



STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF NURSING MEETING OF NOVEMBER 4, 2010

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 4, 2010, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing Michigan.

CALL TO ORDER

Linda Taft, RN, Chairperson, called the meeting to order at 9:10 a.m.

ROLL CALL

Members Present: Linda S. Taft, RN, Chairperson
Teresa Thompson, PhD, RN, Vice-Chairperson
Regina Allen, Public Member
Reginald Armstrong, Public Member
Earl Auty, RN, CRNA, MS
Karen Bowman, RN
Mary Brown, RN
Nina A. Bugbee, RN
James Childress, Public Member
Melynda Daley, LPN
Jody DeFoe, Public Member
Lars Egede-Nissen, Public Member
Michelle Johnson, RN, MSN
Kathleen Lavery, RN, MS, CNM
Brenda Lewis, LPN
Brigid McMillan, LPN
Amy Perry, RN, MSN
LaDonna Schultz, Public Member (arrived at 9:17 a.m.)
Donica Stubbs, RN, BSN

Members Absent: Jeffrey Breslin, RN
Margherita Clark, RN, MSN
Michael Ferency, Public Member
Kathleen Johnston-Calati, Public Member

Staff Present: Laurie VanBeelen, Secretary, Health Regulatory Division
Rae Ramsdell, Director, Health Regulatory Division
Amy Allen, Policy Administration Manager, Health Regulatory Division
Stephanie Rosenthal, Analyst, Health Regulatory Division
Kelly Elizondo, Assistant Attorney General
Jeanette Klemczak, Chief Nurse Executive

Others Present: Tom Bissonette - Michigan Nurses Association
Melissa Dallas
Jeanne Hately

APPROVAL OF MINUTES

MOTION by Allen, seconded by Johnson, to approve the minutes of the September 2, 2010 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

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

MOTION PREVAILED

INTRODUCTIONS

Taft welcomed everyone in attendance.

REGULATORY CONSIDERATIONS

Gregory E. Denny, RN – Petition for Reinstatement

MOTION by Allen, seconded by Stubbs, to grant the Petition for Reinstatement and place respondent on probation for two (2) years in the matter of Gregory E. Denny, RN. Petitioner shall submit quarterly employer reports and shall comply with his current HPRP monitoring agreement.

Discussion was held.

A roll call vote followed: Yeas: Lewis, Egede-Nissen, Bowman, Perry, Stubbs, Brown, Auty, Childress, McMillan, Thompson, DeFoe, Bugbee, Armstrong, Johnson, Lavery, Daley, Allen, Taft

MOTION PREVAILED

Susan M. Dohrman, RN – Petition for Reinstatement

MOTION by Perry, seconded by Allen, to grant the Petition for Reinstatement in the matter of Susan M. Dohrman, RN.

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

- 1) Petitioner shall undergo a Health Professional Recovery Program (HPRP) evaluation within sixty (60) days of the effective date of the Order and enter into a monitoring agreement, if recommended.
- 2) Petitioner shall comply with her HPRP monitoring agreement, if a monitoring agreement is recommended.
- 3) Petitioner shall submit quarterly employer reports.

Discussion was held.

A roll call vote followed: Yeas: Egede-Nissen, Allen, Brown, Childress, Schultz, Auty, Daley, DeFoe, Bugbee, Armstrong, Lewis, Stubbs, Perry, McMillan, Thompson, Lavery, Bowman, Taft

Abstain: Johnson

MOTION PREVAILED

Gerald John Rubley, RN, CNP, RPh – Request for Reconsideration

MOTION by Stubbs, seconded by Johnson, to deny the Request for Reconsideration in the matter of Gerald John Rubley, RN, CNP, RPh.

Discussion was held.

