

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS, AND PROFESSIONAL LICENSING  
FAIRBANKS MEMORIAL HOSPITAL  
1650 COWLES STREET  
FAIRBANKS, AK 99701

BOARD OF NURSING  
MEETING MINUTES

October 19-21, 2011

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 Fairbanks Memorial Hospital.

**Wednesday, October 19, 2011**

**Agenda Item 1      CALL TO ORDER**

Beth Farnstrom, BSN, RN, Chairperson, called the meeting to order at 9:00 a.m.

**Roll Call**

Those present, constituting a quorum were:

- Beth Farnstrom, BSN, RN, Chairperson, Anchorage
- Erin Pringle, MS, RN, Secretary, Anchorage
- Denise Valentine, MS, RN, ANP, Anchorage
- Julie Gillette, Public Member, Wasilla
- Kevin Dougherty, Public Member, Anchorage
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage, present via audio conference.

The LPN seat on the Board of Nursing remains vacant.

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

- Nancy Sanders, PhD, RN, Executive Administrator
- Jo Anna Williamson, Investigator III, via audio conference
- Colleen Nelson, Investigator III, via audio conference

**Agenda**

The agenda was adopted as amended.

### **Introductions**

Gena Edmiston, CNO, Fairbanks Memorial Hospital, was present in the room & offered a self-introduction. She offered a “welcome” from Fairbanks Memorial Hospital. See attached sheet for other guests present.

### **Ethics Report**

Erin Pringle reported attending the NCSBN General Assembly Meeting as well as the NCSBN NCLEX conference. Ethics compliance forms will be filled out as directed by her ethics supervisor.

Dr. Nancy Sanders reported attending the Leadership & Public Policy Conference, & the NCSBN General Assembly Meeting. Ethics compliance forms were reviewed by Beth Farnstrom, Board Chair & ethics supervisor, and deemed to not be an ethical violation. Beth Farnstrom reported attending the NCSBN General Assembly Meeting & Public Policy Conference. Ethics compliance forms have been submitted for review.

The other Board members in attendance had no ethics reports since the July 2011 Board meeting.

### **Agenda Item 2**

#### **Consent Agenda**

The Board reviewed the consent agenda. The board discussed the NCSBN education program reports regarding pass rates for the approved 3 Nursing programs (Agenda Item 2A2).

**On a motion duly made by Denise Valentine, seconded by Erin Pringle and passed unanimously, it was RESOLVED the Board adopted the Consent Agenda.**

### **Agenda Item 3**

#### **ADJUDICATION**

**On a motion duly made by Kevin Dougherty, seconded by Erin Pringle, 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 9:23 a.m.

The Board recessed for a break at 10:25 a.m.

The Board reconvened from break at 10:30 a.m.

The Board came out of executive session at 11:25 a.m.

**Agenda Item 3      Adjudication**

**On a motion duly made by Kevin Dougherty, seconded by Erin Pringle, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000873, Rosecelie D. Benigno, lapsed certificate # NUA A 7733, adopted the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement and Decision and Order.**

**On a motion duly made by Denise Valentine, seconded by Erin Pringle, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000756, Evelyn Chivers, LPN, license number NUR P 5438 adopted the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement and Decision and Order.**

**On a motion duly made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000476, Katie L. Collins, lapsed temporary permit number NUR T 9327 and RN number NUR R 33325, adopted the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement and Decision and Order.**

**On a motion duly made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000859, RN applicant Ryan J. Coon, adopted the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement and Decision and Order.**

**On a motion duly made by Erin Pringle, seconded by Denise Valentine, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000655, Peggy G. Ede, RN license number NUR-R-10894 adopted the Consent Agreement**

**and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement and Decision and Order.**

**On a motion duly made by Julie Gillette, seconded by Erin Pringle, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000847, Tamsin M. Kurth, lapsed license # NUR R 25695, adopted the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior hearing, for a violation of the Consent Agreement and Decision and Order.**

**On a motion duly made by Erin Pringle, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order, Case # 2011-000653, Diane Wall, RN license #NUR R 24198, adopted the Consent Agreement and Decision and Order in this matter. This Consent Agreement takes effect immediately upon signature of this Order in the accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement and Decision and Order by immediately suspending Respondent's license, without an additional order from the Board or without a prior**

hearing, for a violation of the Consent Agreement and Decision and Order.

