

**MEETING**  
**June 17-18, 2009**

**MINUTES**

**1.1 CALL TO ORDER**

Julia Willis, Board Secretary, called the regular meeting of the Oregon State Board of Nursing to order at 9:00 a.m. This Board meeting was held in the conference room of the offices of the Oregon State Board of Nursing in Portland, Oregon.

**1.2 PUBLIC MEETING NOTICE**

A notice of this meeting was published on the Board of Nursing's website and sent out to the interested parties list by Holly Mercer, Executive Director, in accordance with the Open Meeting Law. The Board met in Executive Session during portions of the meeting as authorized by ORS 192.502 and 192.660.

**1.3 ROLL CALL — Present/Absent**

**—Board Members**

Coon, Present  
Carnegie, Present  
Cosgrove, Present  
Markesino, Absent  
McDonald, Absent  
Mill, Present  
Uherbelau, Present  
Williamson, Present ½ day  
Willis, Present

**1.4 QUORUM**

There being a quorum present, the Board President declared the Board eligible to conduct its business.

**—Staff Members Present at Various Times**

Buck  
Burke  
DeLong  
Ficarra  
Fisher-Lewis  
Hatcher  
Holtry  
Hudson  
Lilly  
Marson  
Marson  
Meadows

Mercer  
Palumbo  
Sexton  
Sherbert  
Standridge  
Tucker  
Wood  
  
Cotton  
Nyberg  
Cowan, Board Counsel

**9:00 AM - END OF BUSINESS**  
**WEDNESDAY, JUNE 17, 2009**  
**EXECUTIVE SESSION**  
**DISCIPLINE**

The meeting was called to order by Board President James McDonald at 9:00 a.m.

MSC Uherbelau, Williamson

that based on appearance and the evidence presented, the certificate of Tawni DeLane Petermen be reinstated.

Ayes 9

MSC Willis, Coon

that based on appearance and the evidence presented, Tawni DeLane Petermen be issued a Notice of Proposed Probation for a period of 12 months.

Ayes 9

MSC Markesino, Coon

that based on the evidence presented, the Interim Orders by Consent signed by:

Andrea C Dixon, RN

Lynne A Resch, RN

Christ S Sak, CNA

Cynthia L Goode, RN

be ratified.

Ayes 9

MSC Uherbelau, Coon

that based on the evidence presented in case number 09C-049 a Notice of Proposed not be issued.

8 Ayes, 1 Nay, Markesino

MSC Williamson, Willis

that based on the evidence presented Francis J Alvarez, CNA Applicant, be issued a Notice of Proposed Denial.

Ayes 9

MSC Markesino, Williamson

that based on the evidence presented,

Gabriell Rowley, CNA Applicant

Mededith M Hartley, LPN Endorsement Applicant

Cindy Cristeser, LPN Reactivation Applicant

Shannon M Meeker, LPN Applicant

George E James, CNA Applicant

Christopher E Bates, CNA Applicant

Joanna K Frechette, CNA Reactivation Applicant

Edward J Herk, RN Endorsement Applicant

Lenae K Trussell, RN Endorsement Applicant

Diana R Lowrey, CNA Renewal Applicant

Cindy L Knight, LPN Endorsement Applicant

Hans J Detter, CNA Applicant

Tiffanie J Casteel, CNA Applicant

be issued a Notice of Proposed Denial.

Ayes 9

MSC Uherbelau, Coon

that based on the information presented, the Stipulation for Reprimand signed by Joy, RN Endorsement Applicant, be accepted.

