

**MEETING**  
**April 22-23, 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  
Markesino, Present  
Mill, Present  
Uherbelau, Absent  
Williamson, Present  
McDonald, Present  
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**

Blomquist  
Buck  
Burke  
DeLong  
Ficarra  
Fisher-Lewis  
Hatcher  
Holtry  
Hudson  
Klein  
Lilly  
Marson  
Martini

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

**9:00 AM - END OF BUSINESS**  
**WEDNESDAY, APRIL 22, 2009**  
**EXECUTIVE SESSION**  
**DISCIPLINE**

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

There was a discussion about the upcoming Board Work Session at the working lunch.

MSC Markesino, Willis

that based on the evidence presented, the Board accepts the Final Order as presented and the Registered Nurse license of Dee A Scoles, RN, shall be suspended as set forth in the Order.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Williamson, Markesino

that based on the evidence presented, the Board issue a Final Order as presented and the Registered Nurses license of Patricia M Halfacre, RN, shall be suspended as set forth in the Order.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Markesino, Williamson

that based on the evidence presented, the Board accepts the Proposed Order as presented and shall issue a Final Order revoking the Certified Nurse Assistant certificate of John L Kennedy, CNA.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Markesino, Williamson

that based on the evidence presented, the board shall not accept licensee's motion for an Order to abstain from formal disciplinary action in case number 08-347.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Willis, Coon

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

William Hampton, RN

Arveda Bradford, CNA

Suzann J Jones, CNA

Kira Whiteley, CNA

Rose A Anderson, CNA

Shana M Smith, CNA

Camille Thompson, CNA

Genevieve Dilkes, RN

Patricia A Scholz, RN

Linda S Bowers, CNA

Elija B Keithley, CNA

Leslie A Tomlinson, CNA

Tamara Sharp, RN

Ayes 6, Nays 0, Recuse 0, Absent 2 Uherbelau, McDonald

MSC Willis, Coon

that based on the evidence submitted through Notice, evidence and the agency file,

Shannon M Meeker, CNA Applicant

Patricia A Moon, CNA Endorsement Applicant

be issued a Final Order by Default denying certification as set forth in the Notices.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Carnegie, Markesino

that based on the evidence submitted through Notice, testimony, and the agency file Debbie M Miller, CNA, be placed on probation as set forth in the Notice.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Williamson, Willis

that based on the evidence submitted through Notice, testimony, and the agency file

Jean M Cannon, RN

Kayla M Deichler, CNA

be issued Final Orders by Default suspending the license or certificate as set forth in the Notices.

Ayes 7, Nays 0, Recuse 0, Absent 1 Uherbelau

MSC Markesino, Coon

that based on the evidence submitted through Notice, testimony, and the agency file

Diane M Nicholson, CNA, CMA

Toni N Justice, CNA

Brandi L Born, RN

Amanda Rice, CNA

Jolyn M Fenwick, CNA

Kristin N Abbott, CNA

Valerie D Robles, CNA

Kathryn M Sottile, CNA, CMA

be issued Final Orders by Default revoking the certificates or licenses as set forth in the Notices.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Williamson

that based on the evidence submitted through Notice, testimony, and the agency file

Brandi K Marshall, CNA

Jennifer L Walsh, RN

be issued Final Orders by Default revoking the certificates or licenses as set forth in the Notices.

Ayes 6, Nays 0, Recuse 1 Mill, Absent 1 Uherbelau

MSC Markesino, Williamson

that based on the evidence presented, the following:

Kurt W Peterson, RN Endorsement Applicant

Stephanie S McCumber, CNA, CMA Renewal Applicant

Jimmy R Solano, CNA Recertification Applicant

Christine A Shelamer, RN Reactivation Applicant

Jennifer A St. John, CNA Applicant

Antonio Hurtado Bermudez, CNA Applicant

Robert L Janes, LPN Endorsement Applicant

Timmi F Pereira, NMNP Applicant

be issued a Notice of Proposed Denial.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Willis

that based on the evidence presented, case number 09C-204 be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Mill, Willis

that based on the evidence presented Cristy D Anderson, CNA, CMA, be issued a Notice of Proposed Revocation.

Ayes 4, Nays 2, Coon, Markesino, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Coon

that based on the evidence presented,

Mary F Schain, RN

Christine L Haley, RN

be issued a Notice of Proposed Revocation.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Williamson  
that based on the evidence presented, Michelle Zobristist, RN, be issued a Notice of Indefinite Suspension.  
Ayes 6, Nays 0, Recuse 1, Carnegie, Absent 1, Uherbelau

MSC Williamson, Coon  
that based on the evidence presented:  
Tammy L Paige, RN  
Deena M Moore, RN  
Heather K Owen, CNA  
D Nise R Keller, RN  
Linda Schwanke, LPN  
George J Hieter, CNA  
Suzanne J Brown, RN  
Starr D Anderson, CNA  
Camille K Thompson, CNA  
Sharon A Fontenot, RN  
Charles B Miller, RN  
be issued a Notice of Proposed Revocation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Markesino  
that based on the evidence presented, Angela Casella, RN, be issued a Notice of Proposed Revocation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Markesino  
that based on the evidence presented, Deirdre L Solyst Matthies, CNA, be issued a Notice of Proposed Revocation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Markesino  
that based on the evidence presented, Billie F Olson, LPN, be issued a Notice of Proposed Revocation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Willis  
that based on the evidence presented, Kimberly A Suarez, CNA, be suspended as set forth in the Notice.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Willis  
that based on the evidence presented Kimberly A Suarez, CNA, be issued a Notice of Proposed Revocation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Coon  
that based on the evidence presented, Deborah L James, RN, be suspended as set forth in the Notice.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Williamson  
that based on the evidence presented Deborah L James, RN, be issued a Notice of Proposed Revocation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Williamson  
that based on the evidence presented in case number 09-302, licensee be issued Orders to obtain a mental health, chemical dependency and physical condition evaluation.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Markesino  
that based on the evidence presented, Douglas W Bunselmeyer, LPN, be suspended as set forth in the Notice.  
Ayes 6, Nays 0, Recuse 1 Carnegie, Absent 1, Uherbelau

MSC Willis, Coon

that based on the evidence presented Douglas W Bunselmeyer, LPN, be issued a Notice of Proposed Revocation.

