

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
ALASKA BOARD OF NURSING
The State Office Building - 333 Willoughby Street
Conference Room A
Juneau, Alaska 99811**

MEETING MINUTES

March 7-9, 2007

By authority of AS 08.01.070(2) and in compliance with the professions of AS 44.62, Article 6, a meeting of the Board of Nursing was held in the State Office Building - 333 Willoughby Street, Conference Room A, Juneau, Alaska.

Wednesday, March 7, 2007

Agenda Item 1. Call to Order

Catherine Giessel, ANP, Chairperson, called the meeting to order at 9:02 a.m.

Roll Call

Those present, constituting a quorum, were:

Catherine Giessel, MS, ANP, Chairperson, Anchorage
Jim Jurrens, RN, Anchorage
Terri Olson, MSN, RN, Nurse Educator, Anchorage
JoAnne Bell-Graves, Public Member, Juneau
Joanne Smith, Public Member, Wasilla
Beth Farnstrom, RN, Anchorage

Present on audioconference:

Mary Weymiller, LPN, Fairbanks

Staff present at various times from the Division of Corporations, Business and Professional Licensing:

Nancy Sanders, PhD, RN, Executive Administrator
Abraham Weiss, Licensing Examiner
Jun Maiquis, Regulations Specialist
Steve Winker, Paralegal

By audioconference:

Robert Harrington, Investigator
Ken Wiemer, Investigator
Brian Howes, Investigator
Lisa Maroney, Licensing Examiner

Staff present at various times from the Department of Law:

Terry Thurbon, Chief Administrative Law Judge
Dale Whitney, Administrative Law Judge
Gayle Horetski, Assistant Attorney General

The new members of the Board of Nursing, Joanne Smith Public Member and Beth Farnstrom, RN were introduced.

Review of Agenda

Changes to the agenda were identified.

The agenda was adopted with changes identified.

Introductions

Guests present were introduced.

Agenda Item 2. Review of Minutes

Minutes of the December Board meeting were reviewed and one change was identified. The month December needs to be added to page 15 of 22, item 16 B.

Minutes were adopted as written with one change.

Agenda Item 3. Probation Report/Investigative/Litigation Reports

On a motion duly made by Jim Jurrens, seconded by Terri Olson, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska enters into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing the cases and reports presented by the investigative team.

The Board entered into executive session at 9:20 a.m.
The Board came out of executive session at 9:55 a.m.

On a motion duly made by Jim Jurrens, seconded by JoAnne Bell-Graves, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Surrender of Certified Nurse Aide Certificate NUA A 9155 for April B. Streiff, Case No. 2306-05-005, hereby adopts the Surrender of the certificate in this matter.

On a motion duly made by Mary Weymiller, seconded by JoAnne Bell-Graves, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Memorandum of Agreement and Proposed Decision and Order in the matter of Tatiana Lopez, Licensed Practical Nurse license number NUR P 6061, Case No. 2302-07-001, hereby adopts the Memorandum of Agreement and Decision and Order in this matter.

Terri Olson recused herself from the vote.

On a motion duly made by Jim Jurrens, seconded by Terri Olson, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Surrender of Registered Nurse License #NUR R 16257 for Patricia A. Lassell, Case No. 2300-05-010, hereby adopts the Surrender of the license in this matter.

On a motion duly made by Terri Olson, seconded by Jim Jurrens, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Memorandum of Agreement and Proposed Decision and Order in the matter of Kari L. Clark, Registered Nurse license number NUR R 23212, Case No. 2300-06-028, hereby adopts the Memorandum of Agreement and Decision and Order in this matter.

On a motion duly made by Mary Weymiller, seconded by Terri Olson, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Memorandum of Agreement and Proposed Decision and in the matter of Elizabeth A. Stark, Registered Nurse license number NUR R 9367, Case No. 2300-07-005, hereby adopts the Memorandum of Agreement and Decision and Order in this matter.

On a motion duly made by Terri Olson, seconded by JoAnne Bell-Graves, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, having examined the Surrender of License Practical Nurse License #NUR P 5864 Sara K. Vance, Case No. 2300-05-009, hereby adopts the Surrender of the license in this matter.

Cathy Giessel, Board Chair, signed all original documents.

The Board recessed for a break at 10:02 a.m.
The Board reconvened from break at 10:20 a.m.