Ayes 9

MSC Williamson, Markesino  
that based on the; evidence presented Mary C Kelly-Walsh, LPN, be issued a Notice of Proposed Revocation.  
Ayes 9

MSC Willis, Coon  
that based on the evidence presented, Judith S Kendall, RN, NP, be issued a Notice of Proposed Denial.  
Ayes 9

MSC Willis, Uherbelau  
that based on the evidence presented, Joshua A Kyle, CNA Reactivation Applicant, be issued a Notice of Proposed Denial.  
Ayes 9

MSC Willis, Williamson  
that based on the evidence presented,  
Toni C Ray, CNA  
Sherie N Clifton, CNA  
Patricia A McIntosh, RN  
Helen C Kellie China, RN  
Wayne H Jones, CNA  
Liza A Zolnikov, CNA  
Kara L Bosley, CNA  
Deanna S Fleming, RN  
Anne Tyler Wightman, RN  
Margaret G McCall Edvalson, CNA  
Lori A Paich, CNA  
Confidence N Nwokocha, CNA  
be issued a Notice of Proposed Revocation.  
Ayes 9

MSC Willis, Markesino,  
that based on the information presented, Lynette E Rodd, RN, be issued an Order of Emergency Suspension.  
Ayes 9

MSC Williamson, Willis  
that based on the information presented, Lynette E Rodd, RN, be issued Notice of Proposed Revocation.  
Ayes 9

MSC Carnegie, Willis  
that based on the information presented, Rachel L Everhart CNA Certificate be suspended as set forth in the Notice.  
Ayes 9

MSC Mills, Markesino  
that based on the information presented, Rachel L Everhart, CNA, be issued a Notice of Proposed Revocation.  
Ayes 9

MSC Uherbelau, Coon  
that based on the information presented, Tammy J Roberts, CNA, not be suspended as set forth in the Notice.  
Ayes 9

MSC Markesino, Coon  
that based on the evidence presented in case number 09C-265, an Order requiring the certificate holder undergo evaluation for chemical dependence be issued.  
Ayes 9

MSC Uherbelau, Willis  
that based on the evidence presented, case number 09C-237 be dismissed.  
Ayes 9

MSC Willis, Markesino  
that based on the information presented, Katherine C Smith, RN, be issued a Notice of Proposed 60 days  
Suspension.  
Ayes 9

MSC Uherbelau, Coon  
that based on the information presented, case number 09-324 be dismissed.  
Ayes 9

MSC Willis, Markesino  
that based on the information presented, case number 09-071 be dismissed.  
Ayes 9

MSC Markesino, Cosgrove  
that based on the information presented, case number 07-140 be dismissed.  
Ayes 9

MSC Markesino, Williamson  
that based on the information presented, Cristopher G Wiseman, RN, be issued a Notice of Proposed  
Suspension for 6 months.  
Ayes 9

MSC Willis, Markesino  
that based on the information presented, case number 09-482 be dismissed.  
Ayes 9

MSC Markesino, Willis  
that based on the information presented, case number 09-527 be dismissed.  
Ayes 9

MSC Markesino, Williamson  
that based on the information presented, case number 09-434 be dismissed.  
Ayes 9

MSC Markesino, Mill  
that based on the information presented, case number 09-322 be dismissed.  
Ayes 9

MSC Williamson, Coon  
that based on the information presented, Neoma J Keeler, RN, be issued a Notice of Proposed Revocation.  
Ayes 9

MSC Willis, Coon  
that based on the information presented, case number 09C-251 be dismissed.  
Ayes 9

MSC Williamson, Willis  
that based on the information presented, George R Fleming, CNA, be issued a Notice of Proposed Revocation.  
Ayes 9

MSC Willis, Williamson  
that based on the information presented case number 09-092 be dismissed.  
Ayes 8, Recuse 1, Markesino

MSC Willis, Coon  
that based on the information presented, case number 09-434 be dismissed.  
Ayes 9

MSC Willis, Uherbelau  
that based on the information presented, case number 09-472 be dismissed.  
Ayes 8, Nay 1, Cosgrove

MSC Cosgrove, Williamson  
that based on the information presented, Kimberly A Schweikert, CNA, be issued a Notice of Proposed 90-Day Suspension.  
Ayes 9

MSC Uherbelau, Coon  
that based on the information presented, Margaret A Strader, RN, be issued a Notice of Proposed 90-Day Suspension.  
Ayes 9

MSC Markesino, Coon  
that based on the information presented, the Stipulation for Probation, signed by Gary A Rogers, CNA, be adopted.,  
Ayes 9

