

MEETING
June 14-16, 2016
MINUTES

CALL TO ORDER

Board President, Bonnie Kostelecky, called the regular meeting of the Oregon State Board of Nursing to order. This Board meeting was held in the conference room of the offices of the Oregon State Board of Nursing in Portland, Oregon.

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 Ruby Jason, 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.

ROLL CALL — Present/Absent

—Board Members

Chinn, Present
Enghouse, Present
Epeneter, Present
Gibbs, Present
Hunter, Excused
Kostelecky, Present
Turnipseed, Present
Wayman, Present
Youngren, Present

QUORUM

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

—Staff Members Present at Various Times

Bigelow
Blomquist
Buck
Cowgill
Ficarra
Gamble
Holtry
Ingwerson
Jason
Kilborn
Koch
Meadows
Messina

Parish
Rahimi
Russell
Sexton
Shults
Standridge
Taube
VanHorn
Wade

Nyberg
Lightfoot

Cowan, Board Counsel
Marcus Watt, Board of Pharmacy

TUESDAY, JUNE 14, 2016
PUBLIC SESSION – 6:30 p.m.

“Telehealth Nursing and Cross Jurisdictional Licensure”

Executive Director Ruby Jason explained to the Board and guests that the discussion would center around two topics, telehealth and cross-border practice, having one fundamental regulatory similarity in that both involve the issue of where patient care is located, and the implications related to the regulation of safe practice. With regards to telehealth, the Board was asked to guide Board staff in authoring an interpretive guideline, or to provide Board direction to begin rule writing, to guide the practice of care via telehealth. Ms. Jason explained that in September of 2014, she was charged by the Board to determine if any neighboring states would be interested in a mutual recognition of licensure so that those states would recognize the ability of Oregon nurses to provide care for their citizens. Inquiries were made to California, Washington, Idaho, Montana, Nevada, and Arizona; all declined, citing that no Board has the infrastructure to support cross jurisdictional licensure and that there is a model currently in place with the associated infrastructure to support cross jurisdictional practice. As early as the late 1990s, the OSBN has discussed cross jurisdictional practice; the request to the Board is to publish their position on cross jurisdictional practice. Board members were provided with literature and information regarding these two topics; all viewpoints were presented to the Board. The Board President invited members of the audience to participate in the discussion.

APRN Education & Assessment Policy Analyst Christy Cowgill provided information including recent published articles and legislative updates that have occurred since Board staff submitted the information regarding telehealth and cross jurisdictional licensure to the Board, which was a compilation of many different perspectives on the topics. Ms. Cowgill also provided a 2016 legislative update regarding states that attempted to adopt the enhanced nurse licensure Compact. Ms. Jason reminded the Board that the discussion focus should be on the topic of cross jurisdictional practice, and that there are no plans for OSBN to introduce any type of legislation regarding changes to the current Nurse Practice Act with regards to licensure Compact.

Practice & Evaluation Policy Analyst Gretchen Koch explained that at the end of May, a seven question survey was sent out to all licensees in Oregon with current email addresses at the RN and LPN level of practice. For the data received, out of approximately 60,500 licensees, there were 21,242 respondents, for a 35% response rate. Ms. Koch reviewed additional survey responses; to the query would having a multistate nursing license be of interest to the licensee personally, 87.4% responded yes, and 12.6% responded no. The response to the question if licensees would be in favor of Oregon joining nurse licensure Compact, 96.5% responded yes, and 3.5% responded no. Of the licensees that participated in the survey, 17.8% held a nursing administration or management position. The data was collected to compare against data that was solicited in 2004 during a statewide outreach tour. In that survey, 79% responded yes to the question if the licensee would be in favor of enacting a multistate licensure; 5% no, and 11% undecided.

Board Direction: Board staff to research multistate licensure and provide analysis regarding comparison to the Physical Therapy Board, including financial and licensee impact and legislative legal processes. As far as telehealth, Board direction to Board staff to create telehealth definitions, and continue the discussion at a future Board meeting regarding the direction of the Board towards telehealth.

Jordan Ferris, ONA, read a statement on behalf of ONA, stating that ONA does not support the nurse licensure Compact, multistate licensure, nor cross jurisdictional licensure.

Adjourned at 8:10 p.m.

WEDNESDAY, JUNE 15, 2016

EXECUTIVE SESSION – 8:30 a.m.

MSC Wayman, Epeneter
that based on the procedural record, the following:
Samuel Coleman, RN
Mellisa Moore, CNA
Sante Van Meter, CNA
be issued Final Orders by Default, denying the application as set forth in the Notice.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Chinn, Epeneter
that based on the procedural record, the following:
Zoie Bullock, CNA
Patti Lanham Young, RN
Tanaya Robinson, CNA
be issued Final Orders by Default, suspending the licenses or certificates as set forth in the Notice.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Wayman, Epeneter
that based on the procedural record,
Jesse Misner, CNA
be issued a Final Order by Default, revoking the certificate as set forth in the Notice.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Epeneter, Chinn
that the Interim Orders by Consent, signed by the following:
Allison Baker, RN
Lisa Cates, RN
Theresa Hutcherson, RN
Rachel Jones, LPN
Carol Lambert, RN
Benyahman Lunn, RN
Frances Pacheco, RN
be ratified.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter

MSC Wayman, Epeneter
that based on the evidence presented, the following:
Charles Couture, RN Reinstatement Applicant
Jana Jenik, RN Reinstatement Applicant
be granted reinstatement of Registered Nurse license.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter, Recused 1 Kostelecky
MSC Chinn, Epeneter
that based on the evidence presented, the Stipulation for Withdrawal of Application, signed by following:
Julie Garner, RN Reinstatement Applicant
Tara Miller, RN Endorsement Applicant
Tracy Miller, RN Endorsement Applicant
James Snyder, CNA Applicant
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Epeneter, Chinn
that based on the evidence presented in the following:
Shela Pennington, LPN
Sarah Veuleman, RN
be issued Notices of Proposed Revocation.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Epeneter, Chinn
that based on the evidence presented, the Stipulation for Voluntary Surrender, signed by the following:
Megan Ashton, RN
Michele Boudreau, CNA
Danielle Caldwell, RN
Lisa Cates, RN
John Ehly, CNA
Terry Mason, CNA
Johnny McGee, CNA
Laura Schwalm, RN

Kara Scoville, CNA
Timothy Wheeler, LPN
Cindy Zapf, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Wayman, Chinn
that based on the evidence presented, the Stipulation for Reprimand, signed by the following:
Misty Bingham, RN
Natalie Blevins, CNA
Caren Callaghan, RN
Stacey Melnick, NP
Kathy Truong, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Wayman, Chinn
that based on the evidence presented,
Ladybyrd Wong, RN
be issued a Notice of Proposed Suspension.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Wayman, Chinn
that based on the evidence presented, the Stipulation for Probation, signed by the following:
Esperanza De La Cruz, CNA
Susanne Ellenberger, LPN
Theresa Hinline, RN
Julie Ryan, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter

MSC Chinn, Epeneter
that based on the evidence presented, the Stipulation for Suspension, signed by the following:
Sara Kauffman, NP
Isaac Makinson, CNA
Holly Matthews, RN
Lynne Rogers, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Wayman, Epeneter
that based on the evidence presented, the Amended Stipulation for Probation, signed by:
Rachael Harris, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Wayman, Epeneter
that based on the evidence presented, the Stipulation for Suspension followed by Probation, signed by:
Connie Miyao, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Epeneter, Wayman
that based on the evidence presented, the following:
Kathy Galvez, RN Applicant
Mertice Spencer, RN Applicant
be issued Notices of Proposed Denial.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Gibbs, Enghouse
that based on the evidence presented,
Apa Pritchard, RN
be issued a Notice of Proposed Civil Penalty.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter

MSC Gibbs, Turnipseed
that based on the evidence presented, the following:
Linda Billings, RN
Amy Bray, LPN Reentry Limite
Maria Faris, RN
Jamie Grijalva, RN
Ebony Hardaway, CNA
Jami Hermens, LPN
Tammy Jackson, CNA
Holly Konno Boegemann, CMA
Jeamilette Legare, LPN
Abbie McQueen, CNA
be issued Notices of Proposed Revocation.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Gibbs, Turnipseed
that based on the evidence presented, the Stipulation for Voluntary Surrender, signed by the following:
Carol Alcon, CNA
Amber Ingraham, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Gibbs, Enghouse
that based on the evidence presented,
James Ball, RN
be issued a Notice of Proposed Revocation.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Gibbs, Enghouse
that based on the evidence presented, the licensee in case number:
16-01388
be issued an Order for Evaluation.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter

MSC Turnipseed, Chinn
that based on the evidence presented, case numbers:
16-01710
16-00636
16-00933
16-01237
16-00828
16-01727
be dismissed.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Turnipseed, Chinn
that based on the evidence presented, case number:
16-01299
be dismissed.
Ayes 5, Nays 1, Excused 1 Hunter, Abstained 1 Youngren
MSC Turnipseed, Chinn
that based on the evidence presented,
Jaime Fisher Larimer, RN
be issued a Notice of Proposed Revocation.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Turnipseed, Chinn
that based on the evidence presented,
Robin Gonsalves, RN
Rebecca Pulito, RN
be issued an Amended Notice of Proposed Revocation.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter

MSC Turnipseed, Chinn
that based on the evidence presented, case number:
16-01686
be dismissed.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Turnipseed, Chinn
that based on the evidence presented,
Kristoffor Lutz, RN
be issued a Notice of Proposed Revocation.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
Working Lunch: Budget Process Presentation, Ruby Jason
MSC Turnipseed, Epeneter
that based on the evidence presented, case number:
16-01141
be dismissed.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Turnipseed, Epeneter
that based on the evidence presented,
Jason Calhoun, RN
be issued a Notice of Proposed Revocation.
Ayes 5, Nays 1, Excused 1 Hunter, Abstained 1 Youngren
Case status updates were reviewed and the Board provided staff with direction to continue investigations in the following case numbers:
16-01166
16-01353
16-01316
16-00488
16-01052
15-01854