Agenda Item 5. Training for Adjudicators

The Board was joined by Terry Thurbon, Chief Administrative Law Judge (ALJ), who conducted training for Board members on their duties as adjudicators and gave guidelines for performance of those duties.

Agenda Item 5A. Litigation Report

Dale Whitney, Administrative Law Judge, joined the Board.

On a motion duly made by Jim Jurens, seconded by JoAnne Bell-Graves, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska enters into executive session in accordance with AS 44.62.310(d)(1) for the purpose of reviewing the decisions of the Administrative Law Judge.

The Board entered into executive session at 11:02 a.m. Staff members left the room at the request of the Administrative Law Judge.

The Board came out of executive session at 12:17 p.m.

On a motion duly made by Jim Jurens, seconded by Terri Olson, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, and in accordance with AS 44.64.060(e)(3), in the case of Anthony Pelaia, Certified Nurse Aide applicant, OAH No. 06-0286 NUR, Board Case No. 2356-06-002, revises the enforcement action, determination of best interest, order, award, remedy, sanction, penalty, or other disposition of the case as follows:

The Board of Nursing agrees that Anthony Pelaia be certified as a Certified Nurse Aide subject to compliance with a Memorandum of Agreement to be developed by the Board of Nursing investigative staff.

On a motion duly made by Jim Jurens, seconded by Beth Farnstrom, and carried unanimously, it was

RESOLVED that the Board of Nursing for the State of Alaska, and in accordance with AS 44.64.060(e)(3), in the case of Kenneth Jones, Licensed Practical Nurse, OAH No. 06-0246 NUR, Board Case No. 2302-06-005, revises the enforcement action, determination of best interest, order, award, remedy, sanction, penalty, or other disposition of the case as follows:

- 1) Mr. Jones receives a letter of reprimand.**
- 2) A civil monetary penalty shall be imposed of \$1500, with no portion suspended.**
- 3) If Mr. Jones ever obtains another nursing license in Alaska, he is subject to a mandatory audit of his compliance with continuing competency requirement for at least two subsequent licensing periods.**

Cathy Giessel, Board Chair, signed the original documents.

Agenda Item 6. Nurse Aide Report

The Board reviewed and discussed the report presented by Lisa Maroney, Licensing Examiner. The report included nurse aide testing results from around the state for December 2006. Ms. Maroney also informed the Board about the Criminal Background Check regulations recently promulgated by the Department of Health and Social Services, which will affect Certified Nurse Aide students training in licensed facilities.

The Board recessed for lunch at 12:37 p.m.
The Board reconvened from lunch at 2:00 p.m.

Agenda Item 7. Proposed Regulations Projects

Gayle Horetski, AAG and Jun Maiquis, Regulations Specialist joined the Board.

a. Nutritional supplements

The Board reviewed and revised the draft regulations 12AAC 44.945 and 12 AAC 44.970 submitted by Gayle Horetski and Jun Maiquis at the December 2006 meeting. The Board specifically agreed to exclude compounded substances. The regulations will be re-written and brought back to the Board meeting on Friday for further review.

b. Healthcare facility RN education program approval

The Board reviewed a checklist summarizing information requested for healthcare facilities wishing to offer courses of study for nurses to expand their expertise and scope of practice. It was determined that the checklist was a Board tool and not appropriate for inclusion in regulation.

The Chair proposed the one or two Board members work on standards for Facility Education Program approval checklist. Terri Olson and Beth Farnstrom volunteered to work on the checklist using the real estate Board's guidelines in 12AAC 64.400-470 as a possible template. They will bring revisions to the Board at the June meeting.

c. NCLEX pass rates

At the March 2005 Board meeting, the Board unanimously passed a motion establishing an acceptable NCLEX pass rate for first time test takers. This pass rate would be reviewed on an annual basis for the Alaska education programs, as a measure of the quality of their programs. The Board outlined remediation steps that would be implemented if a program did not meet the annual average 80% pass rate. This was never put into regulation, though the Board recalls requesting this in the past. Mr. Maiquis will begin work on this project. When the regulations are prepared, consideration will be given to adding the Certified Nurse Aide programs to it.

The Board recessed for a break at 3:56 p.m.