MSC Markesino, Williamson  
that based on the information presented, the Notice of Proposed Revocation issued to Vanessa Wetzel, LPN, be withdrawn and the case be closed.  
Ayes 8, Recuse 1, Carnegie

MSC Williamson, Willis  
that based on the information presented in case number 09-074, the Notice of Proposed Assessment of Civil Penalty be withdrawn and the case be closed.  
Ayes 8, Recuse 1, Coon

MSC Willis, Markesino  
that based on the evidence presented, Gary G Nimnicht, RN Endorsement Applicant, be issued a Final Order by Default denying licensure as set forth in the Notice.  
Ayes 9

MSC Willis, Williamson  
that based on the evidence presented,  
Dusty L Eagles, CNA  
Margaret T Reyes, CNA  
Ann Marie L DeLint, RN  
Sam R Daoang, CNA  
Susan A Wisniewski, CNA  
Eunide M Noel, CNA  
Diane E Bailey, LPN  
John Castro, CNA  
be suspended as set forth in the Notices.

MSC Willis, Coon  
that based on the evidence presented, Michelle L Zobrist, RN, be suspended as set forth in the Notice.  
Ayes 8, Recuse 1, Carnegie

MSC Uherbelau, Coon  
that based on the evidence presented,  
Starr D Anderson, CNA  
Kimberly A Suarez, CNA  
Deirdre L Solyst Matthies, CNA  
Sharon A Fontenot, RN  
Christine L Haley, RN  
be revoked as set forth in the Notices.  
Ayes 9

MSC Williamson, Markesino  
that based on the evidence presented, Douglas W Bunselmeyer, LPN, be revoked as set forth in the Notice.  
Ayes 8, Recuse 1, Carnegie

MSC Markesino, Willis  
that based on the evidence presented, the Stipulation for Withdrawal of Duane R Little, CNA Applicant, be  
accepted and the Stipulation for Withdrawal be adopted.  
Ayes 9

MSC Uherbelau, Coon  
that based on the evidence presented, the Stipulations for Reprimand, signed by the following:  
Kari B Purchase, CNA  
Lee A French, RN  
Chad J Skinner, CNA Applicant  
Sasha Kelsay, CNA Applicant  
Tiffany L Matheney, CNA Applicant  
Evan R Penfield, RN  
Patricia A Eaton, RN  
Mary T Leath, RN  
Kelly J Crace, CNA  
Monica Ferguson, NP  
Nichol A King, RN  
Mary E Pierce, RN  
Valerie D Olson, RN  
Julie A Reyes, RN  
be adopted.  
Ayes 9

MSC Willis, Uherbelau  
that based on the evidence presented, the Stipulations for Probation, signed by the following:  
Crystal M Blankenship, CNA  
Skyler M Swan, CNA  
Leslie J Todd, CNA  
Maryssa N Pansevicius, CNA  
Paul W Young, CNA  
Christine E Klecker, RN  
be adopted.  
Ayes 9

MSC Markesino, Willis  
that based on the evidence presented, the Stipulation for Suspension signed by Cheryl L Cruz, RN, be adopted.  
Ayes 8, Recuse 1, Carnegie

MSC Markesino, Coon  
that based on the evidence presented, the Stipulation for 3 year Suspension, signed by Cathy Marie Howard,  
RN be adopted.  
Ayes 9

MSC Willis, Williamson  
that based on the evidence presented, the Stipulation for Suspension followed by Probation, signed by Jannette L Rickard, RN, be adopted.  
Ayes 9

MSC Carnegie, Willis  
that based on the evidence presented, the Stipulations for Suspension with Conditions, signed by:  
Lyn M Walters, RN  
Rebecca M Maxwell, RN  
Valarie R Silva Horta, CNA  
Sharon L Carter, RN  
be adopted.  
Ayes 9

MSC Uherbelau, Willis  
that based on the information presented, case number 09-370 be dismissed.  
Ayes 9

