

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

MINUTES OF THE JUNE 11, 2014 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 D. Porche, President, on Wednesday, June 11, 2014, 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, PhD, FNP, President
Jolie Harris, MSN, RN, Vice-President
Patricia Prechter, ED, MSN, RN, Alternate Officer
Laura Bonanno, DNP, CRNA
Lucie Agosta, PhD, RNC,
Nancy Davis, MN, RN, NE-BC
Tim Cotita, MSHCE, RN, CDE
Sue Westbrook, DNS, RN
William LaCorte, M.D., Ex-Officio Member

The following Board members were not in attendance:
Patricia Johnson, MN, RN, CNA, DNP
Juzar Ali, M.D., Ex-Officio Member

The following staff members were in attendance:
Karen C. Lyon, PhD, APRN, ACNS-BC, NEA-BC, Executive Director
Patricia Dufrene, MSN, RN, Director of Education and Licensure
Cynthia York, MSN, RN, CGRN, Director Practice and Credentialing
Jennifer Alleman, MSN, APRN, FNP-BC, Compliance Officer
Zaren James, JD, Director of Hearings/General Counsel
Celia Cangelosi, JD, Board Attorney
E. Wade Shows, JD, Board Attorney
Suzanne C. Armand, Certified Court Reporter

Motion: by Dr. Westbrook, seconded, to adopt the Agenda with the ability to rearrange the Agenda items for efficiency

Dr. Porche stated that under Compliance Issues for Our Lady of Holy Cross College, this is a Show Cause Order and not a Consent Order. They were appropriately notified.

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

Motion Carried

Dr. Porche requested that if anyone wanted to make a comment or offer

information, they fill out a Request for Public Comment Card.

EDUCATION/EXAMINATION ISSUES

AGENDA ITEM 4.1

LAKE CHARLES MEMORIAL HOSPITAL REAPPROVAL AS A CONTINUING EDUCATION PROVIDER

On April 14, 2014, - LSBN staff received a request and proposal from Lake Charles Memorial Hospital to be reapproved as an education provider for four additional years, expiring in 2018.

Proposal complete with three appropriate Continuing Education programs provided.
Ms. Dufrene recommended reapproval for four years.

Motion: by Dr. Prechter, seconded, that the Board reapprove the request of Lake Charles Memorial Hospital to continue as a provider of Continuing Education, expiring June 11, 2018

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

Motion Carried

AGENDA ITEM 4.2

REQUEST FROM UNIVERSITY OF LOUISIANA MONROE FOR A MAJOR CURRICULUM CHANGE

On March 12, 2014, LSBN Staff received notification of planned curriculum changes at the University of Louisiana Monroe (ULM). Proposal reviewed and required supplemental information regarding curriculum changes.

On April 11, 2014, LSBN staff received requested supplemental information. Review and information complete with comprehension planned curriculum changes, timelines and impact on current students.

Staff's review of planned curriculum changes was provided for Board members to review.

Ms. Dufrene recommended that they be allowed to do the major curriculum change effective in the fall.

Dr. Emily Doughty was present to speak to the issues.

Motion: by P. Prechter, seconded, that the Board approve the major curriculum changes at University of Louisiana Monroe effective Fall 2014.

Recusal T. Cotita was recused from the voting.

Voice Vote: L. Agosta-yes; L. Bonanno-yes; N. Davis-yes; J. Harris-yes; D. Porche-yes;

P. Prechter-yes; S. Westbrook-yes

Motion Carried

AGENDA ITEM 4.3

GEORGETOWN UNIVERSITY REQUEST FOR APPROVAL OF OUT OF STATE NURSING PROGRAM TO OFFER APRN CLINICAL/PRECEPTOR EXPERIENCES IN LOUISIANA

Georgetown University was approved at the June 2013 Board Meeting to continue offering clinical experiences in Family Nurse Practitioner (FNP). Adult Gerontology Acute Care Nurse Practitioner/Clinical Nurse Specialist (AGACNP/CNS Acute Care) and Certified Nurse Midwife/Woman's Health Nurse Practitioner (CNM/WHNP) were deferred until evidence of faculty qualifications.

Georgetown University was reapproved at the October 2013 Board Meeting to offer clinical experiences in CNM/WHNP.

