



State of Oregon
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Oregon State Board of Nursing (OSBN) Meeting Minutes

Meeting Topic: APRN Rule Advisory Committee
Meeting Date: July 7, 2016
Meeting Time: 1:00 pm to 5:00 pm
Attendance: Listed at the end of minutes

Location: OSBN
Facilitator: Christy Cowgill
Recorded: Yes

Agenda	Discussion	Action
<p>Welcome/ Introductions</p>	<p>Christy Cowgill, OSBN APRN & Assessment Policy Analyst, commenced the meeting for the APRN Rule Advisory Committee (RAC). All attendees, in-person and via teleconference/webinar, introduced themselves. She briefly reviewed the meeting ground rules and the agenda. The agenda was revised, as follows:</p> <ul style="list-style-type: none"> → The agenda item regarding the delayed implementation of division 52 was removed from the APRN RAC meeting agenda. → The topic APRN and Non-surgical Aesthetic Procedures Interpretive Statement was added to APRN RAC meeting agenda. → The APRN RAC meeting would end at 4:00 pm (1600). → A separate meeting that the RAC attendees were welcome to attend would begin at 4:00 pm. The topic of that meeting would be the Delayed Implementation of Division 52. <p>C Cowgill announced the loss of one of the APRN RAC Stakeholders. John Belnap died, along with his teenaged son, on Monday evening when the Cessna plane they were in crashed over the Brookings area. John was a CRNA guru in the southern region of the state, working diligently on the opioid overprescribing issue and providing assistance for the anesthesia students.</p> <p>A Listserv notification was sent out last week regarding the OSBN seeking an advanced practice policy analyst. C Cowgill explained she was resigning from her position effective July 29, 2016. She stated that the September RAC meeting would be facilitated by the person replacing her or, if the position was not yet filled, by one of the other policy analysts on staff.</p> <p>Recording of the July 7, 2016 meeting available at: https://osbn.adobeconnect.com/p8zbn6ofxy/</p> <p>All documents presented and prepared for this meeting were available for download via the Adobe Connect recording (see lower left hand corner of screen once accessed).</p>	<p>May meeting minutes are available on the OSBN website.</p>

<p>APRN and Non-surgical Aesthetic Procedures Interpretive Statement</p>	<p>At the June 16, 2016 Board meeting, the interpretive statement for the APRN and Non-surgical Aesthetic Procedures was reviewed by the members and approved. The interpretive statement would be posted on the OSBN website as soon as possible.</p> <p>C Cowgill announced that the Board of Advanced Cosmetology was currently drafting language for their rules related to the teaching of non-ablative laser technique. According to the statute, nurse practitioners were one of the professionals who could teach non-ablative laser technique.</p>	
<p>Division 50 Updates</p>	<p>C Cowgill reported that at the June 16, 2016 Board meeting, the proposed language for Division 50 was brought to the Board for adoption. The revisions were similar to the Division 52 rules that were adopted by the Board in November. Overall, the Board was positive about the proposed language and appreciated the RAC's work. However, the Board had concerns about a few areas of the revisions and asked legislative counsel and C Cowgill to revisit those areas, including language related to the Board's oversight of the APRN educational programs, specifically 851-050-0001(13)(j)(k)(l).)</p> <p>Division 50 revisions with Board's concerns addressed would be submitted to the Board for review and discussion at the September 8, 2016 meeting. Based on the rules process and meeting schedule, the earliest Division 50 would go to hearing would be the February 2017 Board meeting.</p> <p>Board Member Kat Chinn, FNP, was also present to answer the group's questions.</p>	<p>C Cowgill to meet with Legislative Counsel regarding areas of concern in the Division 50 draft rules.</p>
<p>Legislative Updates</p>	<p>Three speakers provided information on upcoming legislation: Andi Easton (OAHHS), Jenn Baker (ONA), Fawn Barrie (ORANA). The information and discussion included the following:</p> <ul style="list-style-type: none"> • Andi Easton shared information about the Initiative Petition 28 (IP 28): A gross receipt sales tax for companies with sales above \$25 million. If it passed, the revenue generated by the tax would be about six billion a biennium - the largest tax and revenue in Oregon's history. The funds were earmarked for education, health care and senior services and would hopefully be utilized to fill the \$800 million budget gap in Medicaid. • How to do more than just vote? <ul style="list-style-type: none"> ○ Fawn Barrie (ORANA) - Get involved with local legislators and form relationships by attending Town Halls, volunteering, or providing contributions - be that face in the community and in the district. ○ Andi Easton (OAHHS) - Increase involvement by working with trade associations. ○ Jenn Baker (ONA) - They had a robust political program that included members meeting with all candidates and discussing issues of concern. These conversations provided opportunities to educate folks early on even before they were in 	