MSC Markesino, Williamson  
that based on the evidence presented, the Stipulations for Voluntary Surrender, signed by:  
Robertta Vandyke, NP  
Mali J Knapp, RN  
Ladena F Bochsler, CNA  
Susan R Fahey, RN  
Brandy J Haga, CNA  
Ruthann M Brown, CNA  
Becky Ann Lusk, RN  
Melissa E Coe, RN  
Valorie A Elwood, RN  
Ruth A Lincoln, RN  
Cindy L Yakes, CMA  
Kelly M Rudisill, CMA

Riley K Doughan, CNA  
be adopted.  
Ayes 9

MSC Williamson, Coon  
that based on the evidence presented, the Stipulation for Voluntary Surrender, signed by Lisa Holladay, RN, be adopted.  
Ayes 8, Recuse 1, Carnegie

MSC Coon, Willis  
that based on the evidence presented, the Stipulation for Civil Penalty in the amount of \$1,000.00, signed by Sheri Engler be adopted.  
Ayes 9

MSC Williamson, Willis  
that based on the information presented, case numbers:  
09-264  
09-231  
09-276  
be dismissed  
Ayes 9

MSC Willis, Coon  
that based on the evidence presented, case numbers:  
09-428  
09-043  
09-251  
be dismissed  
Ayes, 8, Recuse 1, Markesino

MSC Willis, Williamson  
that based on the evidence presented, case number 09-230 be dismissed.  
Ayes, 8, Recuse 1, Mill

MSC Willis, Coon  
that based on the evidence presented in case number 09-230, the Interim Order by Consent be vacated.  
Ayes 8, Recuse 1, Mill

MSC Markesino, Coon  
that based on the evidence presented, case number 09-043 be dismissed.  
Ayes 9

MSC Markesino, Coon  
that based on the evidence presented, request for reconsideration in the matter of Troy L Winger, CNA, be denied.  
Ayes 9

MSC Carnegie, Williamson  
that based on the evidence presented, the Notice of Proposed Revocation in case number 09C-100 be amended.  
Ayes 9

MSC Willis, Coon  
that based on the evidence presented, case number 09-374, be dismissed.  
Ayes 9

MSC Uherbelau, Coon  
that based on the evidence presented, case number 09-450, be dismissed.  
Ayes 8, Nay 1, Markesino

### **CASES REVIEWED BY DAC**

#### **MOTION – CLOSE**

#### **MOTION FOR EXHIBIT C-P3.1 (below threshold)**

MSC Willis, Williamson  
that the Board accept staff recommendations that investigations outlined in the summaries for cases between April 6, 2009 and June 1, 2009 be closed.  
Ayes 9

#### **MOTION FOR EXHIBIT C-P3.2 (consent agenda)**

MSC Williamson, Uherbelau  
that based on the evidence presented in the following case numbers:

<b>09C-131</b>
<b>09-384</b>
<b>09C-188</b>
<b>09-457</b>
<b>09-515</b>
<b>09-366</b>
<b>09-307</b>
<b>09-387</b>
<b>09-287</b>
<b>09C-178</b>
<b>09-410</b>
<b>09C-175</b>
<b>09-448</b>
<b>09-510</b>
<b>09-431</b>
<b>09-281</b>
<b>09-378</b>
<b>09-313</b>
<b>09C-236</b>
<b>09-148</b>
<b>09C-165</b>
<b>09-411</b>
<b>09C-121</b>
<b>09-252</b>
<b>09C-207</b>
<b>09C-189</b>
<b>09-359</b>
<b>09-436</b>
<b>09-400</b>
<b>08-417</b>
<b>08-331</b>
<b>09C-033</b>
<b>09-226</b>
<b>09-331</b>
<b>09-443</b>
<b>09-406</b>
<b>09-270</b>
<b>09-496</b>
<b>09-354</b>
<b>09CP-02</b>
<b>08CP-25</b>

the cases be dismissed.  
Ayes 9

The meeting was adjourned at 5:20 p.m.

## **THURSDAY, JUNE 18, 2009**

The meeting was called to order at 9:03 a.m. by Board Secretary, Julia Willis. New Board member, Cheryl Cosgrove, RN, from La Grande, was introduced.