A roll call vote followed: Nays: Johnson, Lewis, Bugbee, Auty, Armstrong, Lavery, Allen, Brown, McMillan, Taft

Yeas: Schultz, Childress, DeFoe, Perry, Stubbs, Thompson, Egede-Nissen, Daley, Bowman

MOTION FAILED

MOTION by Lavery, seconded by Auty, to grant Petitioner a full and unlimited license under the following circumstances in the matter of Gerald John Rubley, RN, CNP, RPh:

Upon the Department's receipt of information from the HPRP that Petitioner has been compliant for six (6) consecutive months with a HPRP monitoring agreement (in accordance with the terms recommended by Ms. Sims' assessment letter dated October 8, 2010), Petitioner shall be granted a full

and unlimited license to practice as a registered nurse only. Petitioner's specialty certification will remain suspended and he must petition for reinstatement of the specialty certification. Petitioner shall then be placed on probation for a period of two (2) years. He must continue to comply with his HPRP monitoring agreement and submit monthly supervisor reports.

Discussion was held.

A roll call vote followed: Yeas: Childress, McMillan, Thompson, Johnson, Allen, Lewis, Armstrong, Auty, Bowman, Brown, Bugbee, Lavery, Taft

Nays: DeFoe, Stubbs, Daley, Egede-Nissen, Perry, Schultz

MOTION PREVAILED

Lori Ann Beach, RN – Proposal for Decision
(a/k/a Lori Ann Berry-Beach)

MOTION by Allen, seconded by DeFoe, to accept the Proposal for Decision and deny reinstatement in the matter of Lori Ann Beach (a/k/a Lori Ann Berry-Beach), RN.

A roll call vote followed: Yeas: Childress, McMillan, Thompson, DeFoe, Johnson, Allen, Lewis, Armstrong, Stubbs, Auty, Daley, Bowman, Egede-Nissen, Brown, Bugbee, Lavery, Perry, Schultz, Taft

MOTION PREVAILED

Judy Genece Payne, LPN – Proposal for Decision/Reinstatement

MOTION by Johnson, seconded by Armstrong, to accept the Proposal for Decision in the matter of Judy Genece Payne, LPN. After confirmation by the Department that the July 6, 2006 Order has been complied with, Petitioner shall be granted a limited license for the sole purpose of completing a nursing refresher course within one (1) year of the effective date of the Order. Upon successful completion of the refresher course, Petitioner's license shall be automatically reclassified to a full and unlimited license.

Petitioner shall then be placed on probation for a period of one (1) year and shall submit quarterly employer reports.

Discussion was held.

A roll call vote followed: Yeas: Bugbee, Armstrong, Daley, Bowman, Johnson, Stubbs, Childress, Egede-Nissen, McMillan, Brown, Allen, Lewis, Schultz, Perry, Lavery, DeFoe, Auty, Thompson, Taft

MOTION PREVAILED

Sarah Elizabeth Shavers, RN – Proposal for Decision

This matter was incorrectly placed on the full board agenda and will be placed on the December disciplinary subcommittee meeting agenda.

Stephen Paul Sucaet, RN – Proposal for Decision

MOTION by Johnson, seconded by Stubbs, to accept in part and reject in part the Proposal for Decision in the matter of Stephen Paul Sucaet, RN.

The Board specifically rejects the statement in the Proposal for Decision at page 9 that states, “. . . the Petitioner’s competent work as a medical assistant since 2001 provides a strong indicator of his skill and safe practices.”

Petitioner shall be granted a limited license for the sole purpose of completing the clinical portion of a nursing refresher course within six (6) months of the effective date of the Order. Upon successful completion of the refresher course, Petitioner’s license shall be automatically reclassified to a full and unlimited license.

Petitioner shall then be placed on probation for a period of one (1) year and shall submit quarterly employer reports.

Discussion was held.

A roll call vote followed: Yeas: Lewis, Egede-Nissen, Bowman, Perry, Stubbs, Brown, Auty, Childress, Schultz, McMillan, Thompson, DeFoe, Bugbee, Armstrong, Johnson, Lavery, Daley, Allen, Taft

MOTION PREVAILED

COMMITTEE REPORTS

EDUCATION COMMITTEE

See Addendum #1

MOTION by Thompson, seconded by Johnson, to accept the PN program decisions related to Alpena Community College, Detroit Business Institute, Dorsey, Gogebic Community College, Kalamazoo Valley Community College, Mott Community College, Muskegon Community College, Oakland University, Southwestern Michigan College, and faculty exceptions.