16-00876
16-00909
16-01152
16-01378
MSC Epeneter, Gibbs
that based on the evidence presented, the Stipulation for Reprimand, signed by
Sarita Gonzalez, RN
be adopted.
Ayes 6, Abstained 1 Youngren, Excused 1 Hunter
MSC Epeneter, Wayman
that based on the evidence presented,
Joan Cairns, RN
be issued a Notice of Proposed Revocation.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Epeneter, Wayman
that based on the evidence presented, the licensee in the following case number:
16-00895
be allowed entry into HPSP and the case be closed upon completed enrollment.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Epeneter, Wayman
that based on the evidence presented, the licensee in the following case number:
16-00299
be allowed entry into HPSP and the case be closed upon completed enrollment.
Ayes 5, Excused 1 Hunter, Abstained 1 Youngren, Recused 1 Enghouse

MSC Epeneter, Wayman
that based on the evidence presented, the Stipulation for Probation, signed by
Jeffery Ford, LPN
Nisha Sexton, RN
be adopted.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Wayman, Epeneter
that based on the evidence presented, case number:
16-01167
be dismissed.
Ayes 5, Excused 1 Hunter, Abstained 1 Youngren, Recused 1 Gibbs
MSC Wayman, Epeneter
that based on the evidence presented, case number:
16-01070
be dismissed.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Wayman, Epeneter
that the Board accept Staff recommendations that investigations outlined in summaries for cases between April 27, 2016 and June 2, 2016 be closed.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Wayman, Turnipseed
that based on the evidence presented, case number:
16-01462
be dismissed.
Ayes 5, Excused 1 Hunter, Recused 1, Enghouse, Abstained 1 Youngren
MSC Wayman, Turnipseed
that based on the evidence presented in case numbers:
16-01465
16-00988
16-01278

16-01304
16-01049
16-00784
16-01251
16-01062
16-01076
16-01453
16-00721
16-01691
16-01456
16-01168
16-01192
16-01540
16-01493
16-01183
16-00514
16-01036
16-01345
15-01964
16-01263
16-01024
16-01635
16-01517
16-01320
16-01186
16-01153
16-01273
16-01605
16-01404
16-01325
16-01370
16-01455
16-01202
be dismissed.

Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Gibbs, Turnipseed
that based on the evidence presented, the following case number:
15-01075
be closed as an Inactive Investigation.
Ayes 6, Excused 1 Hunter, Abstained 1 Youngren
MSC Gibbs, Turnipseed
that based on the evidence presented, the licensee in case number:
16-001291
be allowed entry into HPSP and the case be closed upon completed enrollment.
Ayes 5, Excused 1 Hunter, Abstained 2 Youngren, Enghouse
Adjourned 4:11 p.m.

THURSDAY, JUNE 16, 2016
EXECUTIVE SESSION – 8:30 a.m.

MSC Gibbs, Wayman
that based on the evidence presented,
Christopher Gerig, RN
be issued a Notice of Proposed Revocation.
Ayes 7, Excused 1 Hunter
MSC Gibbs, Wayman
that based on the evidence presented, case number
14-00934
be reopened.
Ayes 7, Excused 1 Hunter

THURSDAY, JUNE 16, 2016
PUBLIC SESSION – 9:00 a.m.

Board President, Bonnie Kostelecky, called the meeting to order at 9:11 a.m. A quorum was present.

Introductions: staff, Board members, audience

REVIEW OF MEETING AGENDA

ADDITIONS, MODIFICATIONS, REORDERING OF AGENDA

There were no requests for additions, modifications, or reordering of the agenda.

APPROVAL OF CONSENT AGENDA

M.S.C. Wayman, Gibbs
that the Consent Agenda items be approved as presented
Ayes 7, Excused 1 (Hunter)

- C-M1 Approval of Minutes from the March 23, 2016 Teleconference Board Meeting
- C-M2 Approval of Minutes from the April 12-14, 2016 Board Meeting
- C-M3 Approval of Minutes from the May 11, 2016 Teleconference Board Meeting
- C-A1 Fiscal Status Report
- C-A2 Communications and IT Report
- C-A3 RBH HPSP Satisfaction Report
- C-L1 Licensing and Fiscal Report
- C-L2 Ratification of CNA/CMA Training Program Approvals and Withdrawals

ADMINISTRATIVE RULEMAKING HEARING

H1. Adoption of Amendments to Division 2 Administrative Rules Regarding Agency Fees

The hearing was opened at 9:19 a.m.

Executive Director Ruby Jason reminded the Board that during the 2015 Legislative Session, the Oregon State Legislature authorized a \$9 surcharge for every RN and LPN renewal application for the purpose of supporting the Nursing Advancement Fund through the Oregon Center for Nursing (OCN). Inadvertently left off of that legislation was a \$9 surcharge for all RN and LPN applications for endorsement into the state of Oregon. Senate Bill 1585 remedied that, adding the additional \$9 surcharge to endorsement applications. OAR 851-002 contains all of the agency application fees; there was work with the Department of Administrative Services (DAS) and the Legislative Finance Office to assure that the fee was appropriately applied to Division 2. The rule revision simply adds a \$9 endorsement surcharge to support the Nursing Advancement Fund through OCN. There were no questions from the Board and there was no testimony given in favor of, or in opposition to, the amendments to 851-002-0010.