### **2. REVIEW OF MEETING AGENDA**

#### **2.1 ADDITIONS, MODIFICATIONS, REORDERING OF AGENDA**

Agenda item H2.3 (Adoption of Temporary Rule Amendments Regarding Agency Fees) was added to the agenda.

#### **2.2 APPROVAL OF CONSENT AGENDA**

M.S.C. Coon, Uherbelau  
that the Consent Agenda Items be approved as corrected.  
Ayes -- 6, Nays -- 0, Absent -- 3 (Markesino, McDonald, Williamson)

#### **Consent Agenda Items:**

- C-M1 Approval of Minutes from the April 22-23, 2009 Board Meeting
- C-M2 Approval of Minutes from the May 14, 2009 Disciplinary Teleconference
- C-A1 Fiscal Status Reports
- C-A2 Communications & Policy Manager Report
- C-A3 Annual Report on Executive Director Financial Transactions  
(Moved forward from April 23, 2009 Board Meeting)
- C-L1 Licensing, Customer Service and IT Report
- C-L2 Ratification of CNA/CMA Training Program Approvals and Withdrawals
- C-L3 CMA Test Plan
- C-P2.1 Disciplinary Actions by Category – April & May 2009
- C-P2.2 Disciplinary Actions by License Type – April & May 2009
- C-P2.3 Disciplinary Actions by Category – Fiscal Year to Date
- C-P2.4 Disciplinary Actions by License Type – Fiscal Year to Date

### **H1. ADMINISTRATIVE RULEMAKING HEARINGS**

The rule hearings began at 9:07 a.m. Testimony heard on the individual rules is listed below. The rule hearings closed at 9:11 a.m.

#### **H2. ADOPTION OF RULES**

##### **H2.1 Adoption of the Amendments to Division 31 Rules Regarding Requirement for Current Employer Information for RNs and LPNs**

The Board has acquired new software for licensure renewal. For some time, the Board has wanted to collect and maintain more accurate nursing employment data for use during audits. Therefore, mandatory fields were built into the new software in order to collect this information. This proposed rule mandates that nurses provide employer information to the Board within 30-days of being hired.

At the April 2009 Board meeting, Nursing Practice Consultant Marilyn Hudson reported that she had received a number of responses to the proposed draft rules and provided a summary of the feedback to the Board. In addressing these issues, Ms. Hudson reported that there is new language built into the software that will allow cover individuals with multiple employers and working in multiple states and volunteer positions, which will allow for these situations. There is an automated feature whereby the individual is able to go into the system and update their own information. As far as enforcement, at this point there is no enforcement feature built into this new reporting requirement. Ms. Hudson suggested that before enforcement penalties are established it would be prudent to educate nurses on this new reporting requirement. Executive Director Holly Mercer reported that in rolling out the new online renewal system, we hope to be able to audit practice hours and also be able to

track our licensees. She felt it would probably take at least a year to educate licensees before putting any type of enforcement into the equation.

M.S.C. Uherbelau, Coon  
that the amendments to OAR 851-031-0090 be adopted as presented.  
Ayes – 6, Nays – 0, Absent – 3 (Markesino, McDonald, Williamson)

## **H2.2 Adoption of the Amendments to Division 62 Rules Regarding Requirement for Current Employer Information for CNAs**

Once again, it should be noted that the Board has acquired new software for licensure renewal and that for some time they have wanted to maintain more accurate nursing employment data for use during audits. Therefore, mandatory were built into the new software in order to collect this information. This proposed rule mandates that the certified nursing assistants/medication aides provide employer information to the Board within 30-days of being hired.

At the April 2009 Board meeting, Nursing Assistant Program Consultant Debbie Buck reported that the draft rules had been sent out to an interested party list, however she stated the list was comprised of all nurses. She had, however, been talking to a lot of nursing assistants and encouraging them to attend video conferences for CNA 1 and CNA 2 stakeholders, and therefore, a list of CNAs might be generated. At that meeting, Pam Ruona of Oregon Health Care Association also pointed out that they have a lot of CNAs who work in community-based care settings where they are not necessarily required to be CNAs in those settings, however they perform a lot of the same sort of tasks. Therefore, she questioned how that would be handled in terms of this new reporting requirement. Ms. Buck reported that some of these issues were addressed when developing the software, although some minor alterations might still need to be made.

