

LOUISIANA STATE BOARD OF PRACTICAL NURSE EXAMINERS
3421 NORTH CAUSEWAY BLVD., STE 505 METAIRIE, LA 70002
MINUTES OF THE MEETING OF FEBRUARY 24, 2011

DATE AND PLACE OF MEETING The Louisiana State Board of Practical Nurse Examiners met at The Marriott in Metairie at Lakeway, 3838 N. Causeway Boulevard, Metairie, Louisiana.

DECLARATION OF QUORUM AND CALL TO ORDER A quorum was present on February 24, 2011 at 2 P.M., and the meeting was called to order in open session. Dr. Fulmer presided.

ROLL CALL

MEMBERS	02/24/2011
M. Kaleem Arshad, M.D.	Present
Brent Campanella, M.D.	Present
Ruby Chancellor, L.P.N., Vice-Chair & Secretary/Treasurer	Present
Myra Collins, L.P.N.	Present
Robertta Connelley, R.N	Present
Gwendolyn Dunn, L.P.N.	Present
Bobby Fulmer, M.D., Chairman of the Board	Present
Kellie Hebert, L.P.N.	Absent
Patricia Juneau, R.N.	Absent
Candace Melancon, L.P.N	Present
Albertha Prince, L.P.N.	Present
Kenison Roy, M.D.	Present
Mohammad Suleman, M.D.	Present

STAFF/LEGAL COUNSEL PRESENT AT VARIOUS TIMES

STAFF	02/24/2011
Lynn Ansardi	Present
Kristen Bogran	Present
Claire Doody Glaviano	Present
Tammy Labit	Present
Nancy McCarthy	Present
Francis Mulhall	Present
Kerri Palmer	Present
Lloyd Poincot	Present
Cherrill Sensebe	Present

MOTION TO ENTER EXECUTIVE SESSION Ruby Chancellor moved that the board convene in an executive session to consider reports related to disciplinary matters against licensees and/or applicants for licensure, and to discuss cases in litigation.

SECOND: Dunn

A roll call vote was taken.

YEAS: Arshad, Campanella, Chancellor, Collins, Connelley, Dunn, Fulmer, Melancon, Prince, Suleman

NAYS: 0

ABSTENTIONS: 0

The motion passed.

The board went into executive session at 2:03 P.M.

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- OPEN SESSION The board came out of executive session at 3:30 P.M
- WELCOME The Chair welcomed the audience.
- MOTION TO ADOPT C. Melancon moved that the minutes of the meeting of October 10 and
 MINUTES OF 11, 2010 be adopted as printed in the book of reports.
 PREVIOUS SECOND: Connelley
 MEETING YEAS: 10
 NAYS: 0
 ABSTENTIONS: 0
 The motion passed.
- MOTIONS I move that in the case of (Janice Hilliard) license number **870833**, the
 RELATED TO Board adopt the hearing officer's findings of fact and conclusions of
 DISCIPLINE law without exception, and that the respondent's license be revoked.
 The respondent is to be fined \$500.00 for the violations detailed in the
 Conclusions of Law and a hearing assessment fee of \$500.00 is to be
 submitted to the Board within 90 days of date of the Board Order.
 MAKER: Collins
 SECOND: Chancellor
 YEAS: 9
 NAYS: Connelley
 ABSTENTIONS: 0
 The motion passed.
- MOTION I move that in the case of (Justin LaFleur) Social Security Number
 Ending with **4578**, the Board adopt the hearing officer's findings of
 fact and conclusions of law without exception, and that the applicant is
 ineligible to write the NCLEX-PN for a period of four years with
 stipulations as attached to the motion. The respondent is to submit a
 hearing assessment fee of \$500.00 within 90 days of date of the Board
 Order.
 MAKER: Melancon
 SECOND: Dunn
 YEAS: 9
 NAYS: Connelley
 ABSTENTIONS: 0
 The motion passed.

