

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

MINUTES OF THE DECEMBER 13, 2018 BOARD MEETING

Call to Order: The regular meeting of the Louisiana State Board of Nursing was called to order at 9:00 a.m. by L. Bonanno, President, on Thursday, December 13, 2018, 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, DNP, CRNA, President
Teresita McNabb, RN, MSHSA, NE-A, CLNC, FACHE, Vice President
Jennifer Couvillon, PhD, RN-BC, CNE
Nancy Davis, MN, RN, NE-BC
Jacqueline Hill, PhD, RN
Susan Saunders, BA

The following Board members were not in attendance:
Kenneth Alexander, MS, RRT
Tim Cotita, MSHCE, RN, CDE, Alternate Officer
Tavell Kindall, DNP, APRN
Jennifer Manning, DNS, APRN, CNS, CNE
Tracey Moffatt, MHA, BSN, RN

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, BBA, Chief Regulatory Officer
Jennifer Wright, DNP, APRN, FNP-BC, Chief Nursing Officer
Cynthia Bienemy, PhD, RN, Director of Louisiana Center for Nursing
Patricia Dufrene, PhD, RN, Director of Education and Licensure
Cynthia York, DNP, RN, CGRN, FRE, Director, RN Practice and Credentialing
Urhonda Beckwith, MSN, APRN, FNP, RNP Director
Monique Calmes, APRN, FNP-C, Director, Advanced Practice Nursing
Carl Nagin, BSCS, IT Manager
Gajinder Dhaliwal, Accounting Manager
LaQueda Ricks, Human Resources Manager
William Little, JD, MPA, Director of Investigations
Carrie LeBlanc Jones, JD, Board Attorney
Marcia Carter, Administrative Assistant to the Executive Director
Suzanne C. Armand, CCR, CVR, Court Reporter

Motion: by N. Davis, seconded, to go into Executive Session for the purposes of hearing personnel matters.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;

S. Saunders-yes

Motion Carried

Motion: by N. Davis, to go back into Open Session.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Approval of Minutes:

The Minutes of the October 11, 2018 Board Meeting are available for viewing on Confluence.

Motion: by T. McNabb, seconded, to approve the Minutes of the October 11, 2018 Board Meeting.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Motion: by N. Davis, seconded, that the Board authorize the Executive Committee of the Board to conduct Dr. Lyon's performance evaluation for 2018.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Motion: by T. McNabb, seconded, to accept the proposed Resolution and Settlement Agreement and Release for Jacqueline Carol Gills.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Adoption of Agenda:

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

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

NEW BUSINESS

1. CONSENT AGENDA MOTIONS

1. LSBN Staff Program Status Reports
 1. NCLEX Report
 2. Accreditation Reports
2. Approved Program Reports
 1. Grambling State University-ACEN Correspondence
 2. Louisiana College- CCNE Continuous Improvement Progress Report
3. Education Announcements

Motion: by N. Davis, seconded, to accept the Consent Agenda Motions.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

3. Division Reports

Agenda Item 3.1.2

Education

Agenda Item 3.1.2.1

Schools of Nursing Probationary Status Report

Agenda Item 3.1.2.1.1

Dillard University

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

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

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Agenda Item 3.1.2.1.2

Southern University Shreveport

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

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

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Agenda Item 3.1.2.2

SOWELA Technical Community College's Site Visit Report

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

Motion: by J. Hill, seconded, that the Board accept the Initial Site Visit Report of SOWELA Technical Community College, grant full approval to the Associate of Science in Nursing degree program and approve the program to initiate articulation of the LPN-RN.

Wendi Palermo, PhD, RN, Dean, School of Nursing and Allied Health at SOWELA Community College, was present for comments. Dr. Palermo thanked the Board and Dr. Dufrene and expressed her gratitude to Dr. Lyon for speaking to their first graduating cohort in May of 2018, who were accredited before commencement.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

Agenda Item 3.3.1.1

FY 2020 Annual Budget

Ms. Isonel Brown and Mr. Roy Hebert presented the FY 2020 Annual Budget. The LSBN Division of Administration is seeking the Board's approval for the Proposed 2020 Annual Budget.