The hearing closed at 9:23 a.m.

M.S.C. Wayman, Gibbs
that the proposed amendments to OAR 851-002-0010 be adopted as presented
Ayes 7, Excused 1 (Hunter)

TRAINING & ASSESSMENT

CNA1. Appointment Request – New CNA/CMA Advisory Group Membership

Training and Assessment Policy Analyst Debra Buck reminded the Board that at the February 2016 Board meeting, the Board approved the formation of a Certified Nursing Assistant (CNA) and Certified Medication Aide (CMA) Advisory Group. Applications for membership were received and reviewed by Board staff. Ms. Buck referred to the list of members included in the Board meeting materials and pointed out that there was one applicant inadvertently omitted from the list, Amy Stokes from Salem Health. Board member William Youngren was also added to the list, as the Board member representative.

M.S.C. Epeneter, Chinn
that the applicants presented be approved for the newly formed Oregon State Board of Nursing
CNA/CMA Advisory Group positions
Ayes 6, Excused 1 (Hunter), Recused 1 (Youngren)

CNA2. Environmental Scan

Ms. Buck provided information and updates.

At the April Board meeting, it was mentioned that the community colleges have been a significant contributor to Nursing Assistant training in the state since implementation of the programs. There have been some changes, with some community colleges no longer offering the program. Information has been received from faculty at one of the community colleges that dropped the program, indicating that the reason given was that it was not cost effective.

The TestMaster Universe (TMU) implementation is still in the works. TMU is a software program that was developed by the current CNA/CMA testing vendor, Headmaster, and is a registration program for students, as well as a vehicle for scheduling tests and transmitting the test results back to the Board. The testing phase is being done now, with a goal of implementation in July. In order to transition from the current system, there will be no CNA and CMA testing from June 27 through July 8, which will allow time for data to be moved to the new system. There has been progress made with the implementation in the last few months; it was reported that the system is very intuitive.

PRACTICE AND EVALUATION

PR1. Environmental Scan

Practice and Evaluation Policy Analyst Gretchen Koch provided information and updates.

Ms. Koch reported that she has been focusing on presentations. Since January, staff have participated in approximately 37 public outreach events, including formal Nurse Practice Act presentations, reaching approximately five of the 18 Associate Degree Nursing pre-licensure programs, and providing education at six out of 10 of the baccalaureate programs for both pre-licensure and RN-to-BSN programs. Other education for licensees includes community-based RN delegation and the nurse emeritus license. In addition, there have been Nurse Practice Act education sessions at the City of Portland Police Bureau Vulnerable Adult and Crimes Unit, as well as Department of Human Services, Office of Licensing and Regulatory Oversight and Complaint Units. These are two separate entities that do the surveys for the community based and residential care assisted living nursing facilities and foster homes. Through all of the venues, there seems to be a trend, which helps to guide evaluation of the content to make sure educational needs are being addressed for licensees and the public. When talking to students, the top questions asked and discussions that occur are around Oregon licensure portability; when they get licensed and where they

can use their license, as well as questions regarding why Oregon does not require continuing education specific to practice at the RN level.

Data was collected regarding practice questions received through the practice question email mailbox, a venue for licensees and the public to submit questions pertaining to the Nurse Practice Act. In the first three weeks of June, there were over 130 questions received, including questions regarding license portability. Other questions include how the different license types work with unlicensed assistive personnel, what medications can they administer, and mandatory overtime. For community based practice, questions include what tasks they can delegate. Specific to the advanced practice and RN level were questions as to where to find information about individual scope of practice, boundaries, and what the roles and responsibilities are when terminating a patient relationship.

In August, she will be attending training for Articulate Storyline, a product that supports interactive presentations posted on the OSBN website.

ADVANCED PRACTICE

AP1. Advanced Practice Registered Nurse & Non-Surgical Aesthetic Procedures Interpretive Statement

APRN Education and Assessment Policy Analyst Christy Cowgill pointed out that the interpretive statement presented to the Board was created through the policy analyst department. In addition, input was received from investigators to lend perspectives on any common complaints that the Board had received in regards to advanced practice nurses that were involved in non-surgical aesthetic procedures. In addition, this statement was presented to the APRN Rules Advisory Committee (RAC), and a subcommittee that met with key individuals as well as RN and APRN licensees who are in this type of work environment. Ms. Cowgill thanked all who were involved in the process, either on the subcommittee or the RAC, for taking the time to review and articulate the key points. For a point of reference, in 2013, 13.4 billion non-surgical aesthetic procedures were done in the United States alone; of those, 6.3 million were Botox in 2013 alone, and those numbers are continuing to increase. Frequently Asked Questions will be added at the end of the interpretive statement to help guide licensees to more specific concepts.

