



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MIKE ZIMMER  
DIRECTOR

## MICHIGAN BOARD OF NURSING MEETING OF MARCH 5, 2015

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Nursing met in regular session on March 5, 2015, 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 9:02 a.m.

### **ROLL CALL**

**Members Present:** Joshua Meringa, MPA, MHA, BSN, RN-BC, ONC, Chairperson  
Ronald Basso, Public Member, Vice Chairperson  
Reginald T. Armstrong, Public Member  
Kathy Bouchard-Wyant, RN, BA  
Mary Brown, RN  
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  
Tiffany McDonald, RN  
Glenn O'Connor, CRNA, MS  
Lawrence Olson, Ph.D, Public Member (arrived at 9:07 a.m.)  
Elizabeth Recker, MSN, RN, CNOR  
Denise Steele, LPN  
Elaine Stefanski, LPN  
Kristoffer Tobbe, Public Member  
Jessica Ann Tyson, Public Member  
Mary VanderKolk, RN, MSN  
Amy Zoll, RN

**Members Absent:** Benjamin Bufford, Public Member  
Mary Corrado, Public Member

**Staff Present:** Shellayne Grimes, Secretary, Policy, Rules and Board Support Section  
Norene Lind, Policy Manager, Policy, Rules and Board Support Section  
Michael Siracuse, Policy Analyst, Policy, Rules and Board Support Section  
Krista Sheroski, Analyst, Enforcement Division (left at 9:37 a.m.)  
Virginia Abdo, Manager, Enforcement Division (left at 9:35 a.m.)  
Joe Campbell, Director, Enforcement Division  
Susan Affholter, Pain Management and Palliative Care Coordinator  
(arrived at 9:45 a.m.)  
Bridget Smith, Assistant Attorney General

**Others Present:** Deborah Bach-Stante, DCH, Office of Nursing Policy  
Indea May, Wayne State University  
Gloria L. Smith, Wayne State University  
Ruxandra Lazar, Wayne State University  
Malgoizata Baumann, Wayne State University  
Bunmi Adebayo, Wayne State University  
Doblae Davis, Dorsey School PN Program  
Elissa Wagner, University of Michigan  
Aimee Keefer Hawley  
Lisa Zajac, University of Michigan  
Julia Sporka, Wayne State University  
Chantal Poirier, Wayne State University  
Kelly Shakour, Wayne State University  
Jeff Stiomswold, Wayne State University  
Joseph Duncan, Wayne State University  
Stephanie Adray, Wayne State University  
Kalu Ram Jat, Wayne State University  
Stefan Smolenski, Wayne State University  
Erin Fiore, Wayne State University  
Cristine Lazuka, Wayne State University  
Deb Nault, MNA  
Georgia DeVries, Wayne State University

## **APPROVAL OF MINUTES**

*MOTION* by DeVries, seconded by Brown, to approve the minutes of the January 8, 2015 meeting, as presented.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Armstrong, seconded by Egede-Nissen, to approve the agenda, as presented.

*MOTION PREVAILED*

## **REGULATORY CONSIDERATIONS**

### **John Michael Toomey, RN, LPN – Petition for Reinstatement**

*MOTION* by Bouchard-Wyant, seconded by Tobbe, to grant the Application for Reinstatement and place Respondent on probation for two (2) years with the following terms and conditions, in the matter of John Michael Toomey, RN, LPN:

- (1) Respondent shall submit quarterly employer reports.
- (2) Respondent shall comply with the Health Professional Recovery Program (HPRP), as necessary.

Discussion was held.

A roll call vote followed: Yeas – Armstrong, Bouchard-Wyant, Brown, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, O'Connor, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa

Abstain - Olson

*MOTION PPREVAILED*

### **Benjamin Paul Bailey, RN – Proposal for Decision/Relicensure**

*MOTION* by DeVries, seconded by Brown, to table the matter per the request of the Department, in the matter of Benjamin Paul Bailey, RN.

A voice vote was held.

*MOTION PREVAILED*

### **Anita Louise Chave, RN – Proposal for Decision/Reinstatement**

*MOTION* by DeVries, seconded by Basso, to accept the Proposal for Decision and deny reinstatement, in the matter of Anita Louise Chave, RN.

