

**WEST VIRGINIA BOARD OF EXAMINERS FOR
REGISTERED PROFESSIONAL NURSES
June 16 & 17, 2010**

A Board meeting was held at the office of the West Virginia Board of Examiners for Registered Professional Nurses at 101 Dee Drive, Charleston, WV 25311-1620.

BOARD MEMBERS PRESENT:

CYNTHIA PERSILY, Ph.D., RN, PRESIDENT

ROBIN WALTON, MSN, RN, Ed.D., FNP-BC, SECRETARY

JOYCE EGNOR, MSN, RN

MARY FRIEL FANNING, MSN, RN

TERESA RITCHIE, MSN, RN, FNP-BC

JUDY NYSTROM, PUBLIC MEMBER

BOARD MEMBERS ABSENT:

DR. PAMELA CAIN, PUBLIC MEMBER

BOARD STAFF PRESENT:

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR

CYNDY R. HAYNES, MSN, RN, DIRECTOR OF EDUCATION & PRACTICE

ALICE R. FAUCETT, JD, GENERAL COUNSEL & DIRECTOR OF DISCIPLINE

MARGARET "MARTY" ALSTON, SECRETARY II/ACCOUNTING ASSISTANT II

JUNE 16, 2010

CALL TO ORDER

The meeting was called to order by Dr. Cynthia Persily, Board President at 9:15 a.m.

QUORUM

With the required number of members being present a quorum was established.

INTRODUCTION OF GUESTS

The Board recognized the visitors present for the meeting.

1. ACCEPTANCE OF AGENDA

1. made a motion to accept the agenda as written. The second was offered by . The motion carried.

2. APPROVAL OF MEETING MINUTES

A. MARCH 18 & 19, 2010 REGULAR BOARD MEETING

- 2.A. The March 18 & 19, 2010 Board Meeting minutes were reviewed. Teresa Ritchie made a motion to approve the meeting minutes as amended. The second was offered by Mary Fanning. The motion carried.

B. APRIL 22, 2010 SPECIAL BOARD MEETING

- 2.B. The April 22, 2010 Special Board Meeting minutes were reviewed. Mary Fanning made a motion to approve the meeting minutes as amended. The second was offered by Joyce Egnor. The motion carried.

C. JUNE 2, 2010 SPECIAL BOARD MEETING

- 2.B. The June 2, 2010 Special Board Meeting minutes were reviewed. Joyce Egnor made a motion to approve the minutes as amended. The second was offered by Robin Walton. The motion carried.

3. OPEN FORUM

3. There were no issues brought forward for the Open Forum. The Board moved forward with the agenda.

4. LICENSING

A. PAPERLESS LICENSING

- 4.A.** The Executive Director provided an update on the implementation the paperless licensing system. Articles have been published in two (2) newsletter magazines informing licensees of the upcoming change and the information would be published again in the next issue. Staff is working with IS&C to develop the format for printing the new licenses. Advanced practice would no longer print on the licenses because of the expiration dates on the certifications. Advanced practice nurses will receive a letter informing them of this change. The online verification system is being updated to include advanced practice.

5. BUDGET

5.A. FY2010 THIRD QUARTER EXPENDITURES

- 5.A.** The Board reviewed the FY 2010 Third Quarter Expenditures Report. A motion was made by Robin Walton to approve the FY 2010 Third Quarter Expenditures Report. The second was offered by Joyce Egnor. Motion carried.

5.B. FY2010 4TH QTR EXPENDITURES TO DATE

- 5.A.** The Board reviewed the FY 2010 Fourth Quarter Expenditures To Date Report which included the approved increased spending authority in the amount of \$13,000.00. A motion was made by Judy Nystrom to approve the FY 2010 Fourth Quarter Expenditures to Date Report. The second was offered by Teresa Ritchie. Motion carried.

5.C. FY2011 APPROPRIATIONS

- 5.B.** The Board reviewed and discussed the FY2011 Appropriations which included the approved increased spending authority in the amount of \$100,000.00. A motion was made by Joyce Egnor to approve the FY2011 Appropriations. The second was offered by Mary Fanning. Motion carried.

**5.D. PURCHASE CARD
REPORT**

- 5.D.** The Board reviewed the Purchase Card Report provided on purchases from February 2010 through April 2010. A motion was made by Mary Fanning to approve the Purchase Card Report. The second was offered by Teresa Ritchie. Motion carried.