M.S.C. Chinn, Epeneter
that the Advanced Practice Registered Nurse and Non-Surgical Aesthetic Procedures Interpretive Statement be approved as presented
Ayes 7, Excused 1 (Hunter)

AP2. OHSU Family Nurse Practitioner Program Quarterly Updates

Ms. Cowgill stated that the OHSU FNP Program updates have been received quarterly since 2015. The reports have documented substantial improvement and commitment to continued process improvements with distance education, addressing the concerns that were raised to the Board in February 2015. It was recommended that since there has been no concerns raised by students or faculty for the past four quarters, that the Board provide direction to Board staff to continue requiring the quarterly reports from the FNP program, or that they are no longer required. Ms. Cowgill reminded the Board that in February 2016 the Board approved the OHSU PNP program, which was surveyed in November 2015. There has been positive feedback within the PNP program as to how they have corrected distance learning, which is similar to the FNP program.

M.S.C. Wayman, Epeneter
that the OHSU FNP Program quarterly improvement reporting to the Board be discontinued
Ayes 6, Excused 1 (Hunter), Abstain 1 (Enghouse)

AP4. Environmental Scan

Ms. Cowgill provided information and updates.

Ms. Cowgill stated that the adult-gerontology nurse practitioner program at OHSU School of Nursing reported some adjustments to their curriculum. The adjustments were reviewed and it was determined that the changes did not impact the total credit hour requirements, nor the overall content of the program. Ms. Cowgill pointed out that the Board materials included the courses that were planned to be removed or replaced.

Ms. Cowgill stated that on May 25 there was a proposed rule that was submitted by the Veterans Affairs Department and open for public comment, creating an interesting regulatory issue; all APRNs in the VA system will have full practice authority and will also have full legend prescribing authority. Controlled substance authority will be deferred to the state level. The regulatory side of this, in theory, is if the language passes, states such as Oregon that have full prescribing capabilities should see an uptick in licensees requesting licensure in this state.

AP3. Division 50 – Review of Draft Revisions Prior to Rulemaking Process

Ms. Cowgill gave a presentation on the proposed revisions to Division 50 as a result of the work of the Advanced Practice Registered Nurse Rules Advisory Committee (APRN RAC). The work of revisions to Division 50 went through a very intentional process that the Board charged the APRN RAC to do. In addition, there was subcommittee work, looking at different topics such as education, licensure, prescriptive authority, and scope of practice. Those subcommittees then came together at a meeting of the full APRN RAC; the result of that meeting was a report to the Board in 2015. Ms. Cowgill reminded the Board that in the 2015 report there was consensus to the revisions except for revisions to scope of practice, ending 2015 with the goal to see all of the APRNs in one division looking similar, with the exception of scope of practice. Ms. Cowgill stated she respects the APRN RAC process, and acknowledged the work of the members of the APRN RAC over the past 18 months. The goal of the RAC in the work on revisions to Division 50 was for more uniformity and parity for the various APRN license types in regulation. There was much discussion related to 851-050-0001, Standards for Nurse Practitioner Programs, including proposed addition of language. There was concern of potential of loss of oversight of the programs and direction to Board staff to craft additional language in the section to assure that the Board continues to participate in the approval of schools of nursing. There were suggestions to include end of life care under “provision of care” in the definitions section and discussion regarding proposed revisions to 851-050-0002 pertaining to licensure. There was also discussion regarding the number of practice hours, 960, required for competency and changes to OAR 851-050-0009.

There was no vote; Board direction for legal counsel to work with Ms. Cowgill in reference to the accreditation, continue to work on rule revisions based on Board input, and bring back before the Board in September.

LUNCH BREAK – 12:00 – 12:15 P.M.

LUNCH PRESENTATION – 12:15 – 1:00 P.M.

“Oregon’s Nurse Faculty Workforce: Challenges to RN Supply”

Jana R. Bitton, MPA

Executive Director, Oregon Center for Nursing (OCN)

Jana Bitton, Executive Director, OCN, explained that one of the functions of OCN is to conduct annual surveys pertaining to faculty shortage, mainly to understand the capacity of nursing programs. In 2010, OCN conducted a study, which found that 37% of the qualified applicants are turned away because of

capacity problems within nursing programs. There are national studies that have been taking place, including one by the Health Resources and Services Administration, where they forecast that there will be a shortage of nurses in Oregon, 6,000 by 2024. At the end of June, OCN will release their demand study, where they surveyed employers to determine hiring plans over the next few years. There are shortage areas in long-term care, in home-health and hospice, public health, and in rural area hospitals. Nursing programs will not be able to grow if there is a shortage of nurse faculty. Challenges that nurse faculty face and one of the biggest challenges to recruiting and retaining nurses, is the salaries for nurse faculty compared to average nurse pay in the hospital settings. Another challenge that nurse faculty face is the high cost of education to prepare them for faculty roles. Ms. Bitton closed by stating that the purpose of the presentation was to raise awareness and start collecting ideas of ways programs can recruit and retain nurse faculty.

OPEN FORUM

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

The following individuals provided comments during open forum.

Cindy Perry, FNP, OHSU, spoke to the Board regarding proposed revisions of Division 50, regarding the education and licensure sections. She stated that the Board and the public can feel confident and trust the accreditation process and the recommendations the accreditation body gives regarding the quality of the nurse practitioner programs that they are assessing. She also pointed out that the proposed rules retain the right for the Board to survey programs, if needed, and is in alignment with the Board's mission of ensuring public safety through quality educational programs. She stated she is in support of the RAC, has attended the RAC meetings and that the proposed changes to Division 50 uphold the Board's responsibilities and mission.