M.S.C. Carnegie, Coon  
that the amendments to OAR 851-062-0120 be adopted as presented.  
Ayes – 6, Nays – 0, Absent – 3 (Markesino, McDonald, Williamson)

## **H2.3 Adoption of Temporary Administrative Rules Regarding Agency Fees**

House Bill 5031 passed by the Legislative Session 2009 increased certain licensing fees for the Oregon State Board of Nursing. With adoption of these temporary administrative rules, the fee increases are scheduled to become effective July 1, 2009. Increased licensing fees pertain to Registered Nurses, Licensed Practical Nurses and Certified Nursing Assistants. They will be scheduled to have a rule hearing on September 17, 2009 to become permanent.

M.S.C. Uherbelau, Coon  
that the temporary rule amendments to OAR 851-002-0010 and 851-002-0040 be adopted as presented.  
Ayes – 6, Nays – 0, Absent – 3 (Markesino, McDonald, Williamson)

## **LCP1. LICENSING, CERTIFICATION & DISCIPLINE**

### **LCP1.1 Second Reading of Board Policy “Administration of the Oregon OSHA Respirator Medical Evaluation Questionnaire and Clearance for Respirator Fit Testing”**

On June 18, 2008 a letter addressed to Board members was received from Rebecca Maese, RN, BSN, MA, Director, Regional Employee Health/Ergonomics OR for Providence Health & Services. In the letter, Ms. Maese asked the Board a series of questions regarding the Registered Nurse scope of practice as it relates to respirator fit testing. On August 15, 2008 Board staff met with June Ann Cole, RN, MS, CNS, COHN-S, and Occupational Health Manager at the Portland Veterans Administration who served as a consultant to discuss this issue. The Board directed policy development after the matter was addressed at the September 2008 Board meeting.

A policy development meeting was held on November 3, 2008 between Board staff, Rebecca Maese and Terry Zimon, RN, MS, ANP, Manager of Providence Regional Employee Health. Subsequent phone and e-mail communications occurred with them, as well as with June Ann Cole to develop the proposed policy. A first

reading of the policy occurred at the February 2009 Board meeting. Some corrections and clarifications were needed, so a small work group met on March 17, 2009 and again on May 4, 2009 to review concerns and make needed changes.

The revised proposed policy is a consensus document with one exception. The majority of work group members believed it was appropriate to limit the RN's ability to clear workers for filtering face piece respirators because other types of respirators impose a greater physiologic workload for the individual. Members representing the healthcare work environment wanted the RN to be able to clear workers for powered air purifying respirators (PAPRs) as well because of the extensive use of this type of respirator in the healthcare setting. The proposed policy was presented for a second reading.

M.S.C. Uherbelau, Coon

that the Board Policy "Administration of the Oregon OSHA Respirator Medical Evaluation Questionnaire and Clearance for Respirator Fit Testing" be adopted as modified.

Ayes – 6, Nays – 0, Absent – 3 (Markesino, McDonald, Williamson)

### **LCP1.2 Second Reading of the Board Policy "Complementary Alternative Modalities and Nursing Practice"**

On April 5, 2008 a letter addressed to Executive Director Holly Mercer was received from three Registered Nurses (RNs), Annie French, Georgann Sherman and Judy Lubera. In that letter, the nurses expressed concern about communication received from the Oregon Board of Massage Therapists (OBMT). The nurses perceived that they would not be able to provide Healing Touch, a complementary therapy involving energy work, in an independent practice setting. The nurses also said that is their believe that the Oregon State Board of Nursing's administrative rules and policies support their belief that complementary therapies such as Healing Touch, Reiki, or Jin Shin Jyutsu are within the scope of practice of the RN and may be performed independently by a RN in any setting.