**6. DIALYSIS TECHNICIAN
REPORT**

6.A. BUDGET

- 6.A.** The Board reviewed the Third Quarter Expenditures report for Dialysis Technicians. A motion was made by Judy Nystrom to approve the Third Quarter Expenditures report for Dialysis Technicians. The second was offered by Robin Walton. Motion carried.

6.B. UPDATE

- 6.B.** The Executive Director provided an update on the progress of the Dialysis Technicians. There are currently 164 active certified Dialysis Technicians in West Virginia and 90 who hold a Temporary Permit in West Virginia. The renewal process is ongoing and far 54 online renewals have been processed.

**7. BOARD MISSION STATEMENT
AND GOALS**

**7.A. REVIEW/REVISE/
REAFFIRM**

- 7.A.** The Board reviewed the Mission, Goals and Objectives. A discussion ensued. The Board directed the staff to make the recommended changes for their review later in the meeting.

**8. BOARD CONFLICT OF INTEREST
STATEMENT**

8.A. REVIEW/REVISE/REAFFIRM

- 8.A.** Teresa Ritchie made the motion to reaffirm the Conflict of Interest Statement as written. The second was offered by Joyce Egnor. Motion carried. The Board Conflict of Interest Statement was reviewed, reaffirmed, and signed by the Board members.

9. BOARD CODE OF CONDUCT

9.A. REVIEW/REVISE/REAFFIRM

- 9.A. Joyce Egnor made the motion to reaffirm the Code of Conduct as written. The second was offered by Judy Nystrom. Motion carried. The Code of Conduct was reviewed, reaffirmed, and signed by the Board members.

10. BOARD MEMBER APPOINTMENT UPDATE

10. Dr. Persily reported letters have been mailed to the Governor and to the West Virginia Nurses Association (WVNA) regarding the expired terms/vacancies on the Board.

11. NCSBN

11.A. DELEGATE ASSEMBLY

11.A.1. APPOINTMENT OF DELEGATES AND ATTENDEES FOR AUGUST 11-13, 2010 PORTLAND, OR

- 11.A.1. The Board was provided with information regarding the NCSBN Delegate Assembly Annual meeting scheduled to be held in Portland Oregon on August 11-13 2010. The Executive Director explained that NSCBN will provide funding for two (2) attendees. Robin Walton made a motion to approve funds for four (4) additional representatives to attend the meeting. The second was offered by Judy Nystrom. Motion carried

11.A.2. SLATE OF CANDIDATES

- 11.A.2. The Board was provided with the 2010 Slate of Candidates for Delegate Assembly.

11.A.3. BOARD OF DIRECTOR RECOMMENDATIONS TO THE DELEGATE ASSEMBLY

- 11.A.3. The Board reviewed and supported the recommendations.

12. MEETINGS

12.A. REPORT ON MEETINGS ATTENDED

12.A.1. CENTER FOR NURSING

12.A.1. Dr. Persily reported there had not been a meeting for the Center for Nursing to report on at this time.

12.A.2. ADDNE

12.A.2. The Director of Education and Practice attended this meeting in Huntington, WV and provided the Board with a report. Steve McElroy, who was present during this discussion, reported that the group met with Gubernatorial Candidate Senator Kessler.

12.A.3. CRISIS STANDARDS OF CARE WORKGROUP

12.A.3. The Executive Director reported that she attended this meeting which was held through the Office of Threat Preparedness. The Committee continues to work in establishing tools for decision making during crisis/disaster events.

12.B. SELECTION OF REPRESENTATIVES FOR MEETINGS

12.B.1. CLEAR, NASHVILLE, TENNESSEE

12.B.1 A motion was made by Robin Walton to approve a total of five (5) representatives to attend the CLEAR Annual Conference to be held in Nashville, TN on September 23-25, 2010. The NCIT Basic and Specialized Training is September 20-22, 2010. The second was offered by Judy Nystrom. Motion carried.

12.B.2. 2010 NLCEX INVITATIONAL

12.B.2 A motion was made by Judy Nystrom to approve a total of four (4) representatives to attend the 2010 NCLEX Invitational to be held in Atlanta, GA on September 13, 2010. The second was offered by Teresa Ritchie.

13. SAFETY COMMITTEE

13. Marty Alston provided the Board an update of the Safety Committee. The Board was reminded to submit their driver safety review for this year. The Executive Director explained that compliance has resulted in reduced premiums for the agency.