**Agenda Item 3E      Continuing Competency Cases**

**On a motion duly made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2011-000501, Kim R. Carlile, LPN license #NUR P 6162, hereby adopts the Consent Agreement and Decision and Order in this matter.**

**On a motion duly made by Kevin Dougherty, seconded by Thomas Hendrix, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2011-000430, Christy Ann Clark, Certified Nurse Aide Certificate # 8553 (revoked) hereby adopts the Consent Agreement and Decision and Order in this matter. The Consent Agreement, Proposed Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

**On a motion duly made by Erin Pringle, seconded by Julie Gillette, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2011-000253, in the matter of Miranda Davison, Nurse Aide Certificate #7561, hereby, adopts the Consent Agreement and Decision and Order in this matter, effective immediately.**

**On a motion duly made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED** that the Board of Nursing for the State of Alaska, having examined the Voluntary Surrender of Licensed Practical Nurse License, in the matter of Salvador Estrada, Practical Nurse License # NUR P 4362, Case # 2011-000631, hereby adopts the surrender in its entirety.

**On a motion duly made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was**

**IT IS HEREBY ORDERED** that Default is entered against Linda Graham, Case # 2011-000264, and that Ms. Graham's Nurse Aide certificate # NUA A 688 is revoked.

**Notwithstanding AS 44.62.550, the Board will allow Ms. Graham to apply for reinstatement of this certification within one year of the effective date of this decision, if Ms. Graham provides the Board with satisfactory documentation to verify her completion of the required continuing education indicated on her 2010-2012 renewal application. Satisfactory documentation must include the verification elements currently identified in 12 AAC 02.960(e).**

**Under this provision, any reinstatement of Ms. Graham's nurse aide certificate shall be conditioned subject to:**

- 1. Payment of a civil fine in the amount of \$500 for Ms. Graham's repeated failure to respond to requests for documentation;**
- 2. Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Graham's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Graham's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.**

**On a motion duly made by Erin Pringle, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED** that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2010-001434, in the matter of Carolene E. Hall, Nurse Aide Certificate #9836, hereby adopts the Consent Agreement and Decision and Order in this matter, effective immediately.

**On a motion duly made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED** that the Board of Nursing for the State of Alaska, having examined the Voluntary Surrender of Certified Nurse Aide Certificate and Order, in the matter of Shelly R. Hill, Case # 2010-001379, hereby adopts the Voluntary Surrender of Nurse Aide Certificate #NUA A 10701, effective immediately.

**On a motion duly made by Julie Gillette, seconded by Denise Valentine, and carried unanimously, it was**

**RESOLVED** that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2010-001435, Myrna J. Katchatag, Certified Nurse Aide Certificate #NUA A 10056, hereby adopts the Consent Agreement and Decision and Order in this matter.

**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

**On a motion duly made by Kevin Dougherty, seconded by Erin Pringle, and carried unanimously, it was**

**RESOLVED** that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2010-001401, Katarina Leavitt, Certified Nurse Aide Certificate #NUA A 11349, hereby adopts the Consent Agreement and Decision and Order in this matter.



**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

**On a motion duly made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously, it was**

**IT IS HEREBY ORDERED that Default is entered against Vaiu Mauga, Case # 2011-000274, and that Ms. Mauga's Nurse Aide certificate # NUA A 10347 is revoked.**

**Notwithstanding AS 44.62.550, the Board will allow Ms. Mauga to apply for reinstatement of this certification within one year of the effective date of this decision, if Ms. Mauga provides the Board with satisfactory documentation to verify her completion of the required continuing education indicated on her 2010-2012 renewal application. Satisfactory documentation must include the verification elements currently identified in 12 AAC 02.960(e).**

**Under this provision, any reinstatement of Ms. Mauga's nurse aide certificate shall be conditioned subject to:**

- 1. Payment of a civil fine in the amount of \$500 for Ms. Mauga's repeated failure to respond to requests for documentation;**
- 2. Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. Mauga's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. Mauga's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.**

**On a motion duly made by Julie Gillette, seconded by Erin Pringle, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Stipulated Agreement OAH # 11-**

**0202-CNA and Proposed Decision and Order in Case # 2011-000261, Gary Mayforth, Certified Nurse Aide # NUA A 1372, hereby adopts the Stipulated Agreement and Decision and Order in this matter.**

**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

**On a motion duly made by Erin Pringle, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and proposed Decision and Order, Case # 2010-001380, in the matter of Elizabeth H. Paddock, Nurse Aide certificate # NUA A 6025, hereby adopts the Consent Agreement and Decision and Order as amended in this matter, effective immediately.**