The Board reconvened from break at 4:04 p.m.

d. Barrier Crimes

The Board reviewed recent barrier crime regulations enacted by Department of Health and Social Services. Ms. Horetski advised the Board that it could also promulgate barrier crime regulations. The Board reviewed similar regulations used in other states and will address this in the future.

e. In response to a question about saving mail ballots on MOAs, AAG Horetski stated that results should be kept in the licensee's file until they are no longer a licensee.

f. New regulations

The Board reviewed regulations changes proposed by staff.

The Board adjourned at 5:07 p.m. until 9:00 a.m. Thursday, March 8, 2007.

Thursday, March 8, 2007

Call to Order Cathy Giessel, Chair, called the meeting to order at 9:00 a.m.

Roll Call Those present, constituting a quorum, were:

Cathy Giessel, ANP, Chairperson, Anchorage
Beth Farnstrom, RN, Anchorage
JoAnne Bell-Graves, Public Member, Juneau
Terri Olson, MSN, RN, Nurse Educator, Anchorage
Jim Jurrens, RN, Anchorage

Present on audioconference:

Mary Weymiller, LPN, Fairbanks

Absent for personal business:

Joanne Smith, Public Member, Wasilla

Staff present at various times from the Division of Corporations,
Business and Professional Licensing:

Nancy Sanders, PhD, RN, Executive Administrator
Abraham Weiss, Licensing Examiner
Rhonda Leatham, Accounting Tech II
Jenny Strickler, Chief, Division of Corporations, Business and
Professional Licensing

Introductions

Guests in attendance were introduced.

Review Agenda

The agenda was reviewed and revisions were made. The agenda was
accepted as amended.

Public Forum

Opened at 9:05 a.m.

There was no public testimony

Closed at 9:36 a.m.

Agenda Item 7. Proposed Regulations Projects (continued)

- e. New regulations
The Board continued review of regulations changes proposed by
staff.

Agenda Item 9. Licensing Examiner Report

The Board reviewed and discussed the report presented by Abraham Weiss, Licensing Examiner, noting 66% of Registered Nurses renewed online for 2006-2008 and 49% of Licensed Practical Nurses renewed online, both of which are an increase from last relicensure. NCLEX pass rates for the quarter were reviewed. A professional courtesy letter will be sent to AVTEC related to their NCLEX-PN pass rates.

Refresher Course Approval

Nancy Sanders, PhD, RN, Executive Administrator, presented a request from Tamara Williams who took a Registered Nurse Refresher course from Parkland College. This program was online and was not approved by the Board, per AS 08.68.251(b)(1) and 12 AAC 44.600-660. After discussion of the issue,

On a motion duly made by Terri Olson, seconded by JoAnne Bell-Graves, and passed unanimously, the Board

RESOLVED that no exception would be made for Tamara Williams in accepting a non-Board approved Registered Nurse Refresher Course from Parkland College.

Nancy Sanders, PhD, RN, Executive Administrator will communicate with RN Williams. The list of approved Registered Nurse refresher courses will be reviewed and updated for the website.

The Board declined to delegate the approval process for refresher courses to the Executive Administrator.

Agenda Item 13. NCSBN Update

- a. Teleconference information: imposters
Nancy Sanders, PhD, RN, Executive Administrator reviewed information from an audioconference with National Council of State Boards of Nursing related to imposters. She will be attempting to find more information to increase the expertise of the licensing examiners for detecting fraudulent applications.
- b. APRN Summit report
Cathy Giessel reviewed discussion at that meeting re: NP certification and testing.
- c. Mid-Year Meeting
This meeting will be April 2-4, 2007 in New Orleans, attended by Nancy Sanders, PhD, RN, Executive Administrator and Cathy Giessel, Board chair.

d. Annual Meeting

This meeting will be August 7-10, 2007. The National Council of State Boards of Nursing pays for the Board Executive and Chair to attend. Rick Urion, Director, authorized attendance by an additional Board member, paid for by the Board, if the budget allows.

e. Uniform Emergency Providers Act

Cathy Giessel shared a summary of this model policy/legislative action to help ensure public safety for the provision of healthcare services in an emergency.

f. Disciplinary Resources Advisory Panel

Cathy Giessel serves on this National Council of State Boards of Nursing committee, which is currently working on a model pain policy guideline for state Boards. There are three areas being researched: pain medication prescribing by NPs, licensees who routinely utilize pain medications and fitness to practice, and the chemically dependent licensee.