BREAK

10:30 - 10:45

7.A. MISSION GOALS AND OBJECTIVES REVIEW/REVISE/ REAFFIRM (CONTINUED)

- 7.A. The Board reviewed the Mission, Goals and Objectives earlier in the meeting and directed the staff to make the recommended changes for approval. The Board reviewed the changes. A motion was made by Joyce Egnor to approve the Mission, Goals and Objectives as modified. The second was offered by Judy Nystrom. Motion carried.

14. PRACTICE

14.A. ACCEPTING OR REJECTING AN ASSIGNMENT DOCUMENT

- 14.A. During the joint RN/LPN Board Meeting a joint Committee was established to review and update this document.

14.B. PILOT STUDY: MEDICATION AIDES IN NURSING HOMES

- 14.B. The LPN Board and Health Care Association will meet in the upcoming months to draft the legislation for this project.

14.C. PRACTICE QUESTIONS

14.C.1. ANESTHETICS

- 14.C.1. The board reviewed a letter from Mary Fanning, RN, MSN, NEC-BC, Board Member and Director, Nursing Administration Nursing Services at West Virginia University Hospitals and a letter from Vickie Schlak, RN, MS, CPHQ from the Office of Medical Affairs at Charleston Area Medical Center, regarding questions related to the administration of anesthetics. A discussion ensued. The Board directed the Executive Director to draft a Position Statement based on the Board's discussion for their review and discussion on Day Two of the meeting.

**14.C.2. DELEGATION OF THE
MEDICAL
DISCHARGE
SUMMARY**

- 14.C.2.** The Board reviewed questions regarding the delegation of The Medical Discharge Summary. A discussion ensued. The Board directed the Executive Director to draft a Position Statement based upon the Board's discussion for review on Day Two of the meeting.

**14.C.3. ADMINISTRATION OF
SKIN FILLERS**

- 14.C.3.** The Board reviewed questions from Linda Williams, CRNA, JD regarding the scope of practice of a registered professional nurse in the area of dermatologic procedures. Robin Walton prepared to recuse herself from any vote but was asked to remain during the discussion as she has expertise in the field. A discussion ensued. The Board directed the Executive Director to draft a response for review and approval and tabled the discussion until Day Two of the meeting.

14.D. ADVANCED PRACTICE

- 14.D.** The Board reviewed the Board of Medicine Policy Statement. Guidelines for Physicians in Collaborative Relationships with Advanced Nurse Practitioners or Certified Nurse Midwives standard of practice.

**14.E. SCHOOL NURSE REVISED
POLICIES**

- 14.E.** Rebecca King presented the Board with the School Nurse Revised Policies. A discussion ensued. The Board shared several concern with the language in the document. Ms. King assured the Board that she would remove the language to reflect the Board's concerns.

**RECESS MEETING - LUNCH
12:00 NOON**

**JOINT RN/LPN BOARD MEETING
1:00 P.M.**

RECONVENE
2:00 P.M.

14.F. PRACTICE COMMITTEE

14.F. Robin Walton and Mary Fanning volunteered to serve as members on the Practice Committee.

EXECUTIVE SESSION FOR DISCIPLINE

Dr. Persily, Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to consider a discipline matter. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Robin Walton that the Board recess and reconvene in an Executive Session by the request of the petitioner for reinstatement. The motion was seconded by Mary Fanning. Motion carried.

The regular meeting recessed in order to begin the Executive Session.

**PUBLIC SESSION FOR MOTIONS RELATED TO
EXECUTIVE SESSION**

Joyce Egnor made a motion to recess Executive Session and reconvene the meeting in public session. The motion was seconded by Teresa Ritchie. Motion carried.

Mary Fanning recused herself and left the room for the vote.

**15. MOTIONS RELATED PETITIONER FOR
REINSTATEMENT**

A. SETH MILLER

15.A. A motion was made by Robin Walton to place the license of Seth Miller on PROBATION for a period of three (3) years. The Board ORDERS Mr. Miller to pay the appropriate fines and

administrative costs. The terms of probation are as follows:

1. Mr. Miller shall not work at a Nursing Registry, Temporary Nursing Agency, Home Health Care Agency, or as a Private Duty Nurse.
2. He shall not work in an autonomous or supervisory nursing position. He shall work only under the direct supervision of a registered professional nurse in a structured setting throughout the term of his probation. Such supervising registered professional nurse must, at the time of said supervision, hold an active, unencumbered West Virginia license.
3. He shall inform the Board in writing within ten (10) days of the date he resumes the practice of registered professional nursing, or any employment in the health care field, in the State of West Virginia and shall include the name, address, and telephone number of his employer. He shall provide in writing the name of his immediate registered professional nurse supervisor. He shall inform the Board of any interruption in nursing practice or change in employment within ten (10) days of such interruption or change.
4. He shall immediately inform his nursing employer, any prospective nursing employer, and the director of any nursing education program in which he enrolls or teaches, that the Board has placed his license on probation, and shall provide a complete copy of this agreement to his employer(s). The Board may provide his employer(s) with a copy of this agreement and may communicate with his employer(s).
5. He shall, within ten (10) days of employment or continuation of practice, cause his employer or immediate registered professional nurse supervisor to notify the Board, in writing, of the employer's or supervisor's receipt of a copy of this agreement. He shall further cause his employer or supervisor to submit monthly reports to the Board describing his job performance, attendance, attitude, and other work behaviors during the first year of probation and if his progress is satisfactory to the Board, quarterly thereafter.
6. He shall submit documentation of fifteen (15) contact hours of continuing education awarded each year during the time his license is on probation in addition to those already required by law.
7. He shall report in person for an appointment with the Board staff upon request.
8. He shall not handle nor administer narcotic or psycho tropic medications, nor have access to locked or other storage areas in which such medications are kept. He shall notify his employer of this restriction on his practice.

9. He shall submit to unannounced, witnessed drug-screening tests. Said tests shall be on demand and to the specifications of the Board and at his expense. Receipt of a positive drug screen is deemed to be a violation of this Consent Agreement, and shall result in immediate suspension of the probationary license. Eating products containing poppy seeds will not constitute as an accepted reason for having a positive screen for opioids.
10. He shall abstain from the use of alcohol and limit his use of drugs to those prescribed for a legitimate purpose by a physician, dentist or nurse practitioner duly licensed in the State of West Virginia. He shall provide a copy of this Agreement to any prescribing physician, dentist or nurse practitioner. He shall cause his physician, dentist or nurse practitioner to notify the Board in writing of any medications/drugs prescribed and the condition for which said drug(s) has been prescribed. He agrees that, if he accepts a prescription for narcotic or psychotropic drugs, the Board may impose additional probationary terms.
11. He shall coordinate any health care services he requires with one physician or registered nurse practitioner, who shall be informed of any services or prescriptions sought or obtained by any physician, dentist or nurse practitioner. He shall provide this individual, who serves as his point of contact for health care needs, with a copy of this agreement.
12. He shall execute a release to permit the Board to obtain medical or other health care records, which may be requested at any time while his license is on probation, regarding his physical or mental health and any treatment rendered.
13. He shall annually submit to the Board a written personal statement regarding his progress. The statement shall be due at the end of the first year and in each subsequent year during the month in which this agreement is accepted by the Board.
14. He shall participate in a structured aftercare program, with a certified addictions counselor approved by the Board. The treating certified addictions counselor shall make a monthly report to the Board about their progress and his compliance with the aftercare program. He shall visit their approved treatment provider at least two (2) times per month during the term of this agreement. This requirement may be modified upon request to the Board by the certified addictions counselor.
15. He shall submit or have submitted to the Board evidence of participation in 12-Step meetings. He shall attend at least three (3) 12-Step meetings per week. Written evidence of participation in meetings shall be submitted to the Board on or before the fifth day of each month.
16. He shall not work any night shift for at least three (3) months, shall not work any

shifts greater than ten (10) hours, shall have at least ten (10) hours off between shifts and shall not work no greater than forty-five (45) hours per week. If employer reports are satisfactory during these three (3) months Miller can request to have these provisions modified.

17. He may petition the Board after one (1) year for other modifications of the terms of his agreement.

The second was offered by Joyce Egnor. Motion carried

RECESS MEETING
2:30 PM

RECONVENE DAY TWO
JUNE 17, 2010

CALL TO ORDER

The meeting was called to order by Cynthia Persily at 9:10 a.m..

QUORUM

With the required number of members being present a quorum was established.

INTRODUCTION OF GUESTS

The Board recognized the visitors present for the meeting.

REVIEW OF AGENDA

The agenda was reviewed and no changes noted.