Elena Herrera, speaking on behalf of the Nurse Practitioners of Oregon (NPO), stated that NPO members and ONA staff have participated in the meetings of the APRN RAC. Ms. Herrera stated there are recommendations, questions, and concerns in the proposed changes to OAR 851-050-0001 and OAR 851-050-0002. She further state that the NPO strongly supports the broad scope of practice based on both education and ongoing practice that is incorporated in the rules. The NPO strongly encourages the Board to avoid procedure regulation and continue its practice of supporting the evolution of NP clinical service.

Valerie Hunt, representing Vancouver Public Schools, stated that she has been a school nurse for 21 years. Recently the school nurses in their district were informed that if they are only licensed in Washington, they cannot provide nursing services while traveling with students into Oregon, such as school field trips. Such a limited interpretation of the Oregon law, specifically ORS 678.031, would create great hardship for the Vancouver School District, and for the nurses who are licensed in Washington, but not in Oregon. She requested that if the Board believes that further clarification of the law is needed, they are encouraged to seek that clarification so that the nurses licensed only in Washington are allowed to travel with Washington students on short-term, temporary trips to Oregon.

Julia Kintz, representing Educational Service District 112, stated she did not have anything to add, agreeing with the previous statement by Ms. Hunt.

Marnie Allen, Executive Director of Human Resources and Legal Services at Educational Service District 112, explained that ESD 112 serves 30 districts in Southwest Washington. One of the many services that ESD 12 provides for the districts, especially rural districts, is nursing services. She encouraged the Board to interpret the statute the way it has been interpreted in the past, and that the nurses licensed in Washington that accompany students on field trips in Oregon believe they were doing so under the authority and exemption in the statute as members of transport teams. Ms. Allen requested the support of the Board to ensure that the public good is served and that Washington nurses can transport and accompany Washington students on field trips to Oregon.

EDUCATION

E2. Umpqua Community College Survey Visit Report

Education and Assessment Policy Analyst Joy Ingwerson introduced April Myler, Director of Nursing and Patrice Coate, Nursing Faculty, at Umpqua Community College. Ms. Ingwerson explained that the Umpqua Community College survey visit was conducted in April of 2016 at the direction of the Board after receiving information regarding complaints in November of 2015, changing the program visit date from 2018 to 2016. The survey visit was conducted in conjunction with the Accrediting Commission for Education in Nursing (ACEN) as the program had a required a follow-up visit from that accrediting body due to standards not met. Those standards were related to faculty educational level and program evaluation activities. The information reviewed during the visit would not support that the standards of concern had been met. Information was provided to the program on the possible outcome of the ACEN review and the final board action from ACEN will likely be known by the end of July or early August. Ms. Ingwerson pointed out that the report included multiple recommendations related to OAR 851-021, with two deficiencies to be addressed. The deficiencies were previous recommendations that had not yet been fully addressed since the last survey in 2013, due largely in part to the change in the nurse administrator position. Ms. Ingwerson stated it was encouraging to meet with full time and part-time faculty who discussed their commitment to making the program one of the strongest in the state. Community support has been key in funding a new building that is slated to open in the fall. The overall recommendation was for program approval for three years with a report on actions to correct deficiencies submitted to the Board by April 2017. There were questions from the Board related to concern regarding faculty time to address deficiencies.

M.S.C. Wayman, Epeneter

that the Umpqua Community College Associate Degree Nursing Program be approved for up to three (3) years to April 2019, with a report on actions to correct deficiencies to be submitted for review at the April 2017 Board meeting

Ayes 7, Excused 1 (Hunter)

E3. Umpqua Community College Practical Nursing Program Survey Planning

Ms. Ingwerson explained her communication to the program director that the program was due for a PN program survey in the spring of 2016. With the changeover of the program director, Ms. Myler, being new to her position and having limited time to prepare for the ACEN and OSBN visits, was not required to submit a separate self-study specific to the PN program. Ms. Ingwerson requested that the survey visit be rescheduled to April of 2017, which would allow the new nurse administrator time to fully prepare for the visit and students to provide input based on having nearly completed the program. Since the college has decided to not admit a PN class for fall of 2016, the survey will need to shift to 2018, when a class will be enrolled.

M.S.C. Epeneter, Gibbs

that the survey visit to the Umpqua Community College Practical Nursing Program be moved to April 2018 with continued program approval until that time

Ayes 7, Excused 1 (Hunter)

A5. Out of State Licensed Nurses and Student Field Trips in Oregon

Ms. Jason explained that it has come to the attention of Board staff that there may be confusion regarding language in ORS 678.031(7) specifically related to the definition of transport and if school nurse falls into the category of transport across state lines. There is no definition in statute nor rule that defines a transport team. The common perception of a transport team is a licensee who accompanies their patient across state lines for the purpose providing care due to patient need, whereas a field trip for a school may or may not have any kind of medical care associated with it. Board direction to Board staff was to work on submitting a legislative concept for the next legislative session regarding adding specific language to statute to further define, clarify, and include school nurses, in ORS 678.031(7).

