#### **BOARD OF NURSING**

Professional and Vocational Licensing Division Department of Commerce and Consumer Affairs State of Hawaii

#### MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Thursday, November 6, 2014

<u>Time</u>: 9:30 a.m.

Place: Queen Liliuokalani Conference Room

King Kalakaua Building

335 Merchant Street, 1st Floor Honolulu, Hawaii 96813

Members Present: Loraine Fleming, DNP, APRN, Chair

Glenda Tali, MS, APRN, Vice Chair Katharyn Daub, MS, RN, EdD James S. Hoban, Jr, MBA, BA Judy Kodama, MS, RN, MBA, CNML.

Jaeda Elvenia, MS, RN Thomas Joslyn, MS, CRNA

Members Excused: Lyle Kauihou

<u>Staff Present</u>: Lee Ann Teshima, Executive Officer ("EO")

Shari Wong, Attorney General ("DAG")

Lisa Kalani, Secretary

Guests: Laura Reichhardt, Hawaii State Center for Nursing

Juliet Guzman, University of Phoenix, Nursing School Marynel Otoman, University of Phoenix, Nursing School Aloha Torres, University of Phoenix, Nursing School Crystal Partida, University of Phoenix, Nursing School Phillip Cornejo, University of Phoenix, Nursing School Babie Macugay, University of Phoenix, Nursing School Jocelyn Galamgam, University of Phoenix, Nursing School

Call to Order: The Chair called the meeting to order at 9:52 a.m. at which time quorum was established.

The Chair excused Mr. Kauihou from today's meeting.

Approval of the

Minutes:

The Chair called for a motion in regards to the minutes of the October 2, 2014

meeting.

The Vice Chair stated the guest name Maryall Otamaa is spelled incorrectly; the correct

spelling is Marynel Otoman.

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The DAG stated on page 4, fifth paragraph, first sentence, remove the letter "c" in front of certifying bodies... Also in the fifth paragraph on page 4, next to last sentence, correct to read, The board shall provide <u>written</u> notice of an audit...

Upon a motion by the Vice Chair, seconded by Mr. Hoban, it was voted on and unanimously carried to approve the minutes of the October 2, 2014 meeting as amended.

# Additions to the Agenda/Additional Distribution:

The Chair called for a motion to add the following to the agenda.

Upon a motion by Mr. Hoban, seconded by Mr. Joslyn, it was voted on and unanimously carried to add the following to the agenda:

#### **Additions**

- 7. Executive Officer's Report
  - c. Correspondence
    - 5) Clarification of RN Scope of Practice

#### Chair's Report:

The Chair congratulated the Vice Chair on being named a fellow in the Institute of Regulatory Excellence of the National Council State Boards of Nursing.

#### Vice Chair's Report:

The Vice Chair reported that at the Annual Meeting of the National Council State Boards of Nursing (NCSBN) they presented the five year simulation study, and although it was impressive, they thought how does that really apply to Hawaii. After discussing it with the Chair, they thought they should see if they could duplicate the study in Hawaii to see what would work. As a result the Vice Chair applied and was accepted as a fellow in the Regulatory Excellence Institute of the NCSBN and will be going to Charleston, South Carolina in January for the kickoff of the fellowship.

# Education Committee Report:

The Vice Chair reported on the following:

Hawaii Nursing Programs:

The Committee recommended acceptance of the following Annual Reports:

#### **Annual Reports**

- 1. Hawaii Community College
- 2. Kapiolani Community College
- 3. University of Phoenix
- 4. Chaminade University
- 5. UH @ Manoa/MEPN
- 6. Kauai Community College
- 7. Hawaii Pacific University
- 8. UH Hilo
- 9. UH Maui College

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#### Applications:

The Committee recommended deferral of the following application for more information

#### Licensed Practical Nurse

U.S. Graduate

i. Darr, Jordan

The Committee recommended approval of the following application

#### Registered Nurse

U.S. Graduate

Brumaire, Mildred

Upon a motion by the Vice Chair, seconded by Mr. Joslyn, it was voted on and unanimously carried to accept the Committees recommendations.

