation of therapy provided that final placement verification is provided by a physician.

Gerry Matranga reported that in their unit, nursing staff requested to be credentialed to place PICC lines. Based on the type of unit they have and similar other units in the staff, a physician had to verify placement. As an advanced practitioner, Ms. Matranga is allowed to perform that procedure and verify placement to initiate treatment prior to a physician actually reading the x-ray. Because these lines are placed at odd hours, the RNs are being allowed to place the lines and the actual x-rays are viewed by advanced practitioners to start therapy. It is not something they can wait on in the patient population till the next morning or until a radiologist comes in house. They are educated and have a formal program that nurses are taught.

Dr. Orlando reported that she surveyed the 38 program directors across the country of the active NNP programs. Those who responded were affirmative that they all taught the skill in their program and additionally tested their students on x-ray verification and ability to locate and name the lines. This is part of the curriculum at LSU, and students are tested. Dr. Orlando, as being on the national committee for 15 years, reported she has personally written test questions that are directly related to the NNP's ability to

identify and anatomically locate the lines. Students have didactic and clinical opportunity, have supervised skill sessions and supervised clinical and tested on the material at the end.

Dr. Orlando pointed out another problem with the rule and that is that PICC lines in infants have a tendency to migrate often into very dangerous places. Each time there is an x-ray obtained, the APRN is expected to review the film for all lines and tubes and to make note of has the PICC line migrated.

Discussion ensued.

Motion: by L. Agosta, seconded, that the Board respectfully consider revision of LAC 46: XLVII:3707.B.5 in accordance with the Administrative Procedure Act, LA. R.S. 49:951-968 to include that Advanced Practice Registered Nurses under specified provisos may determine PICC catheter placement prior to initiation of therapy provided that final placement verification is provided by a physician.

Currently, according to LAC 46: XLVII:3707.B.5 regarding peripherally inserted central catheter (PICC) insertion and removal, “catheter tip placement must be determined by a physician prior to initiation of therapy”.

Proposed revision of LAC 46: XLVII:3707.B.5:

5. prior to initiation of therapy, catheter tip placement must be determined by a physician or an advanced practice registered nurse with the following provisos:
 - a. The procedure of verifying catheter tip placement by an APRN is a written established institutional/facility policy which:
 1. delineates that the APRN must be credentialed by the agency prior to performing the procedure;
 2. delineates the specific procedure in the clinical privileges of the individual APRN
 3. verifies competencies initially and at regular intervals through methods including but not limited to direct observation;
 4. provides that the final verification of catheter tip placement performed via radiographic methods be provided by a physician; and
 5. requires and documents evidence of formal didactic educational preparation and clinical experiences of the APRN to perform the procedure.

Voice Vote: D. Porche-yes P. Prechter-yes; L. Agosta-

yes; J. Harris-yes; S. Westbrook-yes

Motion Carried.

AGENDA ITEM 6.2

PRESENT AND NOTIFY BOARD MEMBERS OF THE REVISED AORN (ASSOCIATION OF PERIOPERATIVE NURSES) POSITION STATEMENT, “RN FIRST ASSISTANTS”/RNFA, AND PRESENT A DRAFT OF A POSITION STATEMENT REGARDING APRNS PRACTICING AS A RNFA. CONSIDER PROVIDING FURTHER PUBLIC COMMENT AND REVISIONS TO CURRENT DECLARATORY STATEMENT

Ms. Alleman brought forth the agenda item, stating that this agenda item is to provide information to the Board that the Louisiana State Board of Nursing currently has a “Declaratory Statement for Registered Nurse First Assistants (RNFAs).

AORN has a position statement regarding APRNs serving as first assistants and are in the process of revising that position. A study was also added which was done in 2011 by the American College of Surgeons.

Ms. Alleman requested that Board direct Board staff to revise their current Declaratory Statement to be in alignment with their position. The current Declaratory Statement does use as a resource the AORN position statement.

AORN is in the process of revising their position regarding APRNs practicing in the preoperative setting. The draft includes extensive language directly from The Consensus Model in defining the APRN. Descriptors of intraoperative performance are directly from the RNFA position statements. A section on clinical privileging is added to clarify additional education required.

A majority of RNFA indicate they are unaware that there is a Declaratory Statement for Registered Nurse First Assistants or that they feel it does not apply to them as APRNs. Credentialing departments may also be unaware that there is a Declaratory Statement for Registered Nurse First Assistants with additional education required for the role.

