



RICK SNYDER
GOVERNOR

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

STEVE ARWOOD
DIRECTOR

MICHIGAN BOARD OF NURSING MEETING OF JUNE 4, 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 June 4, 2014, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Josh Meringa, Chairperson, called the meeting to order at 9:08 a.m.

ROLL CALL

Members Present: Joshua Meringa, MPA, MHA, BSN, RN-BC, ONC, Chairperson
Roselyn Argyle, RN
Kathy Bouchard-Wyant, RN, BA
Michael Ferency, Public Member (arrived at 9:09 a.m.)
James Childress, Public Member
Jill DeVries, L.P.N.
Lars Egede-Nissen, Public Member
Cynthia Fenske, RN, DNP, CNE
Paula Hopper, RN, MSN
Denise Howard, LPN
Elaine Leigh, DNP, RN, FNP-BC
Tiffany McDonald, RN
Glenn O'Connor, CRNA, MS
Mary Brown, RN (arrived at 9:10 a.m.)
Elaine Stefanski, LPN
Mary VanderKolk, RN, MSN

Members Absent: Ronald Basso, Public Member, Vice Chairperson
Mary Corrado, Public Member
Reginald T. Armstrong, Public Member
LaDonna Schultz, Public Member
Kristoffer Tobbe, Public Member

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
Susan Bushong, HPRP Contract Administrator/Outreach Coordinator
Bridget Smith, Assistant Attorney General

Others Present: Deborah Bach-Stante, DCH, Office of Nursing Policy
Ruth Waibel, Chamberlain College of Nursing
Jaime Sinutko, Chamberlain College of Nursing
Linda Taft, HPRC
Katie Lavery
Nancy Short, Governor Snyder's Office
Tom Sparks, Attorney

APPROVAL OF MINUTES

MOTION by DeVries, seconded by Egede-Nissen, to approve the minutes of the May 1, 2014 meeting, as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by VanderKolk, seconded by Bouchard-Wyant, to approve the agenda, as presented.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

None

COMMITTEE REPORTS

Disciplinary Subcommittee (DSC)

Egede-Nissen reported that the Disciplinary Subcommittee met once since the last meeting and will meet again after today's meeting. He reported that the DSC reviewed approximately 37 regulatory cases with five (5) re-writes, which added probation to the sanction.

Rules Committee

Barr informed that the Administrative Rules are currently at the Office Policy and Legislative Affairs. She also shared information about SB 597, a bill that would require training for all licensees in identifying the signs of human trafficking.

Education Committee

Hopper expressed her appreciation to Barr for her attendance and assistance on the Education Committee.

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

Motion #1 by the committee to approve the LPN program decision for Baker College of Auburn Hills, Baker College of Jackson, Kalamazoo Valley Community College, Lake Superior State University, MidMichigan Community College, Northwestern Michigan College, and Southwestern Michigan 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 Hopper, seconded by DeVries, to accept the following motion presented by the Education Committee:

Motion #1 by the committee to accept the Annual Reports, major program changes, self studies, site visit, and faculty exceptions submitted by Baker College of Allen Park, Baker College of Auburn Hills, Baker College of Cadillac, Baker College of Clinton Township, Baker College of Flint, Baker College of Muskegon, Baker College of Owosso, Chamberlain College of Nursing, Eastern Michigan University, ITT – Canton, Kalamazoo Valley Community College, MidMichigan Community College, Montcalm Community College, Northwestern Michigan College, Rochester College, and Southwestern Michigan College.

A voice vote followed.

MOTION PREVAILED

DCH – Office of Nursing Policy Report

Bach-Stante prepared and distributed the "DCH – Office of Nursing Policy (ONP) Report," dated June 4, 2014, and she provided an overview of the same. See Addendum #3, attached hereto.

Bach-Stante also provided a summary of various bills that impact the nursing profession.

Vice Chairperson's Report

None

Chairperson's Report

Meringa provided information regarding his activities during the month of May, 2014, as follows:

May:

Allegation review (with Stefanski):	36 cases (24 authorized for investigation)
Summary Suspensions:	17
CE review/approvals:	4
Case reviews/Conferee:	0
Compliance conferences:	0
NCSBN:	No meetings

Other notable activities:

- Allegation Review Committee is needed: dates to review cases in July & August.
- Joe Campbell, BHCS Enforcement Director, will attend the NCSBN Disciplinary Case Conference in June, 2014.
- Meringa and 1-2 Nursing Board representatives will attend the NCSBN Annual Meeting in Chicago, Illinois August 13-15, 2014.
- Cynthia Fenske will attend the NCSBN NCLEX Conference in September, 2014.