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MOTION

I move that the following consent agreements be accepted by the board without exception:

License #210054	Sharon Alexander
License #791007	Cheryl Ambrogio
License #290982	Ruby Avery
License #230457	Alisha Baum
License # 250631	Chiquite Briggs
License # 290798	Kanika Carter
License # 20100478	Christel Chatman
License #971009	Stacie Chittom
License #790271	Rebecca Citizen
S.S. ending with 3761	Brandalynn Cooper
License #200637	Tracy Craddock
License # 830697	Opal Cooper
License # 250211	Colleen Dewalt
S.S. ending with 6555	Ashley Dugas
License # 200737	Phedra Francois
S.S. ending with 4017	Lakisha Hall
License # 20100558	Jessica Hughes
License #980482	Karen Jackson
S.S. ending with 7291	Cara Maxwell
License #250608	Nancy Maxwell
License # 280322	Kristi Mc Crea
License # 961097	Constance Molay
License #750703	Ann Myers
License #240973	Erin Nesbit
S.S. ending with 4958	Lindsey Paulette
S.S. ending with 4313	Nicole Pavao
License #242556	Kara Phillips
License #280274	Jessica Riser
License #242468	John Schweitzer
S.S. ending with 8765	Becky Sepulvado
License #980581	Misti Simons
License #220238	Melissa Sweat
License #860801	Shelli Thurman
License #271052	Nicole Trahan
License #230084	Renetta Young

MAKER: Connelley

SECOND: Collins

YEAS: 10

NAYS: 0

ABSTENTIONS: 0

The motion carried.

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COMPLIANCE DEPT. REPORT	Lynn Ansardi presented the report of the compliance department. An explanation of the report was provided. No action was needed or taken.
	Dr. Suleman requested that Ms. Ansardi report on the Health Works Commission and Supply and Demand Council at the June board meeting.
ASSOCIATE EXECUTIVE DIRECTOR REPORT NCLEX-PN	A written report of all Louisiana writers of the NCLEX-PN from 09/16/2010 to 02/02/2011 was presented. No action was needed or taken.
PROGRAM(S) ON PROVISIONAL ACCREDITATION	A summary report and update of programs on provisional accreditation and initial accreditation was provided.
	Programs on provisional accreditation include: C.B. Coreil Campus, ATC, Ville Platte Lafourche Campus – SCLTC, Thibodaux Nunez Community College, Chalmette
PROGRAMS RESTORED TO FULL ACCREDITATION	Compass Career College, Hammond and Lafayette General Medical Center, Lafayette have been restored to full accreditation since the last board meeting.
PROGRAM(S) ON INITIAL ACCREDITATION	Programs on initial accreditation include: River Parishes Community College Technical Education Center, Sorrento (formerly Ascension Campus-Northshore Technical College) Dryades YMCA School of Commerce, New Orleans
PROGRAM(S) CITED FOR NON- COMPLIANCE WITH BOARD RULES	At the time of the printing of the book of reports the following programs had been cited for non-compliance with board rules: A&W Health Care Educators, New Orleans Delta College of Arts & Technology, Baton Rouge Delta College of Covington, Covington Delta Ouachita Campus, NELTC, West Monroe Nunez Community College, Chalmette Sowela Technical Community College, Lake Charles
PUBLIC COMMENT	Jodi Morgan provided the board with information related to the program at Nunez Community College specifically related to the program's non-compliance with board rules.

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- MOTION R. Connelley moved that Nunez Community College continue on provisional accreditation until a class is admitted without infractions and a class completes without infractions. In addition, the program must submit a self evaluation of the last corrective action plan and develop an additional plan with a focus on the administrative processes for admitting students. An on site survey for review of admission procedures shall be conducted and the program is required to pay the \$500.00 survey fee.
 SECOND: Melancon
 YEAS: 10
 NAYS: 0
 ABSTENTIONS: 0
 The motion passed.
- The LTC campuses at C.B. Coriel and T.H. Harris were issued notices of non-compliance after the book of reports was mailed to board members.
- DISCONTINUED PROGRAMS North Central Campus, NELTC, Farmerville -- voluntary closure. The final class completed in December. The program is officially closed.
- PROGRAM EXPANSION Shreveport Bossier was given staff approval to expand from two classes per year to three classes per year.
- PROGRAM SUMMARY The summary report of all programs was provided. This report indicated that as of January 21, 2011, 93 classes (with a total statewide enrollment of 2,677 students) were enrolled in 48 programs of practical nursing. No action was needed or taken.
- REPORT OF THE EXECUTIVE DIRECTOR The proposed lease for office space in Benson Tower was presented along with several email strings between the State Office of Facility Planning and board staff.
- The executive director reported to the board that, after she had an opportunity to review the proposed lease, she sent the Office of Facility Planning a fax informing them that the board did not have sufficient funds to enter into the proposed lease. The executive director told the board that the Office of Facility Planning responded by stating, in an email, that "supplemental funds to make up the difference between your current rentals and the annual rentals for the space allocated to your Board in Benson Tower will be provided." And in a separate email, the Office of Facility Planning stated that "The Commissioner of Administration has indicated that additional funds will be allocated to your Board to cover the additional rentals (\$51,901.44/year) you will incur in Benson." The executive director reported that she asked, via

