



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

OLGA DAZZO
DIRECTOR

MICHIGAN BOARD OF NURSING MEETING OF MARCH 3, 2011

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 3, 2011, 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 9:12 a.m.

ROLL CALL

Members Present: Linda S. Taft, RN, Chairperson
Teresa Thompson, PhD, RN, Vice-Chairperson
Regina Allen, Public Member
Karen Bowman, RN
Mary Brown, RN
Nina A. Bugbee, RN
Lars Egede-Nissen, Public Member
Michael Ferency, Public Member
Kathleen Johnston-Calati, Public Member
Kathleen Lavery, RN, MS, CNM
Brenda Lewis, LPN
Brigid McMillan, LPN
LaDonna Schultz, Public Member
Donica Stubbs, RN, BSN

Members Absent: Reginald Armstrong, Public Member
Earl Auty, RN, CRNA, MS
Jeffrey Breslin, RN
James Childress, Public Member
Margherita Clark, RN, MSN
Melynda Daley, LPN
Jody DeFoe, Public Member
Michelle Johnson, RN, MSN
Amy Perry, RN, MSN

Staff Present: Laurie VanBeelen, Secretary, Health Regulatory Division
Rae Ramsdell, Director, Health Regulatory Division
Wendy Helmick, Analyst, Health Regulatory Division (left at 10:02 a.m.)
Jeanette Klemczak, DCH, Chief Nurse Executive (arrived at 9:43 a.m.)
Susan Affholter, Pain Management & Palliative Care Coordinator
Perry Bell, Analyst, Professional Practice Section, BHP
Kelly Elizondo, Assistant Attorney General
Jennifer Fitzgerald, Assistant Attorney General

Others Present: Deborah Cooper
Phyllis Sams
Tom Bissonette - Michigan Nurses Association

APPROVAL OF MINUTES

MOTION by Lewis, seconded by Lavery, to approve the minutes of the January 6, 2011 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Egede-Nissen, seconded by Bowman, to approve the agenda with the following modifications:

Agenda item 5 will be changed to Advisory Committee on Pain and Symptom Management Update, and agenda item 9 will be changed to "Closed Session."

MOTION PREVAILED

ADVISORY COMMITTEE ON PAIN AND SYMPTOM MANAGEMENT (ACPSM) UPDATE

Susan Affholter, Pain Management & Palliative Care Coordinator for the Bureau, provided the Board with the second annual report of the Advisory Committee on Pain and Symptom Management and highlighted the Committee's current recommendations. She advised that the Department continues to provide *Responsible Opioid Prescribing, A Michigan Guide*, to new educational limited licensees. Affholter reported that Department staff will be meeting with Michigan's seven medical schools in May to discuss the ACPSM's recommendations.

MICHIGAN PROVIDERS CREDENTIAL CENTER (MiPCC) UPDATE

Ramsdell advised that full rollout of the MiPCC program for the nursing profession will not be implemented until late fall 2011. She advised that all other professions will be rolled out before nursing which will allow for any problems in the project to be rectified prior to the nursing roll-out. Thompson asked if the Department could provide a PowerPoint presentation that can be distributed to educational providers. Ramsdell advised that there is currently a guidebook available for public use on the Department's website. She further advised that she will follow up with T.J. Bucholz and request that an informational PowerPoint be created.

REGULATORY CONSIDERATIONS

Pamela Burke, LPN – Application for Reinstatement

MOTION by Bugbee, seconded by Allen, to grant the Application for Reinstatement and place respondent on probation for two (2) years in the matter of Pamela Burke, LPN. Within 60 days, Petitioner shall be evaluated by HPRP and shall comply with a disciplinary monitoring agreement if deemed appropriate. Petitioner shall also submit quarterly employer reports to the Department.

Discussion was held.

A roll call vote followed: Yeas: Lewis, Bugbee, Johnston-Calati, Stubbs, Thompson, Lavery, Egede-Nissen, Bowman, Ferency, Allen, Brown, McMillan, Taft

Nay: Schultz

MOTION PREVAILED

Deborah Cooper, LPN – Application for Reinstatement

MOTION by Lavery, seconded by Thompson, to deny the Application for Reinstatement in the matter of Deborah Cooper, LPN.

Discussion was held.

A roll call vote followed: Yeas: Thompson, Lewis, Bugbee, McMillan, Ferency, Bowman, Stubbs, Johnston-Calati, Brown, Schultz, Allen, Lavery, Egede-Nissen, Taft

MOTION PREVAILED

Brenda Harvey, RN – Proposal for Decision

MOTION by Bugbee, seconded by Allen, to reject the Proposal for Decision and deny reinstatement in the matter of Brenda Harvey, RN.