The major highlights include:

Proposed revenues from RN and APRN licensure renewal reflect a 2% increase. A line item has been added to the chart of accounts for Compact Licensure as the 2020 Annual Budget goes into effect on July 1, 2019. Ms. Brown will come back to update the Board regarding that information. Under Interest on Investments, Ms. Brown is projecting \$200,000 in revenue interest from the Board's investment accounts. This is due to the Board investing in longer term investments. The interest income has been averaging \$15,000 to \$17,000 a month.

Proposed expenditures reflect no significant changes. The budget includes an average 3% merit increase for eligible employees should the Division of Administration and Civil Service give approval. Expenditures also reflect a continued reduction in contractual legal fees, as we

continue to build our internal legal division. The Information Technology line item reflects a 3-5% market inflation rate.

Mr. Hebert stated also impacting that interest income revenue is the second year of dues that were, in effect, holding for a year.

Discussion ensued regarding the Compact impact.

Motion: by T. McNabb, seconded, that the Board approve the proposed FY2020 annual budget.

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

2. Office of the Chief Executive Officer/ED

Item 2.2

Recognition of Outgoing Board Member, Nancy Davis

Dr. Bonanno recognized outgoing Board member Ms. N. Davis for serving 2 four-year terms on the Board of Nursing. Two of those years she served as president. Dr. Bonanno thanked Ms. Davis for her service on the Board. Dr. Lyon made a presentation to Ms. Davis in recognition for her service.

A presentation was made to Dr. Bonanno in recognition for her two-year service as president., January 2017 to December 2018.

T. McNabb has been elected president effective January 2019.

(Break)

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

Response from the Board of Ethics

The Board received a letter back from the Board of Ethics on November 19, 2018 in regards to a request that Dr. Lyon had made after meeting with the Louisiana State Nurses Association, (LSNA), Executive Director and President, regarding their concern as well as the Louisiana State Board of Nursing (LSBN) about how there might be a perceived conflict of interest there, as well as with the Louisiana Association of Nurse Anesthetists (LANA), selecting Board members since both of those groups may have LSBN board members serving on their respective Boards. Dr. Lyon wanted to make sure that having LSBN board members serving on the vetting committees, which recommend nominees to the Governors' Appointments Office would not be seen as a conflict of interest.

The decision letter from the Board of Ethics was read into the record and was made available for Board members' review.

Dr. Lyon stated that the Board of Ethics may have misunderstood what was being asked and she will have to go back and clarify. What was being asked was, can LSNA and LANA board members, who also happen to be members of this governmental entity, select board members. Dr. Lyon was not able to attend their meeting to testify and will get back with Brett Robinson with the Board of Ethics to make sure they understand what the question was.

Agenda Item 2.3

Military Nurses

Dr. Lyon received a letter from Dr. Maryann Alexander, Chief Officer of Nursing Regulations for NCSBN. Dr. Alexander stated that while they much appreciate that some states give licenses to military nurses at a reduced fee, or free, they asked that this be discontinued. Military Nurses are not able to accept a license at a reduced fee. Dr. Lyon stated that the Board will have to change their business process here and will no longer be able to waive the fee for the military.

Discussion ensued.

Unfinished Business

Articulation Model Task Force

Summary/Background presented by Dr. Wright.

Dr. Wright gave a brief update on the Articulation Model Task Force as it relates to LPN to RN education. The Task Force has convened once, and they had some basic discussions. There will be a follow-up meeting as not all the Board members were able to participate. They will meet again at the beginning of 2019 and follow up with that Task Force.

