

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, September 6, 2018

Time: Immediately Following the Public Hearing

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Members Present: Thomas Joslyn, MS, CRNA, Vice Chair
Karen Boyer, RN, MS, FNP
Katharyn Daub, MS, RN, EdD
Jomel Duldulao, Public Member
Olivia Kim, LPN, RN, BSN, NHA
Judy Kodama, MS, RN, MBA, CNML.
Tammie Napoleon, DNP, APRN

Staff Present: Lee Ann Teshima, Executive Officer ("EO")
Shari Wong, Deputy Attorney General ("DAG")
Nohelani Jackson, Secretary

Guests: Mary Ferrer, PVL
Daria Goto, RICO
Bert Apo, RICO
John Hassler, RICO
Kathleen Burger, HPU
Dean Yamamoto, NED
Lindsey Rienholz, UH Hilo DKICOP
Lyndsey Garcia, Queen's
Amy Thomas, HPH
Jen Nafarrete, HPU
Anne Foss Durant, HPH
Katherine Finn Davis, UH @ Manoa
Stacy Kracher, HAPN President
Laura Reichhardt, HSCFN
Kimberly Soileau
Clementine Ceria Ulep
Jessica Newalu

Call to Order: The Vice Chair called the meeting to order at 9:29 a.m. at which time quorum was established.

Vice Chair's Report: **Announcements/Introductions**

The Vice Chair asked the audience to introduce themselves.

The Vice Chair reported on his attendance at the NCSBN Annual meeting, August 15-17, 2018, including information on CE Broker, a repository of continuing education that nurses can utilize for free.

Ms. Kim also attended the NCSBN Annual meeting and provided her report.

Approval of the Previous Minutes –August 2, 2018

The Vice Chair called for a motion in regard to the minutes of the August 2, 2018 meeting.

There being no discussion or amendments, upon a motion by Ms. Kim, seconded by Ms. Daub, it was voted on and unanimously carried to approve the minutes of the August 2, 2018 meeting as circulated.

Executive Officer's Report: **Conferences/Seminars/Meetings**

HPH Nurses Conference, September 13-14, 2018

The EO announced that she will be attending with Ms. Muraoka and Ms. Oliveira from the HSCFN.

2018 International Nurse Regulator Symposium, October 22-23, 2018, Chicago, Illinois

Dr. Napoleon and the EO attending.

2018 NCSBN Scientific Symposium, October 24, 2018, Chicago, Illinois

Dr. Napoleon and the EO attending.

Amendments to Title 16, Chapter 89 – Discussion/Decision of Public Hearing

The Vice Chair asked the members about the concerns raised at the public hearing by HPH and Queen's and the recommendation(s) to the mandatory reporting proposed amendment.

Ms. Kim asked the representative from Queen's if she could clarify their position because in their testimony, they oppose the language to the mandatory reporting requirements but that she testified that they also concur with the recommendations from Hawaii Pacific Health.

Ms. Garcia stated that Queen's is opposed to the language regarding the mandatory reporting but concur with HPH's recommendations/amendments to the mandatory reporting proposed amendments.

Dr. Napoleon had a legal question for the Board's DAG.

Executive Session:

At 9:41 a.m., upon a motion by Dr. Napoleon, seconded by Ms. Kodama, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a) (1), "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 10:05 a.m. upon a motion by Ms. Boyer, seconded by the Vice Chair, it was voted on and unanimously carried to move out of executive session.

Ms. Kim stated that she is in agreement with the recommendations made by HPH, however, because not all facilities have a "Director of Nursing," she would recommend adding "designated nursing supervisor" to the language.

Ms. Boyer recommended that the following language be removed, "for an act or omission that demonstrates incompetent practice or unprofessional conduct", as it appears to be redundant if the section is being amended to specifically cite the sections on unprofessional conduct or incompetent practice.

Dr. Napoleon recommended that the last line, "or who may be a threat to the public health or safety." remain in the proposed amendments as this may "capture" an unprofessional conduct or incompetent practice that is not included under §16-89-60(6) or §16-89-60(7).