# Executive Officer's Report:

#### Conferences/Seminars/Meetings

# <u>2014 International Nurse Regulator Collaborative Symposium Chicago, Illinois, October</u> 28-30, 2014 – Katharyn Daub

Ms. Daub reported that the meeting was very informative. There were members from several different countries in attendance, such as Canada, and those from Europe as well as many different states. The discussion was very general, covering mainly the topic of the responsibility of being regulators and how to regulate the right way, not too lightly and not to overregulate. They talked about how a lot of organizations will come to a solution before they even figure out the problem. They discussed what the goals are for regulatory bodies and how to define competency, especially for the older nurse.

#### 2014 Legislature

#### Continuing Competency Bill

The EO reported that at the last meeting a draft of the bill was provided to the Board and based on the discussion, this draft contains the recommendations from the Board last month:

The Chair stated on page 3, number (3) it states if the initial license was issued less than twelve months prior to the renewal date, continuing competency requirements do not apply. That should be changed to: if <a href="mailto:graduation">graduation</a> has occurred less than twelve months.... Also, on page 5, line 10 (g), the word "random" is used in reference to the "audit". She would recommend the word "random" be removed so that if the Board determines that a certain individual or organization should be audited they can be. We also need to tell the licensee how long they need to retain their proof of completing continued competency.

The EO recommended that the word "random" be kept in the bill because she had concerns with the Board 'targeting" certain individuals or organizations that were not specified in the bill.

The DAG stated that the Board could still conduct a "random" audit even though it is not stated specifically.

The EO suggested the licensees keep their documentation for two renewal periods, which is the last four years.

Ms. Elvenia stated that two renewal periods is reasonable.

The EO stated on page 4, line 19, the word exemption should be changed to extension and also, on page 6 under §457 – Learning activity options., asked if an "hour" is equivalent to a "unit"?

The Chair stated a continuing education "unit" is one hour, and one hour is fifty minutes of instruction because you have to allow ten minutes for a break.

The EO stated on page 7, under §457 – Authorized providers of continuing competence units, the word "competence" should be replaced by education. The EO asked the Board to email any other comments or changes so she will incorporate for another draft for the December meeting.

### Correspondence

#### **Qualified Professional Case Manager**

The Board was provided with a booklet entitled "QPCM Qualified Professional Case Manager", The First Nationally Recognized Education/Knowledge-based Case Management Certification for RNs for their information. The booklet is sponsored by North American Council of Qualified Case Managers, LLC.

#### FNPs Working in an Acute Care Setting

The Board reviewed an email asking if there is currently any language in the state guidelines that prohibit FNPs (family nurse practitioner) from working in an acute care setting (non-ICU inpatient setting).

The Board determined that based on the following, the nurse practice act does not specifically prohibit a nurse, including an advance nurse practitioner from practicing in a specific setting:

- §457-1.5 Practice of nursing. (a) Nursing is a scientific process founded on a body of professional knowledge. It is learned profession based on an understanding of the human condition across the lifespan of a client and the relationship of a client with others and within the environment. It is also an art dedicated to caring for others. The practice of nursing means assisting clients in attaining or maintaining optimal health, implementing a strategy of care to accomplish defined goals within the context of a client-centered health care plan, and evaluating responses to nursing care and treatment. Nursing is a dynamic discipline that is continually evolving to include more sophisticated knowledge, technologies, and client care activities. Nursing applies evidence-based practice to promote optimal client outcomes.
- (b) The scope of nursing practices established in this chapter and by the rules of the

board shall serve as general guidelines and are not intended to address the appropriateness of the use of specific procedures in any particular work setting or to grant permission to implement specific procedures in any particular work setting.

#### Criminal Background Checks for Licensure as a Nurse

The Board reviewed a correspondence from the National State Council of State Boards of Nursing (NCSBN) asking for the Board's comments concerning a draft standard, "Criminal Background Checks for Licensure as a Nurse".

#### NCSBN Interactive Courses

The Board was provided with correspondence from NCSBN regarding online interactive courses they provide.

#### Clarification of RN Scope of Practice

The Board reviewed and email asking for assistance in clarifying the role of the registered nurse in Hawaii specifically with regard to the administration of opioid range orders.