E1. Blue Mountain Community College Survey Visit Report

Ms. Ingwerson introduced Laurie Post, Nursing Program Director of Blue Mountain Community College, and reported that she conducted a survey for continued approval of their associate degree nursing program. Ms. Ingwerson stated that under Ms. Post's leadership, the Blue Mountain Community College program presents very differently than the program seen in 2010, when the program had 15 recommendations and four deficiencies, a full survey required in two years, and a focused survey in 2011. Improvements were seen in 2012; there were nine recommendations and no deficiencies and again with the 2016 survey visit, with three recommendations, noting that improvements were due to strong leadership and committed faculty. Also noteworthy was that the college supports two positions for second year nursing students who serve as tutors to first year students. Ms. Ingwerson pointed out that one of the recommendations was to evaluate the impact of faculty overload hours. There were no deficiencies found and a high level of compliance with Division 21 standards was demonstrated. Ms. Post stated that there are currently no faculty vacancies, and the program has had no faculty vacancies for three years.

M.S.C. Epeneter, Gibbs

that the Blue Mountain Community College Associate Degree Nursing Program be approved for up to eight (8) years to April, 2024
Ayes 7, Excused 1 (Hunter)

E4. Concordia University Curriculum Change

Ms. Ingwerson introduced Donna Bachand, Nursing Program Director at Concordia University. Ms. Ingwerson provided some background on Concordia University; the program started in 2005 with the first graduates in 2007. The program currently admits up to 40 students once per year and they were last surveyed in 2014, having seven recommendations and no deficiencies. At that time, the program was approved for eight years, and received CCNE accreditation through 2019. The program has had an NCLEX® pass rate above 85% on the two-year report since 2009, with a drop in their pass rate to 78.38%, however, the following year it was at 94.29%. The two changes include course content shifting to a four semester program as opposed to a six semester program and offering a Fast-Track option for students to take the four upper division semesters in consecutive terms; up to 24 students would be admitted each term. The first group to enter would be in January 2017, and when fully enrolled with the new track, there would be an additional 96 BSN students by January 2018. Originally, the program was conceived as an accelerated baccalaureate, usually meaning admitted students already hold a degree in another field. Currently, there are two accelerated programs in Oregon; Linfield and OHSU. The university has committed additional resources for skills and sim-lab space that will be separate from the current campus. Ms. Bachand spoke to the Board and answered questions regarding the curriculum and faculty changes and the online program approach for the Fast-Track. Board direction to Board staff was to obtain feedback after graduation of the first cohort of the Fast-Track Program, and feedback regarding the curriculum change and evaluation methodology.

M.S.C. Epeneter, Wayman

that the Concordia University Major Curriculum Changes be approved as presented

Ayes 7, Excused 1 (Hunter)

M.S.C. Youngren, Wayman

that the addition of the Fast-Track Baccalaureate Program Option at Concordia University be approved as presented

Ayes 5, Nays 2 (Enghouse, Gibbs), Excused 1 (Hunter)

E5. Environmental Scan

Ms. Ingwerson provided information and updates.

Staff at the U.S. Department of Education have forwarded a recommendation to the Senior Department Official to deny the petition for renewal of recognition, and withdraw recognition, from the Accreditation Council for Independent Colleges and Schools (ACICS), which is an accrediting body that largely serves for-profit institutions. The recommendation was related to questionable practices in recruiting students, fee structures, and the fact that the ACICS continued to accredit programs after these concerns had already been raised. ACICS has made changes themselves including new leadership and appointment of an ethics commission. A National Advisory Committee on Institutional Quality and Integrity will meet next week and a decision is anticipated by the end of summer. If their recognition is pulled, programs that are currently accredited by them would have 18 months to locate another accreditor. In Oregon, the programs that have ACICS as their accreditor are Sumner, Pioneer Pacific, and Breckinridge.

ADMINISTRATION

A1. Director's Report

Executive Director Ruby Jason reported on staffing changes.

Ms. Jason reported that there are several staff transitions this month. Jennifer Tschacher, Licensing Technician for endorsement and nurse practitioner licensure has resigned. Amanda Meeuwsen, who previously held that position, has agreed to step in and do that work during the position recruitment and until that position is filled. Julie Sinacola, also a Licensing Technician, has resigned, to take a position with another state agency. Lisa Flukinger is taking over that position and will be assisted by Molly Taube, who previously held that position, during this time of transition. Regarding the Licensing Department workload, there have been almost 400 applications for initial licensure by examination from May 1 to June 10. Jessica Van Horn, Investigator, has resigned, taking a position in law enforcement.

Ms. Jason reminded the Board that the agency has an Employee Activities Committee, consisting of six employee members. One of the goals of the committee is to organize and facilitate events and activities within the agency and through these events, create a positive work environment. Ms. Jason extended an invitation to Board members to the agency's second annual summer picnic, hosted by the EAC and scheduled for July 23.

This agency is subject to an audit of the law enforcement data base process every three years, which is the process the agency uses to receive the results of fingerprinting of all new and endorsement applicants, as well as the process used to run state-based background on all renewal applicants. The security concerns in transmitting and using individual background information is highly regulated by the state and federal government. Earlier this year, the agency was audited by the FBI for this exact same process, getting a triennial survey from the state. The audit results were positive.