Ayes 6, Nays 0, Recuse 1 Carnegie, Absent 1, Uherbelau

MSC Markesino, Williamson

that based on the evidence presented in case number 08-534, licensee be issued an Order to obtain a mental health evaluation.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Carnegie, Williamson

that based on the evidence presented, case number 09-355 be dismissed and William A Street's endorsement application for Registered Nurse license be approved without restriction.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Coon

that based on the evidence presented, case number be 09-335 be dismissed.

Ayes 6, Nays 1, Williamson, Recuse 0, Absent 1, Uherbelau

MSC Carnegie, Coon

that based on the evidence presented, case number 09-267 be dismissed.

Ayes 7, Nays 0, Williamson, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, case number 09-261 be dismissed.

Ayes 6, Nays 0, Recuse 1, Coon, Absent 1, Uherbelau

MSC Markesino, Williamson

that based on the evidence presented, case number 09-165 be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Williamson

that based on the evidence presented, case number 09-246 be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Willis

that based on the evidence presented, case number 09-422 be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Markesino

that based on the evidence presented, case number 09-197 be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Williamson

that based on the evidence presented, case number 09-296 be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Williamson

that based on the evidence presented in case number 09-296 the Interim Order by Consent be vacated.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Coon

that based on the evidence presented, the Voluntary Surrender signed by Gloria D Rodli, LPN, be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, Chelsie A Allen, CNA renewal applicant, be issued a Notice of Proposed Denial.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, Claudia J West, RN, be issued a Notice of Proposed Revocation.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Coon

that based on the evidence presented, Rebecca M Maxwell, RN, be issued a Notice of Proposed Suspension for 90 days.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Coon

that based on the evidence presented, Michelle M Binkley, LPN, be issued a Notice of Proposed Suspension for a minimum of 60 days.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, the Stipulation for Probation, signed by Rachel F Maddox, CNA Applicant, be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Williamson

that based on the information presented, Alonzo Mattison, III, Nurse Imposter, be issued a Notice of Proposed Civil Penalty in the amount of \$5,000.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the information presented, Jay F Mckay, RN, be issued a Notice Proposed Revocation and Civil Penalty in the amount of \$400.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, the Stipulations for Reprimand, signed by the following:

Alan L Freytag, RN

Diana L Siberz, LPN

Michelle L Peters, CNA

Nakeia L Scott, CNA Applicant

Eugene W Bush, RN

Karyle K Wallace, RN

Jane B Atkin, RN

Heather D Nevins, CNA, CMA

Jennifer L Villanueva, RN

be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Willis

that based on the evidence presented, the Stipulation for Reprimand, signed by Barbara M Brown, NP, be adopted.

Ayes 6, Nays 0, Recuse 1, Markesino, Absent 1, Uherbelau

MSC Willis, Williamson

that based on the evidence presented, the Stipulation for Reprimand & Probation, signed by Ryan P Ulbricht, CNA, be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Willis

that based on the evidence presented, the Stipulations for Probation, signed by the following:

Nicole A Busse, CNA

Alice A Andersen, CNA Applicant

Theresa Cunningham, CNA

Bonnie M Plumlee, CNA Applicant

Nicole M Zsarko, CNA, CMA

Jennifer M Troutman, CNA, CMA

Michelle A Steward, CNA Applicant

Michael Pickersgill, CNA

Kathleen K Bell, RN

be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Williamson

that based on the evidence presented, Lisa Holladay, RN, be issued a Notice of Proposed Revocation.

Ayes 6, Nays 0, Recuse 1, Carnegie, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, the Board vacate the Interim Order by Consent, signed by Michael Pickersgill, CNA.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Williamson

that based on the evidence presented, the Stipulations for Suspension signed by:

Kira L Whiteley, CNA

Angela M Martinez, CNA

be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, the Stipulations for Suspension with Conditions signed by Judith A Davis, RN, be adopted.

Ayes 6, Nays 0, Recuse 1 Carnegie, Absent 1, Uherbelau

MSC Willis, Coon

that based on the evidence presented, the Stipulation for Suspension with Conditions, signed by Tina R Carbaugh, CNA, be adopted.

Ayes 6, Nays 0, Recuse 1 Mill, Absent 1, Uherbelau

MSC Willis, Coon

that based on the evidence presented, the Stipulations for Suspension with Conditions signed by:

Pamela M Alcorn, CNA

Morgan C Bach, CNA

Cheanice L Easter, RN

be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Willis

that based on the evidence presented, the Stipulation for Suspension & Probation signed by Ron D Lapp, RN, be adopted.