DeVries, Hopper and O'Connor indicated an interest in attending the NCSBN Annual Meeting in Chicago. Lind informed that in addition to Meringa attending, there is still funding for one (1) to two (2) additional Board members to attend. Any other Board member interested in attending should notify Meringa as soon as possible, as the registration deadline is June 30, 2014.

Meringa recognized Public Board members, Tobbe, Childress, Armstrong, Egede-Nissen, Ferency and Schultz for their years of service and contributions to the Board. Terms will expire for these members on June 30, 2014, and two (2) members qualify for reappointment.

OLD BUSINESS

None

NEW BUSINESS

Health Professional Recovery Committee (HPRC) Report

Taft and Bushong distributed five (5) handouts relating to the Health Professional Recovery Program (HPRP.) They provided a presentation regarding Program Statistics and Compliance Information. See Addendum #4, attached hereto.

A question and answer session followed.

The Board discussed the program costs, noting the costs associated with the HPRP are a financial burden for many health professionals, especially those working at lower wages. Lind distributed Labor Market Information referencing the Michigan and U.S. average wages for healthcare practitioners/technical occupations from 2012.

Board members discussed whether or not to impose a fine for regulatory cases involving a Respondent who is a participant in the HPRP. Assistant Attorney General Smith reminded Board members that each case should be considered separately, noting that fines would be appropriate in certain cases.

Bushong received recognition from the Board for providing at least 800 HPRP presentations to Michigan schools over the past eight (8) years.

Bushong informed that Steve and Carolyn Batchelor, the Contract Administrators for the HPRP, would be willing to attend a future Board of Nursing meeting to provide additional information.

Department Update

Lind noted that the annual Nurse Scholarship report by the Department will be presented at the November 6, 2014 Board meeting. Future HPRC presentations can be placed on the agendas for January, 2015 and 2016.

Lind informed that Bianka Daly from the Allegation Unit will be contacting Meringa regarding the new allegation review procedures that will go into effect on July 1, 2014, requiring two Board members to review all allegations in addition to the Chairperson. Meringa asked for volunteers to assist in reviewing allegations, and he estimated the time commitment to be approximately a half day per month. Volunteers include O'Connor, DeVries, Hopper and Leigh. An email will be sent by Meringa to the Board when additional information is known.

ADDENDUM #1

EDUCATION COMMITTEE LPN REPORT

April 30, 2014

Conference Room C, 1:30-3:30

Chairperson: P. Hopper

Members: R. Argyle, 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.*

Nursing Director Change

Joyce Russell, RN, MSN is the new director of nursing at Everest Institute Southfield effective March 13, 2014.

No motion is required.

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

Annual Reports

Bay de Noc Community College

The additional information was received, and the annual report was approved.

Davenport University – Midland and Warren

The reports were received and approved.

Jackson College

The report was received and approved.

Kirtland Community College

The additional information was received, and the annual report was approved.

MidMichigan Community College

The report was received and tabled pending the submission the level outcomes per R338.10306.

Oakland University

The additional information was received, and the annual report was approved.

St. Clair County Community College

The additional information was received, and the annual report was approved.

Southwestern Michigan College

The report was received and tabled. The PN program must have OB/Peds per R338.10309. Please explain the attrition numbers and submit an attrition plan if the numbers of not eligible to return exceed 25%.

Major Program Change

Alpena Community College

The major program change was received and approved for the increase in enrollment.

Southwestern Michigan College

The major program change was received and tabled. The PN program must have OB/Peds per R338.10309. Please submit and include the names of the courses with the course numbers.

Self Study

Dorsey Schools

The self study was received and tabled. This is not a comprehensive self-study. It does not have evaluation of the data submitted, no table of content, no headings for each area, and the list of clinical agencies are not detailed or connected to the courses. The faculty information is not specific to credentials and courses taught. Please review and clarify terminology used to describe the goals related to the NCLEX exam. The committee recommends the school hire a consultant to help develop the self-study.

Motion #1 by the committee to approve the LPN program decision for Alpena Community College, Bay de Noc Community College, Davenport University, Dorsey Schools, Jackson College, Kirtland Community College, MidMichigan Community College, Oakland Community College, St. Clair County Community College, and Southwestern Michigan College.

