



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER
ACTING DIRECTOR

MICHIGAN BOARD OF NURSING MEETING OF NOVEMBER 6, 2014 APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Nursing met in regular session on November 6, 2014, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Joshua Meringa, Chairperson, called the meeting to order at 9:05 a.m.

ROLL CALL

Members Present: Joshua Meringa, MPA, MHA, BSN, RN-BC, ONC, Chairperson
Ronald Basso, Public Member, Vice Chairperson
Elizabeth Recker, MSN, RN, CNOR
Jill DeVries, L.P.N.
Lars Egede-Nissen, Public Member
Cynthia Fenske, RN, DNP, CNE
Paula Hopper, RN, MSN
Elaine Leigh, DNP, RN, FNP-BC
Reginald T. Armstrong, Public Member
Mary Brown, RN
Elaine Stefanski, LPN
Mary VanderKolk, RN, MSN
Kristoffer Tobbe, Public Member
Jessica Ann Tyson, Public Member
Tiffany McDonald, RN
Lawrence Olson, Ph.D, Public Member
Glenn O'Connor, CRNA, MS (arrived at 9:18 a.m.)
Benjamin Bufford, Public Member (arrived at 9: 57 a.m.)

Members Absent: Denise Steele, LPN
Mary Corrado, Public Member
Kathy Bouchard-Wyant, RN, BA
Amy Zoll, RN

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Staff Present: Shellayne Grimes, Secretary, Policy, Rules and Board Support Section
Norene Lind, Policy Manager, Policy, Rules and Board Support Section
Elaine Barr, Policy Analyst, Policy, Rules and Board Support Section
Krista Sheroski, Analyst, Enforcement Division (left at 9:14 a.m.)
Joe Campbell, Director, Enforcement Division (left at 9:14 a.m.)
Margaret Jones, Analyst, Long Term Care Services Section (arrived at 9:18 a.m.;
left at 10:20 a.m.)
Brian Brown, Analyst, Enforcement Division (arrived at 10:09 a.m.)
Kelly Elizondo, Assistant Attorney General

Others Present: Deborah Bach-Stante, DCH, Office of Nursing Policy
Nancy Short, Governor Snyder's Office
Carolyn Harden, Governor Snyder's Office
Nancy Mazur
Stephen Rideout, Attorney
Max Hoffman, Attorney

APPROVAL OF MINUTES

MOTION by Tobbe, seconded by Armstrong, to approve the minutes of the September 4, 2014 meeting, as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by DeVries, seconded by Armstrong, to approve the agenda, as presented.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Rokaya Howard, LPN – Application for Reinstatement

MOTION by Hopper, seconded by Brown, to grant the Application for Reinstatement and suspend Respondent's license for a minimum of one (1) day, with the following terms and conditions in the matter of Rokaya Howard, LPN:

Respondent shall comply with HPRP and submit 25 hours of required continuing education.

Respondent shall have no access to controlled substances for one (1) year.

Respondent shall be placed on probation for a period of two (2) years with the following terms and conditions:

- (1) Respondent shall submit quarterly employer reports.
- (2) Respondent shall comply with HPRP.

Discussion was held.

A roll call vote followed: Yeas – Armstrong, Brown, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, Olson, Recker, Stefanski, Tobbe, Tyson, VanderKolk, Basso, Meringa

COMMITTEE REPORTS

Disciplinary Subcommittee (DSC)

Egede-Nissen reported that the Disciplinary Subcommittee has met two (2) times since the last meeting on September 4, 2014 and will meet again after today's meeting. He reported that the DSC reviewed approximately 71 regulatory cases with 10 rejected Consent Orders and Stipulations; offered four (4) counter-offers to increase term of probation to two (2) years – all considerations involved substance abuse; offered four (4) counter offers to place Respondents on probation for one (1) year; offered one (1) counter offer to place Respondent on probation for one (1) year and require continuing education; offered one (1) counter offer to suspend a minimum of one (1) day until Respondent complies with HPRP, and two (2) years' probation. In general, probation was added for serious substance abuse cases, and required probation was added for Respondents who had not complied with Consent Orders and Stipulations.

Rules Committee

Basso reported that the Draft Rules were sent out at the end of August. Basso and Barr will engage in a conference call in the near future.