Discussion was held.

Friendly amendment by Lavery to accept the Findings of Fact and reject the Conclusions of Law, which was accepted by Bugbee and Allen.

The motion shall read as follows:

AMENDED MOTION by Bugbee, seconded by Allen, to accept in part and reject in part the Proposal for Decision and deny reinstatement in the matter of Brenda Harvey, RN. The matter shall be tabled to allow for rewrite.

Discussion was held.

A roll call vote followed: Yeas: Johnston-Calati, Lewis, Egede-Nissen, Bowman, Stubbs, Brown, Schultz, McMillan, Thompson, Bugbee, Lavery, Ferency, Allen, Taft

MOTION PREVAILED

George Hyde, Jr, RN – Proposal for Decision

MOTION by Stubbs, seconded by Bowman, to accept the Proposal for Decision and deny reinstatement in the matter of George Hyde, Jr, RN.

Discussion was held.

A roll call vote followed: Yeas: Egede-Nissen, Ferency, Allen, Brown, Schultz, Bugbee, Johnston-Calati, Lewis, Stubbs, McMillan, Lavery, Bowman, Taft

MOTION PREVAILED

Joan Gall, RN – Proposal for Decision

MOTION by Lavery, seconded by Bugbee, to accept the Proposal for Decision and deny relicensure in the matter of Joan Gall, RN.

A roll call vote followed: Yeas: Lewis, Bugbee, Johnston-Calati, Stubbs, Thompson, Lavery, Egede-Nissen, Schultz, Bowman, Ferency, Allen, Brown, McMillan, Taft

MOTION PREVAILED

COMMITTEE REPORTS

Education Committee

Thompson directed the Board to the Program Review Committee Report and provided a verbal highlight of same. See Addendum #1.

MOTION by the committee is to accept the PN program decisions related to Alpena Community College, Baker College Auburn Hills, Dorsey Schools, Everest Institute – Southfield, Kellogg Community College, Kirtland Community College, Oakland Community College, Oakland University – PN, Schoolcraft College, Southwestern Michigan College, West Shore Community College, and faculty exceptions.

MOTION PREVAILED

MOTION by the committee is to accept the ADN and BSN program decisions related to Alpena Community College, Baker College Auburn Hills, Eastern Michigan University, Kellogg Community College, Kirtland Community College, North Central Michigan College, Oakland Community College, Oakland University, Rochester College, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District, and West Shore Community College.

MOTION PREVAILED

Disciplinary Subcommittee

Allen indicated that there are times when conferees need to be consulted with and they are not in attendance at the DSC meeting. She asked how this situation can be rectified. Taft indicated that conferees can make themselves available by phone or the DSC has the option to table the matter if there is additional information needed.

Egede-Nissen asked if there was a "job description" available for Board conferees. Taft indicated that the month of August does not yet have an assigned conferee and provided the Board with a verbal description of the duties of a conferee.

Licensure Committee

No report.

Rules Committee

Ramsdell advised that due to Department staff leaving, the rules will need to be placed on hold temporarily. Taft advised, however, that the Committee has made good progress thus far and that the Committee will meet briefly following today's meeting.

NCSBN/Other Committees

Taft advised that she recently attended a meeting of the Disciplinary Resources Committee. Topics addressed included social media and sharing disciplinary matters with other states.

Lavery provided a verbal update from the Advanced Practice Committee which recently met. She advised that the Committee is presently working on improving regulation of advanced practice nurses. Lavery indicated that a round table meeting of the Committee will be held in May.

Chairperson's Report

Taft indicated that a written report will be provided with the unapproved minutes. She also reviewed the various handouts the Board was provided.

Vice-Chairperson's Report

Thompson advised that she recently met with the Michigan Association of Collegiate Nursing and provided the group with information regarding the upcoming changes to obtaining initial licensure. She also reported that she attended the Michigan Nursing Education Council meeting in February as the Board's representative. Thompson indicated that she reviewed the NCSBN disciplinary video with her students and received positive feedback.

DEPARTMENT UPDATE

Klemczak advised that Michigan has been asked by the Robert Wood Johnson Foundation to be one of the leaders in moving forward with the recommendations of The Future of Nursing Regional Action Coalitions (RAC), which is focused on the encouragement of nurses in leadership roles. With regard to the Task Force on Nursing Practice, she referenced the Nursing Practice Issue Form and reminded the Board of the importance of the Department receiving feedback. She advised the Task Force has various issues that they will begin to work on and highlighted the specific topics of scope of practice, delegation, and autonomous practice for advanced practice nurses.