Other states were queried January 25, 2012 through an NCSBN APRN conference call/Networking group indicating that the states who address the role of RNFAs had adopted AORN’s standards.

Motion: by L. Agosta , seconded, that the Board provide the public comments below to AORN regarding the draft of the Advanced Practice Registered Nurse Practicing in the Preoperative Setting: supporting AORN’s efforts to define the role and standards of the APRN in the perioperative setting,

- a. request to add wording to the effect that the credentialing process “must adhere to federal and state statutes including but not limited to the requirements of the state’s regulatory body/agency that governs the practice of registered nurses”;
- b. request consideration of adding a grandfathering clause regarding certification and education requirements as per the Consensus Model recommendations (deferring to a state’s requirements for eligibility for licensure or recognition as an APRN); and
- c. request clarification and specification as to if it is the position of AORN for APRNs to meet the standards as set forth in the “AORN Position Statement on RN First Assistants” as it regards the section “Qualifications for RNFA Practice” as revised August 2012

Direct Board staff to begin developing revisions to the current Declaratory Statement for Registered Nurse First Assistants adopting AORN’s revisions regarding RNFAs. Develop additional revisions to address APRNs practicing in the perioperative setting that are in alignment with AORN’s position once the final revision is published.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 6.3

REQUEST FOR OPINION:

WHETHER IT IS WITHIN THE SCOPE OF PRACTICE FOR A REGISTERED NURSE TO PERFORM CENTRAL DXA (BONE DENSITY) TESTING

Ms. York reported that Board staff received an initial request for Declaratory Statement or Advisory Opinion on Nursing Practice submitted August 16, 2012 by: Melanie Wayne, RN, 1926 Marie Street, Zachary, Louisiana 70791.

In her petition, Ms. Wayne requested the board’s opinion whether or not it is within the scope of practice for Registered Nurses (RNs) to perform Central DXA (bone density) testing. Board staff felt this was a question that required interpretation of the radiology laws. Staff requested Mr. Shows, Board attorney, to review the statutes that govern radiological procedures and provide the Board members of a legal opinion regarding whether or not RNs are prohibited from engaging in the practice of radiology.

Ms. Shows stated he rendered an opinion October 9, 2012. The opinion stated that the Louisiana Medical Radiation Health and Safety Act, which was passed, has exclusive jurisdiction over the ability to perform radiation services and that you must be licensed under their particular act. As such they have preempted the ability of anyone other than people that are licensed by their Board to provide those type services. There were four exemptions to that particular act, which were itemized in 37:3214, none of which are exceptions to RNs.

Dr. Ellis Schwartzburg stated they have been performing bone density since 2002 in their office and was following the guidelines from the Louisiana State Board of Medical Examiners, which state they could do this as long as there was a physician on site to direct supervision of the personnel doing this procedure. The guidelines did not specify it had to be an RN. When they moved to the new hospital and purchased a new machine it was discovered there was a conflict and requested clarification from the Board.

Mr. Shows commented that the nearest exception would be “persons certified and authorized by the Louisiana State Board of Medical Examiners to perform diagnostic or therapeutic radiological examinations or treatment or both on the premises of the private office of a physician or in a clinic in which the physician practices upon prescription of and under the direction and supervision of a licensed physician.” This would require legislative action to modify

Ms. Melanie Wayne explained the procedure, stating there were no calculations of any of the radiation. The report is generated and the physicians interpret and treat the patient based on the calculations from the report. Ms. Wayne further commented that in the role of nursing, they provide a lot of educational assistance. With the aging population it is becoming more and more of a known health issue and people are inquiring more about it. Nurses are in a position that they can educate them in a manner that they can understand.

Ms. Morvant stated that originally nurses were an exception to the Act and that was repealed in 1985. If the Act was amended to say that “registered nurses performing within their scope,” the Board under additional acts would be able to rule by opinion as to which individual nurses may have that in their scope or not. Ms. Morvant stated it would take some cooperation with the LSBME Medical Board and the Louisiana Radiology Board to recognize that there is a need and that nurses are competent to do this and there may be a need to change it.