ADDENDUM #2

EDUCATION COMMITTEE RN REPORT

April 30, 2014

Conference Room C, 1:30-3:30

Chairperson: P. Hopper

Members: R. Argyle, 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

Minor Program Change

West Shore Community College was granted a minor program change for the reduction of contact hours for Maternal/Child Health course from 150 to 97 for accreditation standards.

No motion is required.

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

Annual Report

Bay de Noc Community College

The additional information was received, and the annual report was approved.

Davenport University – Grand Rapids, Midland, Warren

The reports were received and approved. The committee commends the NCLEX Improvement Plan for the BSN program in Midland.

Eastern Michigan University

The additional information was received, and the annual report was tabled. Per the Administrative Rules R338.10306 there should be leveled outcomes. Please submit for the committee to review by the June meeting.

Ferris State University

The report was received and approved. Please submit the NCLEX results for 2012 and 2013 (last two years).

Jackson College

The report was received and approved.

Kirtland Community College

The additional information was received, and the annual report was approved.

Macomb County Community College

The report was received and approved. Please submit contact hours per course and current NCLEX results 2013.

Madonna University

The report was received and approved pending submission of Part II of the annual report.

MidMichigan Community College

The report was received and tabled until the June meeting. Please submit leveled outcomes. The committee commends the program for the reduction of credits.

Siena Heights University

The report was received and approved. Please submit the instructors who teach the clinical courses. The committee commends the program for the NCLEX Improvement plan.

Southwestern Michigan College

The annual report was received and approved.

St. Clair County Community College

The additional information was received, and the annual report was approved.

University of Michigan

The report was received and approved. The committee commends the program for a well-done report.

Western Michigan University

The report was received and tabled until the June meeting. The committee requires leveled outcomes per R338.10306. Clarify clinical sites (hospitals).

Major Program Change

Alpena Community College

The major program change was received and approved for the increase in enrollment.

Southwestern Michigan College

The major program change was received and tabled until the June meeting. Please submit course names and numbers.

Initial Application

Davenport University (BSN) Kalamazoo Campus

The initial application was received and approved for the next step – self-study.

Faculty Exception

Jamie McCarthy 2nd exception Clinical 3/2015
Kellogg Community College (retroactive March 2014)

Melissa Kennedy 2nd exception 5/2015
Southwestern Michigan College

Michelle Romeo 2nd exception 1/2015
Glen Oaks Community College (retroactive January 2014)

Lori Van Zoeren 3rd exception Clinical 5/2015
Western Michigan University (retroactive 2012)

Motion #1 by the committee to accept the Annual Reports, major program changes, initial application, and faculty exceptions submitted by Alpena Community College, Bay de Noc Community College, Davenport University, Eastern Michigan University, Ferris State University, Jackson College, Kellogg Community College, Kirtland Community College, Macomb County Community College, Madonna University, MidMichigan Community College, Siena Heights University, St. Clair County Community College, Southwestern Michigan College, University of Michigan, and Western Michigan University.

ADDENDUM #3



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JAMES K. HAVEMAN
DIRECTOR

DATE: April 22, 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) is expecting to receive from MPHI in the month of May, the final analysis of the Transition to Practice Simulation survey to identify existing 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). The survey identified the utilization of simulation resources in both nursing education programs and hospital systems as a means for offering transition-to-practice for newly licensed nurses, which also may be useful for experienced licensed nurses entering a new care setting. The survey also assessed the willingness to collaborate with education/clinical partners in future efforts. The results of the survey, in combination with the results of national efforts piloting various transition to practice model programs will be utilized to assist in identifying best practices, opportunities for further development of collaborative efforts and next steps.

(b) *To advance the safe practice of the nursing profession*, The Nursing Summit planning committee continues to meet and finalize the details for the 2014 Nursing Summit. The Nursing Summit will be held on September 12, 2014 at the Lansing Crowne Plaza Hotel. The conference will highlight how interprofessional education and practice can improve quality and safety as well as the role of the doctorate of nursing practice in achieving improved safety and quality in healthcare settings. More information can be found on the Michigan Health Council, Michigan Center for Nursing website at www.michigancenterfornursing.org/Summit-2014/about.