Ramsdell advised that due to a recent Executive Order, the Bureau of Health Professions will now be under the direction of the newly-created Department of Licensing and Regulatory Affairs.

With regard to the appointments process, Ramsdell advised that the Governor's appointments office has taken the position that when a board member's term ends, if the member is not reappointed, that individual is not to continue to serve. She recommended that any member who is eligible to serve another term, and is interested in serving another term, complete an application that is available on the Governor's website as soon as possible. VanBeelen will provide the Board with a web link to the application.

PUBLIC COMMENT

Deborah Cooper asked for direction as to what qualifications or documentation she needs to provide regarding her application for reinstatement. Ramsdell indicated that Department staff could speak with her following the meeting.

CLOSED SESSION

The meeting was adjourned at 11:01 a.m.

The meeting was reconvened at 12:36.

OLD BUSINESS

NCSBN Mid-Year Meeting

Taft confirmed that she, Thompson, and Allen will be attending the March 14-16 NCSBN Mid-Year meeting. She indicated that updates from the meeting will be provided at the May Board meeting.

Michigan Nurses Association v DCH Update

After discussion in closed session, the following motion was made on the record:

MOTION by Lavery, seconded by Brown, that the Michigan Board of Nursing authorizes the office of Attorney General to negotiate a settlement agreement and mutual release of all claims in the litigation entitled *Michigan Nurses Association v DCH, et al*, which will contain the following terms:

- 1) the Michigan Board of Nursing will grant the Michigan Nurses Association's (hereinafter MNA) request to be authorized as an approver of continuing education courses and programs in the state of Michigan through August 31, 2012, upon receipt by the Department of Community Health, Bureau of Health Professions from MNA of the current action plan showing compliance with standards comparable to the American Nurses Credentialing Center (hereinafter ANCC) standards in effect as of November, 2009.
- 2) Clarification that Administrative Rule 338.10603(1) does not require membership in the American Nurses Association or accreditation by the ANCC in order to be an approver of continuing education courses under standards adopted by Administrative Rule 338.10603(1).
- 3) MNA may apply to the Michigan Health Council for continuing status as an approver of nursing continuing education courses and programs in the state of Michigan pursuant to the accreditation standards of Administrative Rule 338.10603(1), prior to the approval status expiration date of August 31, 2012.

The Board hereby gives the Chairperson authority to execute a settlement agreement which contains the above terms.

A roll call vote was held: Yeas: Thompson, Lewis, Bugbee, McMillan, Ferency, Bowman, Stubbs, Johnston-Calati, Brown, Schultz, Allen, Lavery, Egede-Nissen, Taft

MOTION PREVAILED

NEW BUSINESS

Review of NCSBN Video Presentation: "Board of Nursing Complaint Process Investigation to Resolution"

This will be reviewed at the May meeting.

Department Update

None

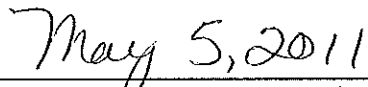
ANNOUNCEMENTS

The next regularly scheduled meeting will be held May 5, 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 Stubbs, to adjourn the meeting at 12:40 p.m.


Linda S. Taft, RN, Chairperson


Date Minutes Approved


Laurie VanBeelen, Board Secretary


Date Minutes Prepared

PROGRAM REVIEW COMMITTEE REPORT

Conference Call

March 2, 2011

Chairperson: T. Thompson

Members: R. Armstrong (absent), M. Clark, M. Johnson, A. Perry

Annual Report

Eastern Michigan University (BSN)

The report was received and approved. The committee commends the school on its diversity plan.

Kellogg Community College (PN/ADN)

The report was received and approved. The committee would like to see the program address the high attrition in the NCLEX plan for next year.

Kirtland Community College (PN/ADN)

The report was received and approved.

Oakland Community College (PN/ADN)

The reports were received and approved. The committee commends the school on its diversity plan.

Oakland University (PN/BSN)

The reports were received and approved. There is a faculty member (Jenn-Tser Pan) who is not a nurse teaching a BSN nursing rubric course. Based on the Administrative Rules this individual is not in compliance for faculty. Please clarify. The LPN program is improving. The committee commends the school on its diversity plan.

Schoolcraft College (PN/ADN)

The report was received and approved.

Southwestern Michigan College (PN/ADN)

The annual report was tabled until March for the submission of the plan for credit reduction and the credit hours. The additional information was received and approved. The committee looks forward to the major program change for the credit reduction.