Board staff met with OBMT staff in August 2008 and a determination was made that a policy should be developed which would have the approval of both the OBMT, as well as the Oregon State Board of Nursing (OSBN). The OSBN directed policy development at the September 2008 Board meeting.

Initial policy development occurred with the assistance of Gail Allison, a RN who practices in complementary modalities and who represented the group above at the September 2008 Board meeting. Feedback was also elicited from the authors of the original letter, as well as from Douglas Brown, FNP, a Certified Homeopathic Practitioner and Pamela Potter, DNSc, RN, CNS, Assistant Professor, University of Portland, School of Nursing. Additional feedback was received from Susan Hendershot Link, PhD, RN, CNS, Nursing Practice Consultant at ONA. The proposed policy was presented for a first reading at the February 2009 meeting. Subsequent to that meeting, concerns were received regarding certain aspects of the policy, so a work group was convened to discuss those concerns on April 27, 2008. The proposed policy was subsequently reviewed by members of the Oregon Board of Massage Therapists who have found the policy language acceptable. The proposed policy was presented for a second reading.

M.S.C. Carnegie, Cosgrove

that the Board Policy "Complementary Alternative Modalities and Nursing Practice" be adopted as modified.

Ayes – 6, Nays – 0, Absent – 3 (Markesino, McDonald, Williamson)

## **A1. ADMINISTRATION**

### **A1.1 NCSBN Annual Meeting August 12-14, 2009 in Philadelphia, Pennsylvania**

M.S.C. Uherbelau, Cosgrove

that Holly Mercer, Jim McDonald, and Marilyn Hudson represent the Oregon State Board of Nursing at the NCSBN Annual Meeting August 12-14, 2009 in Philadelphia, Pennsylvania.

Ayes – 6, Nays – 0, Absent – 3 (Markesino, McDonald, Williamson)

### **A1.2 Legislative Session 2009**

Executive Director Holly Mercer reported that the Board of Nursing's budget had passed and was waiting to be signed by the Governor. This new budget will increase licensing fees for nurses and nursing assistants. House Bill 2058 which has passed requires the Oregon State Board of Nursing to consist of five members who are Registered Nurses, one member who is a Licensed Practice Nurse, one member who is a Certified Nursing Assistant, and two public members. Board members may serve for an unlimited number of three-year terms and serve at the pleasure of the Governor. The Executive Director serves at the pleasure of the Governor and the Board members. House bill 2345 passed and directs the Department of Human Services to establish or contract to establish an impaired health professional program. It also requires all health professional licensing boards to participate in the health professional program and prohibits boards from establishing alternate impaired professional programs. House bill 2059 passed and requires health professional licensees to report prohibited or unprofessional conduct of another licensee to the regulatory board responsible for that licensee and also requires the Board to report prohibited conduct to law enforcement agencies.

### **A1.3 Executive Director's Report**

Executive Director Holly Mercer stated that her report would primarily address board processes.

The following motions were made to cover these processes.

M.S.C. Uherbelau, Coon

that the proposed "Chemical, Mental Health, and Dual Diagnosis Assessment Guidelines" be approved as presented.

Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

M.S.C. Carnegie, Williamson

that the proposed "Criminal Background Check Decision Guidelines" be approved as presented.

Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

M.S.C. Uherbelau, Coon

that the proposed "Discipline Advisory Committee (DAC) 2009 Charter" be approved as presented.

Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

M.S.C. Williamson, Coon

that the Board delegate the authority to issue a Notice to Suspend for Failure to Cooperate to the Executive Director or designee.

Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

M.S.C. Williamson, Coon

that the proposed Board Policy "Referral to Law Enforcement" be approved as presented.

Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

M.S.C. Cosgrove, Coon

that the Board delegate the authority to grant extensions of due dates for Board reports to the Executive Director.

Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

Also, because the Board serves in a regulatory capacity, Ms. Mercer provided copies of letters to two organizations, the Oregon Nursing Leadership Collaborative and the Oregon Center for Nursing, whereby the Board confirmed their desire to change from a voting member to a non-voting member.