Discussion was held.

A roll call vote followed: Yeas – Armstrong, Bouchard-Wyant, Brown, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, O'Connor, Olson, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa

*MOTION PREVAILED*

### **Marilyn Sue Fitzgerald, RN – Proposal for Decision/Relicensure**

MOTION by Hopper, seconded by Stefanski, to accept the Proposal for Decision and grant relicensure, in the matter of Marilyn Sue Fitzgerald, RN.

Prior to relicensure, Respondent must:

1. Complete an HPRP evaluation
2. Submit 25 hours of CE including one (1) hour in Pain and Symptom Management and a minimum of three (3) hours in each of the following areas:
  - a. Safe documentation
  - b. Critical thinking skills
  - c. Pharmacology
  - d. Preventing medication errors
  - e. Professional accountability and legal liability
  - f. Delegation
3. Provide written certification of skilled competency in the following areas:
  - a. Head to toe physical assessment
  - b. Medication administration
  - c. Documentation
  - d. Surgical asepsis and infection control
  - e. Safety, including fall prevention, body mechanics and transfers

Upon relicensure, Respondent shall be placed on probation for two (2) years with the following terms and conditions:

- a. Quarterly employers reports

Discussion was held.

A roll call vote followed: Yeas – Armstrong, Bouchard-Wyant, Brown, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, O'Connor, Olson, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa

*MOTION PREVAILED*

### **Carrie Lynn Frownfelter, LPN – Proposal for Decision/Reinstatement**

MOTION by Tobbe, seconded by DeVries, to accept the Proposal for Decision and deny reinstatement, in the matter of Carrie Lynn Frownfelter, LPN.

A roll call vote was held: Yeas – Armstrong, Bouchard-Wyant, Brown, DeVries, Egede-Nissen, Fenske, McDonald, O'Connor, Olson, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa  
Nay – Leigh  
Abstain – Hopper

*MOTION PREVAILED*

**Aimee Lynn Hawley, RN – Proposal for Decision/Reinstatement**

MOTION by Hopper, seconded by Leigh, to accept the Proposal for Decision, grant reinstatement, and place Respondent on probation for one (1) year, in the matter of Aimee Lynn Hawley, RN, with the following terms and conditions:

- a. Submit quarterly employer reports

Discussion was held.

A roll call vote followed: Yeas – Armstrong, Bouchard-Wyant, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, O'Connor, Olson, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa  
Recuse – Brown

*MOTION PREVAILED*

**Tanya Denise Isom, RN – Proposal for Decision/Reinstatement**

MOTION by Hopper, seconded by DeVries, to accept the Proposal for Decision and grant relicensure, in the matter of Tanya Denise Isom, RN.

Prior to relicensure, Respondent must:

1. Complete an HPRP evaluation
2. Submit 25 hours of CE including one (1) hour in Pain and Symptom Management and a minimum of three (3) hours in each of the following areas:
  - a. Safe documentation
  - b. Critical thinking skills
  - c. Pharmacology
  - d. Preventing medication errors
  - e. Professional accountability and legal liability
  - f. Delegation

3. Provide written certification of skilled competency in the following areas:

- a. Head to toe physical assessment
- b. Medication administration
- c. Documentation
- d. Surgical asepsis and infection control
- e. Safety, including fall prevention, body mechanics and transfers

Upon relicensure, Respondent shall be placed on probation for three (3) years with the following terms and conditions:

- a. Quarterly employer reports

For the first year of probation, Respondent shall have supervised access to controlled substances.

Discussion was held.

A roll call vote followed: Yeas – Armstrong, Bouchard-Wyant, Brown, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, O'Connor, Olson, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **Disciplinary Subcommittee (DSC)**

Egede-Nissen reported that the DSC has met twice since the last meeting, and will meet again after this morning's meeting. Since the Board last met, the DSC reviewed the following matters:

- 105 regulatory considerations
- 8 consent order and stipulations were rejected with counter-offers approved as follows:
  - Four counter-offers for one year of probation with employer reports.
  - One counter-offer with two years of probation; employer reports; and an additional fine.
  - One counter-offer with one year of probation; continuing education; and an additional fine.
  - One counter-offer undergo a HPRP evaluation and monitoring agreement, if recommended.
  - One counter-offer for one year of probation with employer reports; and continuing education.