There being no further recommendations to consider, upon a motion by Ms. Kim, seconded by Mr. Boyer, it was voted on and unanimously carried to amend the proposed rules section on mandatory reporting to read as follow:

"(8) Failing to report oneself as a nurse, or failing to report, as a director of nursing, designated nursing supervisor or designee, a nurse against whom disciplinary action as a result of unprofessional conduct described in §16-89-60(6) or inconsistent with the practice of nursing as identified in §16-89-60(7) has been taken, including termination or resignation of a nurse in lieu of discipline, or who may be a threat to the public health or safety."

Nursys – Status Report

The EO reported that she is waiting for final confirmation from the Department's IT people on automating the data extraction and submission on a daily basis before she signs the agreement.

Continuing Competency

Status Report on Recognition of CE Courses Approved by Other State BONs

The EO reported that there is nothing new to report but the following inquiry has information on Florida's CE approval process.

Request for Acceptance of CE Approved by Florida BON

The Board discussed the following email inquiry:

"Hi Lee Ann – After I talked with you, our organization went into Emergency Mgmt mode to prepare for the Hurricane, so apologies for the late response. Per our conversation, you wanted me to provide clarification re: our Suncoast Learning platform as it pertains to continuing education for our nurses.

Suncoast Hospice is a learning platform specifically for Home Health and Hospice organizations. The courses we complete are related to our field in caring for the hospice and palliative care patient. There are many courses that pertain to nursing practice and provides continuing education credits.

Courses include:

Hospice Emergencies
Hospice in a nursing facility, part 1 & part 2
Nursing home and hospice regulatory implications
Complementary Therapies (Aromatherapy in Palliative Care, Music Therapy to Improve Communication and Cognition in Hospice Patients with dementia)
End Stage Disease Process (many courses available)
Interdisciplinary Practice (many courses available)
Loss, Grief, and Bereavement (many courses available)
Pain and Symptom Management (many courses available)
Quality/Regulatory/Compliance (many courses available)
Psychological, emotional and social care (many courses available)
Spiritual Care (many courses available)

While Suncoast Hospice, in cooperation with the Suncoast Institute, is an approved provider of continuing education in the state of Florida, I am requesting credit be given from the Hawaii State Board of Nursing for completion of these courses. This encourages field related training as well as meets the requirement for renewing their RN license."

The EO provided a copy of the Florida BON's regulations on standards for continuing education that includes learner objectives, subject matter, faculty qualifications, evaluation, contact hour criteria, self-directed learning, and standards for continuing education providers seeking board approval.

Based on the review of the Florida BON's regulations on continuing education approval, the Board determined that the Florida BON had a very comprehensive application and review process.

Consequently, it was the consensus of the Board that if this course was approved by the Florida BON at the time the course was completed, then this activity would count towards the continuing education contact hours.

Credit6 Hours vs. Two Semester Credits – Request for Clarification

The Board discussed the following email inquiry from Eileen Carlos:

"I'd like to inquire about the competency requirements for RN license renewals. I've read the requirements and searched through numerous FAQs, but have not been able to find the answer I'm looking for. One option for us is "two semester credits of post-licensure academic education related to nursing practice." I am currently in an online BSN program through Chamberlain College of Nursing. I'm trying to determine if the classes I am taking will suffice for this requirement, however the classes are determined by credit hours. There's two classes per semester, but I don't know how the semester credits translates from this. Chamberlain has advised me to check with the Hawaii state board of nursing as they don't have any information on the conversion. Would I be able to get some clarification on this? I'd like to hope that the classes I'm taking will satisfy this competency requirement."

The Board referred to page 6 of the Continuing Competency Booklet ("Booklet") that reiterates the definition of "Semester credit" in HAR § 16-89-2 as "a minimum of fifteen hours of classroom instruction or a minimum of thirty hours of laboratory or clinical instruction, or equivalent quarter hours which means a minimum of ten hours of classroom instruction or a minimum of twenty hours of laboratory or clinical instruction."

Based on this definition, it was the consensus of the Board that 2 semester credits equal 30 hours of classroom instruction or 60 hours of laboratory or clinical instruction.

Request from American Educational Institute, Inc.