The agency has purchased two new software programs to enhance agency functions. The first is Performance Pro, an internal performance management software designed to transfer individual staff job descriptions into measureable performance outcomes and goals. The current system does not identify how work performance is tied to job descriptions, making it a challenge to measure the performance of each

employee. The second is Articulate software, which will allow the agency to generate CEU offerings and other Board educational sessions, including educational programs that could possibly be used in investigation cases. Organizational Development Manager Helen Bamford is taking on the role of implementing both projects.

Ms. Jason reminded the Board that the September meeting will be quite lengthy, as it includes the Tuesday evening session and the annual Board work session on Friday. The annual Board work sessions are designated time for the Board to review the work of the previous year, update the strategic plan, and address various policy topics. The fourth quarter fiscal year measureable outcomes will be posted prior to the September Board meeting.

As noted in the budget presentation, the agency has been approved by the Emergency Board for an increase in expenditures for two new positions and classification upgrades for seven employees, which will be included in the 2017 budget. This expense will be absorbed by the amount in the fund balance. In looking at the funding of the agency, staff may be looking at ways to decrease fees for licensees; the only consideration for a fee decrease would be for renewals. Currently, an individual can be licensed for as little as 90 days before seeking renewal of their license based upon their birthdate, and the date their license was issued. More information on this may be presented at the September Board meeting.

A2. Division 10 – Review of Draft Revisions Prior to Rulemaking Process

The subcommittee that met to work on revisions to Division 10 consisted of Ms. Jason, Board member Ryan Wayman, and Carlton Brown, ONA. Ms. Jason commended the participants for their work and explained the proposed revisions. If the Board approves continuing with rulemaking to Division 10, a rule hearing will be conducted at the September Board meeting.

M.S.C. Gibbs, Turnipseed
that based on the information presented, Board staff continue with rulemaking related to Division 10
Ayes 7, Excused 1 (Hunter)

A3. Rule Advisory Committee for review of Division 54 – Clinical Nurse Specialists

Ms. Jason explained that Division 54, related to Clinical Nurse Specialists, has not had any significant rulemaking since the early 2000s. There are approximately 200 CNSs in this state, very few of which have prescriptive authority. The content of Division 54 does not address many of the aspects of the Clinical Nurse Specialist role. As long as it is determined that each level of APRN have their own division, it is prudent to look at the Clinical Nurse Specialist group. Helen Turner, who has worked with the Board in the past, and is a very well-known CNS in this state, has agreed to facilitate the work on a contract basis.

M.S.C. Epeneter, Gibbs
that the OSBN staff assemble a Rule Advisory Committee for Review of Division 54 Regarding Clinical Nurse Specialists
Ayes 7, Excused 1 (Hunter)

A4. Approval of Probation Criteria for CRNAs with Substance Use Disorders

Ms. Jason provided background, stating that there have been several CRNAs who have been reported for impairment due to drug diversion. Ms. Cowgill has researched how other boards are handling this and what the latest literature is on this topic. Due to the more potent and life-threatening drugs CRNAs are in contact with, they must be immediately removed from their practice setting, and must engage in inpatient treatment. Outpatient treatment is not recommended due to the high rate of recidivism and any relapse after outpatient treatment should only be treated under the long-term inpatient modality. Following discharge from inpatient treatment, the licensee must comply with a continuing care plan. In addition, recommending that CRNAs who divert at work are offered probation in lieu of an alternative to discipline, only as a condition for returning to work. If CRNAs are placed on probation, they should be extended from a two-year probation to a three-year probation and that the CRNA be removed from clinical practice as a CRNA for one year when the substance use disorder is a Class IV drug or a major opioid addiction. Board direction to re-look at the criteria, confer with Board legal counsel, and bring back before the Board at the September Board meeting.

A6. Source Verification for National Certification for NPs, CRNAs and CNSs

Board President Kostelecky explained that in order to align all language within the divisions describing the initial licensing requirements for Nurse Practitioners, Clinical Nurse Specialists and Certified Registered Nurse Anesthetists, there was a request to the Board to determine if National Certification for initial licensure requires primary source verification. The current application process requires a copy of national certification; it is not a significant workload addition to Board staff to obtain the national certification verification.

M.S.C. Chinn, Youngren
that the Primary Source Verification of Advanced Practice Registered Nurse National Certification required by applicable rule is required
Ayes 7, Excused 1 (Hunter)

A7. Rule Hearing Proposal

Ms. Jason reminded the Board that at a previous Board meeting there was discussion regarding conducting rule hearings at a different time than on the public day of the Board meeting. In discussing this with Board staff, it was suggested that the hearings be conducted during the Tuesday evening Board meeting sessions, with the vote on the Thursday Board meeting day. Rule hearings which would be unlikely to have a large amount of testimony would continue to be on the Thursday Board meeting day. Board direction was to schedule the November rule hearing(s) for the Tuesday evening session of the November Board meeting.

NEXT BOARD MEETING

The next scheduled teleconference Board meeting will be held in Executive Session on July 13, 2016 and August 10, 2016, 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 6-8, 2016, with a Board Work Session on September 9, 2016.

ADJOURNMENT

Adjourned at 4:45 p.m.