	<p>office.</p> <ul style="list-style-type: none"> • Topics of Legislative Issues for 2017 <ul style="list-style-type: none"> ○ Andi Easton (OAHHS) <ul style="list-style-type: none"> ➤ The current mental health system required robust discussions and review. ➤ Substance abuse and sharing related data across state lines with Washington, California and Idaho. ➤ Create a stronger pool to recruit and retain providers in rural areas by utilizing the revenue from HB 3396 Provider Incentives passed in 2015. ○ Jenn Baker (ONA) <ul style="list-style-type: none"> ➤ Target dollars for the nurse practitioners in the rural settings from HB 3396 Provider Incentives, depending on the work group’s recommendation. The Provider Incentive work group report revealed that the incentives worked best in rural settings for nurse practitioners and physician assistants, not the physicians. ➤ Advocate nurse faculty incentives to prevent the ten year workforce shortage prediction from coming to fruition. ➤ Sunset removed on the Oregon Parity law in February. The Oregon Nurse Practitioner Parity law first passed in 2013 and remained the first and only in the country. It required that private insurance repay the nurse practitioners for the services they provided and prohibited discrimination based on the fact that a nurse practitioner or physician assistant wasn’t a physician. ➤ Review the statutes and create a bill to remove laws that caused arbitrary barriers prohibiting nurse practitioners from providing health care within their scope of practice, training and education. <ul style="list-style-type: none"> ▪ HB 2837 Seatbelt Exemption was provided as an example. The bill allowed nurse practitioners and physician assistants to sign an exemption for a patient who could not wear a seat belt due to health conditions. Previously, only a physician was allowed to sign the exemption. ○ Fawn Barrie (ORANA) <ul style="list-style-type: none"> ➤ Continue work with the CRNAs and all providers to educate the legislators on the importance of CRNAs in the anesthesiology care team model. During the 2016 legislative session, an anesthesiologist sponsored bill was introduced that created a new provider category titled Anesthesiology Assistant. While the bill didn’t pass, it’s now been seen in every sessions since. The bill’s introduction was in response to the passing of the legislation that allowed CRNAs to 	<p>C Cowgill to send out links related to the legislative issues discussed.</p>
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	<p>have prescriptive authority and solidified their ability to practice in an office setting.</p> <ul style="list-style-type: none"> ➤ Participate in the broad discussions regarding insurance claim caps, the Oregon Tort Claims Act and whether the current \$500,000 non-economic damage cap was an appropriate remedy in wrongful death cases. In 2016, ORANA and a broad coalition defeated the legislation that would have increased the cap on wrongful death cases for non-economic damages from 500,000 to 1.5 million. The concern was that it would have driven up the cost of medical liability rates. Due to recent Supreme Court rulings, one that upheld the Oregon Tort Claims Act and one that overturned a previous ruling that caps were unconstitutional, the issue would be addressed again this session. <p>On behalf of B Holtry, Board Staff, C Cowgill provided a summary of the OSBN’s legislative concepts for 2017. Highlights included the following:</p> <ul style="list-style-type: none"> • Updated language to clarify that RNs and LPNs were allowed to execute orders for patient care issued by APRNS. The statute currently only lists physicians and dentists. • Adjusted the types of hospital departments in statute that could apply for a temporary staffing licensure exemptions. • Updated language regarding prescriptive authority training. The 2015 RAC’s work with the Board of Pharmacy would come to fruition as the change would assist those APRNs applying for prescriptive authority by no longer requiring them to take the BOP test, but to read the pamphlet on the OSBN website. 	
<p>Question & Answer with Speakers</p>	<p>The group’s discussions during the question and answer period included the following:</p> <ul style="list-style-type: none"> • C Cowgill requested info on the Oregon Board of Medical Imaging’s (OBMI) concept to limit the use of medical diagnostic sonography to only the midwives and certain emergency medical service providers. She clarified that the concept did not include point of care procedures, for example, PICC line placement, but for purposes of diagnosing. <ul style="list-style-type: none"> ○ Jenn Baker responded that ONA and NPO had been involved in the conversations with OBMI and they would continue to advocate for the existing language that was inclusive. She encouraged the group to submit comments for the upcoming July 22nd OBMI meeting, adding that this fell under the arbitrary barriers that they would be working to remove this legislative session. • Federal legislative issues, including the Home Health Act and the Veteran’s Administration bill granting APRNS (NP, CNS, CNM, CRNA) full authority. 	