Egede-Nissen thanked the Board Conferees, DSC members and the Department for all of their hard work.

Meringa thanked Egede-Nissen and the DSC members for their service and dedication to the Disciplinary Subcommittee and the time commitment involved in reviewing cases.

### **Rules Committee**

Siracuse referenced a Memo to the Board from Elaine Barr, Policy Analyst, dated March 5, 2015. He reviewed the changes suggested by the Education Committee and approved by the Rules Committee concerning simulation in education programs.

Meringa summarized the Rules Committee conference call that was held to discuss the changes.

*MOTION* by Brown, seconded by Stefanski, to approve the revised proposed Draft Administrative Rules.

A roll call vote followed: Yeas – Armstrong, Bouchard-Wyant, Brown, DeVries, Egede-Nissen, Fenske, Hopper, Leigh, McDonald, O'Connor, Olson, Recker, Steele, Stefanski, Tobbe, Tyson, VanderKolk, Zoll, Basso, Meringa

*MOTION PREVAILED*

### **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 Tobbe, to accept the LPN Report presented by the Education Committee:

***Motion #1** by the committee to approve the Annual Reports and faculty exceptions for Dorsey Schools, Kellogg Community College, Kirtland Community College, Latoya's Health Education, Oakland University, Schoolcraft College, Southwestern Michigan College, and West Shore Community College; Self-Study for Oakland Community College; Major Change for Dorsey Schools, Delta College, Alpena Community College, Monroe County Community College, and Kellogg Community College; and the BON Annual Report.*

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 Bouchard-Wyant, to accept the RN Report presented by the Education Committee:

***Motion #1*** by the committee to accept the Annual Reports submitted by Eastern Michigan University, Kellogg Community College, Kirtland Community College, Lake Michigan College, Oakland University, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District and West Shore Community College; Self-Study for Oakland Community College; and Major Change for Monroe County Community College.

A voice vote followed.

*MOTION PREVAILED*

### **Department of Community Health – Office of Nursing Policy Report**

Bach-Stante prepared the “DCH – Office of Nursing Policy (ONP) Report,” dated March 5, 2015, 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. See Addendum #4, attached hereto.

### **Vice Chairperson’s Report**

Basso reported that he was Conferee for the month of December and there was a high volume of cases. Campbell noted that there was an 80-case increase over all boards for the month of February, 2015.

### **Chairperson’s Report**

January 2015:

- Allegation review 63 cases (26 authorized for investigation)
- Summary suspensions 11
- CE Review/approvals 4
- Case reviews/Conferee 5
- Compliance conferences 0
- NCSBN: No meetings

## February 2015:

- Allegation review 0 authorized for investigation - unable to convene
  - Summary suspensions 10
  - CE Review/approvals 3
  - Case reviews/Conferee 3
  - Compliance conferences 0
- 
- NCSBN: Transition to Practice study webinar was held on 12/18/14
  - NCSBN Institute of Regulatory Excellence (January 2015) – Joe Campbell attended.
  - The NCSBN Mid-Year Conference will be held March 16-18, 2015, in Louisville, KY. Joe Campbell and Paula Hopper will attend.
  - The NCSBN APRN Roundtable will be held April 15, 2015, in Rosemont, IL. Amy Zoll will attend.

Meringa reminded which board members are upcoming conferees:

March – Elaine Stefanski

April – Elaine Leigh

May – Paula Hopper

Campbell spoke of his experience at the NCSBN Institute of Regulatory Excellence (IRE) in January. He highlighted a presentation entitled “The Power of the Nursing,” in which participants learned about using different skills to be effective leaders.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **Department Update**

Affholter distributed a Memorandum pertaining to Appointments/Reappointments to the Advisory Committee on Pain and Symptom Management (ACPSM), per MCL 333.16204a. The Memorandum explains the duties of appointees, noting the current member’s expiration date as June 30, 2015. There are currently two potential candidates, one being April Vallerand, who is the current representative for the Board of Nursing. She is willing to serve another 2-year term. Any additional nominations or questions may be addressed to Susan Affholter at [affholters@michigan.gov](mailto:affholters@michigan.gov) or 517-373-7303.