(c) *To assure a continuous supply of high-quality direct care nurses, nursing faculty, and nursing education programs*, the Director of the ONP continues meeting with the deans and directors of BSN, ADN LPN programs throughout the state to discuss best practices as well as challenges and issues they are currently facing in educating nurses. The Director of the ONP has also met with nursing administrators at health systems, local public health departments and regional nursing quality groups to discuss best practices and issues they have identified for nursing in their regions. These meetings have highlighted the statewide nature of the shortage of

nursing clinical placements at all levels of nursing programs and the need to further study and quantify this issue. Information from national educational surveys will be reviewed to determine whether the information contained in it is adequate to quantify this issue. If necessary, a statewide supplemental survey will be sent to nursing educational programs.

Finally, in celebration of Nurses Week, and to highlight and broaden understanding of the many roles of nurses, the Office of Nursing Policy is creating a nursing leadership display to appear in room 53 of the State Capitol May 6-12, 2014.

CURRENT LEGISLATION - NURSING

P.A. 41, HB 4941: Nurse Temporary License

Removed expiration date for issuance of temporary license to nurses licensed in another state or licensed in Canada. Immediate Effect. Signed by Governor 3-20-14.

SB 648 (S-1): Amend PHC Regarding Michigan Essential Health Provider Program

Amend the PHC with regard to the Michigan Essential Health Provider Program to include dentists, remove the 4-year limit on loan repayments, increase maximum annual loan repayment amount, establish a lifetime loan repayment maximum. Passed in Senate. Referred to House Committee on Appropriations 3-11-14. Awaiting action.

SB 649 (S-1): Amend PHC Regarding Michigan Essential Health Provider Program

Amend the PHC with regard to the Michigan Essential Health Provider Program to include dental students in the low-income minority student grant program and require an assessment of the lifetime cap on loan repayments. (Grant program has not been funded – therefore it has not been implemented). Passed in Senate. Referred to House Committee on Appropriations 3-11-14. Awaiting action.

SB 713 (S-1): Community Mental Health Services Program Agreements

Amend Mental Health Code allowing community mental health services program (CMHSP) to enter into agreements with other providers or managers of health care or rehabilitative services in fostering interagency communication, cooperation, coordination, and consultation. Passed in Senate. Referred to Committee on Health Policy 3/19/14. Awaiting action.

SB 763 (S-1): MDCH Appropriations FY 2014-2015

Referred to Committee of the Whole 4-29-14. Some of the revisions include: Senate modification of language to require MDCH to work with Michigan based med schools to create GME consortium known as MiDocs; provision calling for Medicaid Ob/Gyn physician services to be paid at Medicare rates; and provide funding to make up 50% of difference between physician primary care Medicaid rates and primary care Medicare rates.

SB 772 (S-1): DLARA Appropriations FY 2014-2015

Referred to Committee of the Whole 4-29-14.

SB 805 – 811: Modify Reference to Mentally Retarded and Mental Retardation

All bills would amend multiple statutes to refer to “intellectual disability” and “developmentally disabled” rather than “mental retardation” and “mentally retarded” respectively. Signed by Governor 4-22-14 with immediate effect.

SB 805 – P.A. 72
SB 809 – P.A. 76

SB 806 – P.A. 73
SB 810 – P.A. 77

SB 807 – P.A. 74
SB 811 – P.A. 78

SB 808 – P.A. 75

ADDENDUM #4

HPRC Report to the Michigan Board of Nursing Linda Taft, RN, Nursing Appointee to the HPRC and Susan Bushong, Contract Administrator & Outreach Coordinator, LARA

Program Statistics and Compliance Information:

There are 86 RN's and 14 LPN's in regulatory monitoring agreements (MA) with HPRP/oversight with LARA Sanction Monitoring, with 26 admitted since January 1, 2014. Of those 26:

- 8 are now in MA's,
- 10 were closed "non-compliant",
- 2 were completed and closed (negative UDS, met other evaluation criteria for decision)
- 1 was closed as "not meeting criteria" for program participation.

5 other nurses are in the intake process currently; none are outside the 45-day completion window.

Overall, there are approximately 380-400 nurses in HPRP, of which 15-20 are APRN's. Nurses in HPRP are approaching one-third of total participants (also the largest group of licensee's in Michigan). **HPRP statistics are not currently broken down by profession for non-regulatory participants, including the specialty certified RN's, but this is in discussion with the contractor for future reporting.

The length of time to determine eligibility for participation is 32 days, with a 45-calendar day time frame for referral to execution of the monitoring agreement.

Return to work numbers for nurses, even when deemed safe to practice, remain low in comparison to other healthcare professions due to the inability to secure employment in many cases, especially for those in regulatory MA's.