Discussion followed

Ms. York stated that there is an old practice opinion that is posted on line dated January 29, 1986, which state that it is within the practice of a RN to take x-rays in a physician’s office. There has been some discussion Ms. York has had with the petitioners that this may have also prompted their position and that there may be a need to remove this previous practice opinion.

Discussion followed

Motion: by N. Davis, seconded, that the Board acknowledges the legal opinion provided by Mr. Wade Shows of Shows, Cali, Walsh, LLP, dated October 9, 2012, and encourages the petitioners to petition the Louisiana State Board of Medical Examiners (LSBME) and the Louisiana State Radiologic Technology Board of Examiners (LSRTBE) for a statutory change to allow Registered Nurses to perform Central DXA Bone Density Testing.

Petitioner may submit a new petition for opinion to LSBN once a decision and/or statutory change has been issued by the other two (2) Boards.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Discussion followed regarding directing staff to make a declaratory statement or withdrawing the existing opinion off the website as to avoid any confusion.

Motion: by J. Harris, seconded, to direct Board staff to remove the prior opinion Npop86.02 from the LSBN website.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 6.4

R.S. 17:436.3 STUDENTS WITH DIABETES; MANAGEMENT AND TREATMENT PLANS; PROVISION OF CARE; UNLICENSED DIABETES CARE ASSISTANTS; STUDENT SELF-MONITORING AND TREATMENT.

Ms. York stating that Act 858 of the 2012 Regular Session of the Legislature charged the Louisiana State Board of Nursing (LSBN) and the Louisiana Board of Elementary and Secondary Education (LBESE) with promulgating rules and regulations specifying methods and a curriculum for the training of unlicensed diabetes care assistants to perform diabetes management and treatment of children in the school setting. LSBN staff in conjunction with the Department of Education (DOE) prepared a draft of said rules which will be placed in Bulletin 741 – Louisiana Handbook for School Administrators as §1130. Diabetes Management and Treatment.

A workgroup was established with stakeholders. A draft was distributed to Board members for their review.

If rules are approved, Section 1129 of Bulletin 741 needs to be updated as it pertains to medication administration.

In the law, there would be an order by a physician that would need to be submitted to the school. If there is a school nurse present they would care for the child and administer the insulin if needed. If there is no full time school nurse, she could elect to delegate to unlicensed school staff to care for the child. The RN would be responsible for the training and competency of the unlicensed person with the permission of the MD and a parent or the legal guardian.

Ms. York submitted to Board members Act 858, a copy of the proposed rules, which were drafted along with the current Bulletin 741, §1129 as it pertains to administration of medication. Also, Board members received a copy of a letter received from the School Nurses Association for their review.

Ms. Sylvia Brown, President of Louisiana School Nurses Organization, along with Jody Sheets and Sharon Ball, came forward to oppose the protocol that has been developed which is part of Act 858, which states, “delegation of insulin administration carbohydrate to unlicensed personnel in a school setting.”

Ms. Jody Sheets, NASN Director for the LSNA, stated that NASN’s position statement on delegating diabetes care in the school setting is: “It is the position of the NASN that the registered professional school nurse is the only school staff member who has the skills, knowledge base and statutory authority to fully meet the health care needs of students with diabetes in the school setting. Diabetes management in children and adolescence requires complex daily management skills and health services must be provided to students with diabetes to ensure their safety in the school setting and to meet requirements of federal laws.” They would like to be able to follow the recommendations of their organizations and the laws.

Ms. Sharon Ball, Head Nurse for the Central Community School District, and is treasurer of the LSNO voiced her concerns regarding the delegation of insulin in the school setting. Ms. Ball’s recommendation is that the provision of delegation of insulin along with carbohydrate counting be taken out of the policy.

Ms. York stated that their workgroup went through each section and came up with some proposed rules in collaboration with the other stakeholders which they feel follow what the law is dictating. Ms. York does appreciate that the school nurses have some concerns about some of the requirements of the law.

Ms. Morvant stated that what actually passed in the legislature is that they’ve authorized school districts to allow for delegation of administration of medications including insulin in the schools by diabetic care assistants. The Board tried to amend that they had joint

rulemaking so that they could have some impact as a Board on what those guidelines and rules look like. The law passing does not mean that the school district or a school has to do this but that they can do this. The two main things which the Board can do is say that there would be a nursing assessment, and that the nurse is accountable for making a nurse assessment to say whether it is a safe situation and that the nurse has the ultimate responsibility to determine competence.