Ayes 6, Nays 0, Recuse 1 Coon, Absent 1, Uherbelau

MSC Markesino, Willis

that based on the evidence presented, the Stipulations for Voluntary Surrender, signed by the following:

Carla L Fies, RN

Krystal M Kalbasky, CNA

Janet Simons, RN  
Bruce E Boyd, LPN  
Debra L Schwartzkopff, RN  
Melissa R Waller, RN  
Suzann J Jones, CNA  
Kricket J Porter, CNA  
Carolyn C Reuteler, RN  
Kimberly T D Joers, RN  
William F Hampton, RN  
Pamela D Sidor, RN  
Dianne L Elton, RN  
Ruth E Lyons, RN  
Abby L Collver, LPN  
Lorri E Castle, RN  
Coleen F Wilson, RN  
Sheree V Kumm, CNA  
Rhonda K Frakes, RN  
Deborah A Fontaine, RN  
Janice C Dougherty, CNA  
be adopted.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Coon  
that based on the evidence presented, case numbers:

09-309  
09-283  
08-543  
09-249  
08-010

be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Willis  
that based on the evidence presented, case numbers:

09-288  
09-080

be dismissed.

Ayes 6, Nays 0, Recuse 1 Carnegie, Absent 1, Uherbelau

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

Marilyn V Stalheim, RN  
Tracey A Caldwell, RN

be vacated.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Willis, Williamson  
that based on the evidence presented, the requests of:

Traci A Powell, CNA  
Meghan C Lee, RN

for reconsideration be denied.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Coon, Willis  
that based on the information presented, case number 09-285 be dismissed.

Ayes 5, Nays 2, Markesino, Williamson, Recuse 0, Absent 1, Uherbelau

MSC Carnegie, Willis

that based on the information presented, case number 09-327 be dismissed.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Willis

that based on the information presented, case number 09-310 be dismissed.  
Ayes 4, Nays 3 Mills, Markesino, Coon, Recuse 0, Absent 1, Uherbelau

MSC Willis, Coon

that based on the information presented, case number 09-202 be dismissed.  
Ayes 7, Nays, Recuse 0, Absent 1, Uherbelau

MSC Willis, Mills

that based on the information presented, the Interim Order by Consent signed by Diana K. Dutton, RN, be vacated.  
Ayes 7, Nays, Recuse 0, Absent 1, Uherbelau

MSC Williamson, Willis

that the Board accept staff recommendations that investigations outlined in the summaries for cases between January 31, 2009 and April 6, 2009 be closed.  
Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

MSC Markesino, Coon

that based on the evidence presented, the following cases, numbers:

09-421  
09-185  
08C-173  
08-256  
08-540  
09-111  
09-393  
09-096  
09-337  
09-173  
09-256  
09-291  
09C-158  
09-245  
09C-080  
09-274  
09-217  
09C-139  
09-039  
09C-123  
09-299  
09-162  
09-244  
08-502  
09C-164  
09-373  
09-347  
09-112  
09-283  
09-278  
09-295  
09-121

09-369  
09-194  
09C-179  
08-174  
09-254  
09-240  
09-339  
09-226  
09-106  
09-225  
09-321  
09-402  
09C-146  
09-352  
09C-198  
09-064  
09-190  
09-001  
09-371  
09C-193  
09-232  
09C-111  
09-266  
09-307  
09C-132  
09-215  
09-272  
09-253  
09-191  
09-323  
09-157  
07CP-13  
08CP-15  
08CP-41  
08CP-63  
08CP-91  
08CP-06

shall be dismissed.

Ayes 7, Nays 0, Recuse 0, Absent 1, Uherbelau

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

#### **THURSDAY, APRIL 23, 2009**

The meeting was called to order at 9:05 a.m. by Board Secretary, Julia Willis.

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

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

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

M.S.C. Coon, Williamson  
that the Consent Agenda Items be approved as presented.  
Ayes -- 6, Nays -- 0, Absent -- 2 (McDonald, Uherbelau)

**Consent Agenda Items:**

- C-M1 Approval of Minutes from the April 22-23, 2009 Board Meeting
- C-M2 Approval of Minutes from the March 12, 2009 Disciplinary Teleconference
- C-A1 Fiscal Status Reports
- C-A2 Communications & Policy Manager Report
- 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 – February & March 2009
- C-P2.2 Disciplinary Actions by License Type – February & March 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 9:10 a.m. Testimony heard on the individual rules is listed below. The rule hearings closed at 10:10 a.m.

**H2. ADOPTION OF RULES**

**H2.1 Adoption of the Amendments to Division 61 Rules Regarding CNA 2 Training**

CNA 2 stakeholder videoconference meetings were held on December 8, 2008 and January 7 and 12, 2009 to address the concerns identified during the October 8, 2008 meeting. One topic from the October meeting that the group agreed to address was establishing instructor-to-student ratios for classroom, lab and clinical for CNA 2 training. The group brought forward their recommendations for the instructor-student ratios with rule draft amendments to Oregon Administrative Rules, Division 61. This stakeholder group was comprised of people from a variety of settings and the rules presented were a compromise of the group.

CNA/CMA Program Consultant Debbie Buck reported that she had received some written testimony on these rules. Portland Community College (PCC) expressed feedback that the student-to-teacher ratios for CNA 2s consisting of 20 to 1, 10 to 1, and 8 to 1 for clinical were not efficient because a class of 20 students would require two instructors for skills and three for clinical. They feel if you had three instructors for clinical, you should have at least 24 students in a class so therefore the numbers do not work. From efficiency and cost perspectives, it would be preferable for the ratios to be as follows: didactic – 32 to 1 (as proposed), skills – 10 to 1, and clinical 10 to 1. Lecturing to a class of 20, 30 or 40 is not problematic, nor should it be an issue where you need the ratios in place or the skills in the clinical and they should be the same. The ideal would be 10 to 1 for both. The reason that the suggestion was made for 32 to 1 versus 30 to 1 because there is always attrition by the time you get to the skills in the clinical area.