At 10:41 a.m., Joanne Smith joined the Board.

The Board recessed for a break at 10:42 a.m.

The Board reconvened from the break at 11:00 a.m.

Agenda Item 20. Review Goals & Objectives

The Board reviewed, discussed and updated Accomplishments, and Goals.

Agenda Item 8 License applications question review

a. License questions on criminal history

The Board reviewed and discussed the questions on the applications. The goal would be to have uniform questions on all applications and that the questions be clearly understandable to all license applicants.

The Board recessed for lunch at 12:38 p.m.

The Board reconvened after lunch at 1:30 p.m.

Agenda Item 10. Budget Update

The Board is joined by Rhonda Leatham, accounting technician II who reviewed the budget and expenditures in detail. The Board had additional requests for data. Ms. Leatham will research the questions and return later in the day with answers.

Agenda Item 11. Practice Issues

a. Anesthesia advisory

The Board received a letter from Christine Anderson, RN, Director of Patient Care Services at South Peninsula Hospital. Anderson questioned the need for an LIP to be immediately available after an intubated patient is stabilized but still receiving anesthetic agents to allow them to be effectively and safely ventilated.

On a motion duly made by Jim Jurrens, seconded by JoAnne Bell-Graves, and passed unanimously,

RESOLVED that the Board adopts a change in the Advisory Opinion for Nurse Administration of Sedating and Anesthetic Agents in II. D. to read

D. Patient Monitoring

- 1. Patient monitoring will be established by facility policy and specified by patient need.**
- 2. The requirement in II. B. 3. is not required for the stabilized, intubated patient.**

Kitty Wellmann, MS, RN, PNP, FNP, Advanced Nurse Practitioner, was on audio conference to discuss an email she sent to the Board, expressing concern about the prohibition on RN administration of anesthetic agents for anxiolysis. NP Wellmann also felt that the prohibition on nurse administration to patients with ASA scores of III or IV was too restrictive. She also asked the Board to consider recent changes to ACLS & PALS regarding bagging for resuscitation. After discussion, the Board wished to invite broader input. This will be scheduled on the June Board agenda. The Board will act on NP Wellmann's suggestion that the consistent term, "procedural sedation" be used in the Advisory Opinion instead of "moderate sedation".

b. Checklist for individual RN/ANP scope of practice questions

The Board reviewed the document developed at the December 2006 Board meeting. Edits were made. Nancy Sanders, PhD, RN, Executive Administrator will do further formatting and edits, and present to the Board at the June meeting.

c. LPN IV push medications

Dr. Leo Bustad, MD, with the Alaska Heart Institute was on audioconference to request review of Licensed Practical Nurse scope of practice. He asked if it is within the scope of practice for a Licensed Practical Nurse to administer premixed IV solutions of medications such as dobutamine and adenosine, via infusion pump. He states that the Licensed Practical Nurse is appropriately trained and that the setting provides appropriate resuscitation equipment, as well as NPs and cardiologists who are immediately available.

The Board stated that a Licensed Practical Nurse, who is appropriately trained, would be within their scope of practice to administer pre-mixed medications via infusion pump in this setting.

d. Delegation of Controlled Substances administration to UAP

The Board reviewed an email from Karen McLane, an NP working in Nome, who wished clarification concerning her ability to delegate administration of IM Morphine and Demerol, as well as administration of oral Tylenol #3 to Community Health Aides in remote areas. The Board reviewed 12 AAC 965 (e) and 12 AAC 44.970 (10) and (13), concluding that this would not be delegatable. Nancy Sanders, PhD, RN, Executive Administrator will communicate with NP McLane.

e. Laryngeal mask use

Chris Glaspell, RN at Fairbanks Memorial Hospital asked whether trained Registered Nurses are within their scope of practice to insert laryngeal mask airways. The Board concluded that this is within the scope of practice of a trained RN. Nancy Sanders, PhD, RN, Executive Administrator will communicate this to RN Galspell.

The Board recesses for a break at 3:39 p.m.

The Board reconvenes from the break at 3:54 p.m.

Agenda Item 10. Budget Update

The Board is rejoined by Rhonda Leatham, accounting technician II, and Jenny Strickler, Chief, Division of Corporations, Business and Professional Licensing. Additional revenue data was reviewed. The Board is concerned that the Board income has been decreasing over the past six years, yet the number of licensees has been increasing. The licensure fees have not changed since 2000.