The success rates for program completion in Michigan is historically about 60% overall. Physicians are about 90% and nurses are around 45% nationally according to recent statistics, so our rates are average overall. The national relapse rate is less than 1% if the program is successfully completed, as most relapses occur, and are addressed, within the program. Participants must have 2 years documented as "clean" or face extension to their MA's. **Relapse rates and number of relapses are not currently in report, but are requested to be added, along with recidivism rates, to statistical data reported by the contractor.

The length of time it takes to remove a nurse with a substance use disorder from practice depends on the situation. If directly reported to the department, it is handled through those channels. If in an HPRP monitoring agreement, the case

managers check the First Labs reports for any +UDS each morning. Licensees are notified they are off work until they are cleared by their treating addictionist or therapist for reevaluation, safety to practice and -UDS before being allowed to return to work. This process is usually completed within 3 to 5 days.

Carolyn Batchelor (HPRP) audits a random sampling of the case managers progress notes on a monthly basis, monitoring internal quality assurance. Additionally, every file is reviewed by the case manager on a quarterly basis to identify potential issues with compliance. Caseloads for the case managers average 65, with a maximum of 70 cases. Potential relapse and compliance issues are addressed by monitoring the daily First Lab reports and receipt of reports as required by MA's. Progress Notes provide documentation.

Externally auditing is done by the Auditor General and currently in process. Sue Bushong monitors the financial and participation rates of the program currently and will be doing a random (10%) audit of regulatory files (the only one's she has access to) for "contract deliverables" moving forward. Sue also monitors the quality assurance monitoring the contractor completes. The Auditor General just completed (last week) a reconciliation of the Sanction Monitoring and HPRP files for regulatory participants and found 100% match of all files.

The Clinical and Policy Subcommittee monitors, reviews and updates as necessary, the Policies and Procedures for the program. The P&P manual review and update was completed earlier this year, with ongoing work on some policies needing further committee work. Significant changes were made to "dilute urine specimen" policies for clarification, based on requests from the HPRP Medical Director. The Clinical and Policy Subcommittee is open to any suggestions and input from the Nursing Board for potential policy changes or development.

Sue Bushong, along with the HPRC, monitors the HPRP, striving to assure that our policies and decisions are in line with national standards, current research, best practices, etc., and in compliance with legislative and board directives. Sue is a member of the National Organization of Alternative Programs (NOAP), attends their annual meeting and monitors correspondence regarding state and national issues. Also linked in to informational access of NCSBN brochures and other information relating to substance use and other issues related to impairment of nursing practice. She has given over 830 presentations on the HPRP to employers, including EAP and Human Resource groups, nursing schools and professional organizations, as well as making contact calls and facilitating brochure distribution.

Program Costs, Assistance and Types of Agreements:

Actual program costs can vary due to many factors such as availability of coverage under health insurance and employer mandates covering treatment (EAP's). The average cost of the program is about \$500/month, up to \$7500+/year for a 3-year average of \$25,000, not including the costs of inpatient or intensive outpatient (IOP) treatment. Included are the costs of UDS drops (avg 2x per month @\$45 each), individual and/or group therapies, and addictionist or psychiatric treatment. Costs are dictated by type of MA but not necessarily whether regulatory or non-regulatory. Types of agreements include substance use/abuse, mental health and pain management but can also include dual diagnosis MA's with 12 Step programs (ex: substance abuse with mental health and/or pain management) and dual diagnosis without 12 Step programs (ex: mental health and pain management). Some assistance in covering costs for nurses might be obtained from EAP's, health insurance, professional group funds like the Michigan Nurses Foundation or Nurses House (national), or through Michigan Rehab Services. The MRS funds are sometimes available, depending on funding, for nurses out of practice for an extended time on a suspended license and trying to regain licensure to rejoin the workforce.

PUBLIC COMMENT

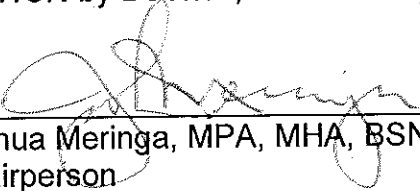
None

ANNOUNCEMENTS

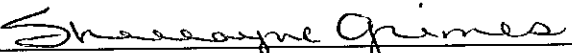
The next regularly scheduled meeting will be held September 4, 2014 at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

MOTION by DeVries, seconded by Brown, to adjourn the meeting at 10:57 a.m.


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

9/04/2014
Date Minutes Approved


Shellayne Grimes, Board Secretary

6/4/2014
Date Minutes Prepared