**On a motion duly made by Kevin Dougherty, seconded by Thomas Hendrix, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2010-001429, Ivan Reutov, Certified Nurse Aide # NUA A 3291, hereby adopts the Consent Agreement and Decision and Order in this matter.**

**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

**On a motion duly made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and proposed Decision and Order, Case # 2010-000255, in the matter of Ahna Simonds, Nurse Aide certificate # NUA A 513, hereby adopts the Consent Agreement and Decision and Order in this matter, effective immediately.**

**On a motion duly made by Erin Pringle, seconded by Denise Valentine, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Voluntary Surrender of Registered Nurse License and Order, in the matter of Patricia A. Smith, Case # 2011-000799, hereby adopts the Voluntary Surrender of Registered Nurse License Number NUR R 14680, effective immediately.**

**On a motion duly made by Erin Pringle, seconded by Julie Gillette, and carried unanimously, it was**

**IT IS HEREBY ORDERED that Default is entered against Miranda A. White, Case # 2011-000487, and that Ms. White's Nurse Aide certificate # NUA A 9224 is revoked.**

**Notwithstanding AS 44.62.550, the Board will allow Ms. White to apply for reinstatement of this certification within one year of the effective date of this decision, if Ms. White provides the Board with satisfactory documentation to verify her completion of the required continuing education indicated on her 2010-2012 renewal application. Satisfactory documentation must include the verification elements currently identified in 12 AAC 02.960(e).**

**Under this provision, any reinstatement of Ms. White's nurse aide certificate shall be conditioned subject to:**

- 1. Payment of a civil fine in the amount of \$500 for Ms. White's repeated failure to respond to requests for documentation;**
- 2. Mandatory audit to monitor compliance with the continuing education requirements, where satisfactory documentation to verify Ms. White's completion of the required continuing education activities must be received and approved by the Board or its designee prior to the processing of the renewal/reinstatement of her nurse aide certification. This requirement will remain until Ms. White's nurse aide certification has been renewed/reinstated subject to this mandatory audit requirement for two certification periods.**

Beth Farnstrom, Chairperson, signed the original documents.

The Board recessed for lunch at 11:53 a.m.

The Board reconvened from lunch at 1:21 p.m.

It is noted that Board Member Thomas Hendrix was not present for the afternoon proceedings.

**Agenda Item 2B**      **Information exchange**

Informational items were reviewed and discussed by the Board. Topics discussed included summaries of conferences attended by various board members, the BON sunset review, CNA programs which had been reviewed, AVTEC's application for an associate degree nursing program, and the APRN consensus model.

**Agenda Item 3F**      **Code for Nurses**

The Board discussed adoption of the Code for Nurses. It was decided to query other state Boards of Nursing to see if they utilize this code. Investigator Colleen Nelson was not in attendance to introduce this topic. The Board will revisit this agenda item at a later date.

**Agenda Item 3H**      **Influence on decision maker's deliberative process**

The Board considered the letter of clarification on this topic from Terry Thurbon, Chief Administrative Law Judge. The question arose: Does the Board have the prerogative to determine on a case by case basis when the Executive Administrator is present in the room during disciplinary deliberations? The Board will consult the ethics supervisor and revisit this topic at a later date.

**Agenda Item 4A**      **Christian Science – use of title “Nurse”**

Christian Science representatives requested the Board adopt a policy allowing their spiritual caregivers to call themselves “Christian Science Nurses”. The Board fully supports the practice of spiritual care, but reiterates that use of the title “Nurse” is only for persons licensed under AS 08.68.

**Agenda Item 3G**      **Disciplinary Matrix – draft**

The board discussed the Disciplinary Matrix draft. Revisions were suggested & considered.

The Board recessed for break at 3:26 p.m.

The Board reconvened from break at 3:40 p.m.

**Agenda Item 5A      APRN Consensus Model**

Discussion of whether the Board wants to pursue the APRN Consensus Model. The Board would like to solicit the opinions of the Advance Practice Nursing organizations throughout the state. No action taken at this time.

**Agenda Item 4B      Refresher Courses – review & possible approval**

The Board considered two programs for RN Refresher Courses: Michigan State University and the University of Delaware. The Board needs additional information on the Michigan State University Course.