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an email, for a new lease reflecting the amount of rent the board would be obligated to pay. The executive director expressed the concern that, even if the Commissioner of Administration had funding in this fiscal year to cover the board's additional rentals, that there was no guarantee that the Commissioner would have or could ensure that monies would be available in future fiscal year and/or lease years. If the board relied on an email promise of additional funding and signed the new lease, the board will be responsible for the rent—year after year—whether or not the email promise of additional funding was honored.

LEASE
 MOTION

Dr. Suleman moved that the board not enter into any new lease unless the rent is in line with the board's finances.

SECOND: Dunn

YEAS: 10

NAYS: 0

ABSTENTIONS: 0

The motion passed.

LaNet

The correspondence between the board and the State Office of Information Technology related to the board's participation in the LaNet was presented and discussed. The executive director also reported on a telephone conference that was held with board counsel and an attorney with the Division of Administration. In this telephone conference, the attorneys discussed the law granting authority to the Office of Information Technology and the laws related to the board's duty to collect and protect confidential information. The executive director reported the two sides agreed to disagree on which law controlled in this case and that the issue of whether or not the board can be required to participate in LaNet may have to be decided by a court of law.

Fran Mulhall, board counsel explained the rule of law related to conflicting statutes. He reported that conflicting statutes should be harmonized when possible and there should be an attempt to figure out a way the statutes can work together. If and when there is a conflict, the more specific statute controls over the more general one. So the issue then becomes this: is our statute the specific one in this case or is the technology statute more specific. Mr. Mulhall stated that he thought our statute is the more specific one because it related specifically to the board. Mr. Mulhall told the board that he can not predict how the court would rule.

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MOTION	Dr. Campanella moved that the board not use the LaNet. SECOND: Prince YEAS: 10 NAYS: 0 ABSTENTIONS: 0 The motion passed.
NEW BANKING RESOLUTION	Ruby Chancellor moved the adoption of a banking resolution with La Capitol Federal Credit Union. Second: Melancon Yeas: 10 Nays: 0 Abstentions: 0 The motion passed
BUDGET TO ACTUAL 7/1/2010 TO 12/31/2010	The budget to actual figures for the first half of fiscal year 2011 was presented. No action was needed or taken.
RULE AMENDING THE LAC 46:XVLII	The rule as amended and published in November 2010 was presented. No action was needed or taken.
NCLEX-PN PASSING STANDARD INCREASED	The new passing standard for the NCLEX-PN was provided. The new passing standard will go into effect with the new test plan in April 2011. No action was needed or taken.
FIVE YEAR REORT OF DEMOGRAPHIC DATA CAPTURED AT LICENSE RENEWAL	The five year report of demographic data captured at license renewal was presented. This report is a snapshot of the LPN renewal data base and data vary depending upon the date the report is generated. No action was needed or taken.
FEDERAL DATA BANKS AND BACKGROUND CHECKS	The cost of running the practical nursing data base against the federal data banks was presented. The option of requiring practical nurses to query themselves and report the result of the query to the board was presented and discussed. The executive director recommended that the board implement a requirement that each year one third of the currently licensed practical nursing population query the data banks, one third obtain a federal criminal background check, and one third obtain a state background check.

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MOTION Dr. Campanella moved that the agenda item be tabled and taken up at the next meeting of the board.
SECOND: Melancon
YEAS: 10
NAYS: 0
ABSTENTIONS: 0
The motion carried.

FUTURE MEETING DATES OF THE BOARD The next meeting of the board will be held on June 16 and 17, 2011 at the Lakeway Marriott.

PUBLIC COMMENT There was no additional public comment offered.

MOTION TO ADJOURN Gwen Dunn moved that the meeting adjourn.
SECOND: Connelley
YEAS: 10
NAYS: 0
ABSTENTIONS: 0
The motion passed and the meeting adjourned at 5:00PM.



Bobby Fulmer, M.D., Chair