MOTION PREVAILED

MOTION by Thompson, seconded by Johnson, to accept the ADN and BSN program decisions related to Alpena Community College, Calvin College, Gogebic Community College, Kalamazoo Valley Community College, Mott Community College, Muskegon Community College, North Central Michigan College, Saginaw Valley State University, Southwestern Michigan College, University of Detroit Mercy, University of Michigan – Flint, and Washtenaw Community College.

MOTION PREVAILED

DISCIPLINARY SUBCOMMITTEE

No report.

LICENSURE COMMITTEE

No report.

RULES COMMITTEE

Ramsdell advised that a conference call was recently held. She advised there are additional revisions which need to be made to the preliminary draft. The Committee will be meeting on December 1.

Ramsdell advised that the legislature is currently in "lame duck" session. She stated that any bills not passed in this legislative session will need to be introduced in the next session.

NCSBN/OTHER COMMITTEES

Taft reported that she attended the Disciplinary Resources Committee meeting in September and will be attending another meeting in December.

Lavery reported that the APN Committee met recently and an APRN summit will be held January 12 and 13 in San Diego, CA. She stated that board chairpersons, executive officers and board attorneys are being invited with the intent to explore the Advanced Practice Act. Lavery indicated that the NCSBN is seeking implementation of the criteria in the Model Practice Act by the year 2015. She reported that the NCSBN will offer travel funding for three attendees from the Board. Taft referred the Board to the NCSBN web site for a link to the Model Practice Act.

Allen advised that she is currently serving on the newly-created Nurse Licensure Models Committee. She stated that this Committee will address issues affecting nursing practice.

CHAIRPERSON'S REPORT

Taft referred the Board to the written Chairperson's report, attached hereto as Addendum #2, and provided a verbal overview.

Taft directed the Board to the 2011 Board meeting dates and information relating to reimbursable expenses for Board members.

Ramsdell discussed the change in leadership with the new Governor and explained that it is not yet known if the appointments process will change.

Taft indicated that with regard to the disciplinary subcommittee, a number of cases surround licensees continually being non-compliant with their Health Professional Recovery Program (HPRP) monitoring agreement. She stated that the goal is to have the licensee complete the contract, not just suspend the individual's license when they are non-compliant. Taft asked the Board for direction which the DSC should take to attempt to change this pattern of non-compliance. Discussion among the Board and Department staff was held. Taft and DeFoe will create a draft document addressing this situation for the full Board's review.

VICE-CHAIRPERSON'S REPORT

No report.

DEPARTMENT UPDATE

Jeanette Klemczak provided the Board with a draft regarding the Task Force on Nursing Practice and provided a verbal overview. Taft referenced the publication "Nursing: Scope & Standards of Practice" and requested that the Department provide a copy to each Board member. Klemczak indicated that a design committee has been created to provide recommendations to the Department regarding advanced practice and nursing practice, specific to scope of practice. She advised that the Task Force will be meeting monthly.

Ramsdell indicated that the NCSBN has issued to all states a request for participation in its "Transition to Practice" program. She indicated that the NCSBN has expressed a desire that Michigan participate. Ramsdell stated that the NCSBN has received confirmation from 25 hospitals in Michigan that are willing to participate in the program and that each hospital will hire 10 interns. She reported that the NCSBN will be responsible for the oversight, funding, and the compilation of the results from the program. Discussion amongst the Board and Department staff was held. Thompson advised that the MNOE will be meeting next week and recommended that this information be shared at that meeting.

MOTION by Johnson, seconded by Lavery, to request the Department complete and submit the Transition to Practice application to the NCSBN.

MOTION PREVAILED

Ramsdell advised the Board that the Michigan Nurses Association has filed suit against the Department and Board regarding the Board's recent denial of the Association's request to be an independent approver of continuing education programs. She indicated that more information would be provided to the Board as it is received.

OLD BUSINESS

None

NEW BUSINESS

Appointment of Health Professional Recovery Committee Representative

Taft referred the Board to the letters of interest and resumes from the individuals who wish to serve as the Board's representative on the Health Professional Recovery Committee. Ramsdell explained the process by which individuals come to the Board for consideration. After discussion of the Board, it was decided that a request would be submitted to additional groups so that a larger candidate pool could be available for the Board's consideration. Taft commented that she will present this information at the COMON meeting in December.