M.S.C. Williamson, Mill

that the amendments to OAR 851-061-0090 be adopted as presented.

Ayes – 6, Nays – 0, Absent – 2 (McDonald, Uherbelau)

**H2.2 Adoption of the Amendments to Division 63 Rules Regarding CNA 2 Authorized Duties**

CNA 2 stakeholder videoconference meetings were held on December 8, 2008 and January 7 and 12, 2009 to address the concerns identified during the October 8, 2008 meeting. As a result of those meetings, revisions to Oregon Administrative Rules, Division 63, were brought forward to coordinate the language between the proposed curriculum policy and the authorized duties for the CNA 2s in Acute Care.

Since the February Board meeting, a request has been received from Melody Nesbitt, a CNA 2 in Acute Care, to add the following tasks to the authorized duties listed in OAR 851-063-0035(2)(e): Assist in the opening of sterile supplies, including peel packs; and Operate autoclave for “Flash packs” and other sterilization. Inasmuch as these two procedures were not discussed by the stakeholder group originally, CNA/CMA Program Consultant Debbie Buck forwarded this information to the stakeholder group and reported that she had not

received any comments back. Ms. Nesbitt also appeared in person to provide testimony in support of the addition of these two tasks to the authorized duties.

Lila Dailey, a CNA for 25-years, testified in support of the CNAs opening up sterile supplies to assist nurses.

Carl Nesbitt, a civilian and husband of CNA Melody Nesbitt, also testified in support of making sure that there are qualified people working in our hospitals, and making sure that patient tasks are appropriately designated to licensed individuals.

Sally Brounstein, Providence Health and Services and a member of the committee that looked through the policy and the skills, reported that the committee had spent considerable time thinking through in principle what is appropriate for CNAs and what is not. She felt that these two skills should be reviewed again by the committee before a decision is made to add them.

Chelle Pokorney, Linn-Benton Community College, encouraged the adoption of these rules today and that discussion on adding the tasks be continued with the stakeholders during the scheduled meetings.

Rita Dillon, Nurse Administrator for Valley Medical College, also an RN for 34 years who has worked in many fields of practice, expressed concern about any CNA working outside the stated authorized duties, or working under a different job title and using their hours as CNA 2s.

Nursing Practice Consultant Marilyn Hudson reported that she has had many discussions around the state about the issue presented by Ms. Dillon.

M.S.C. Coon, Williamson  
that the amendments to OAR 851-063-0035 be adopted as presented.  
Ayes – 6, Nays – 0, Absent – 2 (McDonald, Uherbelau)

## **R1. RULEMAKING (FIRST READING)**

### **R1.1 First Reading of Amendments to Division 31 Regarding Requirement for Current Employer Information for RNs and LPNs**

Nursing Practice Consultant Marilyn Hudson reported that within the next few months the Board will have 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 have been built into the new software in order to collect this information. This proposed rule will mandate that the nurse provide employer information to the Board in a current and timely fashion.

Ms. Hudson reported that she had received a number of responses to these proposed draft rules and provided a summary of the feedback to the Board. Some of the concerns that were expressed are how individuals with multiple employers would be tracked, what nurses working in multiple states or volunteer positions are expected to report, and what the penalty would be for failure to report. One comment stated, "I strongly disagree with the proposed rule; I think it will be unmanageable. How are you going to be able to enforce the rule? Will there be penalties of some sort for not reporting employer changes? How many OSBN man hours will that take? I also think it's an invasion of privacy for a nurse to be required to report her employer unless under a condition upon his or her license." A couple of other responses had concerns about agency cost of enforcement related to personnel resources or potential penalties that might be incurred or collected.

In addressing these issues, Ms. Hudson reported that there is new language built into the software that will cover individuals with multiple employers and working in multiple states and volunteer positions, which will allow for these situations. There will be an automated feature whereby the individual will be 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 our 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.

There was considerable discussion about what language would best reflect the need to collect employer information on all nursing practice employers.

Advanced Practice Consultant Tracy Klein suggested adding a clear definition of "legal name of record," which she said should be the name that is on their license. Board staff will work on language and will return with this language for a June rule hearing.

M.S.C. Markesino, Williamson

that the proposed amendments to OAR 851-031-0090 be accepted as corrected and begin the rulemaking process.

Ayes -- 6, Nays – 0, Absent – 1 (Uherbelau)

### **R1.2 First Reading of Amendments to Division 62 Regarding Requirement for Current Employer Information for CNAs.**

Nursing Assistant Program Consultant Debbie Buck reported that within the next few months the Board will have new software for licensure renewal. It has been the desire of the Board to collect and maintain more accurate nursing employment data for use during audits. Therefore, mandatory fields have been built into the new software in order to collect this information. This proposed rule will mandate that the certified nursing assistants/medication aides provide employer information to the Board in a current and timely fashion.

These proposed rules are consistent with the proposed Division 31 rules, only for the nursing assistant population. The same corrections were recommended for these proposed rules.

These rules were also sent out to an interested party list, however Ms. Buck stated the list was comprised of all nurses. She has been talking to a lot of nursing assistants and encouraging them to attend video conferences for CNA 1 and CNA 2 stakeholders. Therefore, a list of CNAs might be generated.