Discussion ensued.

Ms. Brown also had concerns regarding the liability issue which is in the bill.

Ms. York stated that in the draft of the rules, they had an exception regarding liability and read the exception into the record.

Discussion ensued

Motion: by L. Agosta, seconded, to approve draft of Bulletin 741 – Louisiana Handbook for School Administrators, §1130. Diabetes Management and Treatment, prepared by the Louisiana Department of Education and LSBN staff as required by Louisiana R.S. 17:436.3.

1. Approve changes to Bulletin 741 – Louisiana Handbook for School Administrators, §1129: Administration of Medication:
 - A. Written Orders, Appropriate Containers, Labels and Information
 1. Medication shall not be administered to any student without an order from a Louisiana, or adjacent state, licensed physician or dentist or other authorized health care prescriber licensed in Louisiana, and it shall include the following information:....
2. Approve changes to Bulletin 741 – Louisiana Handbook for School Administrators, §1129: Administration of Medication:
 - C. Administration of Medication—General Provisions
 2. ~~Except in life threatening situations~~, Except in the case of a trained unlicensed diabetes care assistant administering diabetes medications or in life threatening situations, trained unlicensed school employees may not administer inject able medications.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 7.1

LOUISIANA NURSING WORKFORCE FORECASTING STUDY

Dr. Bienemy reported that the Health Works Commission has agreed to fund \$88,700.00, which is approximately 80% of the cost of the forecasting study.

The Center will be working with The Center for Health Affairs Health group in Ohio that developed the Northeast Ohio Nursing Forecasting model (NEONI), a very dynamic model that will allow them to forecast up to the year 2020 using the current demand, supply and education capacity data.

Motion: by P. Prechter, seconded, to approve the LSBN to enter into an Interagency Agreement with the Board of Regents for the Louisiana Nursing Workforce Forecasting Study

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Motion: by P. Prechter, seconded, Approve LSBN entering into a Contract with The Center for Health Affairs for the Development of the Nursing Supply and Demand Forecasting Model for Louisiana

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Dr. Bienemy reported that the economist, the statistician, and also the person at the NEONI group would like to visit Louisiana and speak with members of the Board, the members of the Nursing Supply and Demand Council, and with stakeholders to give them some direction in terms of what is the economy in terms of Louisiana, where is the workforce heading. How are the cuts that may be pending going to impact education, the number of students that are going to be able to graduate. Dr. Bienemy supplied the dates which they would available to come down.

AGENDA ITEM 7.2

LOUISIANA CENTER FOR NURSING UPDATE – UPDATE

Dr. Bienemy provided the following update on LCN activities:

RWJF Future of Nursing: State Implementation Program Grant -Funding Opportunity for Action Coalitions – 2:1 Matching Funds up to \$150,000 Proposal Submitted on August 24, 2012

150,000 Rapides Foundation Challenge Grant – Deadline 12-31-2012

Health Works Commission Study on Advanced Practice Registered Nurses and Physician Assistants – The Louisiana Health Works Commission will contract with the Louisiana State University Division of Economic Development to conduct a research study addressing the supply and demand of APRNs and PAs in Louisiana. This study is intended to compliment a study that the Health Works commissioned this year by the same group to provide data regarding the supply and demand of primary care physicians.

Louisiana Occupational 2012 Health Conference: Soaring to New Heights in Occupational Health held at the Embassy Suites Hotel August 4th, 2012 on The Future of Nursing in Louisiana: Nursing's Role in The Future of Health Care

Our Lady of the Lake Regional Medical Center Transforming Research into Practice Research Symposium was held on August 10th. Presentation on Louisiana's Registered Nurse Workforce - 2011.

NCSBN 2012 Scientific Symposium in Arlington, VA on September 11th – Poster Presentation was made on Nursing Workforce Demand in Louisiana

AGENDA ITEM 5.1

ADVANCED PRACTICE REGISTERED NURSES IN THE RECOVERING NURSE PROGRAM

Ms. Smith reported the policy currently in place was approved by the Board on June 13, 2007 and requires that all APRNs refrain from practice as an APRN for the first year after joining the Recovering Nurse Program. Additionally, the current policy only addresses confidential participants. This proposed policy takes into consideration the American Association of Nurse Anesthetists Peer Assistance Advisors' Recommendations for Re-Entry of Anesthesia Professionals as well as the circumstances when it may not be necessary to restrict APRN practice for one year. The policy also is designed to encompass disciplinary RNP participants as well since the program requirements are the same for confidential and disciplinary participants. Finally, the policy addresses the need for the RNP participant to assure compliance with all national certifying body requirements and continuing education.