PUBLIC COMMENT

None

ANNOUNCEMENTS

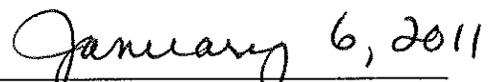
The next regularly scheduled meeting will be held January 6, 2011 at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

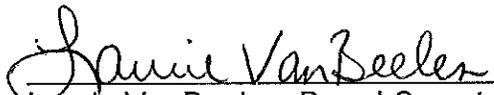
MOTION by Allen, seconded by Perry, to adjourn the meeting at 11:57 a.m.



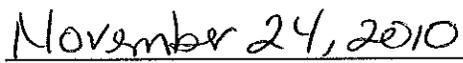
Linda S. Taft, RN, Chairperson



Date Minutes Approved



Laurie VanBeelen, Board Secretary



Date Minutes Prepared

PROGRAM REVIEW COMMITTEE REPORT
November 3, 2010

Annual Report

Calvin College (BSN)

The annual report was received and approved. Please update the faculty worksheet for next year showing the current license expiration date. Several of the faculty listed showed licenses expiring in 2009.

Gogebic Community College (PN/ADN)

The annual report was received and approved.

Kalamazoo Valley Community College (PN/ADN)

The annual report was received and tabled. The committee request the program review the high failure rate as indicated on page 2 in semesters 1, 2, and 3, and submit a report of findings. Also, Addya Aguilar does not have an exception. She does not have a BSN. Please submit the faculty exception with evidence that she is in a MSN program.

Mott Community College (PN/ADN)

The annual report was received and approved pending the response on attrition. The committee request the program review the high failure rate as indicated on page 2 in semesters 1 and 2.

Muskegon Community College (PN/ADN)

The annual report was received and approved.

North Central Michigan College (ADN)

The annual report was received and approved. The committee acknowledges the credits are high and will look forward to the major program change to align credits with NLNAC early in 2011.

Saginaw Valley State University (BSN)

The annual report was received and approved.

Southwestern Michigan College (PN/ADN)

The annual report was received and tabled until January for the submission of the plan for credit reduction and the credit hours. The two faculty members (Deshonique Miller and Marissa Ryder) that do not meet the requirements per the board rules need exceptions. The committee requires a major program change for the reduction in credits to align with an ADN degree within a year. Please resubmit the curriculum pages showing the theory, lab, clinical, and simulation broken down by hours along with the credits.

University of Detroit Mercy (BSN)

The annual report was received and approved.

University of Michigan – Flint (BSN)

The annual report was received and approved. The committee commends the summer programs done for middle and high school students.

Washtenaw Community College (ADN)

The annual report was received and approved.

Self Study

Alpena Community College (PN/ADN)

The self study was received and approved. The committee recommends the use of pediatric case studies to supplement the LPN and ADN curriculum. The committee recommends working with the general education division to offer courses that work within the nursing curriculum. The program needs to address the curriculum to see if it is falling within the accepted ratios. The course ratio generally is 40 percent general education and 60 percent nursing. The committee recommends the language referencing 3.0 needs to be better explained in the nursing handbook. The committee is pleased with the program credit numbers, when a major program change is submitted please remain within the current numbers.

Dorsey Schools (PN)

The self study additional material was received and approval. A site visit will be ordered.

Major Program Change

Gogebic Community College (PN/ADN)

The major program change request was received and approved.

Oakland University (PN)

The major program change request was received and approved, excluding the third cohort for next year. Any further enrollment increase would be considered after the program demonstrates two years of student success on the NCLEX by 2013.

Site Visit

Detroit Business Institute (PN)

The site visit report was received and approved. The LPN education program may begin. The committee recommends adopting the suggestions made in the site visit.

Issue

Everest Institute – Southfield (PN)

The committee requests a response to the complaint letter.