Georgetown University was deferred re-approval at the April 2014 Board Meeting to offer clinical experiences in AGACNP/CNS Acute Care (Dual Role) related to insufficient clinical hours for dual role.

In conversations with Georgetown University, they have determined that they are no longer going to be offering the CNS; therefore, they are not asking for the dual role anymore.

On April 11, 2014, LSBN staff received request to offer additional role and population of Adult Gerontology Acute Care Nurse Practitioner (AGACNP) to current approval of APRN clinical experiences in Louisiana.

Request was reviewed, and the only deficiency found was the hours, combining that with the CNS to defer it. So at this point, they are meeting the qualifications to have that added on as a role and population to their current existing approval. Request is to offer previously approved role and population independently of the Clinical Nurse Specialist role. Curriculum Plan reflected 600 clinical hours.

Ms. Dufrene recommended approval

Motion: by Dr. Prechter, seconded, that the Board approve the request of Georgetown University to offer Graduate clinical experiences in Louisiana for the following through December 14, 2015:

Adult Gerontology Acute Care Nurse Practitioner - (AGACNP)

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

Motion Carried

AGENDA ITEM 4.4

UNIVERSITY OF CINCINNATI REQUEST FOR MAJOR CURRICULUM CHANGE

At the April 30, 2014 Board Meeting, the Board reapproved University of Cincinnati to offer clinical experiences in Louisiana for the following role/population until April 9, 2016:

Adult Gerontology Primary Care Nurse Practitioner (AGPCNP) MSN and DNP
Psychiatric Mental Health Nurse Practitioner Post Master's Certificate (PMHNP-PMC)

The Board delayed approval for the following roles/population until demonstration of compliance with faculty qualifications:

Family Nurse Practitioner (FNP)
Adult Gerontology Primary Care Clinical Nurse Specialist (AGPCNS)-
Nurse-Midwifery (NMW)
Women's Health Nurse Practitioner (WHNP)

Evidence of FNP faculty endorsed and licensed in Louisiana was submitted.

Ms. Dufrene recommended approval.

Motion: by Dr. Prechter, seconded, That the Board approve the request of University of Cincinnati to offer graduate clinical experiences in Louisiana until April 9, 2016 for the following roles/populations:

Family Nurse Practitioner (FNP)

And further, that the Board defer action until demonstration of compliance with Louisiana rules and regulation for the following roles and populations:

Adult Gerontology Primary Care Clinical Nurse Specialist
(AGPCNS)
Nurse-Midwifery (NMW)
Women's Health Nurse Practitioner (WHNP)

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

Motion Carried

AGENDA ITEM 4.5

SOUTH LOUISIANA COMMUNITY COLLEGE SITE VISIT FOR APPROVAL TO PROGRESS TO STEP IV - INITIAL APPROVAL OF ASSOCIATE OF SCIENCE IN NURSING PROGRAM

On October 7, 2011, LSBN staff received letter of intent and feasibility from South Louisiana Community College (SLCC) to establish an Associate Degree of Science in Nursing Program.

On April 17, 2013, LSBN approved Step I and progression to Step II for ASN program at SLCC.

On April 30, 2014, LSBN approved Step II and progression to Step III and instructed staff to perform a site visit.

On May 12, 2014, initial site visit was performed by LSBN staff at South Louisiana Community College. LSBN staff requested revisions to documents accurately reflecting LSBN rules and regulations and requirements for clinical enrollment.

A written report of the site visit was provided to Board members.

The purpose of the site visit was to verify the information presented in Step II, which was approved at the April 2014 meeting, and to present a report regarding the readiness for initial approval and initiation of a program with enrollment of students beginning in the Fall of 2014.

Ms. Dufrene reviewed their initial Site Visit Self Study Form.

There were meetings with the Dean of Nursing Program, Program/Division Deans for SLCC, Chancellor, Vice Chancellor- Finance- , Vice Chancellor - Academics, Public Relations, Faculty for Nursing Program, Student Services, including the Registrar, Clinical Agency Representatives, LEDA Representatives, and librarian.

Included in the report were the following Proposed Organizational Plan for the Nursing Program:

- Mission Philosophy and Goals
- Curriculum Plan
- Course Objectives
- Course Outlines
- Evaluation Plan and Methods
- Admission Progression and Gradation Criteria
- Policies for Students
- Plan for utilization of Clinical Facilities
- Proposed Catalog Entries
- Faculty Records

Ms. Dufrene recommended proceeding to Step IV, which will grant them initial approval and will allow them to initiate enrolling students beginning in the Fall of 2014.