Therefore, the purpose of the revision is to:

Define when restrictions to APRN/CRNA practice are necessary.
To list the specific restrictions/limitations.
To provide guidelines for the lifting of those restrictions/limitations.
To adhere to AANA Peer Advisors' Recommendations for safe re-entry.
To provide clarification regarding prescriptive authority

Motion: by J. Harris, seconded, to Approve the revisions to Advanced Practice Registered Nurses in the Recovering Nurse Program.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 9.1

DIRECT SERVICE WORKERS

Mrs. Morvant reported that, LSBN has been working on the issue of medication administration by direct service workers (previously personal care attendants) since 2004. Mrs. Morvant provided a historical listing of the date and times the matter has come before the Board, in addition, there were countless meetings with DHH and stakeholders over the years to draft statutory and/or regulatory proposals.

Proposed rules have been published in the December 20, 2011 Louisiana Register and are close to expire.

The Executive Director has received verbal communication that DHH has not moved forward with the rules pending development of on-line training course for DSW providers to use for medication administration training. The Executive Director requested that representatives of DHH appear before the LSBN to communicate its intent since the statute provides for joint promulgation of rules, and to determine if the LSBN will be agreeable with the training options.

DHH representatives did not appear for today's Board meeting. The deadline is December 10th for those rules to be published or they will expire. There is urgency to get some clarity from the DHH regarding their intent to adopt the proposed rules regarding medication administration by DSWs.

Ms. Morvant understands that there are many problems, errors that occur, many patient safety issues with unlicensed, untrained individuals providing medication administration by Direct Service Workers.

Mr. Shows advised contacting general counsel for DHH in an effort to help move the matter forward.

Motion: by L. Agosta, seconded, to direct the Executive Director and Board's Attorney to contact DHH's legal counsel regarding promulgation of DSW rules

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

ADMINISTRATIVE ISSUES:

AGENDA ITEM 2.1

LSBN STRATEGIC PLAN

Ms. Morvant reported that the Board had a very successful strategic planning retreat held August 22-24, 2012. Tim Fallon, consultant has now forwarded the final report of the strategic planning retreat, including the strategic map generated by the Board. The proposal is being brought forth for adoption.

Mrs. Morvant recommended that Board staff be authorized to seek a consultant to work with staff to implement the strategic plan including benchmarking and streamlining the application process.

Motion: by P. Prechter, seconded, to approve the strategic map.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Discussion ensued regarding consultant.

Motion: by N. Davis, seconded, to direct Executive Director to explore the possibility of finding a professional consultant for the implementation of strategic plan.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 2.2

AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 2012

The Audit Report was distributed to Board members for their review.

The Audit Report had a number of finding. Most findings surround a personnel issue. These issues were not a material loss to the Agency. Ms. Morvant stated that on each matter remedial procedures changes were put into place. Ms. Brown, the new Program Administrator, is working with her staff on the written operational procedures.

Ms. Morvant introduced Ms. Brown to the Board.

Dr. Porche reported that Ms. MacMillan has reviewed the Audit. She supports and understands staff is putting systems in place per correspondence from the Vice-President.

Motion: by P. Prechter, seconded, to accept the Auditor's Report

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 2.3

LSBN 2013 MEETING DATES

Motion: by L. Agosta, seconded, to adopt the 2013 Meeting Dates

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

REPORT OF THE VICE-PRESIDENT

Dr. Porche brought forth the Vice-President's report submitted by Ms. MacMillan. For the quarter ending August 30, 2012 of Fiscal Year 2012/2013:

Total Assets - \$11,232,163.13

Liabilities - \$ 1,963,702.77

Equity - \$ 9,268,460.36

Revenue - \$ 149,140.71

Expenses - \$ 732,892.02

Net Income - (\$ 583,751.78)

The Board's primary generation of revenue is licensure renewals, which begins October 1st.