Lind announced that the Bureau will be reorganized during 2015.

Meringa shared with the Board a Certificate of Appreciation received by the Department in recognition of the Nurse Scholarship Funds from the WMU Bronson School of Nursing for the 2014-2015 Academic Year.

## **PUBLIC COMMENT**

Leta Smith of addressed the significance of issues with lack of APRN student placement.

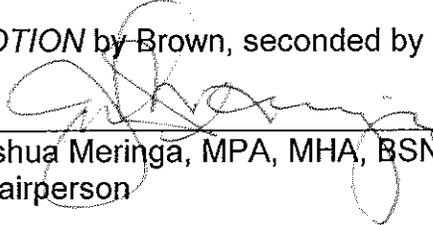
Doblae Davis expressed satisfaction with allowing more simulation in proposed rules.

## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held May 7, 2015 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 Brown, seconded by Bouchard-Wyant, to adjourn the meeting at 10:40 a.m.

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

5/7/15  
\_\_\_\_\_  
Date Minutes Approved

  
\_\_\_\_\_  
Shellayne Grimes, Board Secretary

3/12/2015  
\_\_\_\_\_  
Date Minutes Prepared

## ADDENDUM #1

### EDUCATION COMMITTEE LPN REPORT

March 4, 2015

Conference Room A, 1:30-3:30

Chairperson: P. Hopper

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

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

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

#### **Annual Reports:**

***Dorsey Schools (PN)***  
Received and approved.

***Kellogg Community College (PN)***  
Received and approved. Please clarify number of students qualified for your programs in relation to students admitted. Please explain high failures in second and third semesters and provide a detailed plan to address.

***Kirtland Community College (PN)***  
Received and approved. Please clarify teaching assignment and level of program taught and if a Faculty Exception is needed for Andrew Brookes and Marcy Anderson (Registered Nurse or Practical Nurse Program). See Rule 338.10305.

***Latoya's Health Education (PN)***  
Revised Report received and tabled pending: (1) a progress report on the NCLEX Improvement Plan by May 10, 2015; and (2) a self-study by August 10, 2015. A site visit will also be required and scheduled by the Department.

***Oakland University (PN)***  
Received and approved.

***Schoolcraft College (PN)***  
Received and approved.

***Southwestern Michigan College (PN)***  
Received and approved. It is noted that a self-study is due at this time. See Rule 338.10303.

***West Shore Community College (PN)***  
Tabled. Pending submission of leveled student outcomes. See Rule 338.10307.

**Self-Study:**  
Oakland Community College (PN/ADN) Approved as an accredited program.

## ADDENDUM #2

### EDUCATION COMMITTEE RN REPORT

March 4, 2015

Conference Room A, 1:30-3:30

Chairperson: P. Hopper

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

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

#### Annual Report:

##### *Eastern Michigan University (BSN)*

Received and approved.

##### *Kellogg Community College (ADN)*

Received and approved. Please clarify number of students qualified for your programs in relation to students admitted. Please explain high failures in second and third semesters and provide a plan to address.

##### *Kirtland Community College (ADN)*

Received and approved. Please clarify teaching assignment and level of program taught and if a Faculty Exception is needed for Andrew Brookes and Marcy Anderson. (Registered Nurse or Practical Nurse Program). See Rule 338.10305.

##### *Lake Michigan College (ADN)*

Received and approved. Attrition Plan noted and appreciated.

##### *Oakland University (BSN)*

Received and approved. Please provide a list of specific clinical sites for each clinical course. See Rule 338.10308.

##### *Schoolcraft College (ADN)*

Received and approved.

##### *Southwestern Michigan College (ADN)*

Received and approved. It is noted that a self-study is due at this time. See Rule 338.10303.

##### *Wayne County Community College District (ADN)*

Received and approved. We appreciate your comprehensive NCLEX and Attrition plans. Please submit progress reports for the NCLEX and Attrition by August 10, 2015. Please provide a list of specific clinical sites for each clinical course. See Rule 338.10308.