Agenda Item 3.1

Division of Nursing

Agenda Item 3.1.1

Report on LAC 48:1 Chapter 88

The Louisiana Department of Health (LDH) responded to a couple of amendments that were added to the legislation related to Nurse Licensure Compact. Dr. Wright stated that the final page of the Nurse Licensure Compact rules required that a reporting system be developed to collect aggregate data from employers on the number and geographic representation of RNs and LPNs. Dr. Lyon partnered with the LDH and they published the Notice of Intent of rules to require licensed facilities regulated by LDH to register with e-Notify with NCSBN and NURSUS. Dr. Wright attended that hearing. Dr. Wright reported there was no opposition and she is not aware that anyone submitted written opposition and it appears that these LDH rules will be going forward.

Upcoming Rules to be Proposed:

Dr. Wright reported that earlier in the year there was an article in the Examiner acknowledging that in 2017, there was an Act mandating that prescribers of controlled substances in Louisiana obtain three credit hours of CE as a prerequisite to licensure renewal. The Board of Medical Examiners has promulgated their rules and LSBN is using that as a model. In February, Dr. Wright anticipates having some proposed rules so that the Board can comply with that Act for APRN prescribers.

Unfinished Business Task Force on IEN's

Dr. York reported that the Task force was not able to have a meeting in December but hopes to have an opportunity to meet in January or February of 2019. At this meeting, Dr. Wright anticipates giving an overview of their current process for licensing IEN's following up with discussion.

Agenda Item 3.1.3. RN Practice and Credentialing

Dr. York attended a conference in October with the International Nurse Regulators Symposium. Some of the discussion that took place was regarding a request to eliminate the act requiring suspending a nurse's license for failing to pay child support or for being in default with their student loan. There was also discussion relative to measuring competency and if continuing education was enough. Questions were posed regarding what regulatory risk looks like and which nurses have the highest risk for causing harm. The categories were new graduates, nurse's age, gender, a positive previous criminal history, work setting, and the number of hours worked. There was also discussion regarding prescription for marijuana.

An updated report was presented by Dr. York for RN Practice and Credentialing.

Agenda Item 3.1.4. Advanced Practice

Ms. Calmes presented an updated report for Advanced Practice.

Agenda Item 3.1.5. Center for Nursing

Agenda Item 3.1.5.1 Louisiana Center for Nursing Updates

Dr. Bienemy submitted LCN updates to the Board for their review and was available for questions.

Dr. Bienemy shared findings from the 2017 Newly Licensed RN Survey with the Board along with a full copy of the report. The Newly Licensed RN Survey has been conducted by LCN

every two years beginning in 2011. There is a similar survey report that is done on a national basis by the National Student Nurses Association. Louisiana's findings are in line with the national findings. We are happy to say that in 2017, 97% of the respondents reported finding a position as a RN in less than three months compared to 68% in 2011.

Agenda Item 3.1.2
Education

Dr. Dufrene presented an updated report for Education.

(Break)

Agenda Item 3.2
Division of Regulatory Affairs

Ms. Matthews announced that Urhonda Beckwith has accepted the position of Director of Monitoring RNP. Ms. Beckwith introduced herself and stated that it was an honor to be the new Director of RNP Monitoring Program.

Agenda Item 3.2.1
RNP/Monitoring

Ms. Matthews gave an updated report for RNP/Monitoring.

The department has received two requests for approval to become treatment centers. The first is from Santa Fe Center for Healing in Texas, and the second one is for Whispering Oaks Lodge in Youngsville, Louisiana. Ms. Beckwith and Ms. Mathews will be reviewing those applications and will make a determination in the early part of 2019.

Agenda Item 3.2.3.
Hearings

The Hearings Department scheduled 89 cases for hearings in 2018. Of the 89 cases that were scheduled for hearing, 22 cases were presented at hearings and 67 of those cases were settled.

Agenda Item 3.2.3.1
Consent Orders Notarization Reports

As requested by Mr. Cotita, Board staff reviewed Consent Orders from other Boards of Nursing to determine if Respondents were required to have their Consent Orders notarized. That Report is attached for the Board's review. Of the 55 Boards that are under NCSBN, 18 Boards required that consent orders be notarized, 33 did not require notarization. And as of December 12, there were four that staff were not able to obtain information for review.