Pam Ruona, Oregon Health Care Association, 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. 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. Markesino, Willis

that the proposed amendments to OAR 851-62-0120 be accepted as corrected and begin the rulemaking process.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

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

#### **LCP1.1 Second Reading of Board Policy "Curriculum Content for Certified Nursing Assistant (CNA) 2 Acute Care Training Programs"**

CNA 2 stakeholder video-conference meetings were held on December 8, 2008 and January 7 and 12, 2009 to address the concerns identified during the October 8, 2008 meeting. At this time, the group is bringing forward their recommendations for the CNA 2 Acute Care Curriculum Policy. This proposal addressed:

- Moving some curriculum content into the level one curriculum. The deleted items in the draft, not already addressed in level one training, are being considered in a series of video-conference meetings over the next few months for addition to level one training. The current plan is to bring a proposal for level one training to the Board in September 2009.

- Clarifying what skills in the CNA 2 Acute Care Curriculum Policy should be return competency demonstrated in the lab or clinical setting.
- Revising the minimum number of classroom, lab, and clinical training hours.

Nancy Klinsky, Professional Development Department of Samaritan Health Services of Corvallis, Albany, Lebanon, Newport and Lincoln City, testified in support of the reduction of hours for the CNA 2 from 88 to 64, and keeping the 24 clinical. She also provided written testimony in support of the new system and stated they had had great success with the CNA 2 program.

Elaine Dinsel, Program Director for the Nursing Assistant Program, Professional Development Department of Samaritan Health Services, also testified in support of the reduction of hours for the CNA 2s.

Sally Jo Brown, Providence Health and Services Nursing Education, representing a number of individuals, provided written testimony in support of the reduction of hours for the CNA 2s. The represented individuals have experience teaching the CNA 2 curriculum for a combine total of 1800 CNAs throughout Oregon, and have had experience with CNAs from all levels of practice and from a variety of clinical backgrounds.

Laurie Choate, Director of Nursing and Allied Health, Clatsop Community College, spoke on behalf of OCAP (Oregon Council of Associate Degree and Practical Nursing Programs). She provided testimony in support of the current requirement of 88 hours as the minimum for didactic, lab, and clinical for the CNA 2 Acute Care Curriculum. They have the following concerns: the proposal for reduction in curriculum hours has occurred when current courses are being delivered to experienced CNAs, and what may happen when inexperienced CNAs (i.e. as far as providing care in the hospital setting) enter CNA 2 Acute Care classes is yet unknown. They believe there is so much content for CNA 2 Acute Care and it is already covered in such a short time period, that further reduction will not allow students without experience to learn and retain the content. Another concern they would like to note is that creation of another CNA level has decreased the perceived need for LPNs in many arenas. They do not believe a decrease in the utilization of LPNs in favor of utilization of CNA 2s is in the best interest of the citizens of Oregon. She provided a draft of a letter to Debbie Buck from the President of OCAP, Linda Wagner.

Chelle Pokorney, Linn-Benton Community College, provided testimony that the current level of hours is adequate.

Nancy Klinsky, Director of Professional Development from Samaritan Health Services in Corvallis, provided testimony that stated they had had great success with the CNA 2 program.

Board member Kay Carnegie, the Education representative on the Board, expressed some concerns about lowering the amount of time for the training related to what Laurie Choate previously stated from the OCAP letter. Ms. Carnegie stated she would feel better with less training hours if the CNAs had to work as CNA 1s for awhile before they went into a CNA 2 class. Debbie Buck stated there had been a lot of discussion on this issue and that the topic would be addressed with the current CNA stakeholder group that is revisiting the CNA 2 issues. It is, in fact, on the agenda for the next stakeholders meeting scheduled for May 1, 2009.

Sheryl Caddy, Linn-Benton Community College, speaking as a mother of two CNA 2 students without experience as a CNA 1, stated they both found the course was incredibly repetitive. There was also a delay in their ability to work. From the employer's perspective, this is very significant, but also for the person going through the class as these people do not make a lot of money to begin with. To put in the added work requirement would have a huge effect on both the students and the employers.

M.S.C. Willis, Williamson  
that the Board Policy "Curriculum Content for Certified Nursing Assistant (CNA) 2 Acute Care Training Programs be approved as presented.

Ayes – 5, Nays – 1 (Carnegie), Absent – 1 (Uherbelau)

**LCP1.2 Release of a Confidential letter of Advice entitled “Rule on Nurses Implementing Orders from Out of State Physicians DOJ File No. 851-001-GB0755-08” from Tom Cowan, AAG, and Joanna Tucker Davis, AAG**

Over the past couple of years there has been considerable discussion between Board staff and school nurses about the authority for nurses to take orders from providers who are located in other states, particularly border states. Current statute and rule have appeared to limit nurses to taking orders only from Oregon licensed independent practitioners. On June 27, 2005, Warren Foote, Senior Assistant Attorney General, Business Activities Section, provided a letter of advice to the board that included information on this issue. That opinion was made public in September 2007.

In August 2008, a work group met including staff and DOJ attorneys from OSBN, the Department of Education, and the Medical Board. At that meeting, both Tom Cowan, Senior Assistant Attorney General for OSBN, as well as Warren Foote, the AAG representing the Oregon Medical Board, suggested that there may be room within the statute for a broader interpretation regarding nurses taking orders only from Oregon licensed independent practitioners. This letter of advice is a result of that analysis. In order to have more informed discussions in the future. Board staff requested that this confidential letter of advice be made public.

It was decided that more discussion on this topic was necessary, so release of this document has been tabled for the time being.

**A1. ADMINISTRATION**

**A1.1 Report on NCSBN Mid-Year Meeting March 2-4, 2009 in Chicago, Illinois**

James McDonald and Julia Willis represented the Oregon State Board of Nursing at the National Council of State Boards of Nursing (NCSBN) mid-year meeting in Chicago, Illinois March 2-4, 2009. NCSBN funded the two board members to attend this mid-year meeting.