The Board discussed the following inquiry from Krystal Lawson, American Educational Institute, Inc.

"I am contacting you on behalf of American Educational Institute, we are a CE provider and yearly we contact the nursing boards to seek approval to place your states name in our brochure advertising that the state has approved The Update, our program for 20 CE contact hours.

As it applies to accreditation please answer the following:

1. Does your board accept credit course that are approved for CME Category 1 credits?
2. Does your board accept credit courses that are approved by another jurisdiction?
3. Does your board accept credits courses that qualify formally for Approved Cat 1 Continuing Education hours for the purpose of ANCC certification?
4. Would the Category 1 CME credits count as regular credit hours or self-study?
5. On a yearly basis, does the process of approval vary? Can we list your state this year?"

The Board discussed concerns with "advertising" that the State has approved their continuing education as it may be misconstrued as an endorsement. Also they could not find information that this organization was included on the approved continuing education provider list on pages 19-20.

Consequently, based on the Board's concerns, the Board provided the following responses to the questions:

1. Does your board accept credit course that are approved for CME Category 1 credits? **HAR §16-89-2 defines "Semester credit" as a minimum of fifteen hours of classroom instruction or a minimum of thirty hours of laboratory or clinical instruction, or equivalent quarter hours which means a minimum of ten hours of classroom instruction or a minimum of twenty hours of laboratory or clinical instruction." also, §16-89-2 defines "Contact hour" as "a minimum of sixty minutes of actual organized instruction. Academic credit will be converted to contact hours as follows:
(1) One quarter academic credit equals 12.5 contact hours; and
(2) One semester academic credit equals 15 contact hours.
Contact hour equivalencies shall be as follows: 1 continuing education**

unit = 10 contact hours; 1 continuing medical education credit = 60 minutes; 1 American Medical Association credit = 60 minutes.”

2. Does your board accept credit courses that are approved by another jurisdiction? **No, see page 20 of the Continuing Competency Booklet**
3. Does your board accept credits courses that qualify formally for Approved Cat 1 Continuing Education hours for the purpose of ANCC certification? **The Board reiterates their response to question #1 in response to this question.**
4. Would the Category 1 CME credits count as regular credit hours or self-study? **The Board reiterates their response to question #1 in response to this question.**
5. On a yearly basis, does the process of approval vary? **It may.** Can we list your state this year? **No thank you, such statements seem to trigger additional inquiries to the Board.**

NetCE – Verification of Acceptable Provider

The Board discussed the following email inquiry from Sheryl Akiyoshi:

“My co-workers and I plan on obtaining our required 30 CEUs through NetCE. It says they are ANCC accredited; however, I wanted to verify with the BON that it is a legitimate provider of education?”

The Board directed the EO to refer Ms. Akiyoshi to pages 19-20 of the Continuing Competency Booklet that lists approved providers of continuing education, including the ANCC.

Hawaii Cardiac Boot Camp #2

The Board reviewed the information on this 3 day program and deferred to the October meeting at which time they will review the California BON’s regulations on continuing education approval process.

Certified Lactation Consultant Certification

The Board discussed the following email inquiry:

“I’m currently a CLC, Certified Lactation Consultant certification issued by The Academy of Lactation Policy and Practice ALPP. I’m up for recertification and have taken a conference online. I’d like to know if this is a recognized national certifying body CE Units by Hawaii’s Board of Nursing.”

Here is there website for reference. <https://www.alpp.org/>.”

The Board discussed that you did not have to be a nurse in order to receive this certification and that although the national certification may not be on the Board’s current list of recognized national certification for nurses, the Board could accept

the continuing education hours if the continuing education was by an approved provider listed on pages 19-20 in the Continuing Competency Booklet.

MSN Credits – Count Towards Continuing Competency Requirements?

The Board discussed the following email inquiry from Ginny Victor:

“I recently received my license (Nov 11, 2017) and have completed one semester (9 credits) of the MSN program at the university of Hawaii at Manoa this past spring semester. I will be taking 3 credits this fall semester. Does this qualify me for my upcoming renewal?”