	<ul style="list-style-type: none"> ○ A Busch encouraged everyone to submit comments to the Federal Registry in support of the VA bill, the comment period ended at the end of the month. (The link: https://www.federalregister.gov/articles/2016/05/25/2016-12338/advanced-practice-registered-nurses) <p>At the conclusion of the question and answer period, C Cowgill announced that there would be an extended RAC meeting to address the delayed implementation of Division 52 that would be held today at 4:00 pm immediately following this meeting. The discussion would also include an update on status of the rules related to fluoroscopy. She invited all those interested to attend the meeting.</p>	
<p>Delayed Implementation of Division 52 and Fluoroscopy & the APRN</p>	<p>OSBN Executive Director Ruby Jason addressed the group, explaining that the implementation of Division 52 would be delayed due to the Radiation Protection Services (RPS) rules surrounding the operation of fluoroscopic equipment and the supervision requirements. The OSBN was requesting that RPS, a division of the Oregon Health Authority, include APRNs as a non-radiologist practitioner who would be eligible to take the eight hour radiation therapy training; completing the course met the RPS requirements. This same training was required of medical physicians.</p> <p>R Jason assured the group that the OSBN was working with RPS and asked that the group allow that process to occur. She expected to hear from RPS on their decision by August 1, 2016.</p> <p>Fluoroscopic Equipment Operation Radiation Safety Training for Non-Radiologist Practitioners http://www.bing.com/search?q=fluoroscopic+equipment+operation+radiation+safety+training+for+non&src=IE-TopResult&FORM=IETR02&conversationid</p> <p>The RPS administrative rules referenced were as follows: 333-106-0205 (4) Supervision requirements for operators of fluoroscopic equipment. The operation of fluoroscopic equipment by properly trained operators must comply with the following supervisory requirements: (c) Radiologic Technologists who have a permanent or temporary license from the OBMI to practice radiography may operate fluoroscopic equipment under the personal or direct supervision of a radiologist or a non-radiologist practitioner who has had proper training in the use and operation of fluoroscopic X-ray equipment. 333-106-0205 (3) The operation of fluoroscopic equipment shall be performed by a properly trained operator. The following categories of operators are considered to have met the training requirements in section (2) of this rule: (b) Non-Radiologist practitioners who have successfully completed a training program from an Authority approved resource or have been operating fluoroscopic equipment prior to April 11, 2005.</p>	<p>R Jason to work with Radiation Protection Services on the inclusion of APRNs as non-radiologist practitioners.</p>

Wrap-up and Next Meeting	The next APRN Rule Advisory Committee meeting would be held on September 1, 2016 from 1-4 pm at the Oregon State Board of Nursing.	Agenda and meeting minutes to be sent to APRN RAC and Stakeholders prior to the September meeting.
Adjourned	The meeting adjourned at approximately 5:00 pm.	N/A

Minute

s completed by Ginger Simmons, Policy Analyst Administrative Assistant & Christy Cowgill, APRN and Assessment Policy Analyst.