Lind informed that the Department will create a uniform rule for human trafficking training standards. Barr noted that the rule will need to be placed into the Draft Rules and that this will not slow down the rulemaking process. The Draft Rules are currently under review with the Office of Policy and Legislative Affairs.

Lind noted that the human trafficking requirement is a training requirement in the statute and is not described in law as continuing education.

Meringa inquired if the required human trafficking training notification could be included in the licensure renewal process. Lind will check with the Director of Licensing and will report back to the Board.

Education Committee

Hopper reported that Jackson College has developed a non-credit course for nurses who need to show skills competency to be relicensed after revocation. It will be operational in December, 2014. Following registration for the course, the applicant will have access to the Jackson College nursing laboratory and instructors for up to 10 hours to practice skills. He or she will then schedule a check-off appointment, and be given a 2-hour time slot to show competency. The check-off will be based on a low-tech simulation scenario, and will cover the skills required by the Certification of Skill Competency order. Hopper will be sharing this information with the Michigan Council of Nursing Education Administrators in February, 2015, and will encourage them to provide similar offerings at their schools.

Hopper directed the Board to the Education Committee LPN Report and provided a verbal highlight of same. See Addendum #1.

MOTION by Hopper, seconded by Basso, to accept the following motion presented by the Education Committee:

***Motion #1** by the committee to approve the LPN program decision for Alpena Community College, Detroit Business Institute, Dorsey Schools, Gogebic Community College, Kalamazoo Valley Community College, and Muskegon Community College.*

A voice vote followed.

MOTION PREVAILED

Hopper directed the Board to the Education Committee RN Report and provided a verbal highlight of same. See Addendum #2.

MOTION by Egede-Nissen, seconded by McDonald, to accept the following motion presented by the Education Committee:

***Motion #1** by the committee to accept the Annual Reports and faculty exceptions submitted by Alpena Community College, Baker College of Cadillac, Gogebic Community College, Grand Valley State University, Kalamazoo Valley Community College, Kellogg Community College, Mott Community College, Muskegon Community College, North Central Michigan University, Saginaw Valley State University, South University, University of Detroit Mercy, University of Michigan Flint, and Washtenaw Community College.*

A voice vote followed.

MOTION PREVAILED

DCH – Office of Nursing Policy Report

Bach-Stante prepared the "DCH – Office of Nursing Policy (ONP) Report," dated November 6, 2014, and she provided an overview of the same. See Addendum #3, attached hereto.

Bach-Stante updated the Board that the Nurse Professional Fund (MCL 333.16315[9]) is allocated for four (4) specific purposes, as follows:

- To operate a nursing scholarship program.
- To promote safe patient care in all nursing practice environments
- To advance the safe practice of the nursing profession
- To assure a continuous supply of high-quality direct care nurses, nursing faculty, and nurse education programs

Bach-Stante informed that two (2) surveys are sent out every two (2) years to determine where needs are in the nursing profession. The Faculty Survey determines the need for creating more faculty positions. The Office of Nursing Policy also looks at the patterns of graduates.

Bach-Stante also provided a summary of various bills that impact the nursing profession. See Addendum #4, attached hereto.

Vice Chairperson's Report

Basso reported that he will be starting compliance conferences in December. Further, he will have a rule conference call coming up with Barr.

Chairperson's Report

Meringa provided information regarding his activities during the months of September and October, 2014, as follows:

September:

Allegation review:	51 cases (26 authorized for investigation)
Summary Suspensions:	12
CE review/approvals:	4
Case reviews/Conferee:	4
Compliance conferences:	0
NCSBN:	No meetings
COMON meeting:	September 18th

October:

Allegation review:	0 cases (0 authorized for investigation)
Summary Suspensions:	13
CE review/approvals:	4

Case reviews/Conferee: 4
Compliance conferences: 1

NCSBN: No meetings

Meringa expressed his appreciation to DeVries, Leigh, O'Connor and Basso for their assistance with Allegation Review over the past two months.