**On a motion duly made by Erin Pringle, seconded by Kevin Dougherty and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska will approve the University of Delaware RN Refresher Course with the stipulation that Alaska Students must complete 100 clinical hours.**

The Board recessed at 4:51 p.m.

**Thursday, Oct 20, 2011**

**Agenda Item 1      CALL TO ORDER**

Beth Farnstrom, BSN, RN, Chairperson, called the meeting to order at 9:00 a.m.

**Roll Call**

Those present, constituting a quorum were:

- Beth Farnstrom, BSN, RN, Chairperson, Anchorage
- Erin Pringle, MS, RN, Secretary, Anchorage
- Denise Valentine, MS, RN, ANP, Anchorage

- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage, present via audio conference.
- Julie Gillette, Public Member, Wasilla

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

- Nancy Sanders, PhD, RN, Executive Administrator

### **Agenda**

The agenda was adopted as amended.

### **Introductions**

Guests present in the room throughout the day and via audio conference offered self-introductions.

Some of those introduced included:

- Debbie Thompson, RN, Alaska Nurses Association
- Pat Reynaga, RN, Providence Hospital
- Deseree Baker, Student Nurse
- Jennifer Cannon, Charter College, via audio conference

### **Public Testimony**

Public testimony began at 9:03 a.m. and ended at 9:39 a.m.

A summary of topics discussed in public testimony follows:

- Pat Reynaga is in favor of adopting the APRN consensus model. She also stated that Providence Alaska Medical Center, in pursuit of Magnet Status, will only be hiring Bachelor prepared Nurses, effective immediately.
- Other nurses in attendance indicated the importance of keeping the title “Nurse” exclusively within the Nursing Profession.
- Debbie Thompson commented on the potential difficulty of new graduates finding employment in Alaska, especially with several hospitals seeking Magnet Status. Magnet Status hospitals must have 80% Bachelor prepared nurses by the year 2015.
- Dr. Richard McClain from Charter College reported an intention to develop an Associate Degree Nursing Education program with hopes of gaining provisional approval from the Board in January.
- Representatives from the Anchorage Health Department introduced the topic of Expedited Partner Therapy.

**Agenda Item 6A**  
**Process**

**NCSBN Survey on Nursing Education Program Approval**

The Board considered a draft by Dr. Thomas Hendrix on this topic. The draft has gone forward to the regulation specialist. Board members were tasked to review NLNAC criteria for accreditation of nursing schools. This topic will be reviewed again in the January meeting.

**Agenda Item 6B**

**Use of External Examinations in Nursing Education Programs**

The Board discussed on the use of standardized exams in Nursing Schools as a means of limiting who may sit for the NCLEX exam or graduate from a program. Currently, the approved schools of nursing in Alaska are not utilizing standardized exams for this purpose. This was an informational item only.

The Board recessed for break at 10:37 a.m.

The Board reconvened from break at 10:57 a.m.

**Agenda Item 5B**

**TERCAP Report**

The Board reviewed & discussed the TERCAP report: Analysis of Nurse Practice Breakdown Cases in 20 states. Denise Valentine volunteered to complete TERCAP forms for the Alaska BON as appropriate.

**Agenda Item 3G**

**Disciplinary Matrix – draft**

The board discussed the Disciplinary Matrix draft. Revisions were suggested & considered.

The Board recessed for lunch at 12:22 p.m.

The Board reconvened from recess at 1:00 p.m.

**Agenda Item 5C**

**CRNA – Proposal for Regulation Changes**

Chris Logan, CRNA, President of the Alaska Association of Nurse Anesthetists, presented the Board with suggestions for updating nursing regulation language related to CRNA's.

**On a motion duly made by Denise Valentine, seconded by Julie Gillette, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska amend the following regulations: 12 AAC 44.500 and 12 AAC 44.510 and replace all phrases of “Registered Nurse Anesthetist” with “Certified Registered Nurse Anesthetist (CRNA)” anywhere found in Article 5 of the regulations.**

**Agenda Item 5G**

**Nitrous Oxide Administration by RN’s**

The Board discussed the scope of practice related to RNs administering nitrous oxide. Additional input about nitrous oxide was from Chris Logan, CRNA.