Wayne County Community College (ADN)

The report was received and approved pending the submission of the Outcomes chart. This chart was missing from the report submitted. Please note all minor and major program changes must be submitted and approved by the board prior to implementation.

Self Study

Rochester College (BSN)

The self study was received and tabled until a self study for the generic BSN program is submitted. What was submitted is not a complete self study and seems to be for the RN completion program. There are no faculty credentials, no indication of the methods of instruction for the BSN education, the credits are high, no syllabi or clinical contracts, or current financial plan. The committee wants an updated need assessment as the one previously submitted was from 2008. The information contained at that time is no longer valid.

West Shore Community College (PN/ADN)

The self study was received and approved pending final decision from NLNAC.

Major Program Change

Alpena Community College (PN/ADN)

The program change was received and approved. The committee needs clarification as to how the students are notified of the selection process (standardized exam passing scores and testing company).

Page 16 remove the italicized writing as this seems to be a working copy language. There were typos throughout the document, so the committee recommends a thorough proofreading.

Baker College Auburn Hills (PN/ADN)

The program change was received and approved.

North Central Michigan College (ADN)

The program change was received and approved pending the clarification for the following: Page 11 Level 3 should be exchanged with Level 2 based on progression. Level 2 (analyzing) looks too high for Level 3 (identifying). Page 12 the lower boxes are all identical except the box starting with 1. Is this a computer error? Page 14 some of the breakdown will be a barrier for your students to go on to a BSN program (loss of Microbiology as an example). Has this been addressed? Page 20 under Legal issues it should say Public Health Code because Michigan does not have a Nurse Practice Act. Page 23 what is the rationale for not introducing PICO earlier. Are your courses running concurrently? This is not clear.

Site Visit

Dorsey Schools (PN)

The site visit was received and approved with the recommendations of the consultant.

Complaints

Everest Institute – Southfield (PN)

Shelia Douglas-Collins will be contacted as to the still outstanding concerns to the complaint.

Wayne County Community College (ADN)

The individual will be sent a letter indicating that there have not been any violations to the Administrative Rules and that the complaints do appear to be union issues. The school has been reminded to submit all program changes for approval prior to implementation.

Faculty Exception

Tanya Sobaski	1 st exception	expires 3/2012
Lake Michigan College		

Shannon Krolkowski	1 st exception	expires 1/2012
Davenport University (retroactive January 2011)		

Emily Corbin	1 st exception	Clinical	expires 1/2012
Kirtland Community College (retroactive January 2011)			

Emma Smith	3 rd exception	Clinical	expires 1/2012
Latoya's Healthcare (retroactive January 2011)			

Mariah Lab	1 st exception	Clinical	expires 1/2012
Kellogg Community College (retroactive January 2011)			

Michelle Johnson Kellogg Community College	2 nd exception	Clinical	expires 3/2012
Marilyn Butler Everest Institute (retroactive January 2011)	3 rd exception	Clinical	expires 1/2012
Jaclyn Gibbs Kalamazoo Valley Community College	1 st exception	Clinical	expires 3/2012
Betty Falecki St. Clair County Community College	3 rd exception	Clinical	expires 3/2012
Melanie Dougherty Kellogg Community College	1 st exception	Clinical	expires 3/2012
Renee Gilbert Baker College Flint	1 st exception		expires 3/2012
Lisa Strom Baker College Flint (retroactive January 2011)	1 st exception	Clinical	expires 1/2012
Catherine Trammel Baker College Flint	1 st exception	Clinical	expires 3/2012

MOTION by the committee is to accept the PN program decisions related to Alpena Community College, Baker College Auburn Hills, Dorsey Schools, Everest Institute – Southfield, Kellogg Community College, Kirtland Community College, Oakland Community College, Oakland University – PN, Schoolcraft College, Southwestern Michigan College, West Shore Community College, and faculty exceptions.

MOTION by the committee is to accept the ADN and BSN program decisions related to Alpena Community College, Baker College Auburn Hills, Eastern Michigan University, Kellogg Community College, Kirtland Community College, North Central Michigan College, Oakland Community College, Oakland University, Rochester College, Schoolcraft College, Southwestern Michigan College, Wayne County Community College District, and West Shore Community College.

Nursing Director Change

Dr. Peggy Alford Trewn is the Interim Director of Nursing at Eastern Michigan University effective January 1, 2011.

Wendy Hillman, RN, MSN is the Department Chair and the Interim Associate Dean at Kirtland Community College effective January 28, 2011.

Dr. Darlene Schoot-Baer is the Interim Dean For the School of Nursing as Oakland University effective January 14, 2011.