OLD BUSINESS

None

NEW BUSINESS

Nurse Scholarship Fund

Margaret Jones presented an update on the Nurse Scholarship Fund from October 1, 2013 through September 30, 2014. Jones stated that \$290,523.00 was distributed to 50 schools out of 58 schools that were eligible. There were 232 total scholarships awarded this year and \$47,477.00 was unspent and will revert to the nurse scholarship fund. Each school received \$6,425.00 this year and is to be divided by the number of students who qualified.

Jones reported that applications will be sent out to the schools in January, 2015 for distribution to students. June 30, 2015 is the deadline for schools to submit student scholarship information to the Department. The scholarship funds must be disbursed by September 1, 2015. Five thousand (\$5,000.00) dollars is the maximum amount that each student can receive by rule.

Basso requested that Lind speak with the Bureau Director regarding disbursing the remainder of the Nurse Scholarship Fund. Lind will do so and report back to the Board.

O'Connor noted that students would be best served by each receiving the same amount. Lind commented that this may be an issue for the Department of Treasury to address.

NCSBN NCLEX Conference Summary

Fenske reported that she attended the NCSBN NCLEX Conference in Charlotte, North Carolina on September 29, 2014. She explained exam psychometrics and how programming automatically adjusts the difficulty level of each student's test according to the answers provided. On average, each student had 200 questions for the case logic portion of the NCLEX exam. She noted that 75% of the exam questions are multiple choice questions. Fenske also spoke of the NCLEX research.

ADDENDUM #1

EDUCATION COMMITTEE LPN REPORT

November 5, 2014

Conference Room A, 1:30-3:30

Chairperson: P. Hopper

Members: R. Armstrong, C. Fenske, E. Leigh, M. VanderKolk

NOTE: All Board members may vote on this report, pursuant to MCL 333.16148.

INFORMATIONAL CHANGES – *The Bureau received the following nursing director changes.*

Ruth Freebury RN, MSN is the interim director of nursing at West Shore Community College effective October 16, 2014.

No motion is required.

COMMITTEE ACTIONS: *The committee reviewed the following program-related requests:*

Annual Reports

Alpena Community College

The report was received and approved.

Detroit Business Institute

The report was received and approved. The gerontology course is a requirement per the Michigan Board of Nursing Administrative Rules and must be taught in all LPN programs. Mental Health is not part of the Administrative Rules for LPN programs. The committee commends the improvement of NCLEX results from 2011.

Gogebic Community College

The report was received and approved. The committee commends the school for a nice systematic plan for evaluation.

Kalamazoo Valley Community College

The report was received and approved.

Muskegon Community College

The report was received and approved.

Major Program Change

Monroe County Community College

The major program change report was received and approved.

Self Study

Dorsey Schools

The self study was received and approved for full approval.

Faculty Exceptions

Lori Smarsh 2nd exception expires 1/2015

Dorsey Schools (retroactive January 2014)

***Motion #1** by the committee to approve the LPN program decision for Alpena Community College, Detroit Business Institute, Dorsey Schools, Gogebic Community College, Kalamazoo Valley Community College, and Muskegon Community College.*

ADDENDUM #2
EDUCATION COMMITTEE RN REPORT

November 5, 2014
Conference Room A, 1:30-3:30
Chairperson: P. Hopper
Members: R. Armstrong, C. Fenske, E. Leigh, M. VanderKolk

PLEASE NOTE: Pursuant to MCL 333.16148(5), a Board member who is a LPN cannot vote on RN program actions.

INFORMATIONAL CHANGES – *The Bureau received the following minor program and nursing director changes.*

Nursing Director Change

Carol Still, RN, MSN is the interim associate dean at North Central Michigan College effective October 27, 2014.

Ruth Freebury, RN, MSN is the interim director of nursing at West Shore Community College effective October 16, 2014.

Minor Program Change

Delta College was granted a minor program change for the separation of NPT102B (6 credits) into two courses (3 credits each) NPT103 Care of the Aging Adult and NPT119 Mental Health Nursing.

No motion is required.

COMMITTEE ACTIONS: *The committee reviewed the following program-related requests:*

Annual Report

Alpena Community College
The report was received and approved.

Gogebic Community College

The report was received and approved. The NCLEX Improvement Plan needs to look at faculty, expanding level outcomes, curriculum, and administrative support, as well as looking at students.

Grand Valley State University

The additional information was received and approved.