Motion: by Dr. Prechter, seconded, that the Board accept the Site Visit report of the Associate of Science Degree in Nursing Program from South Louisiana Community College and grant Initial Approval effective Fall 2014.

Ms. Lori Fontenot was present to provide information to Board members.

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

AGENDA ITEM 4.6
EDUCATION ANNOUNCEMENTS

1. Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) – Louisiana College

On January 13, 2014, LSBN staff received letter from SACSCOC that Louisiana College was reaffirmed accreditation and removed from Warning following review of a Second Monitoring Report. Louisiana College's next reaffirmation will take place in 2021.

2. Louisiana Hospital Association (LHA)

On March 18, 2014, LSBN staff received a letter from LHA identifying two separate entities related to their Continuing Education status. Louisiana Hospital Association Management Corporation and Louisiana Hospital Association Research and Education Foundation are both providers of continuing education under LHA.

3. Delgado Community College Administrative Change

On March 31, 2014, LSBN staff received notification that Dr. Monty Sullivan, chancellor, has left the college to become President of the Louisiana Community and Technical College System. Deborah Lea, M.Ed., has assumed the position of Interim Chancellor.

4. University of South Alabama Administrative Change

On April 7, 2014, LSBN staff received notification that Dr. Robin Lawson was appointed Associate Dean for Clinical Affairs effective February 1, 2014.

5. Louisiana State University at Alexandria Minor Curriculum Changes

On April 9, 2014, LSBN staff received a Planned Substantive Change report from Dr. Cathy Cormier, Interim Chair for the Department of Nursing at Louisiana State University at Alexandria, regarding changes in the ASN, Accelerated LPN to ASN Track and RN to BSN Program. On April 11, 2014, LSBN staff received additional information that clarified the minor curriculum change, which would transition the ASN theory/clinical courses from an 8 week term format to a 16 week full semester format.

6. Northwestern State University Administrative and Name Change

On April 17, 2014, LSBN staff received notification that Dr. Dana Clawson was appointed Dean of Northwestern State University's School of Nursing. Staff was also informed that the name of the organizational unit was changed from College of Nursing and Allied Health to College of Nursing and School of Allied Health.

7. Our Lady of the Lake College Administrative Change

On May 1, 2014, LSBN staff received notification that Dr. Tina Holland replaced Dr. Carol Seavor as President of Our Lady of the Lake College and assumed the position on April 22, 2014. Additionally, Dr. Jennifer Beck resigned as Dean of the School of Nursing and Dr. Phyllis Pedersen was appointed as Interim Dean on May 26, 2014.

ADMINISTRATIVE ISSUES

There were no agenda items

CREDENTIALING

There were no agenda items

NURSING PRACTICE ISSUES

PROPOSED AMENDMENT TO LSBN'S DECLARATORY STATEMENT (ADOPTED, 2005):

THE ROLE AND SCOPE OF PRACTICE OF THE REGISTERED NURSE IN THE ADMINISTRATION OF MEDICATION AND MONITORING OF PATIENTS DURING THE LEVELS OF PROCEDURAL SEDATION (MINIMAL, MODERATE, DEEP, AND ANESTHESIA)

On March 26, 2014, board staff received a request from Ms. Jean Hill, Chief Nursing Officer at St. Charles Parish Hospital, asking staff to take a look at the 2005 Declaratory Statement that the Board had published entitled: *'The Role and Scope of Practice of the Registered Nurse in the Administration of Medication and Monitoring of Patients During the Levels of Procedural Sedation (Minimal, Moderate, Deep, and Anesthesia)'*.

She particularly wanted staff to look at the section that pertains to RNs, non CRNAs, monitoring deep sedation.

In researching the matter, Ms. York found that CMS holds anesthesia service line in the facility responsible for anesthesia care.

CMS also states that anesthesia services are to be based on national guidelines developed by the American Society of Anesthesiologists.