16. EDUCATION

16.A. COMMITTEE REPORT

16.A. The Board reviewed the items listed below on the Consent Agenda. Board Members were provided the opportunity to ask questions regarding items on the consent agenda presented. Items on the consent agenda are recommendations from the Education Committee:

A. REVIEW OF NURSING EDUCATION PROGRAM INFORMATION

A.2.A. Alderson Broaddus College requested approval of the program's new drug screen policy and the revision of the following policies: grading with remediation plan and progression within nursing. The Committee recommends to the full Board to approve the request with recommendation that the program have the College's attorney review and approve the drug screening policy.

A.2.C. Blue Ridge Community and Technical College requested approval of curriculum, mission and philosophy changes. The Program Director was available in person to respond to Board questions. Discussion ensued. The Consultant was available by phone to discuss the recommended changes. The Committee tabled this item until the October 2010 meeting in order for the program to provide the Board with course descriptions including clinical course plans and clinical evaluation tools.

A.2.D. Davis and Elkins College provided monthly reports for Board review regarding progress related to plans addressing the pass rate concerns. The Committee recommends to the full Board to accept the reports and for the program to continue sending updates to the Board.

A.2.E. Eastern West Virginia Community and Technical College (EWCCTC) provided reports updating the Board on the progress of the program and Director mentoring plans. The Committee recommends to the full Board to:

1. accept the reports;
2. approve Ms. Berg as Program Director for the associate degree nursing program at EWCCTC; and
3. approve Ms. Landis as full-time nursing faculty at EWCCTC with MSN progress reports submitted each year with the program annual report.

A.2.F. Board Staff visited the provisionally approved LPN to AD program at Fairmont State University. Board Staff met with faculty teaching in the program and students in their last semester of the first graduating class. The Committee recommends to the full Board to accept the report with a request for the program to clarify faculty workload and summer contract agreements prior to the October Board meeting.

Fairmont State University is requesting approval to the program's pre-admission criteria and scoring sheet. The Committee recommends to the full Board to accept the request.

A.2.G. Kanawha Valley Community and Technical College is requesting the approval of Vicki Stephens, Dean of Nursing to act in the capacity of Director until the position is filled. The Committee recommends to the full Board to accept the request.

Kanawha Valley Community and Technical College is requesting Berton Kent Wilson, MSN, RN as Nursing Program Director. The Committee recommends to the full Board to approve Mr. Wilson as Nursing Program Director.

KVCTC is notifying the Board that the LPN to RN program (currently provisionally approved) is temporarily suspended for revision to curriculum. Their plan is to submit changes in October 2010. They are also changing from ATI to Kaplan. The Committee recommends to the full Board to approve the temporary suspension for purposes of curriculum revision and approve the change from ATI to Kaplan.

A.2.K. Shepherd University provided the Board an update on the plan of action addressing the pass rate of the program and results of curriculum mapping and test blueprinting. The Committee recommends to the full Board to accept the report and submit continued updates on the program progress to the Board for the October Board meeting.

Shepherd is requesting approval of changes to the program curriculum, mission and philosophy. The Committee recommends to the full Board to approve the requested changes.

A.2.L. Board Staff visited the provisionally approved LPN cohort at the Boone County site of Southern West Virginia Community and Technical College (SWVCTC). Board Staff met with faculty teaching in the program and students in their last semester of the first graduating class. The Committee recommends to the full Board to accept the report.

SWVCTC is requesting approval of revisions to their program mission, philosophy, policies and objectives. The Committee recommends to the full Board to approve the request.

SWVCTC is requesting approval of administrative changes to the nursing program. Ms. Pamela Alderman, Dean, will be stepping back into a more active role with the program and will be mentoring Ms. Diaz and new faculty. The Committee recommends to the full Board to:

1. approve Alyce Patterson Diaz, MSN, RN as Department Chair for Allied Health and Nursing; and

2. approve Karan Steele Grimes, MSN, RN as Nursing Coordinator.

A.2.M. The University of Charleston associate nursing program provided progress reports to include the completed curriculum mapping and test blueprinting as required by the Board. The Committee recommends to the full Board to accept the report and continue sending monthly program progress reports.

The University of Charleston baccalaureate nursing program provided progress reports as required by the Board. The Committee recommends to the full Board to accept the report and continue sending monthly program progress reports.

A.2.P. West Virginia Wesleyan College has provided the Board required report on plans related to the program pass rate and includes curriculum mapping and test blueprinting. The Committee recommends to the full Board to accept the report and require continued quarterly reports be submitted to the Board.