##### *West Shore Community College (ADN)*

Tabled. Pending submission of leveled student outcomes. See Rule 338.10307.

### ADDENDUM #3



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
LANSING

NICK LYON  
DIRECTOR

DATE: March 5, 2015  
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) will be collecting profiles of nurses involved in safety and quality efforts. The profiles will be displayed on the Office of Nursing Policy Webpage during the month of May.

b) *To advance the safe practice of the nursing profession*, the ONP is collaborating with ANA-Michigan to plan a webinar on safe patient handling to be made available to nurses in the month of May for continuing education credit.

c) *To assure a continuous supply of high-quality direct care nurses, nursing faculty, and nurse education programs*, the ONP contracted with MPHI to develop and administer a clinical placement survey of APRN and pre-licensure, BSN nursing programs in Michigan with the input of the MNEC. The survey was sent out last month. It is hoped that it will shed light on the specifics of the places where programs are having difficulty meeting clinical placement needs as well as specific types of clinical settings that may be less available than others.

In addition, the ONP has drafted a survey to identify barriers and biases that may be experienced by nurses seeking to find employment while participating in the HPRP, as well as settings and roles where they have experienced success. The ONP is working with MPHI to identify a pilot group of nurse administrators and HR personnel to administer the survey before it is finalized for distribution to a statewide group of nurse administrators and HR personnel.

## 2015-16 CURRENT LEGISLATION - NURSING

### S.B. 68/H.B. 4207: APRN Licensure and Requirements

Provisions of the legislation include the following:

- Establish of licensure of APRNs including establishment of fees and a mechanism for review and adjustment of fees
- Define A.P.R.N. scope of practice,
- Create the A.P.R.N. Health Resources Shortage Area Fund, derived from yearly APRN licensure fee of \$97, which would provide grants to APRNs beginning employment to engage in the practice of APRN in a health resource shortage area. Require that the Department spend money in the A.P.R.N. Health Resources Shortage Fund at the direction and discretion of the Board of Nursing
- Require A.P.R.N.s who had practiced less than four years to execute a Mentorship Agreement with a physician or A.P.R.N. who holds the same license and at least five years of experience practicing as an A.P.R.N.
- Allow A.P.R.N.s who had met certain criteria to prescribe non-schedule prescription drugs and Schedule 2-5 controlled substances as well as allowing APRNs to issue complementary starter doses of a prescription drug or Schedule 2-5 controlled substance.
- Require that the practice of the A.P.R.N. be within the parameters of his or her education, training, and national certification.
- Create the A.P.R.N. Task Force and revise the membership of the Board of Nursing to increase A.P.R.N. representation.
- Include a licensed A.P.R.N. among the individuals who may refer a patient for speech-language pathology services or occupational therapy, and among those who may prescribe physical therapy.
- Prohibit an A.P.R.N. licensed under this part from owning or organizing a for-profit entity for the purpose of providing services as an advanced practice registered nurse directly to the general public after the effective date of the amendatory act that added this section the language regarding the restriction on having their own practice.

### S.B. 98: Allow Community Colleges to grant of baccalaureate degrees in certain fields.

Provisions of this legislation include the following:

- Allow Community Colleges to grant a Bachelor of Science in Nursing.
- Allow Community Colleges to grant baccalaureate degrees in ski area management, wastewater treatment, allied health, information technology, or manufacturing technology.
- Prohibit Boards of Trustees from eliminating associate degree nursing programs at the time a baccalaureate degree nursing program is established unless it has determined there is not demand for an associate degree in nursing program.
- Require that baccalaureate degree in nursing programs be approved by the Board of Nursing.
- Require that both before establishing a BSN program and while offering it, a Community College hold a national professional accreditation, hold candidacy for that accreditation, or have applied for the accreditation, from the commission on collegiate nursing education or the accreditation commission or accreditation commission for nursing.
- Prohibits the expansion of a bachelor of science degree program established under this subdivision unless the job placement rate and rate of acceptance into graduate degree programs for nursing for graduates of the program equals or exceeds the average rates for job placement and acceptance into graduate degree programs of all of the public universities in this state that operate bachelor of science in nursing degree programs.