The Board directed the EO to inform Ms. Victor that her credits would meet the 2 semester credit learning activity option if it was completed between July 1, 2017 and the date she renews her RN license.

The Chair called for a recess at 10:50 a.m.

The Chair reconvened the meeting at 11:05 a.m.

Correspondence

NCSBN

In Focus, Summer 2018 Issue

A copy of the issue was distributed to the Board members.

Legislative Updates

The Board reviewed the following Legislative updates:

- 8/3/2018
- 8/17/2018
- 8/24/2018

The NCSBN National Guidelines for Medical Marijuana

The NCSBN established a Medical Marijuana Nursing Guidelines Committee in order to create guidelines and recommendations for education and care, review of the relevant statistics, current legislation, scientific literature, and clinical research on cannabis as a therapeutic agent. Part 1 presents the results of these reviews and consultations and Part ii presents the specific guidelines created by the Committee that includes nursing care of the patient using medical marijuana, medical marijuana education in pre-licensure nursing programs, medical marijuana education in APRN nursing programs, and APRNs certifying a medical marijuana qualifying condition.

Leadership Paradoxes – What I Wished I Had Learned 40 Years Ago

A copy of Joey Ridenour’s presentation was distributed to the Board members for their information.

Balanced Living, August 2018

A copy of the August 2018 issue was distributed to the Board members for their information.

Working Solutions, August 2018

A copy of the August 2018 issue was distributed to the Board members for their information.

Scope of Practice

Nurses Performing Fetal Scalp Electrode and Intra uterine Pressure Catheter Placement

The Board discussed the following email inquiry from Amanda Bamba:

“I wondered what information you had on scope of practice laws for Labor and Delivery Nurses in Hawaii. Specifically, in regards to Fetal Scalp Electrode and Intra Uterine Pressure Catheter placement. Are nurses allowed to place these items?”

The Board discussed the definition of the practice of nursing and that it is not specific to any procedure and therefore directed Ms. Bamba to the decision making flowchart available on the Board’s web page.

Are Nurses Permitted to Administer medications for Procedural/Moderate Sedation

The Board discussed the following email inquiry from David Ngo:

“I am an Emergency Medicine Attending Physician working at Emergent Medical Associates in Southern California. We currently staff an Emergency Department in Maui.

I was hoping you could help provide some important information regarding nursing and procedural/moderate sedation.

Are nurses in Hawaii permitted to administer medications for procedural/moderate sedation?”

The Vice Chair started that the California Board of Registered Nursing issued a policy regarding “Conscious Sedation” by a registered nurse and the American Association of Nurse Anesthetists also has a policy regarding “Non-anesthesia Provider Procedural Sedation and Analgesia”.

The Board discussed the definition of the practice of nursing and that it is not specific to any procedure and therefore directed Dr. Ngo to the decision making flowchart available on the Board’s web page.

APRNs Performing Dry Needling

The Board discussed the following email inquiry from Emily Brewer:

"I have a question regarding the scope of practice for an APRN regarding dry needling. Can you help me with this? If not, do you know who can?"

The Vice Chair stated that this may involve trigger points.

Ms. Kim stated that this is a technique used by physical therapist for treatment of muscular pain, similar to acupuncture.

After further discussion, it was the Board's informal interpretation that dry needling by an APRN was not consistent or supported by evidence-based nursing practice.

In accordance with HAR §16-201-90, the above interpretation is for informational and explanatory purposes only and based solely on the information provided. It is not an official opinion or decision and therefore not binding upon the Board.

CRNA Inquiry – Nurse Anesthesiologist?

The Board discussed the following email inquiry from Michael Bentley:

"I am a Nurse Anesthetist and recently there has been a discussion in our community concerning the terms "Nurse Anesthesiologist". I seek the BON stance on the following two related items.

1. I am asking if it is permissible under the BON to introduce myself to a patient in the following manner... "Hello Mrs. Smith, I am Mike your Nurse Anesthesiologist today"
2. I am also asking if it is permissible to introduce myself as follows, "Hello Mrs. Smith, I am Mike, a CRNA, I will be your Nurse Anesthesiologist today."

I am asking what the BON stance is on the above."