A. 3. NEW PROGRAM VISIT REPORTS

A.3. The completed on-site visit report for Salem International University was reviewed by the Committee including program comments related to the submitted visit report. Two of the three Site Visitors were available in person to respond to Board questions. Administrative Staff from Salem International University were available in person to respond to Board questions and to update the Board on activities that have occurred since the visit. Additional information was provided regarding faculty offices and equipment for the offices being in place, faculty workload and a maximum of 22 FTE nursing faculty were planned based on maximum enrollment. It was also stated that an increase in administrative assistant support would occur pending enrollment numbers. The Administrators confirmed that nursing faculty would teach in all nursing programs, but not in the same semester. Clinical rotations will be scheduled based on availability at clinical sites and may be on evenings and weekends. The Committee recommends to the full Board accept the visit report and provisionally accredit the program until the first graduating class pass rates are known, approve the admission plan pending available nursing faculty and include an on-site visit report by the end of the first year of the program with ongoing monitoring by Board staff every year.

Salem International University is requesting the approval of Theresa Cowan as Director of Nursing Education. The Committee recommends to the full Board to approve Theresa Cowan as Director of Nursing Education at Salem International University.

4. REVIEW OF STAFF RELATED ACTIVITY

The Committee recommends to the full Board to ratify the report.

5. CHANGES TO APPLICATIONS FOR BOARD REVIEW

Board Staff provided recommendations to the Education Committee regarding changes to the examination application and midwife application. The Education Committee recommends approval of the following changes to the applications:

1. examination application- additional spaces for documentation of multiple licenses and certifications in the current question requesting this information;
2. midwife application- requiring signature of the collaborating physician verifying the relationship (similar to prescriptive authority verification form);
3. faculty qualification request form- addition of Dean/Director providing information as to any disciplinary action related to the applicant.

6. REVIEW OF EDUCATION GOALS AND PARAMETERS

The Committee recommends to the full Board to approve the goals and parameters as currently written.

All of the recommendations from the Consent Agenda (Items 1 thru 6) received unanimous approval.

Robin Walton recused herself and left the room for action pertaining to Marshall University and St. Mary's Hospital.

A.2.H. Marshall University requested approval of changes to their curriculum related primarily to the general education requirements of the university. Ethics content is integrated into nursing courses. Total credit hours change from 128 to 124. The Committee recommends to the full Board to approve the request.

A.2.J. St. Mary's/Marshall Cooperative ASN Program provided the final report for the Bridge program. The Committee recommends to the full Board to accept the report.

Mary Fanning made a motion the Board approve the consent agenda Items above **A.2.H** and **A.2.J.** The second was offered by Teresa Ritchie. Motion carried.

Cynthia Persily, Board President recused herself and left the room for action pertaining to West Virginia University. Dr. Persily relinquished the Chair to Robin Walton, Board Secretary. Teresa Ritchie also recused herself and left the room during the following action.

A.2.N. West Virginia University (WVU) provided the Board required plan of action, curriculum mapping and test blueprinting for the Potomac State College students. The Committee recommends to the full Board to accept the report.

WVU provided the Board required report on progress of the Glenville State College/WVU Joint Program. The Committee recommends to the full Board to accept the report and require continuation of reports for each Board meeting.

A.2.O. West Virginia University at Parkersburg (WVU-P) submitted a request for approval of revisions to the program mission, philosophy, conceptual framework and admission requirements including advanced placement of licensed practical nurses. The Committee recommends to the full Board to accept the requested changes.

Joyce Egnor made a motion that the Board approve the consent agenda Items above **A.2.N** and **A.2.O.** The second was offered by Mary Fanning. Motion carried.

Cynthia Persily and Teresa Ritchie rejoins the meeting at this time. Dr. Persily resumed the Chair.

EDUCATION COMMITTEE ITEMS REFERRED TO THE FULL BOARD

BLUEFIELD STATE COLLEGE

The Board reviewed the request from Bluefield State College for a curriculum change that involved changes in the general studies at Bluefield State College. Joyce Egnor made a motion to approve the changes with the following exceptions:

1. Microbiology is to be moved to the third quarter of the curriculum; and
2. English 102 is to be moved to the fourth quarter of the curriculum.

The second was offered by Mary Fanning. Motion carried.