The first day was focused on the relationship between boards, particularly board presidents and their executive officers, and included a lot of good information about leadership and governance.

Another piece covered was called “Transition to Practice.” This would take place during a nurse’s first year of practice with a mentor that would assist in guiding them and attempt to decrease their frustration and prevent dropouts.

There were a number of research projects presented which were quite interesting. This included CORE (Commitment to Ongoing Regulatory Excellence) and its application to member board performances, a study on simulation on prelicensure nursing student performance, as well as all of their research proposals and research agenda for 2009. They also presented a transition evidence grid which relates to the entry into practice and also includes safety data and competencies. There is a wealth of information that is offered by NCSBN.

More information was given on TERCAP (Taxonomy of Error Root Cause Analysis & Practice Responsibility) from the various participating states. It is a way of tracking disciplinary actions and finding out the root cause. The purpose is to collect data to become a national database. From this database, trends could be identified and a number of determinations could be made, such as what are the root causes, what are appropriate disciplinary actions and sanctions, and how do boards regulate at the greatest level of excellence, and how do we prevent certain issues from happening over and over again.

**A1.2 Executive Director Financial Report**

This item was moved forward to the June Board meeting.

### **A1.3 Legislative Session 2009**

Executive Director Holly Mercer reported that the OSBN budget had passed out of the Human Services Committee with a "Do Pass" recommendation. This budget includes the addition of six positions and also a \$40 biennial increase for RN/LPN license fees and a \$10 biennial increase for CNA license fees. The sub-committee was very receptive to our policy option packages. An Assistant for the CNA Program and on-line applications will be added. Four limited duration positions will become permanent and there will be a new IT position. It will be presented to the full Ways and Means Committee tomorrow morning. Even with this increase, which will provide about \$2 million of additional revenue, we will still at the end of the biennium with only four months of operating expenses (Legislative Fiscal recommends generally six months). Our goal is to hold the line through the next biennium and go four years without staff or fee increases. One of OSBN's greatest expense is Department of Justice bills. That is why the idea of a disciplinary grid and adding some predictability to the discipline for licensees is so appealing.

OSBN's bill to dispense with the wallet card has been signed by the Governor with an implementation date of January 2010.

There is a bill that will be going through the House Healthcare Committee to address the number of people on healthcare boards. There have been two proposals suggested, one would add one public member to our board and the other would add one CNA board member representative, as well as one public member. It cost approximately \$15,000 per biennium per board member.

The impaired professional bill has not passed out of committee yet, and the Governor's impaired professional bill (HB 2118) also has not passed out of committee. The large healthcare reform bill 2009 (HB 2787) did pass out of the House Healthcare Committee and is proceeding to Ways and Means.

### **A1.4 Executive Director's Report**

Executive Director Holly Mercer reported that in late February she, Board President James McDonald, Advanced Practice Consultant Tracy Klein, Linda-Fisher Lewis, Investigations & Compliance Manager met with representatives from the Oregon Nurses Association (ONA), Susan King and Anne Barry Lever, regarding complaints primarily from nurse practitioners regarding our investigation's process. We agreed to develop a more concise narrative about the steps in an investigation. Communication & Policy Manager Barbara Holtry is finalizing this and plan to start including in interview letters by the first of June.

The "go live" date for the redesign of our on-line renewal system is scheduled for the week of April 27<sup>th</sup>. An increase in call volume to deal with questions is anticipated, however we are very pleased with the "on budget and on time" status of this project. A special thanks was extended to IT personnel, Judith McEntee and Scott Van Orden for their dedication to this project.

Ms. Mercer and Board member Pat Markesino attended the Oregon Nursing Leadership Council/Collaborative (ONLC) meeting on April 3<sup>rd</sup>. ONLC is in the process of changing their operating policies. One of the primary roadblocks has been a provision in the bylaws indicating that all five representative bodies need to ratify any changes. It has been proposed that this be changed to a "majority." Ms. Mercer inquired whether the Board would support this change. The Board agreed that they would support this change to a "majority" vote.

She also questioned whether the Board would be interested in changing OSBN's status to an ex-officio member as it be construed as conflict of interest.

Ms. Mercer has attended the Oregon Center for Nursing (OCN) Board meetings as a representative from OSBN. The challenge with OCN is currently a funding issue, with an attempt to build a sustainable budget. OCN was not given any budget through the Governor's office and has requested authority for funding through Senate Bill 913. Both Senator Morse and Senator Bates on the committee reviewing this bill asked if funding could come through license fees. This idea was rejected in the past as feedback from Representative Richardson indicated that many nurses in his district did not believe they should fund OCN. It was conveyed to Senator Bates that OSBN's first concern is to make sure that there are sufficient operational funding for the Board, but truly it is a policy decision regarding whether license fees should be used for funding for OCN.

Along these lines, Ms. Mercer asked for the Board's guidance in terms of her role on the Board of OCN. She has called the Ethics Commission and they feel that she could participate in fund raising activities. Ms. Mercer indicated that she felt it would be prudent for OSBN to become an ex-officio or advisory member of the OCN Board. Especially with the possibility that a portion of license fees might be allocated to OCN, it would be important that OSBN was not a voting member in terms of how money was raised how spent. OCN is also expanding their Board to include representatives beyond the initial ONLC representative members.

Board members agreed that OSBN should become an ex-officio member of both the Oregon Nursing Leadership Council/Collaborative and the Oregon Center for Nursing.

Board President James McDonald and Nursing Practice Consultant Marilyn Hudson gave presentations at the annual ONA conference on April 15<sup>th</sup>. The topic was the Nurse Practice Act.