The Board requested that Chief Strickler research this and prepare an explanation and review of our budget for the June 2007 Board meeting.

Agenda Item 12. Office Business

a. Correspondence received

The Board reviewed various letters received. One letter from Susan Schafer, Registered Nurse, presented a letter and 30 signatures of nurses which expressed concern that licensees' addresses were public information on the website. Jenny Strickler informed the Board that there is a lawsuit related to this issue and that the Division is awaiting the decision of the court.

UAA School of Nursing reported to the Board that only Licensed Practical Nurse preceptors are used for PN students. In addition, UAA will be suspending admissions for PN students after the 2007 cohort.

The Board was notified that Susan Gallardo, RN served on the NCLEX's item development committee. Dr. Sanders will convey the Board's appreciation to Ms. Gallardo.

- b. IT update
Nancy Sanders, PhD, RN, Executive Administrator reported that she has been very successful in requesting updates to the website. There are still changes that need to be made but, if requested, the changes are occurring.
- c. Ethics report
No Board member has an ethics violation to report.

Agenda Item 8. License applications review (continued)

- a. Two questions re: past arrests, etc.
The Board composed uniform questions for the applications related to Disciplinary History and Personal History. These will be written up and reviewed again later in the meeting.
- b. Advanced Nurse Practitioner transcript requirement
The Board discussed and approved changes to 12 AAC 44.400(a)(6)(D) to add **provide a certified transcript sent directly from the school of nursing showing the applicant has satisfactorily completed an education course that meets the requirements of 12 AAC 44.400(a)(1)(A);**
- c. Registered Nurse and Advanced Nurse Practitioner application checklists
The Board reviewed and approved changes to the checklists and 12 AAC 44.321 (f) update new date of revised application checklist for Registered Nurse and Licensed Practical Nurse license reinstatement and 12 AAC 44.321(d) update new date of revised application checklist for authorization to practice as Advanced Nurse Practitioner and to have prescriptive authority

On a motion duly made by Jim Jurrens, seconded by JoAnne Bell-Graves and passed unanimously,

The Board adjourned at 5:15 p.m. until 9:00 a.m. Friday, March 9, 2007.

Friday, March 9, 2007

Catherine Giessel, Chairperson, called the meeting to order at 9:05 a.m.

Roll Call

Those present, constituting a quorum, were:

Catherine Giessel, MS, ANP, Chairperson, Anchorage
Jim Jurrens, RN, Anchorage
Terri Olson, MSN, RN, Nurse Educator, Anchorage
JoAnne Bell-Graves, Public Member, Juneau
Joanne Smith, Public Member, Wasilla
Beth Farnstrom, RN, Anchorage

Present on audioconference:

Mary Weymiller, LPN, Fairbanks

Staff present at various times from the Division of Corporations,
Business and Professional Licensing:

Nancy Sanders, PhD, RN, Executive Administrator
Abraham Weiss, Licensing Examiner
Jun Maiquis, Regulations Specialist
Steve Winker, Paralegal

Introductions

Guests in attendance were introduced.

Review Agenda

The agenda was reviewed and revisions were made. The agenda was accepted as amended.

Public Forum

Opened at 9:08 a.m.

Debbie Thompson, RN, AaNA president, stated that she would like to see more wide reaching scope of practice for Registered Nurses. She is concerned that UAPs are taking over nursing duties and the Board of Nursing may be promoting this by being too restrictive of Registered Nurses. She also feels that the Board of Nursing is not applying evidence-based research and properly reviewing the advisory opinions.

Jackie Mossakowski, RN, Providence Alaska Medical Center administrator, echoed Registered Nurse Thompson's remarks concerning the Advisory Opinion papers not being adequately reviewed. She verbalized disagreement with the Board of Nursing Anesthesia Administration Advisory Opinion, believing that Registered Nurses should be able to administer deep sedation. She recommended that the Board of Nursing continue to review that issue.

Public forum closed at 9:36 a.m.

Agenda Item 14. Nurse Alert report

Jim Jurrens reported on this effort by the AaNA to prepare a nursing workforce to respond to an emergency. Cathy Giessel will forward a copy of the UEVHPA to him. The current epidemic of RSV in rural Alaska has prompted a call from the North Slope for nurses willing to work in Barrow for two-week periods.