Faculty Exception

Courtney Witulski 1st exception expires 9/2011
Alpena Community College (retroactive September 2010)

Kathleen Mayo 1st exception expires 9/2011
Alpena Community College (retroactive September 2010)

Catherine Fournier 3rd exception Clinical expires 9/2011
St. Clair County Community College (retroactive September 2010)

Dawn Mansfield 1st exception Clinical expires 9/2011
St. Clair County Community College (retroactive September 2010)

Sherry Blais 1st exception Clinical expires 9/2011
St. Clair County Community College (retroactive September 2010)

Julie Jeremiah 1st exception expires 9/2011
Kalamazoo Valley Community College (retroactive September 2010)

Lyndsey Clark 1st exception expires 9/2011
University of Michigan – Flint (retroactive September 2010)

Jaimee Gerrie 1st exception expires 11/2011
Lake Superior State University

MOTION by the committee is to accept the PN program decisions related to Alpena Community College, Detroit Business Institute, Dorsey, Gogebic Community College, Kalamazoo Valley Community College, Mott Community College, Muskegon Community College, Oakland University, Southwestern Michigan College, and faculty exceptions.

MOTION by the committee is to accept the ADN and BSN program decisions related to Alpena Community College, Calvin College, Gogebic Community College, Kalamazoo Valley Community College, Mott Community College, Muskegon Community College, North Central Michigan College, Saginaw Valley State University, Southwestern Michigan College, University of Detroit Mercy, University of Michigan – Flint, and Washtenaw Community College.

Nursing Director Change

Dr. Cheryl Feenstra is the new chairperson at Calvin College School of Nursing effective September 9, 2010.

Sandra Welling, RN, MSN is the interim director of nursing at Davenport University effective September 7, 2010.

Minor Program Change

ITT-Canton has been granted a minor program change for the moving of NU 250 from 7th quarter to 9th quarter and moving NU 260, 270 from 8th and 9th quarter to 7th and 8th quarter respectively effective December 2010 quarter.

Delta College has been granted a minor program change for the combining of two theory and lab courses (PNE 124A Pediatrics and Lab and PNE 124B Maternity and Lab) into one theory and lab course (PNE 125 Maternal-Child and Lab) resulting in one credit reduction for the Practical Nurse program (27 credits to 26 credits).

Nexcare Health Systems has been granted a minor program change for the 11Compass Test scores for the pre-requisite course of Anatomy and Physiology.

To: Michigan Board of Nursing
From: Linda Taft, RN
Subject: Chairperson's Report for September 2-November 3, 2010
Date: November 4, 2010

Regulatory Concerns:

- Continuing Education: Approved 18 courses, 1 time extensions (ce), 1 nursing refresher course and denied 11 courses.
- Summary Suspensions: Approved 6 non-mandatory suspensions and reviewed 4 mandatory suspensions served by department.
- Allegation Files: Authorized 47 cases for further information, dismissed 37 cases showing no violation of the Public Health Code, and referred 18 files for additional information.
- Conferee Actions: Served as conferee for 8 cases and attended 1 settlement conferences.

Other Activities:

- Attended COMON Meeting, Okemos, September 23, 2010. Report submitted and attached.
 - COMON Annual Meeting to be held December 16, 2010, Okemos.
 - Serving as Chair-Elect for COMON, assuming Chair role January 2011.
 - As Chair, will represent COMON at MHIAC meetings. Attended October 28th MHIAC meeting; next meeting scheduled for December 14, 2010, Lansing.
 - MMTAC meetings/pilot continues on hold as department (MDCH) concerns addressed.
 - New charges assigned for 2010-11 Disciplinary Resources Committee (NCSBN) and meeting dates set per conference call August 17, 2010.
 - DRC Meetings to be held at NCSBN, Chicago, September 21-22, December 6-7 and February 28-March 1, 2011.
 - Reviewed NCSBN Council Connector, Policy Call/Perspectives and Journal of Nursing Regulation, AORN Newsletters, ANA Smartbriefs and RN-AIM News & Musings.
 - Latest edition of NCSBN Policy Perspectives is available online at: <https://www.ncsbn.org/575.htm>.
 - Attended RN-AIM Annual Meeting and Conference September 24, 2010.
- The Committee on the Robert Wood Johnson Foundation Initiative on the Future of Nursing, at the Institute of Medicine, has published The Future of Nursing: Leading Change, Advancing Health Report (2010). The report is available for download (or to read online) at http://books.nap.edu/openbook.php?record_id=12956&page=R1. The session book for the 2010 NCSBN Scientific Symposium can be found at <https://www.ncsbn.org/389.htm>.