The budget hearing for OSBN was held on April 16<sup>th</sup> before the Human Services Subcommittee of the Ways and Means Committee. Two of our three budget packages were revised, but overall our budget was passed out of committee with a "Do Pass" recommendation. The budget now goes to the full committee and should be heard with the next two to three weeks.

The Disciplinary Advisory Committee (DAC) 2009 had its first meeting on April 22<sup>nd</sup>. Special thanks to Board members, Amoy Williamson, Pat Markesino, and Claudia Coon for their dedication to spending extra time and reading extra material in order to serve on this Committee. Ms. Mercer passed out a draft of the DAC Charter and requested that the Board review, revise, and adopt the charter. The goal is to clearly define the types of cases that may be dismissed without disciplinary action and the types of cases that need to have full Board review.

During the June Board meeting, proposals will be brought to the Board requesting that they delegate certain board functions to staff. For example, a primary key performance measure is to provide the board with a report within 120-days from the date that a complaint is opened. The Board, however, may give up to two 30-day extensions. The Process has never been formalized and it has never been tracked why we need additional time to provide the report to the Board. A process is currently being developed through an Investigations Department Process Committee. A request will be made to have the Board delegate the extension function to the Executive Director, who will then provide a report to the Board reflecting how many extensions were granted and the reasons for them.

A disciplinary grid fashioned under the Washington model is also being worked on and a draft grid will be presented at the June Board meeting. A law enforcement referral policy draft will also be presented at that time.

Ms. Mercer presented a letter regarding some serious complaints and allegations against Linn Benton Community College Nursing Program. She explained that the investigation was at a very preliminary stage and they have encouraged the complainants to go through the school grievance process.

Recruit is continuing for the Education Consultant position as Karen Burke will be retiring at the end of June.

Ms. Mercer reported that research on mandatory reporting would continue. It was discovered at the ONA Conference that the advice received from the Department of Justice regarding mandatory reporting (that HIPBD would prevail and that it would be a confidential matter) was different than the interpretation of the Hospital Association. We would like to get both Boards Counsels together for discussion of this matter and then come back with more definitive guidelines on this issue.

## **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.

Carl Nesbitt, married to a CNA, expressed concern over the issue of unlicensed personnel acting as medical workers. The presumption of the public when they go to a medical facility is that they are being treated by licensed healthcare workers. He recommended developing an existing law that stated that anyone working in the healthcare industry must be a minimum of a certain license.

He also questioned if nurses were able to supervise unlicensed personnel. And how is quality assured? He recommended that this issue become an agenda item and that it be dealt with on a statewide basis.

## **E1. EDUCATION**

### **E1.1 NCLEX Pass Rate Program Improvement Report for Clatsop Community College Nursing Program**

Board rules require nursing programs that fail to maintain a two year pass rate of 85% or higher submit a written improvement plan. Clatsop Community College Nursing Program graduates achieved a NCLEX-RN first-attempt pass rate of 84.1% for the period October 1, 2006 through September 30, 2008.

Laurie Choate, RN, MN, Director of Nursing and Allied Health, presented a plan to improve graduate performance in the Clatsop Community College Nursing Program.

M.S.C. Carnegie, Markesino

that the NCLEX Pass Rate Program Improvement Report for Clatsop Community College Nursing Program be accepted as presented.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

### **E1.2 NCLEX Pass Rate Program Improvement Report for the OHSU Direct Entry Masters Program**

Board rules require nursing programs that fail to maintain a two-year pass rate of 85% or higher submit a written improvement plan. OHSU Direct Entry Masters Program graduates achieved a first-attempt NCLEX-RN pass rate of 83.3% for the period October 1, 2006 through September 30, 2008.

Sheila Kodadek, RN, PhD, Professor and Associate Dean for Undergraduate Programs, presented an improvement report for the OHSU Direct Entry Masters Program, noting that the last class admitted to this program graduated in August 2007.

M.S.C. Willis, Williamson

that the NCLEX Pass Rate Program Improvement Report for OHSU Direct Entry Masters Program be accepted as presented.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

### **E1.3 NCLEX Pass Rate Program Improvement Report for Treasure Valley Community College Nursing Program**

Board rules require that nursing programs that fail to maintain a two-year pass rate of 85% or higher submit a written improvement plan. Treasure Valley Community College Nursing Program graduates achieved a NCLEX-RN first-attempt pass rate of 79.5 for the period October 1, 2006 through September 30, 2008.

Maureen McDonough, RN, MS, Nursing Program Director, presented a plan to improve graduate performance in the Treasure Valley Community College Nursing Program.

M.S.C. Carnegie, Willis

that the NCLEX Pass Rate Program Improvement Report for Treasure Valley Community College Nursing Program be accepted as presented.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

#### **E1.4 NCLEX Pass Rate Program improvement Report for Umpqua Community College Nursing Program**

Board rules require that nursing programs that fail to maintain a two-year pass rate of 85% or higher submit a written improvement plan. Umpqua Community College Nursing Program graduates failed to achieve a NCLEX-RN first-attempt pass rate of 76.5 for the period October 1, 2006 through September 30, 2008.

A plan was presented to improve graduate performance in the Umpqua Community College Nursing Program.