The Board began discussion of assuring competency of nurses coming to Alaska to work during an emergency. This item will be discussed further during the June Board meeting.

Agenda Item 15. Paralegal case reviews

On a motion duly made by Terri Olson, seconded by Beth Farnstrom, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska enters into executive session in accordance with AS 44.62.310(c)(2) for the purpose of reviewing the cases and reports presented by the paralegal.

The Board entered into executive session at 10:00 a.m.

The Board came out of executive session at 11:12 a.m.

On a motion duly made by Mary Weymiller, seconded by JoAnne Bell-Graves, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Regina Lynn Barkley, Certified Nurse Aide Certificate number NUA A 8095, case number 2306-06-015, and that Barkley's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by Jim Jurrens, seconded by Terri Olson, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Memorandum of Agreement and Proposed Decision and Order in the case of Nannapat Dycus, Certified Nurse Aide Certificate NUA A 8778, case number 2306-06-012, adopts the MOA and Proposed Decision and Order in this matter.

On a motion duly made by Terri Olson, seconded by Joanne Smith, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Voluntary Surrender of Nurse Aide Certificate NUA A 1486 for Lynda Gail Gauthier, Case Number 2306-06-009, hereby adopts the Voluntary Surrender of the Nurse Aide Certificate.

On a motion duly made by Terri Olson, seconded by Mary Weymiller, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Sarah Elizabeth Kaiser, nurse Aide Certificate number NUA A 8621, case number 2306-06-014, and that Kaiser's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC. 44.825.

On a motion duly made by Terri Olson, seconded by Jim Jurrens, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Minnieyarn L. Paduyos, Nurse Aide Certificate number NUA A 6309, case number 2306-06-013, and that Paduyos's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by Jim Jurrens, seconded by Terri Olson, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Amy M. Price, Nurse Aide Certificate number NUA A 8726, case number 2306-06-011, and that Price's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by JoAnne Bell-Graves, seconded by Beth Farnstrom, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Voluntary Surrender of Practical Nurse license NUR P 4604 for Paula Claire Pinkes, Case Number 2302-07-004, hereby adopts the Voluntary Surrender of the Practical Nurse license.

On a motion duly made by Mary Weymiller, seconded by JoAnne Bell-Graves, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Voluntary Surrender of Nurse Aide Certificate NUA A 3562 for Theadrata Williams, Case Number 2306-07-001, hereby adopts the Voluntary Surrender of the Nurse Aide Certificate.

On a motion duly made by Mary Weymiller, seconded by Beth Farnstrom, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Melissa Renee VanWormer, Nurse Aide Certificate number NUA A 7099, case number 2306-06-018, and that Van Wormer's Certificate is revoked, based on AS 08.68.334(6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by Jim Jurrens, seconded by Terri Olson, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Eileen E. Kotyk, Nurse Aide Certificate number NUA A 6868, case number 2306-06-007, and that Kotyk's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by Terri Olson, seconded by Joanne Smith, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Memorandum of Agreement and Proposed Decision and Order in the case of Kristina M. Elliott, Certified Nurse Aide certificate NUA A 8464, case number 2306-06-006, adopts the MOA and Proposed Decision and Order in this matter.

On a motion duly made by Mary Weymiller, seconded by Beth Farnstrom, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Eric W. Jackson, Nurse Aide Certificate number NUA A 3363, case number 2306-06-017, and that Jackson's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by Mary Weymiller, seconded by JoAnne Bell-Graves, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Sarah J. Francis, Nurse Aide Certificate number NUA A 4920, case number 2306-07-002, and that Francis' Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

On a motion duly made by Terri Olson, seconded by Beth Farnstrom, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska having examined the Memorandum of Agreement and Proposed Decision and Order in the case of Betty L. Tate, Practical Nurse License NUR P 4639, case number 2352-07-001, adopts the MOA and Proposed Decision and Order in this matter.

The Board recognizes:

- 1) The change from 90 days to 120 days to comply with the civil fine.**
- 2) All other requirements to reinstate her license must be met should she apply for relicensure in Alaska in the future.**

On a motion duly made by Terri Olson, seconded by Jim Jurrens, and carried unanimously it was

RESOLVED that the Board of Nursing for the State of Alaska orders a Default entered against Christy Ann Clark, Nurse Aide Certificate number NUA A 8553, case number 2306-07-010, and that Barkley's Certificate is revoked, based on AS 08.68.334 (6) and 12 AAC 44.815(b)(3) and 12 AAC 44.825.