The Board consensus is the nurse practice act does not specifically address "range orders". The definition of the practice of a registered nurse is as follows:

**§457-2 Definitions.** (a) As used in this chapter unless the content otherwise requires:

"The practice of nursing as a registered nurse" means the performance of professional services commensurate with the educational preparation and demonstrated competency of the individual having specialized knowledge, judgment, and skill based on the principles of the biological, physical, behavioral, and sociological sciences and nursing theory, whereby the individual shall be accountable and responsible to the consumer for the quality of nursing care rendered. The foregoing may include but shall not be limited to observation, assessment, development, implementation, and evaluation of a plan of care. health counseling, supervision and teaching of other personnel, and teaching of individuals, families, and groups in any stage of health or illness; administration, supervision, coordination, delegation, and evaluation of nursing practice; provision of health care to the patient in collaboration with other members of the health care team as autonomous health care professionals providing the nursing component of health care; or use of reasonable judgment in carrying out prescribed medical orders of a licensed dentist, physician, osteopathic physician, or podiatrist licensed in accordance with chapter 448, 453, 460, or 463E; orders of an advanced practice registered nurse licensed in accordance with this chapter; or the orders of a physician assistant licensed pursuant to chapter 453, practicing with physician supervision as required by chapter 453, and acting as the agent of the supervising physician.

New Board Member Orientation, Dec. 5, 2014, 8:30 – 12:30 p.m., State Capitol Auditorium – Judy Kodama and Katharyn Daub

There will be a New Board Orientation held on December 5, 2014, 8:30 a.m. to 12:30 p.m. at the State Capitol Auditorium. Ms. Kodama and Ms. Daub will be attending.

#### 2015 Board Meeting Schedule

The Board was provided the 2015 Board Meeting Schedule as follows:

January 8, 2015	Queen Liliuokalani Conference Room
February 5, 2015	Queen Liliuokalani Conference Room
March 5, 2015	Queen Liliuokalani Conference Room
April 2, 2015	Queen Liliuokalani Conference Room
May 7, 2015	Queen Liliuokalani Conference Room
June 4, 2015	Queen Liliuokalani Conference Room
July 2, 2015	Queen Liliuokalani Conference Room
August 6, 2015	.Queen Liliuokalani Conference Room
September 3, 2015	.Queen Liliuokalani Conference Room
October 1, 2015	.Queen Liliuokalani Conference Room
November 5, 2015	Queen Liliuokalani Conference Room
December 3, 2015	Queen Liliuokalani Conference Room

Hawaii State
Center for Nursing:

Ms. Laura Reichhardt was in attendance and introduced herself to the Board as the new Regulatory and Legislative Analyst for the Hawaii State Center for Nursing, replacing Kathy Yokouchi.

**Executive Session:** 

At 10:46 a.m. upon a motion by Mr. Hoban, seconded by the Vice Chair, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a) (1) and (4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 11:00 a.m. upon a motion by the Vice Chair, seconded by Ms. Daub, it was voted on and unanimously carried to move out of executive session.

#### Applications: Licensed Practical Nurses

#### **Ratification List**

Upon a motion by the Chair, seconded by Mr. Joslyn, it was voted on and unanimously carried to ratify the attached list of LPNs (17984 to 18021).

#### **Registered Nurses**

#### **Ratification List**

Upon a motion by the Chair, seconded by the Vice Chair, it was voted on and unanimously carried to ratify the attached list of RNs (RN 78504 to RN-78762).

#### RN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by the Chair, it was voted on and unanimously carried to approve the following applications:

Mellady, Kiel Espanola, Ryan Huntley, Vincent Mahoney, Matthew

### RN Applicants with prior convictions and/or disciplinary action

Upon a motion by the Vice Chair, seconded by the Chair, it was voted on and unanimously carried to defer the following application pursuant §457-7(b)(2):

Olsen, Susan

#### **Advanced Practice Registered Nurse (APRN)**

#### Ratification List

Upon a motion by the Vice Chair, seconded by Mr. Hoban, it was voted on and unanimously carried to ratify the attached list of APRNs and APRN-Rx

#### Discussion on Policy for Applications with Prior Convictions

The Board discussed delegating certain applications to the EO for approval then to be ratified by the Board.