Ms. Mercer reported that the Board had received a letter from an attorney, Frank Mussell, who had expressed a desire to speak to the Board at Open Forum regarding prescribing of bioidenticals. After consulting with the Department of Justice, Ms. Mercer informed Mr. Mussell that since the Board has cases pending regarding this issue, it would not be prudent for the Board to consider the issue in Open Forum.

## **WORKING LUNCH**

## **OPEN FORUM**

The Board is not able to act on any issues presented at the Open Forum because prior public notice has not been given, but the Board can take matters under consideration as agenda items at future Board meetings.

No one was present for Open Forum.

## **GUEST SPEAKER**

Deborah Cateora, BSN, RN, Manager of a Community Based Nursing Program, gave a short presentation on plans for certification for RN delegation and ventilator care for caregivers through Chemeketa Community College.

## **E1. EDUCATION**

### **E1.1 Oregon Coast Community College Report Regarding the Program Director**

The Associate Degree Nursing Program at Oregon Coast Community College has been without a nurse administrator since June 2008. Since that time, the nurse administrator responsibilities have been met through a team effort involving program nurse educators and the Director of Professional Technical Education Programs. As called for in Administrative Rules for new program approval, a full survey for continuing approval was conducted six months after graduation of the initial nursing class in December 2008. At that time, the Education Consultant found the program to be a strong one, with exceptional community and institutional support. The Board subsequently voted to approve the program for up to five years (December 2013). In recognition of the need for strong program coordination and leadership, the College was asked to present a report to the June Board meeting regarding progress toward recruiting and hiring a qualified program director.

On May 18, 20-09, the Board received a letter from Jane Hodgkins, Director of Professional and Technical Education Programs at Oregon Coast Community College. She informed the Board that they had offered the position of Nursing Program Director to Joyce Godels. Prior to going to work at Oregon Coast Community College, Ms. Godels will need to reinstate her nursing license. She retired several years ago and did not renew her nursing license at that time. She has, in fact, been in contact with the Board regarding the reinstatement requirements. They hope to have Ms. Godels begin in her position in late August or early September.

### **E1.2 Approval of Major Curriculum Change for Blue Mountain Community College and Portland Community College**

Portland Community College and Blue Mountain Community College nursing programs requested OSBN approval for a major curriculum change for each of their respective nursing programs. These nursing programs, as partners in the Oregon Consortium for Nursing Education, plan implementation of the OCNE shared curriculum, developed by a statewide faculty curriculum committee approved by their respective schools, in September 2010.

M.S.C. Carnegie, Cosgrove  
that the major curriculum change proposed by Blue Mountain Community College be approved as presented.  
Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

M.S.C. Carnegie, Cosgrove  
that the major curriculum change proposed by Portland Community College be approved as presented.  
Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

### **E1.3 Approval of Major Curriculum Change for Mt. Hood Community College Associate Degree Nursing Program**

Mt. Hood Community College requested Board consideration of a proposal to offer their current OCNE Curriculum on a schedule that allows students to complete courses part-time and on an alternate schedule.

While this proposal does not change the purpose or outcomes of the current nursing curriculum, it does change the program structure. In the current curriculum, nursing theory and corresponding clinical practica are completed concurrently. If approved, this proposal would allow clinical practica to be completed in the term subsequent to corresponding theory courses.

This proposal appears to meet the standards for approval and provides an option for qualified candidates to may not otherwise be able to enroll in and successfully complete a nursing education program.

M.S.C. Williamson, Carnegie  
that the major curriculum change proposed by Mt. Hood Community College be approved as presented.  
Ayes – 7, Nays – 0, Absent – 2 (Markesino, McDonald)

### **NEXT BOARD MEETING**

The next scheduled disciplinary Board Meeting will be held in Executive Session on July 18, 2009 at the Board offices, 17938 S.W. Upper Boones Ferry Road, Portland, Oregon. The next regularly scheduled in-person Board meeting will be at the Board offices on September 16-17, 2009.

**ADJOURNMENT** -- The meeting adjourned at 2:51 p.m.