The Board chair signed all original documents pertaining to the cases.

Mr. Winker presented case number 2300-06-020 in which the licensee is requesting that the uncompensated hours before and after compensated work be considered as fulfillment of 12 AAC 44.620(b) "professional activities" for relicensure. The uncompensated time is spent setting up for and cleaning up after the compensated activity.

The Board unanimously concurs that this activity does not contribute to nursing knowledge or the health of individuals or the community, and is therefore not acceptable for inclusion under 12 AAC 44.620(b).

The Board recessed for lunch at 12:02 p.m.
The Board reconvened after lunch at 1:31 p.m.

Agenda Item 18. Regulation projects (continued Item #7)

The Board was joined by Jun Maiquis, regulations specialist. The Board continued work on proposed regulation changes.

The Board reviewed revisions of 12 AAC 44.945 Administration of Non-herbal nutritional supplements.

On a motion duly made by Jim Jurrens, seconded by JoAnne Bell-Graves, and passed unanimously,

RESOLVED that the Board voted to put 12 AAC 44.945 out for public comment.

The Board discussed at length Mr. Maiquis' question of whether to hold a public hearing on the regulation project, in addition to the usual written public comment.

On a motion duly made by Terri Olson, seconded by Beth Farnstrom,

RESOLVED that the Board of Nursing holds a public hearing on the 12 AAC 44.945 regulation project.

The vote was 3 yes, 3 no. The Chair then voted no and the motion failed.

Mr. Maiquis wondered if the Board wished to have written notice of the 12 AAC 44.945 regulation project mailed to all nursing licensees. The Board voted to not do such a mailing.

The Board reviewed with Mr. Maiquis the regulations that it wished to revise. They are as follows:

- 12 AAC 44.610(a)(3)(A) **with exception of Cardiopulmonary Resuscitation (CPR) and Basic Life Support (BLS).** (Motion to exclude CPR and BLS mad by Jim Jurrens, seconded by Joanne Smith, and carried by a vote of 2 no, 4 yes).
- 12 AAC 44.610(b) add **internet**
- 12 AAC 44.500(2) delete the section
- 12 AAC 44.440 (b)(1)(2)(3) – delete the section
- 12 AAC 44.825(c) – delete the item
- 12 AAC 44.600(2) **earned during the concluding biennial period:**
- 12 AAC 44.400(a)(6)(D) add **provide a certified transcript sent directly from the school of nursing showing the applicant has satisfactorily completed an education course that meets the requirements of 12 AAC 44.400(a)(1)(A);**
- 12 AAC 44.317(a)(1) [renewal] **reinstatement**

- 12 AAC 44.317(a)(3) [, if the license has lapsed more than 60 days;]
- 12 AAC 44.321 (f) update new date of revised application checklist for Registered Nurse and Licensed Practical Nurse license reinstatement
- 12 AAC 44.321(d) update new date of revised application checklist for authorization to practice as Advanced Nurse Practitioner and to have prescriptive authority
- NCLEX pass rates that were passed in March 2005.

There are changes to be made in the Criminal and Personal History questions on the applications. Mr. Maiquis advises that these are Board of Nursing documents that may be changed as needed, without regulation changes. These will be given to Denise Williams, licensing examiner supervisor.

There is an additional question re: 12 AAC 44.320 but this will be discussed between Nancy Sanders, PhD, RN, Executive Administrator, Jenny Strickler, Chief, and Jun Maiquis, Regulations Specialist, with recommendations brought back to the Board in June 2007.

The Board also wishes to review the regulations for emergency licensure in disasters but this will be undertaken at the June 2007 meeting.

The Board recessed for a break at 3:07 p.m.

The Board reconvened from the break at 3:16 p.m.

JoAnne Bell-Graves left the meeting to attend to personal business at 3:07 p.m.