Tammi Campbell is the interim Director of Nursing at Schoolcraft College effective January 24, 2011.

Shelia Douglas-Collins is the new Director of Nursing at Everest Institute-Southfield effective January 3, 2011.

Minor Program Change

Davenport University has been granted a minor program change for the removing of NURS100 Medical Terminology for Nurses and the adding of BIOL110L Foundation of Cell Biology to the LPN curriculum.

Monroe County Community College has been granted a minor program change for the LPN to RN Online program to be offered only as a part-time option beginning Fall 2011.

Detroit Business Institute-Downriver has been granted a minor program change to the PN Handbook, Admission Requirements, p.19, No. 8, which will now read "The Assessment Technologies Institute (ATI), Test of Essential Academic Skill (TEAS) entrance examination results are required to reflect the performance of the practical nurse student by establishing a baseline for academic abilities" beginning January 11, 2011.

Oakland University LPN program has been granted a minor program change to PSN 105 Math and Pharmacology and HCS 190 Transitions to Health Careers to HCS 190 Math and Pharmacology to be taught as a prerequisite and PSN 105 Transitions to Health Careers to be taught first semester.

Finlandia University has been granted a minor program change to add NUR203 Dosage Calculations (1 credit) to the sophomore level curriculum to be taken concurrently with NUR204 Introduction to Nursing Practice.

West Shore Community College has been granted a minor program change to eliminate THCT 108 and incorporate it into TNSG 134, THCT 114 will no longer be required for entrance into the nursing program, chemistry requirement may be waived for students within 3 years and with a B in high school chemistry, TNSG 218 - 6 credits will be done be 5 credits.

A system wide two minor changes have been granted to the Baker College nursing education programs to (1) allow flexibility of individual campuses to interchangeably offer NUR courses that are on the same outcome level during either the third or fourth quarter of the professional track, depending on clinical availability, and (2) to change sequencing of ADN core courses and program prerequisites to even the course content and to eliminate overload and to make associate degree completion in two years for full-time students. These changes were developed to follow NLNAC recommendations.

To: Michigan Board of Nursing
From: Linda Taft, RN
Subject: Chairperson's Report for January 6-March 2, 2011
Date: March 3, 2011

Regulatory Concerns:

- Continuing Education: Approved 18 courses, 1 time extensions (Fine), 1 nursing refresher course and denied 6 courses.
- Summary Suspensions: Approved 7 non-mandatory suspensions and no mandatory suspensions served by department.
- Allegation Files: Authorized 65 cases for investigation, dismissed 38 cases showing no violation of the Public Health Code, and referred 37 files for additional information.
- Conferee Actions: Served as conferee for 42 cases and attended 6 settlement conferences.

Other Activities:

- COMON Meeting to be held March 17, 2011, Okemos.
 - 2011 COMON Meeting dates are: March 17, June 16, September 15 and December 15.
 - Assuming Chair role January 2011.
 - As Chair, will represent COMON at MHIAC meetings. February 25th meeting cancelled, with next meeting scheduled for April 21, 2011. Meetings to be held bi-monthly for 2011.
 - Appointed to serve on Michigan Health Insurance Exchange-Regulation and Policy Group. Meetings to be held February 25, March 9 & 24, April 7, 2011.
 - Appointed to serve on Task Force on Nursing Practice on behalf of COMON. Next Meeting March 14, 2011 (will not attend due to NCSBN MidYear Meeting). TFNP Retreat to be held at Kellogg Center, East Lansing, April 3-4.
 - Challenge to all Board members to submit Nursing Practice Issue Form regarding an issue for consideration by the TFNP. Link to online form to be sent out by L.VanBeelen.
 - MMTAC meetings/pilot continues on hold as department (MDCH) concerns addressed.
 - Planning to attend NCSBN MidYear Meeting in Chicago, March 14-16.
 - Attended DRC Meeting held at NCSBN, Chicago, February 28-March 1.
 - Reviewed NCSBN Council Connector, Policy Perspectives, Leader to Leader and Journal of Nursing Regulation, AORN Newsletters, ANA Smartbriefs and RN-AIM News & Musings.
 - Reviewed, with handouts to Board members, IOM Report Brief *Future of Nursing: Leading Change, Advancing Health*, APRN Survey and Nurse Practitioner/Physician Assistant Profile.
 - Rules Committee held brief update meetings following January & March Board meetings. Department still in reorganizing process for Rules formatting.
- Consultation with Rae Ramsdell regarding potential standing resolutions to address HPRP non-compliance for licensees, and other HPRP concerns.