Board staff consulted with the president of the Louisiana Association of Nurse Anesthetists (LANA), Mr. Gerry Pederson. Mr. Pederson had discussions with the National Organization and they have decided that they do not support Registered Nurses monitoring deep sedation. A letter from Mr. Pederson was provided to Board members for their review.

The following statement was published by ASA October 12, 2012:

"Non-anesthesiologist physicians may neither delegate nor supervise the administration or monitoring a deep sedation by individuals who are not themselves qualified to administer deep sedation in recognition from general sedation."

Ms. York pointed out that CMS requires anesthesia services be based on national guidelines and it further states that those guidelines are to be developed by ASA. Ms. York recognizes ASA as the authority in anesthesia care.

Board members were provided a copy of a letter from Dr. William Freeman, Medical Director at St. Charles Parish Hospital stating that he was in support of Registered Nurses monitoring a deep sedation in an emergency room.

Also, a letter was received from the Chief Anesthesiologist at St. Charles Parish Hospital. The letter states that, "The ER MD will only be allowed to provide mild to moderate sedation based upon body weight and general condition of the patient. The anesthesiologist or CRNA will be available if the patient requires deep sedations."

Dr. Freeman, ER Director, Chief Medical Officer for CM Medical Services, asked that LSBN maintain their current position on the matter.

Dr. Freeman stated he is in support of ER physicians being able to provide sedation to patients in the Emergency Department for performing procedures with the team approach of having nurses help monitor patients while physicians are performing the procedure. His concern is not to limit drugs based on their classification but by their action, intent of use, and the titration of those drugs for performing those procedures. A further concern is not to be able to give agents based on the fact it may put them into a deep sedation, which is not the goal of what they are doing. They are trying to provide moderate sedation. The patient can slip into a deep sedation which would be recognized by the physician and provide rescue for that patient.

Dr. Freeman commented that if the Board changed their current position, they would not be able to provide those agents that are rapid acting, rapid recovery, and then having to go with longer acting agents that could potentially cause more harm for their patients.

Discussion ensued

Dr. Freeman stated he is asking the Board to allow the nurses to monitor the patient while performing the procedures and then once done with the procedure, the physician stays in the room until that patient returns back to a much higher level of response for that condition.

Dr. Porche stated the Board's current position is limited to monitoring

Jean Hill, CNO, stated their competency is on moderate sedation. They would have to change the competency to go into deep sedation. The Board's statement is for non anesthetic drugs. Ms. Hill stated they need a clarification with the different guidelines coming out. They have not had any adverse effects, but some of the drugs are anesthetics.

Discussion ensued

Dr. Porche stated the current position statement talks about the RN with the appropriate knowledge and skills. LANA's position is that during administration that renders a patient in deep sedation, an RN does not meet the educational requirement. LSBN's position statement is not just based on an RN, it's based on RNs with appropriate knowledge, skills and abilities demonstrating they had a competency.

Mr. Pederson commented that their position is basically against any RN monitoring the deep sedation and giving anesthetic agents. They were not opposed to RNs monitoring the moderate sedation.

Lengthy Discussion ensued

Dr. Porche thanked Ms. Hill, Ms. Pederson, and Dr. Freeman for their testimony

Discussion ensued.

The matter was deferred and staff directed to further revise the whole Declaratory Statement.

AGENDA 6.2

REQUEST FOR OPINION:

WHETHER IT IS WITHIN THE SCOPE OF PRACTICE FOR AN ACUTE CARE PEDIATRIC NURSE PRACTITIONER TO PROVIDE THE FULL RANGE OF PRIMARY CARE SERVICES.

Initial request for Declaratory Statement or Advisory Opinion on Nursing Practice submitted via email April 8, 2014 by Roger Rholdon, Jr.

In the initial request for initial prescriptive authority received March 5, 2014, staff noted the parameters of practice and clinical practice guidelines of the collaborative practice agreement as well as the named clinical site included the provision of primary care services. Petitioner's advanced practice educational preparation, national certification, and licensure is in the APRN population focus of Acute Care Pediatric Nurse Practitioner (ACPNP). Further clarification was provided via phone and email. Additional information was requested and provided. The APRN was issued prescriptive authority for practice as an ACPNP based on the additional information and clarification regarding the acute versus primary care roles of PNPs. The APRN subsequently submitted a request for an opinion.