**On a motion duly made by Erin Pringle, seconded by Thomas Hendrix, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska has determined that the administration of Nitrous Oxide is ONLY within the scope of practice for Certified Registered Nurse Anesthetist (CRNA’s) and not RNs.**

**Agenda Item 5D**

**Massage Therapy – Request for Support of Legislation**

Tonia Nelson from the American Massage Therapy Association (AMTA) requested a letter of support from the Board of Nursing. The AMTA is seeking legislation for licensure of Massage Therapists in the State of Alaska. It is noted that the Board is increasingly being asked to provide letters of support for various pieces of legislation. The Board Chair will seek clarity as to the appropriateness of this as it relates to Board duties & functions.

**Agenda Item 5E**

**Botox Administration by Registered Nurses**

There was no presenter. The topic was not discussed and no action was taken.

**Agenda Item 5F**

**Use of Expired Medications During Critical Need**



The Board discussed a letter from Providence Alaska Medical Center regarding administration of expired medications. The Board would like more information including input from the Pharmacy Board, Alaska Nurses Association, the CNO of Providence, & FDA publications. The Board expressed concern about

- 1) patient safety, and
- 2) the legal protection of nurses who give expired medications.

This topic will remain on the agenda for further consideration in January.

#### **Agenda Item 5H**

#### **Statute Changes**

The new regulations have been published in writing and on-line. There is no movement on introducing statute changes during this legislative session. This was an informational item only.

The board recessed at 3:01 p.m.

The board reconvened at 3:18 p.m.

#### **Agenda Item 3G**

#### **Disciplinary Matrix – draft**

The board discussed the Disciplinary Matrix draft. Revisions were suggested & considered.

The Board recessed at 4: 21 p.m.

### **Friday October 21, 2011**

#### **Agenda Item 1**

#### **CALL TO ORDER**

Beth Farnstrom, BSN, RN, Chairperson, called the meeting to order at 9:00 a.m.

#### **Roll Call**

Those present, constituting a quorum were:

- Beth Farnstrom, BSN, RN, Chairperson, Anchorage
- Erin Pringle, MS, RN, Secretary, Anchorage
- Denise Valentine, MS, RN, ANP, Anchorage
- Thomas Hendrix, PhD, RN, Nurse Educator, Anchorage, via audio conference.

- Julie Gillette, Public Member, Wasilla
- Kevin Dougherty, Public Member, Anchorage

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

- Nancy Sanders, PhD, RN, Executive Administrator

**Agenda**

The agenda was adopted as amended.

**Introductions**

Guests present in the room and on the audio conference offered self-introductions. Some of those introduced included:

- Pat Reynaga, RN, Providence Medical Center
- Debbie Thompson RN, Alaska Nurses Association
- Krista Grilliot, RN, School Nurse

**Public Testimony**

Public testimony began at 9:06 a.m. and ended at 9:35 a.m.

Debbie Thompson & Pat Reynaga both testified about the April BON meeting dates correlating with legislative sessions.

**Agenda Item 8A**

**2012-2013 Meeting Schedule - Draft**

The Board finalized the 2012 meeting schedule:

January 18-20, 2012	Anchorage
April 2-4, 2012	Juneau
July 25-27, 2012	Anchorage
October 24-26, 2012	Fairbanks
January 23-25, 2012	Anchorage

The Executive Administrator will publish the meeting schedule on the web page.

**Agenda Item 3**

**ADJUDICATION**

**On a motion duly made by Denise Valentine, seconded by Kevin Dougherty, 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 went into executive session at 9:38 a. m.

The Board came out of executive session at 10:57 a.m.

**On a motion duly made by Kevin Dougherty, seconded by Julie Gillette, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the state of Alaska, in accordance with the decision of the Board dated July 1<sup>st</sup>, 2011, in the matter of J. Dette Avalon, Case # 2011-000175, OAH #11-0075 NUR, page 10 provision which so states that “If the evaluation is not conducted within 30 days, Ms. Avalon’s licenses may be suspended” find that the evaluation has not been conducted within the 30 day period, and is now over 80 days delinquent.**

**The Board hereby suspends the ANP authorization NUR U 944 of respondent Avalon in accordance with the above order. The Board directs the Executive Director to notify the Division to suspend ANP authorization NUR U 944 effective immediately.**

**On a motion duly made by Denise Valentine, seconded by Erin Pringle, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Stipulated Agreement OAH 11-0201-CAN and Proposed Decision and Order in Case # 2011-000265, Jacqueline Yunak, Certified Nurse Aide certificate # NUA A 10898, hereby adopts the Consent Agreement and Decision and Order in this matter.**

**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing. Ms. Yunak’s CNA certification is hereby suspended until continuing education is approved. Mandatory audit provisions apply.**