Motion: J. Harris, seconded, to accept the Vice-President's Report

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

REPORT OF THE PRESIDENT

Dr. Porche authorized Board staff to pursue the funding request from the Health Works Commissions for forecasting study. A letter of support was written on the Board's behalf by Dr. Porche.

Dr. Porche, along with Ms. Agosta, Ms. Morvant, Ms. York and Ms. Alleman, attended the Louisiana Association of Nurse Practitioners Board meeting to discuss and update them on the Chapter 45 revisions of the APRN Rules and Regulations, and also to discuss some implemental changes which may be seen as more immediate.

Two proposals were secured regarding LSBN Executive Director Search (proposal documents): B. E. Smith, and Grant Cooper.

Discussion ensued regarding selection

Motion: by N. Davis, seconded, to proceed with Grant Cooper

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Dr. Porche was authorized to put together a task force to look at revising the Nurse Education Rules and Regulations and charging them with revising the existing Nursing Education's standards, moving the Education standards which are currently in Chapter 45 into one document of the Rules and Regulations governing Education Practice. Dr. Porche has spoken to Dr. Prechter, Dr. Westbrook, and Dr. Agosta to be on that task force and opened it up to any other Board members who may have an interest.

Motion: N. Davis, seconded, seconded, to formalize the task force to revise Educational Standards consisting of Dr. Prechter, Dr. Westbrook, and Dr. Agosta

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Dr. Porche requested an opinion from Mr. Shows regarding Open meetings law and best legal practices to conduct LSBN business among board members and use technology to more efficiently communicate.

Mr. Shows stated that the Open Meetings Law has the premise that the public has a right to view government to look at their deliberations and participate. There have been numerous attempts by governmental support groups, citizen support groups to move forward and catch up with technology that is available. The legislature has denied these requests, stating that people without that access to that kind of technology has the ability to participate one on one with the Boards and Commissions. In Louisiana as long as there is a quorum of a public body, which is defined as the Board and committees and sub-committees of the Board, every public body has to be open to the public with some exceptions. There is personal responsibility and liability on behalf of Board members if they violate the Opens Meeting Law.

If there is a decision made by a quorum of the Board, it has to be done in a public setting.

Motion: by N. Davis, seconded, to accept the Report of the President.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR (Verbal)

Mrs. Morvant reported that Civil Service instituted a new performance evaluation system. Ms. Morvant along with staff have undertaken a major project to update every employee's SF3 (job description). Staff could then make the evaluation planning connected to the current specific job description for each person. The deadline for submission to civil service is October 15th.

Staff is preparing for renewals. Ms. Morvant thanked staff who participated in updating the application form. Ms. Morvant especially thanked Ms. York for picking up the renewal process, taking responsibility for the project management of renewals.

Renewals were released October 1st.

The LSBN close down for Hurricane Isaac went smoothly, thanks to the cooperative work of each Director. Twenty disaster permits were issued.

Ms. Dufrene and Ms. Morvant jointly conducted a site visit to Grambling State University School of Nursing. This will be placed on the December agenda.

Ms. Morvant announced that as part of the LSBN's Centennial year, LSBN offered to meet with nursing groups who participate in conventions. Ms. Dufrene participated on behalf of LSBN, as an exhibitor at the Louisiana Association of Student Nurses.

Ms. Morvant requested that the Board authorize the Executive Director to reengage the Public Relations firm for this fiscal year and be put it into the budget for the following year.

Motion: by N. Davis, seconded, to authorize the Executive Director to reengage the Public Relations Firm for this fiscal year and that this will be included in the budget for next fiscal year.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Motion: by L. Agosta, seconded, to accept the oral report of the Executive Director

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Motion: by N. Davis, seconded, to approve the Minutes for the 8/15/12 Board Meeting with corrections

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

Motion: by L. Agosta, seconded, to go into executive session to discuss the Report on Litigation.

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

(Executive Session)

Motion: by L. Agosta, seconded, to adjourn

Voice Vote: D. Porche-yes; P. Prechter-yes; L. Agosta-yes; N. Davis-yes; J. Harris-yes; S. Westbrook-yes

Motion Carried

ADJOURNMENT: The meeting adjourned at 12:10 p.m.

A handwritten signature in black ink, reading "Demetrius Porche". The signature is written in a cursive style with a large initial "D".

**DEMETRIUS PORCHE, PRESIDENT
LOUISIANA STATE BOARD OF NURSING**