The Board referred to HAR §§ 16-89-79 Title and 16-89-81 Practice specialties determined only references a "Certified registered nurse anesthetist" or "CRNA" and not "Nurse anesthesiologist" and therefore, a CRNA may not refer to themselves as a "Nurse anesthesiologist".

In accordance with HAR §16-201-90, the above interpretation is for informational and explanatory purposes only and based solely on the information provided. It is not an official opinion or decision and therefore not binding upon the Board.

American Academy of Nurse Practitioners Receives Accreditation of its Emergency NP Certification Program from the National Commission for Certifying Agencies

A copy of the news release was distributed to the Board members for their information only.

Chapter 91, HRS
Adjudicatory Matters:

At 11:29 a.m., the Vice Chair called for a recess of the meeting to discuss and deliberate on the following adjudicatory matter:

In the Matter of the License to Practice Nursing of **John E. Sulecki, R.N.; RNS 2015-74-L**, Executive Officer's Affidavit and Proposed Board's Final Order for Revocation for Failure to Comply with Board's Final Order Dated December 1, 2016

Upon a motion by the Vice Chair, seconded by Dr. Napoleon, it was voted on and unanimously carried to approve the Board's Final Order.

Following the Board's review, deliberation, and decision in these matters, pursuant to Chapter 91, HRS, the Vice Chair announced that the Board was reconvening its scheduled meeting at 11:32 a.m.

Executive Session:

At 11:32 a.m., upon a motion by Ms. Kim, seconded by Ms. Boyer, 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 nurse licensure;" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 12:00 p.m. upon a motion by Ms. Kim, seconded by Ms. Kodama, it was voted on and unanimously carried to move out of executive session.

Applications:

Licensed Practical Nurses

Ratification List

Upon a motion by the Vice Chair, seconded by Mr. Duldulao, it was voted on and unanimously carried to ratify the attached list of LPNs – 19271-19300 (29)

LPN Applicants

Upon a motion by Ms. Kim, seconded by Ms. Daub, it was voted on and unanimously carried to approve the following applications:

Pancheco Brown

Registered Nurses

Ratification List

Upon a motion by the Vice Chair, seconded by Mr. Duldulao, it was voted on and unanimously carried to ratify the attached list of RNs – 90437 - 90789 (352)

RN Applicants

Upon a motion by Ms. Kim, seconded by Mr. Duldulao, it was voted on and unanimously carried to approve the following applications:

Dewey Logan
Adora McDougal
Andrea Herr
Rosenie Dorce

Upon a motion by Ms. Kim, seconded by Ms. Kodama, it was voted on and unanimously carried to: grant the reconsideration request and request that the following applicant submit additional information within thirty days:

Kimberly Soileau

Advanced Practice Registered Nurse (APRN)

Ratification List

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

APRN Application(s)

Upon a motion by Ms. Kim, seconded by Ms. Kodama, it was voted on and unanimously carried to approve the following application upon submission of additional information:

Rosenie Dorce

Election of Chair
and Vice Chair:

The EO announced that the Board will now conduct elections for a new Chair and a Vice Chair and asked if the current Vice Chair was willing/able to serve as the Chair.

The Vice Chair said yes.

There being no further discussion, upon a motion by Mr. Duldulao, seconded by Ms. Kodama, it was voted on and unanimously carried to elect Mr. Joslyn as the new Chair of the Board of Nursing.

The EO asked if Ms. Kim was willing/able to serve as the Vice Chair.

Ms. Kim said yes.

There being no further discussion, upon a motion by Mr. Duldulao, seconded by Ms. Boyer, it was voted on and unanimously carried to elect Mr. Kim as the new Vice Chair of the Board of Nursing.

Next Meeting: Thursday, October 4, 2018
8:30 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

The Chair announced the next scheduled Board meeting and asked if everyone was available to attend.

Ms. Daub asked to be excused.

Adjournment: There being no further business to discuss, the meeting was adjourned at 12:08 p.m.

Taken by:

/s/ Lee Ann Teshima
Lee Ann Teshima,
Executive Officer

LAT

9/6/18

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____.