After some discussion, upon a motion by the Chair, seconded by Mr. Hoban, it was voted on and unanimously carried to delegate to the EO for approval of applications that indicated certain convictions, under certain circumstances. This would streamline and possibly expedite the approval process.

# Chapter 91, HRS Adjudicatory Matters:

The Chair called for a recess from the meeting at 11:00 a.m. to discuss and deliberate on the following adjudicatory matter(s) pursuant to Chapter 91, HRS:

In the Matter of the License to Practice Nursing of **Rachele Conboy, RNS 2008-13-L**, Monitor's Report for Period Covering July – September 2014

It was the Board consensus to accept the monitor's report for period covering July-September 2014.

In the Matter of the License to Practice Nursing of **Jessica A. Rooney, RNS 2009-8-L**, Monitor's Report for Period Covering July – September 2014

It was the Board consensus to accept the monitor's report for period covering July-September 2014.

In the Matter of the Registered Nurse License of **Patricia A. Gild, RNS 2014-27-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by Mr. Hoban, seconded by the Vice Chair, it was voted on and unanimously carried to accept the Board's Final Order.

In the Matter of the License to Practice Nursing of **Joy A. Whitcomb, RNS 2010-27-L**, Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order; Exhibit "A"

Upon a motion by Mr. Hoban, seconded by the Vice Chair, it was voted on and unanimously carried to accept the Board's Final Order.

Following the Board's review, deliberation, and decisions in this matter, pursuant to Chapter 91, HRS, the Chair announced that the Board was reconvening its scheduled meeting at 11:06 a.m.

#### **Next Meeting:**

The Chair announced the next scheduled Board meeting as follows:

Thursday, December 4, 2014 8:30 a.m. Queen Liliuokalani Conference Room King Kalakaua Building, 1st Floor

335 Merchant Street Honolulu, Hawaii 96813

#### Adjournment:

There being no further business to discuss, the meeting was adjourned at 11:16 a.m.

Reviewe	ed and approved by:	Taken by:	
Lee Ann	Ann Teshima Teshima, ve Officer	_/s/ Lisa Kalani Lisa Kalani, Secretary	
LAT:lk			
11/20/14	4		
[X ] [ ]	Minutes approved as is.  Minutes approved with changes; see minutes of		

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LTYPE LIC NUM BP NAME PART 1

### APRN APPLICATIONS – RATIFICATION LIST 11/6/14 BON MEETING

# PRE OCTOBER 1, 2009 REQUIREMENTS - Masters Degree in Nursing or National Certification

None.

## **CURRENT REQUIREMENTS** - Masters Degree in Nursing and National Certification

Judith Casarella, Family NP

Bruce Douglas, Family NP

Motoko Ishii, Oncology CNS

Yee-Ling Kwan, Nurse Anesthetist

Orphelia Moraga, Family NP

Rebecca Ross, Adult Psychiatric & Mental Health NP

Chianti Ivory, Family NP

Molly Ashkenas, Family NP

Katherine Brula, Family NP

Britt Guerrero, Adult NP

Elizabeth Kelly, Nurse Anesthetist

Sherelle Lum, Family NP

Rita Richardson, Certified Nurse Midwife

Rachel Thomas, Adult Psychiatric & Mental Health CNS

Travis Walling, Adult-Gerontological NP

### APRNS FOR PRESCRIPTIVE AUTHORITY

Patricia Kay McKenzie, Women's Health Care NP

Orphelia Moraga, Family NP

Chianti Ivory, Family NP

Theresa Andrews, Adult NP

Molly Ashkenas, Family NP

Katherine Brula, Family NP

Betty McMullin, Adult NP

Sherelle Lum, Family NP

Angela Purpora, Family NP

Erin Coughlin, Family NP

Oscar Veloria, Family NP

Macy Luo-Souza, Child U& Adolescent Psychiatric & Mental Health CNS

Erica Pena, Family NP