M.S.C. Willis, Coon

that the NCLEX Pass Rate Program Improvement Report for Umpqua Community College Nursing Program be accepted as presented.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

#### **E1.5 Valley Medical College Practical Nursing Program Follow-up Survey Report**

A survey for continuing approval of the Valley Medical College Practice Nursing Program was conducted in June 2008, and in September 2008 the College submitted and received Board approval of a major curriculum change. In response to deficiencies identified during the survey and the major curriculum change, the Board required presentation of a report addressing measures to correct identified deficiencies to the February Board meeting and deferred a decision for continuing approval until April 2009. Education Consultant Karen Burke conducted an abbreviated site visit to Valley Medical College on February 4, 2009.

The College clearly has made significant progress in achieving and maintaining the Standards for Approval, OAR 851-021-0040 through 0070. While this abbreviated survey focused on deficiencies identified during the June 2008 survey, it was apparent that the College had worked to address a number of recommendations as well. The program director has a strong commitment to the College, the program, and the success of the students. The College administration demonstrates support of the program director and nursing faculty.

Stability of nursing faculty is a continuing concern. However based on survey observations, interviews with students and staff, and review of materials, the surveyor found that the Standards were sufficiently met to merit a recommendation for approval of the program.

Rita Dillon, Nursing Program Director, was present to respond to Board questions and address any concerns.

M.S.C. Willis, Williamson

that the Valley Medical College Practical Nursing Program be approved for up to two years with a report at the April 2010 Board meeting regarding faculty recruitment and retention and measures to ensure continued compliance with program standards.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

#### **E1.6 University of Portland Dedicated Education Unit (DEU) Demonstration Proposal for Clinical Nursing Education**

Revisions to Division 21 Standards for the Approval of Educational Programs in Nursing adopted in June 2008 provide for programs to propose “demonstration project(s) that significantly alter the approved curriculum, model of clinical practica or faculty-to-student ratio.”

The University of Portland School of Nursing submitted a proposal to allow use of the Dedicated Education Unit (DEU) model as a consideration for modifying the faculty-student ratio in select clinical practica. Current rules specify a minimum faculty-student ratio in the clinical setting of 1:9 (this becomes 1:8 as of July 1, 2010); the ratio may be modified to allow more students per faculty when clinical teaching associates (CTAs or preceptors) are used during the final clinical practicum of a program. There is no provision allowing the ratio to be modified for use of the DEU model.

University of Portland, in conjunction with its clinical partners, implemented the DEU model in 2003. As established, the model met all requirements in rule, including faculty-student ratio. They accomplished this through the appointment of most staff on DEUs as nurse educator associates (NEA). These individuals do not, however, “fit” within the traditional NEA role, in that they function as concurrently as nurse educators and as clinical nurses. When compared with other clinical education models, the role they fulfill is closer to that of clinical teaching associate (CTA or preceptor).

University of Portland was asked to present the DEU model as a demonstration project believing that it might provide evidence for allowing the faculty-student ratio to be modified for experiences designed and implemented within this model. They suggested that use of the DEU model will allow modification of the faculty-student ratio to 1:24 for this experience.

Carol Craig, PhD, RN, Associate Dean, and Susan Moscato, PhD, RN, Associate Dean, were present to respond to Board questions and address any concerns.

M.S.C. Markesino, Willis

that the Board accept the demonstration project proposal for the University of Portland Dedication Education Unit clinical education model as presented, with follow-up reports to be presented in April 2010 and 2011.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

### **E1.7 Sumner College (formerly known as College of Legal Arts) Application for Initial Approval of a Practical Nursing Program**

The College of Legal Arts, now doing business as Sumner College, received developmental approval for a proposed Practical Nursing Program in September 2007. B.J. Noll, Nursing Program Director, and Joanna Russell, College President, appeared before the Board to seek initial approval of this Practical Nursing Program and to respond to Board questions.

The College has worked hard to address concerns about recruitment of qualified faculty. A projected budget for the nursing program, including evidence of financial resources adequate for planning, implementation, and continuation of the program, including proposed operating costs were also submitted with the proposal for initial

approval. Concerns about the financial strength of the college prompted the U.S. Department of Education to require the College to submit “an irrevocable letter of credit” for the amount of Federal financial aid funds received by the College during the 2007 fiscal year. That letter was included with the application. This action by the U.S. DOE, however, raised concerns about the College’s resources for implementation and continuation of the program.

M.S.C. Willis, Williamson

that the Board grant initial approval of the Sumner College Practical Nursing Program, with a scheduled site visit to verify adequate and appropriate facilities and services to be completed prior to admission of initial student cohorts.

Ayes – 6, Nays – 1 (Coon), Absent – 1 (Uherbelau)

### **E1.8 Application for Approval of the Oregon Health & Science University RN-BS Program as a Re-entry Program for Oregon Nurses**

Board rules call for Board approval of re-entry programs before their implementation and at least every five years thereafter.

Oregon Health & Science University School of Nursing (OHSU) has submitted a proposal for approval of a defined portion of their RN-to-BS program with the exception of having a current Oregon RN license. The candidate would, however, need to qualify for re-entry into nursing and a limited license to practice as a RN. The program director and faculty all meet Oregon and OHSU standards for faculty in a registered nursing program. Students will be enrolled in required RN-BS courses, meeting re-entry theory requirements on completion of four transition courses. Required clinical practice hours would occur under the supervision of a nurse preceptor and OHSU School of Nursing faculty.

M.S.C. Markesino, Willis

that the Board accept the Oregon Health & Science University RN-BS Program as an approved Oregon Nurse Re-entry Program.

Ayes – 6, Nays – 0, Absent – 1 (Uherbelau)

**NEXT BOARD MEETING**

The next scheduled disciplinary Board Meeting will be held in Executive Session on May 14, 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 June 17-18, 2009.

**ADJOURNMENT** -- The meeting adjourned at 3:53 p.m.