Ms. Alleman relied on the two certifying bodies that certify Pediatric Nurse Practitioners (PNP): The Consensus Model, and the National Organization for Nurse Practitioner Faculties (NONPF) for clarification that the Acute Care role is distinct and separate from the Primary Care Roles with some overlap.

Ultimately, Mr. Rholdon requested further clarification and consideration of the Board to allow Acute Care Pediatric Nurse Practitioners to provide the full range of primary care services.

Dr. Porche enquired whether Mr. Rholdon's request was for an opinion only or a Declaratory Statement. Mr. Rholdon answered that it was just for an advisory opinion.

Mr. Rholdon, ACPNP, gave an oral presentation of his petition for an opinion of whether it is within the scope of practice for an Acute Care Pediatric Nurse Practitioner to provide the full range of Primary Care Services. (Petition provided to Board members as Attachment 1)

Mr. Rholdon stated he has received 100 hours of Primary Care Pediatric Nurse Practitioner with a pediatrician in a clinical setting, which coincide with the health promotion, disease prevention course specific to pediatrics as well as a didactic portion that focused on pediatric primary care. He has received 600 hours in pediatrics – emergency setting, ICU setting, hospitalist setting and in subspecialties.

Discussion ensued regarding Mr. Rholdon's competencies

Ms. Alleman provided some links to PNCB's website which make some statements that there is

a distinction, and that the Acute Care role is designed for management of the complex, acute and chronic illnesses. In speaking with Peg Harrison, the CEO of PNCB, Ms. Harrison stated the Acute Care Pediatric Nurse Practitioner graduates are not eligible to take the Primary Care exam.

Discussion ensued

Ms. Alleman strongly emphasized that people read these opinions and take them as the general opinion of the Board.

Mr. Rholdon commented he feels that it is within his scope of practice in the training he has received in acute care, and that he should be allowed to see the well visits in addition to the sick visits to aid the physicians who he works alongside to be able to see all of the patients.

Ms. Alleman recommended following the NONPF and certifying bodies' statements

Motion: by Dr. Agosta, seconded, that Board staff recommends the following:

That it is not within the scope of practice for an acute care pediatric nurse practitioner to provide a full range of primary care services unless additional formal education, certification, and licensure is obtained as a primary care pediatric nurse practitioner and subsequent prescriptive authority documents are provided and approved by the Board. The practices of the acute care pediatric nurse practitioner must be in alignment with the role and population which includes the provision of:

- 1. services designed to meet the specialized needs of pediatric patients with **complex** acute, chronic, and critical health conditions, and*
- 2. preventative services that are within the context of restorative and rehabilitative care related to the management of **complex** acute, chronic, and critical health conditions.*

(BREAK)

Dr. Porche called the meeting back to order.

Dr. Porche asked for a motion to approve the Minutes of April 30, 2014 Board Meeting.

Motion: by N. Davis, seconded, to approve the Minutes of the April 30, 2014 Board Meeting.

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

Motion Carried

REPORT OF THE PRESIDENT

Dr. Porche gave an oral report highlighting the following:

Dr. Porche requested that Dr. Lyon start organizing some continuing education activities for Board members for each of the meetings. The first topic is the National Practitioner Database. The second is that Ms. McGill be asked to provide the Board with some education of substance abuse treatment facilities. Also a presentation on documentation of Board action, looking at the internal processes.

Dr. Porche stated there needs to be some ability for the Board or Executive Director to take immediate action on nursing schools who may not be in compliance with LSBN's rules and regulations to ensure appropriate safety and welfare when the Board knows a nursing school has issues. Dr. Porche requested that the Board look at Chapter 35 as this is an increasing issue as what to do with the nursing programs and make revisions as necessary.

In compliance with the Open Meetings Law, Dr. Porche made a public announcement that there may be some special meetings that the Board will be calling to have discussion regarding nursing issues. The agenda needs to be published within 24 hours.

The Executive Director is considering asking the state attorney for an opinion regarding Board members and retirement status as they were concerned when a Board member is on the Board and then they become unemployed or retire, the Board's rules do not address the criteria for membership.

The rule states that they must have an active RN license and be actively engaged when appointed and does not speak to retirement. The Board needs a more definitive opinion regarding what is considered "active."

The Louisiana State Board of Examiners is drafting rules and regulations regarding collaborative practice agreement and nurse practitioners working in relationship with physicians. The Board has not been privileged to the final rules. The final rules will be promulgated soon.