Kalamazoo Valley Community College

The report was received and approved. The NCLEX Improvement Plan needs to look at faculty, expanding level outcomes, curriculum, and administrative support, as well as

looking at students. The lead reviewer appreciated the quick reply by the program director.

Mott Community College

The report was received and approved. Please submit level outcomes. The committee shares your concern on the attrition rates.

Muskegon Community College

The report was received and approved.

North Central Michigan College

The report was received and approved.

Saginaw Valley State University

The report was received and approved.

South University

The report was received and approved.

University of Detroit Mercy

The report was received and approved. Two faculty members with only BSN degrees appear to be teaching theory courses – SJ Joel Medina, NUR 2100 and NUR 2200, and Jamey Kagey, NUR 3560. Per the Michigan Board of Nursing Administrative Rules all theory courses must be taught by individuals with MSN degrees.

University of Michigan Flint

The report was received and approved.

Washtenaw Community College

The report was received and approved. The committee encourages the program to examine your program outcomes. Specially, consider 60% completion is inconsistent with the guidelines of the annual report.

Major Program Change

Wayne County Community College District

The major program change was received and approved.

Faculty Exception

Jamie Lee Leyland	1 st exception		expires 9/2015
Baker College of Cadillac (retroactive September 2014)			

Mariah Lab	4 th exception	Clinical	expires 3/2015
Kellogg Community College (retroactive March 2014)			

Jean Donaldson	1 st exception	Clinical	expires 9/2015
North Central Michigan College (retroactive September 2014)			

Motion #1 by the committee to accept the Annual Reports and faculty exceptions submitted by Alpena Community College, Baker College of Cadillac, Gogebic Community College, Grand Valley State University, Kalamazoo Valley Community College, Kellogg Community College, Mott Community College, Muskegon Community College, North Central Michigan College, Saginaw Valley State University, South University, University of Detroit Mercy, University of Michigan Flint, and Washtenaw Community College.

ADDENDUM #3



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JAMES K. HAVCMAN
DIRECTOR

DATE: November 06, 2014
FROM: Deborah Bach-Stante, Director, Office of Nursing Policy
TO: Michigan Board of Nursing
RE: DCH – Office of Nursing Policy Report

The Michigan Department of Community Health (DCH) Office of Nursing Policy (ONP) has been busy working on behalf of nurses in the state of Michigan. As funding for the office comes from the Nurse Professional Fund, you will notice that this report is structured to depict efforts in each category for which the Nurse Professional Fund may be allocated, with the exception of nursing scholarships, which are managed and allocated by LARA.

a) *To promote safe patient care in all nursing practice environments*, the Michigan Department of Community Health (MDCH), Office of Nursing Policy (ONP) has worked with MPHI to conduct focused groups of representatives nurse employers interested in developing Transition to Practice Simulation programs and resources for transition-to-practice in hospital systems, long term care, and community-based care (home care, public health, hospice care, and ambulatory care). These focus groups identified priorities for further education of transitioning and seasoned members of their nursing staff. A presentation was provided to these groups from states with existing statewide transition to practice programs.

b) *To advance the safe practice of the nursing profession*, the ONP has provided updated information on nurse fatigue on the ONP webpage and is planning a winter webinar on safe patient handling.

c) *To assure a continuous supply of high-quality direct care nurses, nursing faculty, and nurse education programs*, the ONP contracted with the Michigan Center for Nursing and provided input into the design of the now completed nursing licensure survey and survey of nursing educational programs conducted by Public Sector Consultants to provide updated information about the nursing workforce and nursing educational programs and faculty in Michigan.

The ONP has posted profiles of community health nurses on the ONP website.

ADDENDUM #4

2013-14 CURRENT LEGISLATION - NURSING

HB 4148: Community College BSN

This legislation would amend the Community College Act (P.A. 495 of 2012) to allow community colleges to grant a baccalaureate degree in nursing and other related fields such as allied health. The bill would prohibit granting the degree in nursing unless the program is approved by the MBON under Sec 17241 of MPHC. Amends secs. 105 and 121 of 1966 PA 331 (MCL 389.105 & 389.121). 8-27-14: Referred to Committee on Michigan Competitiveness. 10-1-14: Hearing with testimony provided only.