Agenda Item 17. Practice Issues (continued Item #11)

f. Fairbanks Youth Facility Medication Administration Course

The Board reviewed the course outline submitted by Sara Harvison, Registered Nurse. After review, the Board finds the course unacceptable and directs Nancy Sanders, PhD, RN, Executive Administrator to communicate with RN Harvison that the activities being delegated require too much nursing judgment for UAPs and that we advise revision of the course and responsibilities.

g. Permanent makeup

The Board discussed NP Zulene Simmons' request concerning permanent makeup. This falls under the definition of tattooing, under the regulatory oversight of the Board of Barbers and Hairdressers, AS 08.13. She will have to comply with their statutes and regulations, per our AAG, Gayle Horetski.

h. External Jugular Lines

This topic is tabled to the June 2007 meeting.

i. ANA document – Specialty Nursing Scope of Practice

This was provided for Board information.

Agenda Item 19. Election of Officers

In accordance with AS 08.68.070, the Board of Nursing elects a chair and secretary.
The Board elected Cathy Giessel as chair and Jim Jurrens as secretary.

Agenda Item 16. Legislative issues

a. HB 36

Cathy Giessel sent a summary of the Board's position to Vieda Forrest in the Director's office. The Board will continue to monitor this bill.

b. SB 8

The Board reviewed this bill but has no comment on it at this time.

c. SB 28

The Board reiterated the comments made in March 2002 that stated, "the Alaska Board of Nursing along with the National Council of State Boards of Nursing promotes safe and effective nursing practice in the interest of protecting public health and welfare. Therefore, the Alaska Board of Nursing recognizes the professional responsibility of nurses to accept or decline overtime assignments based on their self-assessment of ability to provide safe care."

d. Department of Health and Social Services regulation project for 7 AAC 12.415(b) and (c) would potentially put in place a collaborative oversight requirement for Certified Nurse Midwives. The Board directed Cathy Giessel to submit written comment opposing this.

The Task List was reviewed.

Thanks were expressed to Mary Weymiller for her eight years of service on the Board.

Nancy Sanders, PhD, RN, Executive Administrator will prepare certificates of appreciation for Mary Weymiller, Cathy Winfree and Patricia Swenson for their service on the Board.

Thanks were expressed to the AaNA for the reception held on March 7.

Thanks were expressed to Abraham Weiss, licensing examiner who provided staff support for this meeting.

On a motion duly made by Joanne Smith, seconded by Beth Farnstrom, and carried unanimously,

The Board adjourned at 4:37 p.m. until June 6-8, 2007 in Anchorage, Alaska.

Respectfully submitted:

*Nancy Sanders
Executive Administrator
Alaska State Board of Nursing*

Approved:

*Cathy Giessel, ANP, RN, Chairperson
Alaska State Board of Nursing*

Date: _____

**Alaska Board of Nursing
Guests**

March 7, 2007

Name	Mailing Address	Representing
Deb Thompson	2922 Yale Drive, Anchorage 99508	AaNA
Donna Phillips	Box 1178 Girdwood, AK 99587	AaNA
Nancy Neely	7231 Dorchester, Anchorage 99502	AaNA, ANPA
Jackie Mossakowski	P.O. Box 196604, Anchorage, 99519	Prov. AK Medical Center
Rick Schikora	Fairbanks, AK via teleconference	Self

March 8, 2007

Name	Mailing Address	Representing
Jackie Mossakowski	P.O. Box 196604, Anchorage, 99519	Prov. AK Medical Center
Deb Thompson	2922 Yale Drive, Anchorage 99508	AaNA
Donna Phillips	Box 1178 Girdwood, AK 99587	AaNA
Nancy Neely	7231 Dorchester, Anchorage 99502	AaNA, ANPA
Alice Walters	620 W. 12th Juneau, AK	REACH
Barb Berner	Anchorage, via teleconference	ANPA
Linda Carleton	UAA School of Nursing	Self
Kitty Wellman	Anchorage, via teleconference	Self
Leo Bustad, MD	Anchorage, via teleconference	Alaska Heart Institute
Kathy McVey	Via teleconference	

**Alaska Board of Nursing
Guests**

March 9, 2007

Name	Mailing Address	Representing
Deb Thompson	2922 Yale Drive, Anchorage 99508	AaNA
Nancy Neely	7231 Dorchester, Anchorage 99502	AaNA, ANPA
Jackie Mossakowski	P.O. Box 196604, Anchorage, 99519	Prov. AK Medical Center
Rick Schikora	Fairbanks, AK via teleconference	Self
Barb Berner	Anchorage, via teleconference	ANPA