Dr. Porche asked the Board to support him in directing legal staff and the Executive Director to make a Public Records Request to secure all documents the Board of Medical Examiners are looking at in relationship to the revision of those rules and regulations regarding Advanced Practice APRNs.

If they move the final promulgation of rules and regulations after they assess them on behalf of the Board and have determined and believe with legal counsel that they are encroaching or acting beyond the Board of Medical Examiners' scope of authority to regulate, Dr. Porche is requesting authority to work with legal counsel to look at legal strategy in addressing this issue with the Board of Medical Examiners.

Motion: by J. Harris, seconded, to direct staff and the Executive Director to make a Public Records request.

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

Motion Carried

Discussion ensued

Motion: by L. Bonanno, seconded, to give authority to the President to work with legal counsel if necessary.

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

Motion Carried

REPORT OF THE VICE-PRESIDENT
VICE-PRESIDENT'S REPORT – APRIL 2014 FINANCIAL REPORT

The complete financial report was provided to Board members. Ms. Harris reported a positive net income. There were no major issues on the financial statement.

Motion: by N. Davis, seconded, to accept the Vice-President's Financial Report

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

Motion Carried

REPORT OF THE EXECUTIVE DIRECTOR

A written report was attached for Board's review

An issue has arisen with APRNs prescribing ADD/ADHD medications when their collaborating physician has been restricted from prescribing those drugs through a CO but with no license encumbrance. A call was made to LSBME ED, Dr. Cecilia Mouton, to clarify what the Medical Board's position is in regards to this situation. LSBMEs position is that any physician prescribing ADD/ADHD medications should have training in evaluation, objective testing and differential diagnosis of the medical disorders of ADD/ADHD.

Dr. Porche commented they need to work collaboratively and jointly with the LSBME

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

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

Motion Carried

CENTER FOR NURSING

There was no report

NATIONAL COUNCIL STATE BOARDS OF NURSING

Dr. Lyon provided Board members a report by NCSBN having to do with the Federation of State Medical Boards appointing a workgroup on Telemedicine and developing a model policy for the appropriate use. Dr. Lyon and 15 other agencies will be a member of the taskforce including the Medical Society and the Board of Medical Examiners. This taskforce will be looking at how this affects practice in Louisiana and across state lines.

OTHER

AGENDA ITEM 9.1

DATES FOR THE STATE BOARD OF NURSING HEARING MEETINGS

Sue Westbrook has suggested that the Board Hearing Panel Meetings be scheduled on Wednesday and the Board Meetings on Thursday for 2015 due to conflicts.

Board members were in agreement.

Some of the Board members who are scheduled for the September 16, 2014 Board Hearing Panel will not be able to attend. At this time the Board is short a five person quorum needed for that meeting. Dr. Westbrook stated she will be filling in for L. Bonanno and Nancy Davis stated she will be available if needed and Dr. Prechter is the standby member.

AGENDA ITEM 9.2

REQUEST FROM LOUISIANA MEDICAL SOCIETY TO CONSIDER BOARD STANCE ON RNs CALLING IN VERBAL ORDERS FOR PERSCRIPTIONS WHEN PATIENTS ARE DISCHARGED FROM HOSPITALS

A call was received from Greg Waddell, Vice-President of Legal Affairs for the Louisiana State Medical Society, expressing concerns received from the Medical Society about Registered Nurses calling in prescriptions to community pharmacies when patients are discharged from hospitals. The concern is that Registered Nurses employed by hospitals or other facilities are not agents of the physicians; therefore, they do not see that as an appropriate role for the RNs employed by hospitals to be calling in these prescriptions to their community pharmacies at discharge.

Discussion ensued

Dr. Lyon will obtain more information for the Board's review regarding the matter.

AGENDA ITEM 9.3

RESIDUAL FUNDS FROM BARBARA MORVANT RETIREMENT

Board solicited donations in 2013 for Ms. Morvant's retirement reception. At that time the Board felt they would be incurring an expense for the renting of a venue. The venue that was finally chosen did not charge the Board which gave the Board residual funds in the account. Ms. Davis requested that the Board have an open discussion as to how to proceed and devise a plan for these funds.