Dr. Lyon stated she received information from three Boards which require witnesses to sign those consent orders.

Agenda Item 3.2.2

Investigations

Ms. Matthews reported that at the last Board meeting, the Board members approved the hiring of additional staff on a part-time basis to assist in closing the backlog of investigations. The Regulatory Division has begun the interview process. One candidate has been selected as of December 12, 2018.

Civil Service approved the position of Compliance Investigator 4-A to assist Mr. Little in managing the Investigations Department. Ms. Matthews will select the candidate for that position by December 14, 2018 to help close those cases.

Mr. Little gave an updated report for the Investigations Department.

Agenda Item 3.2.2.1

Case Priorities by Calendar Year, by RN Compliance Officer/Compliance Investigator

Per the request of Dr. Bonanno, Mr. Little reviewed the spreadsheet with Board members concerning the Case Priorities by Calendar Year, by RN Compliance Officer/Compliance Investigator. This shows the breakout of inventory in the Investigations Department by calendar year and by priority level within those calendar years. These spreadsheets are available for Board members to review.

Mr. Little reported that RN Compliance Officers and Compliance Investigators will be supplying their inventory breakdowns in furtherance of this spreadsheet. This will be supplied on a regular basis.

Discussion ensued regarding the backlog of open cases.

Dr. Bonanno requested that the Board be updated at every Board meeting regarding any outstanding cases and what they should expect to see by the next Board meeting as far as closings.

Ms. Matthews stated that in hiring the additional part-time staff, the focus will be on closing the 2015 and 2016 cases, to get rid of the backlog. The preliminary work on some of these cases has been done and they should be closed by the end of the first quarter 2019 with the addition of part-time staff.

Mr. Little reported that for the six months prior to ORBS, complaints averaged 41 per month. Since the three full months ORBS has been implemented, the average is 99 per month. For the month of December, Mr. Little has already reviewed 77 complaints.

Discussion ensued regarding the use of ORBS.

Agenda Item 3.2.2.2

Summary Suspensions presented at Board Hearings, January 2018-November 2018.

Mr. Cotita had requested some information concerning the length of time that it took for Summary Suspensions to be closed. Mr. Little presented a spreadsheet containing cases that

received Summary Suspensions that were presented at Board hearings for the Calendar Year January 2018 through November 2018.

Dr. Bonanno requested that going forward, the Board be given an explanation for any Priority 1 case that goes over 90 days.

Discussion ensued.

Agenda Item 3.3
Division of Administration

Agenda Item 3.3.1
Chief Operations Officer

Ms. Brown presented an updated report for the Division of Administration.

Agenda Item 3.3.2
Information Technology

Mr. Nagin presented an updated report on the Information Technology Department.

Agenda Item 3.3.3
Human Resources

Ms. Ricks presented an updated report for Human Resources.

Agenda Item 3.3.4
Finance/Records Management

Mr. Dhaliwal presented an updated report on Finance/Records Management

4. Reports

Agenda Item 4.1
Report of the President

(Report Posted)

Agenda Item 5.2
Report of the Vice President

(Report Posted)

Agenda Item 5.3
Report of the Executive Director

(Report Posted)

(Due to the Board not having a quorum, the Reports will be approved at the next Board meeting.)

5. Professional Development

(None presented)

6. National Council State Boards of Nursing

Agenda 6.1

Board Upholds NCLEX-RN passing standard

Dr. Lyon reported that the NCSBN did uphold the NCLEX-RN examination passing standard at their meeting on December 4, 2018.

7. Public Comments

(There were no public comments)

8. Executive Session

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

L. Bonanno-yes; J. Couvillon-yes; N. Davis-yes; J. Hill-yes; T. McNabb-yes;
S. Saunders-yes

Motion Carried

ADJOURNMENT:

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

Motion: by _____, seconded, to adjourn

The meeting adjourned at 12:45 p.m.



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