WHEELING JESUIT UNIVERSITY

The Board reviewed the completed on-site visit report for Wheeling Jesuit University. Teresa Ritchie made a motion to accept the report and requires the program to submit a progress report on or before the end of business July 30, 2010 on the following:

1. budget;
2. library update; and
3. updating the nursing skills lab including pending grand dollars and collaboration with Wheeling Hospital as reported to the Board. The second was offered by Joyce Egnor. Motion carried.

CE WAIVER REQUEST

The Board reviewed a wavier request from a licensee that was audited by the Board. The licensee submitted the request with an explanation of not being able to sit or stand for long periods of time. The licensee reports working 20 to 40 hours weekly. Teresa Ritchie made a motion to deny the request for the waiver. The second was offered by Judy Nystrom.

16.B. MISCELLANEOUS

- 16.B.** The Education Committee proposed to develop an orientation plan for the CE Providers auditing process and to send a manual to all providers. There are currently 196 active CE Providers. The Board directed the staff to move forward with the development of the manual.

17. DISCIPLINARY REVIEW REPORT

17.A. PRESENTATION OF CASES

- 17.A.** Alice Faucett, General Counsel and Director of Discipline provided the Board with the Disciplinary Review Committee (DRC) report for March 20, 2010 through June 16, 2009. A total of thirty-three (33) cases were reviewed.

17.B. APPROVAL OF DECISIONS

- 17.B.** The DRC recommended the Board approve the report as written. The recommendation received unanimous approval. A copy of the report is filed herewith.

BREAK
10:30 - 10:45

**14.C. PRACTICE QUESTIONS
CONTINUED**

Mary Fanning recused herself and left the room for the vote on the following topic.

14.C.1. ANESTHETICS

- 14.C.1.** The Board revisited the discussion and review of the drafted Administration of Anesthetic Agents Position Statement. Joyce Egnor made a motion to approve the document with the amendments. The second was offered by Teresa Ritchie. Motion carried. The Board directed the Executive Director to send responses to the letters and to include the Board's Position Statement.

Mary Fanning rejoined the meeting at this time.

**14.C.2. DELEGATION OF THE
MEDICAL DISCHARGE
SUMMARY**

- 14.C.2.** The Board revisited the review of delegation of a Medical Discharge Summary Position Statement drafted document. Robin Walton made a motion to approve the document

with the amendments. The second was offered by Joyce Egnor. Motion Carried

14.C.3. ADMINISTRATION OF SKIN FILLERS

- 14.C.3.** The Board revisited this topic from Day One of the meeting and reviewed the letter of response staff prepared. Teresa Ritchie made a motion to approve the letter with the amendments. The second was offered by Robin Walton. Motion carried.

EDUCATION CONTINUED

MOUNTAIN STATE UNIVERSITY

The Board reviewed the site visit report for the traditional nursing program at the Martinsburg Campus of Mountain State University (MSU). A discussion ensued. Several concerns from the site visit were identified including, but not limited to:

1. the lack of communication between students and MSU administration;
2. missing students' records which could not be accounted for by MSU administration;
3. lack of students' clinical evaluation documentation for completed clinicals,
4. the fact that students were engaged in clinicals without documentation in their records for clinical readiness;
5. student confusion over transfer credits contained on the MSU graduation report;
6. student concerns about MSU's inability to obtain contracts for clinical sites; and
7. that visitors met with three relatively new faculty, who had very limited history and knowledge regarding the MSU program.

Teresa Ritchie made a motion that the Board accept the site visit report and deferred further action for the traditional nursing program at the Martinsburg Campus of MSU until after the Board investigation report is available. The second was offered by Joyce Egnor. Motion carried.

Appalachian Bible College

The Board reviewed information pertaining to the arrangement between MSU BABS to BSN nursing program and Appalachian Bible College in Bradley, West Virginia. The Board deferred further discussion of this topic until after lunch.

LUNCH
12:00 N - 1:00 PM

EXECUTIVE SESSION

Dr. Persily, Board President, announced that in accordance with Chapter 6, Section

4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to discuss certain matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Robin Walton that the Board recess and reconvene in an Executive Session to confer with Legal Counsel regarding issues related to Mountain State University. The second was offered by Mary Fanning. Motion carried. The Board reconvened in Executive Session.

RECONVENE PUBLIC SESSION

A motion was made by Mary Fanning to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Joyce Egnor. Motion carried. The Board reconvened in Public Session.