There was \$6,425.80 in total donations. There remains two outstanding bills, one for \$1,280.75 for Ms. Morvant's gift, which would be paid to Carlleen MacMillan, who paid for the gift with her personal credit card. The second would be reimbursing Isonel Brown for three months of a contract for Constant Contact, which came to \$135.00. If the Board decides to reimburse the LSBN for Ms. Morvant's portrait, the outstanding balance would be \$1,121.05 in residual funds.

Discussion ensued

Motion: by N. Davis, seconded, to pay the outstanding bills to C. MacMillan and Isonel Brown and to reimburse the Louisiana State Board of Nursing for Ms. Morvant's portrait. The remaining portion of \$1,121.05 will be determined how it is to be used at a future Board meeting.

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

Motion Carried

AGENDA ITEM 9.4

RESTRUCTURE LSBN BOARD MEETING AGENDA ON MINDTOUCH

Dr. Lyon commented that the meeting agenda be restructured as to not always have a motion to reorder the agenda.

AGENDA ITEM 9.5

TELECONFERENCING FOR BOARD MEMBERS

Dr. Lyon stated that teleconferencing is not addressed in the Board's Rules and the Rules might have to be revised for participation at Board meetings allowing for technology if the Board so desired.

Mr. Shows stated that teleconferencing is not allowed in the Open Meetings Law, but will confirm if this is correct.

ANNOUNCEMENTS AND COMMUNICATIONS:

BUILDING ADDITION/RENOVATION

Ms. Brown reported that they received word that they do not have to submit the project to HB 2, for the Capital Outlay.

The next step in the timeline begins preparing the paperwork that is necessary to the Office of Facility Planning to get in front of the Architect Selection Board at their August Board meeting. Once the architect is selected, there will be a process of getting the plans together. Once the plans are together, then there will be a bid for construction.

STAFF RETREAT

Dr. Lyon reported there will a full agency staff retreat August 19th. The Agency will be closed as they will be going offsite to team build, and review commitment. This will be put on by the Pyramid Group, Mr. Brent Hanley. Staff was asked to read, "Five Dysfunctions of a Team," in preparation for the retreat. T-shirts were ordered and received for staff.

Dr. Porche stated that they will now go into Executive Session to hear the Report on Litigation. The last two Agenda Items, The Show Cause Order for Our Lady of Holy Cross College and Show Cause Order of the University of South Alabama, will be heard in Open Session.

Motion: by N. Davis, seconded, to go into Executive Session for the purpose of hearing the Report on Litigation.

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

Motion Carried

The Board went into Executive Session at 11:42 a.m.

Motion: by Dr. Agosta, seconded, to Come out of Executive Session and go into Open Session.

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

Motion Carried

The Board came out of Executive Session and went into Open Session at 11:55 a.m.

UNIVERSITY OF SOUTH ALABAMA
SHOW CAUSE HEARING

The Show Cause Hearing began at 12:37 p.m.

Present was Jennifer Thomas, representing USA

L. Bonanno did not participate

Board deliberated in open session on the Findings of Fact and Conclusion of Law that were submitted by the Board and the University of South Alabama (USA).

Motion: by N. Davis, seconded, that the Board issue the following ruling on the Findings of Facts as presented by the Board Prosecutor

Accept Paragraphs 1 through 5.

Paragraph 6 modified to delete the last sentence of the paragraph

Accept Paragraph 7 as modified with the deletion of the first two paragraphs.

Change the second bullet of Paragraph 7 to read, "Board further testified that the National Organization of Nurse Practitioner Faculties criteria are utilized by accrediting bodies." At the end of the sentence in this bullet, make the change, "Board staff testified that USA is not in compliance with NONPF criteria as follows:"

The third bullet to read, "Board staff testified and presented evidence that USA is not in compliance with NONPF criteria."

That the Board finds that the use of an FNP as preceptor for 100% of the experience for these two students in the Acute Program in not in compliance with LAC 46:XLVII.4505 and is a violation of NONPF standards."

Paragraph 8, redact the first two paragraphs

The first bullet is accepted with the deletion of the final sentence.

The second bullet should read, "Board staff presented evidence and testimony that there are at least two graduates from USA's dual track Program that did not have any qualified acute care preceptors doing their clinical experience in the acute care portion of the track."