HB 5839: Define Permanent Revocation of Health Professional License/Registration

This legislation amends Section 16107 of the PHC (MCL 333.16107) to define permanent revocation of a health professional's license or registration. 10-22-14: Referred to Senate Committee on Health Policy.

HB 5840: Grounds for Disciplinary Subcommittee Action

This legislation amends Section 16221 of the PHC (MCL 333.16221) requiring DLARA to investigate an allegation that one or more grounds for disciplinary subcommittee action exists. 10-22-14: Referred to Senate Committee on Health Policy.

HB 5841: Impose Sanction of Permanent Revocation

This legislation amends Section 16226 of the PHC (MCL 333.16226) to restrict imposing sanction of permanent revocation unless found intentional acts of fraud resulting in harm to health of patients. The bill would increase the types of sanctions that could be imposed. 10-22-14: Referred to Senate Committee on Health Policy.

HB 5842: Prohibit Reinstatement or Limitation on Permanently Revoked License or Registration

This legislation amends Section 16245 of the PHC (MCL 333.16245) to broaden language to apply to all instances in which a license or registration is permanently revoked. Addition of a new section that a license, registration or authorization to engage in the practice of a health professional that has been permanently revoked is permanently ineligible for a license, registration or authorization by LARA, board, or task force. 10-22-14: Referred to Senate Committee on Health Policy

SB 2: Nursing Practice for APRNs

This re-introduced legislation would establish a license and define nursing practice for Advanced Practice Registered Nurses (Nurse Practitioners, Nurse Midwives and Clinical Nurse Specialists). Passed in Senate 11-13-13 with amendments adopted substitute S-1. Referred to House Committee on Health Policy 11-13-13. Hearing held 9-9-14, testimony only. Workgroup established to examine policy changes.

Amendments of SB 2:

1. Addition of two physicians to the APRN task force.
2. If an APRN practices without supervision of a physician, that nurse would be held to a higher standard of acceptable professional practice in the event of a malpractice suit.
3. APRN practices under a physician for four years or would have to serve under the guidance of an APRN that already did so.
4. Ensure an APRN does not organize, become a shareholder or member of a professional corporation or professional limited liability company after the bill becomes effective

SB 597 (H-1): Training Requirement of Medical Professionals Regarding Human Trafficking:

Bill would amend Article 15 (excluding Part 188-veterinary medicine) of the PHC Secs. 15148 and 17060, to require DLARA to establish training standards for identifying human trafficking victims. 10-15-14: Approved by Governor, IE.

INTRODUCTIONS

Meringa asked that new Board member Benjamin Bufford introduce himself to the Board. All members and staff introduced themselves and their role and experience with the Board.

Master Resolution

Lind noted that the last Master Resolution was approved by this Board in 2008 and has recently expired.

MOTION by Brown, seconded by Hopper, to approve the updated Board of Nursing Master Resolution.

MOTION PREVAILED

Department Update

Lind informed that new Board member orientation for Bufford will be held in the next conference room immediately after the full board meeting today.

PUBLIC COMMENT

None

ANNOUNCEMENTS

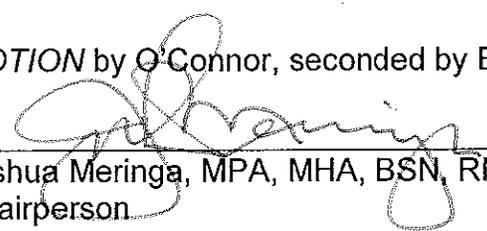
The next regularly scheduled meeting will be held January 8, 2015 at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

Meringa reminded all Board members to be sure to respond to the emails sent out requesting attendance for the upcoming board meetings.

Meringa wished everyone a Happy Holiday season.

ADJOURNMENT

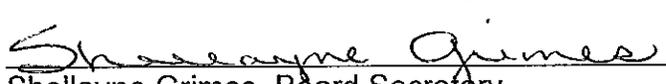
MOTION by O'Connor, seconded by Brown, to adjourn the meeting at 10:47 a.m.



Joshua Meringa, MPA, MHA, BSN, RN-BC, ONC,
Chairperson

11/8/2015

Date Minutes Approved



Shellayne Grimes, Board Secretary

11/6/2014

Date Minutes Prepared