**On a motion duly made by Julie Gillette, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2011-000723, Diane A. Johnson, LPN, License # NUR P 5025, adopted the Consent Agreement and Decision and Order in this matter.**

**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

**The Division may enforce the Consent Agreement by immediately suspending Respondent's license, without an additional order from the Board of Nursing or without a prior hearing, for a violation of the Consent Agreement.**

**On a motion duly made by Denise Valentine, seconded by Kevin Dougherty, and carried unanimously, it was**

**RESOLVED that the Board of Nursing for the State of Alaska, having examined the Consent Agreement and Proposed Decision and Order in Case # 2010-001391, Shawna R. Lowe, Certified Nurse Aide certificate # NUA A 10143, hereby adopts the Consent Agreement and Decision and Order in this matter.**

**The Consent Agreement, Decision and Order take immediate effect upon signature of this Order in accordance with the approval of the Board of Nursing.**

The Board chair signed the original documents.

The Board recessed for a break at 11:06 a.m.

The Board reconvened from a break at 11:15 a.m.

It is noted that Board member Thomas Hendrix was excused from afternoon proceedings.

**Agenda Item 51      Proposed Regulation Changes**

The Board members reviewed & discussed proposed regulation changes.

The Board recessed for a break at 12:00 p.m.

The Board reconvened from a break at 12:30 p.m.

**Agenda Item 5I      Proposed Regulation Changes**

The Board members reviewed & discussed proposed regulation changes.

**On a motion duly made by Erin Pringle, seconded by Kevin Dougherty, and carried with 3 yeas, 1 nay, it was**

**RESOLVED that the Board of Nursing for the State of Alaska approve for public comment the 10/17/11 draft regulation project as amended on 10/21/11.**

**Agenda Item 7A      Budget Report & Review**

The Board met via teleconference with Misty Frawley, Administrative Officer, regarding the budget. Sara Chambers, Program Coordinator, was also present on the call. The Board was presented with budget information dated August 31, 2011 which included information through FY 2011. The Chair had emailed Misty Frawley on September 7<sup>th</sup> with concerns. No response was sent to the Chair. The Board requested clarification on the nature of Contractual Expenses that had gone from \$278,596 to \$447,627. Ms. Frawley was asked to give details for such an increase and was not able to reply. It was noted that Personal Services direct increased by \$85,000 and indirect increased by \$62,000. The ultimate question is how do you explain from 2009 to 2011 the BON expenses increased \$549,033?

The Board was also very concerned that the CNA fee analysis was not available for Board of Nursing review and recommendations as per Article 2. 12 AAC 02.100 which states the fees established in this chapter have been adopted by the department after considering any recommendations of the applicable board or commission listed in AS 08.01.010. There will not be sufficient time for Board of Nursing consideration and regulation change public comments after the January 2012 meeting.

The Board expressed their expectation of having an updated FY 12 budget to include 1<sup>st</sup> and 2<sup>nd</sup> quarters for review at the January 2012 meeting as well as answers to the above questions.

**Agenda item 7B**      **Discussion with the Director of CBPL**

The Director was not available as scheduled to meet with the Board. The Board would like to discuss sunset legislation, liability for decisions, retired nurse licensure status, support for legislation by Boards, and budget concerns with the Director. The Board will consider setting up an additional meeting with the Director prior to reconvening in January.

The Board recessed at 1:57 p.m. for a break.

The Board reconvened at 2:05 p.m. from break.

**Agenda Item 5**      **Emergency Medication Administration in Schools.**

Mary Bell, State of Alaska School Nurse Consultant, presented the Board with information on Emergency Medication Administration in Schools. The drugs to be considered are epinephrine, glucagon, diazepam and albuterol. The Board will review the information for further consideration at a later date.

**Agenda Item2**      **Information Exchange**

Board member Kevin Dougherty presented the Board with information on the Nursing shortage from Tri Council for Nursing. This was an informational article which the Board will retain for consideration at a later date.

**Agenda Item 8A**      Board meeting evaluation was done.

**Agenda Item 8D**      Beth Farnstrom will send out the task list to Board members.

The Board of Nursing for the State of Alaska adjourned at 2:38 p.m. until January 18, 2012 in Anchorage, Alaska.

Respectfully submitted:

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Nancy Sanders, Executive Administrator  
Board of Nursing

Approved:

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Beth Farnstrom, Chair  
Board of Nursing

Date:

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