Delete the third bullet

Delete Paragraph 9

Accept Paragraph 10 with the deletion of the first paragraph only

Delete Paragraph 11

Delete Paragraph 12

Accept Paragraphs 13 and 14

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

Motion Carried

Motion: by N. Davis, seconded, that the Board issue the following ruling on the Findings of Facts submitted by the University of South Alabama:

Items 1 through 8 are accepted

Item 9 rejected as incomplete

Item 10 accepted as amended to read, "Of the 147 dual track students, between 2010 and 2013, only two students were identified as not having at least one preceptor with certification as an Adult Acute Care NP. As set forth in USACON's response, the two students, Daniel Schnebelen and Kathryn Martin, while working in an Emergency Department and/or urgent care setting, experienced patient encounters sufficient to meet the adult-gerontology acute care competencies while under the guidance of an FNP preceptor with extensive acute care clinical experience for the entire clinical experience." Accept the rest of Item 10 as submitted.

Item 11, 12, and 13 accept

Item 14 accept as amended to read, "All current USACON Louisiana students have a certified Adult Acute Care APRNs as his/her preceptor. Existing students who have already completed hours under a different preceptor were required to obtain additional hours."

Item 15 accept

Item 16 delete as irrelevant

Accept Item 17, 18, 19

Item 20, reject, allegation withdrawn

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

Motion Carried

Motion: by N. Davis, seconded, that the Board issue the following Conclusions of Law:

The University of South Alabama, College of Nursing is found to be in violation of the following:

LAC 46:XLVII.4509.R.2

LAC 46:XLVII 4509.I.1

LAC 46:XLVII 4509.K.5

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

Motion Carried

Motion: by N. Davis, seconded, that the Board issue the following Board Order:

“It is Ordered, Adjudged, and Decreed that the University of South Alabama College of Nursing is issued a Letter of Reprimand. And its request for reapproval to offer APRN clinical/preceptor experiences in Louisiana is granted.

“It is further Ordered, Adjudged and Decreed that the University of South Alabama College of Nursing shall provide public notification, which is easily accessible to current potential students regarding their policies on appropriate preceptors (including certification and licensure that is required by USA) for all tracks.

“It is furthered Ordered, Adjudged and Decreed that the University of South Alabama College of Nursing shall no longer utilize and/or rely upon the credentialing departments of hospitals, clinics, facilities, sites, et cetera, to define an APRN preceptor’s scope of practice nor rely on the scope of a collaborating physician unless he/she is specifically an approved preceptor.

“It is furthered Ordered, Adjudged and Decreed, that the University of South Alabama School of Nursing shall not submit evidence of clinical experiences prior to the submission of a Faculty Qualification Form and approval of faculty by the LSBN.

“It is furthered Ordered, Adjudged and Decreed that the University of South Alabama College of Nursing shall maintain the same standards as Louisiana schools in regards to faculty and preceptor to student ratios.

“It is further Ordered. Adjudged and Decreed that the University of South Alabama, College of Nursing is assessed with no costs.”

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

Motion Carried

UNIVERSITY OF OUR LADY OF HOLY CROSS COLLEGE
SHOW CAUSE HEARING

The Show Cause Hearing began at 3:05 p.m.

Present were Kyle France, Chair of Board of Regents, Victoria Dahmes, Interim Provost, Ron Ambrosetti, President, and Jennifer Kogos, Counsel for OLHCC

Dr. Prechter was recused from the matter and is not to participate in any of the discussions or any decision making on the matter. Dr. Prechter will respond to any questions by Board members.

Dr. Ambrosetti and V. Dahmes were questioned by Board members

Dr. Prechter was questioned by the Board

Two exhibits were introduced into evidence by OLHCC

Three Exhibits were entered into evidence labeled Board Exhibit 1 through 3, noting that the University Representative stated they were not aware of the May 2, 2014 letter entitled: "To Whom it May Concern" and signed as Department of Nursing Faculty, Our Lady of Holy Cross College

Deliberation by Board members

Motion:

Dr. Agosta, seconded, to defer action and recess the hearing and direct Our Lady of Holy Cross College to give the Board a plan within 45 days.

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

Motion Carried

Motion:

by L. Bonanno, seconded, to adjourn

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

Motion Carried

The meeting adjourned at 4:00 p.m.



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