The Board reminded the representatives present from MSU that by letter dated March 29, 2010, the Board directed MSU to provide to the Board thirty days prior to the June 16th Board meeting, amongst other things, “a preliminary plan of action addressing the failure rate of students in the BABS to BSN program and include curriculum mapping and test blueprinting. The Board requires the plan to include the results of student admission requirement review”. MSU’s response to this directive lacks sufficient information to address Board concerns.

Robin Walton made a motion that the Board require MSU to submit the requested report on or before the end of business June 30, 2010. The Board requires the following to be included in the report:

1. the number of course credit hours at the time of admission for each student admitted to the BABS to BSN program since its approval by this Board;
2. a summary of the number of students who do not have a conferred degree or 120 course credit hours at the time of their admission to the BABS to BSN program;
3. the number of students not meeting the admission requirements and the student’s admission status at the time of admission; and
4. a copy of the admission letter sent to each student that did not meet the prerequisites at admission.

The second was offered by Joyce Egnor. Motion carried.

The Board revisited information pertaining to the arrangement between MSU BABS to BSN nursing program and Appalachian Bible College in Bradley, West Virginia.

Teresa Ritchie made a motion that there be no further admissions to this program, as it has never been approved by this Board. Also, by letter dated March 29, 2010, “the Board requires Mountain State University to stop admissions to the BABS to BSN program on all campuses”

And to required includes MSU provide documentation of completed OB/Pediatric clinicals for the Martinsburg LPN to BSN cohort 21 be submitted on or before the end of business on September 20, 2010. The required documentation shall include each student's transcript and clinical evaluations showing completion of the required clinicals.

The motion further includes that the Board will notify the national accrediting bodies of Board actions taken relative to MSU and that there is a current investigation in progress by this Board.

The second was offered by Joyce Egnor. Motion carried.

EXECUTIVE SESSION

Cynthia Persily, Board President, announced that in accordance with Chapter 6, Section 4(2)(A), of the Code of West Virginia, Executive Sessions may be held by governmental agencies to discuss certain matters. All motions arising from the discussion during the Executive Session shall be made and voted on in an open meeting immediately following an Executive Session.

A motion was made by Mary Fanning that the Board recess and reconvene in an Executive Session to discuss Executive Staff Evaluations and Compensation. The second was offered by Joyce Egnor. Motion carried. The Board reconvened in Executive Session.

ADJOURN EXECUTIVE SESSION

A motion was made by Robin Walton to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Judy Nystrom. Motion carried. The Board reconvened in Public Session.

RECONVENE PUBLIC SESSION (OPEN TO THE PUBLIC)

19. PUBLIC SESSION, MOTIONS RELATED TO EXECUTIVE SESSION

19.A. APPOINTMENT OF EXECUTIVE DIRECTOR

19.A. A motion was made by Mary Fanning to continue the appointment of Laura Skidmore Rhodes, MSN, RN, as the Board's Executive Director and to approve a 5% salary increase. The second was offered by Joyce Egnor. Motion carried.

19.B. STAFF COMPENSATION

19.B. A motion was made by Teresa Ritchie to approve a 5% salary increase for Alice R. Faucett-Carter, J.D., General Counsel and Director of Discipline, and Cyndy R. Haynes, MSN, RN, Director of Education and Practice. The motion was seconded by Judy Nystrom. Motion carried.

18. ELECTION OF OFFICERS

18.A. PRESIDENT

18.A. The floor was open for nominations for Board President. Robin Walton made a motion to re-elect Dr. Cynthia Persily for Board President. The second was offered by Mary Fanning. Motion carried. Dr. Persily was re-elected as President

18.B. SECRETARY

18.B. The floor was open for nominations for Board Secretary. Judy Nystrom made a motion to re-elect Robin Walton for Board Secretary. The second was offered by Joyce Egnor. Motion carried. Robin Walton was re-elected as Secretary.

19. APPOINTMENT OF COMMITTEE MEMBERS

19. The Board President reviewed the following committee assignments:

Disciplinary Review Committee:	Judy Nystrom and Teresa Ritchie
Education Committee:	Robin Walton, Joyce Egnor and Mary Fanning
Advisory Council-Dialysis Technicians:	Teresa Ritchie

The assignments remained the same by consensus.

ADJOURN

The motion to adjourn the meeting was made by Robin Walton at 2:50 pm. The second was offered by Joyce Egnor. Motion carried.



Minutes taken and prepared by
Margaret "Marty" Alston
Secretary II/Accounting Assistant II



Respectfully submitted by
Robin Walton, EdD, RN
Board Secretary