ATTENDANCE - OSBN APRN-RAC Meeting

July 7, 2016

Name	License Type	Role	Area	Attend
Betty Ang	CNS, PMHNP	Stakeholder	Salem, OR	Absent
Molly Archer	ACNS	Stakeholder	Portland, OR	Absent
Liz Banks	FNP	RAC Member	Portland, OR	Absent
Patty Barfield	PMHNP	RAC Member	Ontario, OR	Absent
Jennifer Barr	FNP	Stakeholder	Portland, OR	Absent
Stephanie Barss	FNP	RAC Member	Portland	Absent
R. Eric Beechly	CRNA	Stakeholder	Coos Bay, OR	Absent
John Belnap	CRNA	Stakeholder	Grants Pass, OR	Absent
Matthew Benedict	FNP	Stakeholder	Portland, OR	Absent
Barbara Bergeron	FNP	Stakeholder	Klamath Falls, OR	Absent
Suzanne Brown	CRNA	Stakeholder	Portland, OR	Absent
Sandra Bunn	CNS	Stakeholder	Salem, OR	Absent
Ann Busch	CNS	RAC Member	Portland, OR	OSBN
Dannielle Byers	FNP	Stakeholder	Medford, OR	Absent
Nicole Carter	AGCNS	Stakeholder	Portland, OR	Absent
Jolene Cawfield	FNP	Stakeholder	Burns, OR	Absent
DeeAnna Chamberlain	CNS	Stakeholder	Dallas, OR	Absent
Lee Chamberlain	FNP	Stakeholder	Corvallis, OR	Absent
Niamh Charles	NMNP	Stakeholder	Gold Beach, OR	Absent
Kathleen Chinn	FNP	Board Member	Eugene, OR	OSBN
Dawn Cogliser	FNP	RAC Member	Grants Pass, OR	Online*
Mark Cohen	CRNA	Stakeholder	Portland, OR	Absent
Tita Comeaux-Fortier	FNP	Stakeholder	Hood River, OR	Absent
Christy Cowgill	CRNA	Public Member	Portland, OR	Absent
Kathleen Cook	CRNA	Stakeholder	Portland, OR	Absent
Sue Davidson	CNS	Stakeholder	Portland, OR	Absent
Dustin Degman	CRNA	Stakeholder	Reedsport, OR	Absent
Lina Dorfmeister	CRNA	RAC Member	Coos Bay	OSBN
Martha Driessnack	PNP	Stakeholder	Portland, OR	Absent
Larlene Dunsmuir	ANP, FNP	RAC Member	Portland, OR	OSBN
Margaret Ecklund	ACNP	Stakeholder	Portland, OR	Absent
Heidi Egan	CRNA	Stakeholder	Portland, OR	Absent
Cathy Emeis	NMNP	RAC Member	Portland, OR	OSBN
Dianna Eshleman	ANP, WHCNP	RAC Member	Portland, OR	OSBN
Justin Gibb	CRNA	Stakeholder	Ontario, OR	Absent
Emily Goerke	CRNA	RAC Member	Portland, OR	OSBN
Amy Grace	FNP	Stakeholder	Astoria, OR	Absent
Erin Grap	FNP	Stakeholder	Portland, OR	Absent
Laurel Hallock Koppleman	FNP	RAC Member	Portland, OR	Online*
Jackie Hall	PMHNP	Stakeholder	Eugene, OR	Absent
Kat Hammond	FNP	Stakeholder	Tigard, OR	Absent
Paul Clay Hill	FNP	Stakeholder	Grand Ronde, OR	Online*
Carol Howe	NMNP	RAC Member	Portland, OR	OSBN
Heike Huchler	FNP	Stakeholder	Gresham, OR	Absent
Andrea Johnson	CRNA	RAC Member	Portland, OR	OSBN
Florencia Kantt	PNP	RAC Member	Eugene, OR	Absent
Yena Kim	FNP	Stakeholder	Eugene, OR	Absent
Susan King	RN	Stakeholder	Portland, OR	OSBN
Kimberly Kintz	ANP	Stakeholder	Portland, OR	Absent
Tracy Klien	FNP	Stakeholder	Vancouver, WA	Absent
Joseph Knaus	FNP	Stakeholder	Portland, OR	Online*
Lovely Laban	GNP	RAC Member	Portland, OR	Online*
Tamara Lee	PMHNP	RAC Member	Winston, OR	Online*
Duane Laurelton	CRNA	RAC Member	Hood River, OR	Absent
Gary Lausten	FNP	Stakeholder	Portland, OR	Absent

Bruce Marks	FNP	RAC Member	Portland, OR	OSBN
Janet Matthews	FNP & WHCNP	Stakeholder	Salem, OR	Online*
Deborah Messecar	CNS	Stakeholder	Portland, OR	Absent
Morghan Milagrosa	NMNP, WHCNP	RAC Member	Lake Oswego, OR	OSBN
Rose Milano	ACNP	Stakeholder	Portland, OR	Absent
Mindie Metka	NMNP	Stakeholder	Silverton, OR	Absent
Jayne Mitchell	ANP	Stakeholder	Lake Oswego, OR	Absent
Kathryn Moon	FNP	RAC Member	Florence, OR	Absent
Thanh Nguyen	FNP	Stakeholder	Portland, OR	Absent
Megan Osborn	ANP, PMHNP	RAC Member	Salem, OR	Absent
Stephen Patten	CNS	Stakeholder	Portland, OR	Absent
Anja Peersen	CNS	Stakeholder	Lake Oswego, OR	Absent
Robin Perez	PMHNP	Stakeholder	Canby, OR	OSBN
Tim Perez	PMHNP	Stakeholder	Wilsonville, OR	Absent
Cynthia Perry	FNP	RAC Member	Portland, OR	Absent
Meg Portwood	FNP	RAC Member	Lincoln City, OR	Online*
Tracy Pozar (Yun)	FNP	RAC Member	Portland, OR	Online*
Bill Prosser	CRNA	Stakeholder	Florence, OR	Absent
Rachel Pulver	FNP	Stakeholder	Portland, OR	Absent
Mark Roady	CNS	Stakeholder	Portland, OR	Absent
Jason Roberts	FNP	Stakeholder	Eugene, OR	Absent
Katherine Sandstrom	FNP	Stakeholder	Portland, OR	Absent
Margaret Scharf	PMHNP & FNP	RAC Member	Portland, OR	OSBN
Tricia Schroffner	FNP	Stakeholder	Eugene, OR	Absent
Ingrid Siegman	CNS	RAC Member	Portland, OR	Online*
Ginger Simmons	Board Staff	Board Staff	Portland, OR	OSBN
James Sims	ANP	RAC Member	Eugene, OR	Absent
Jessica Slaughter	CRNA	Stakeholder	Sisters, OR	Absent
Sally "Lisa" Sluder	AGACNP	RAC Member	Ontario, OR	Absent
Joshua Squires	ACNP	RAC Member	Portland, OR	Absent
Jeanine Swyghan	ACNP	RAC Member	Reno, NV	Online*
Asma Taha	PNP	RAC Member	Portland, OR	Absent
Thomas Trubenbach	FNP	Stakeholder	Medford, OR	Online*
Helen Turner	CNS	RAC Member	Portland, OR	OSBN
Olivia Ulrich	FNP	RAC Member	Hood River, OR	Absent
Kristi Vaughn	ACNP, FNP	Stakeholder	Portland, OR	Absent
Diana Wambaugh	FNP	Stakeholder	Roseburg, OR	Absent
Cindi Warburton	FNP	RAC Member	Bend, OR	Online*
Kelly Washburn	ANP, GNP	Stakeholder	Portland, OR	Absent
Rochelle Webster	FNP	Stakeholder	Medford, OR	Absent

Other Attendees:

Andi Easton, Jenn Baker,
Fawn Barrie

Additional Attendees of
only the Extended Meeting:

Doug Bufkin, Sara
Ghafourie, Ruby Jason,
Duane Laurelton, Janet
Matthews, Julie Weis,
Michael Wray

*Online = Synchronous
Online = Asynchronous