

**WEST VIRGINIA BOARD OF EXAMINERS FOR
REGISTERED PROFESSIONAL NURSES
April 28, 2016**

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 on April 28, 2016.

BOARD MEMBERS PRESENT BY CONFERENCE CALL:

TARA F. HULSEY, PhD, RN, CNE, FAAN, PRESIDENT

TERESA RITCHIE, DNP, APRN FNP-BC, SECRETARY

NANCY V. ATKINS, MSN, APRN WHNP-BC

DORIS F. BURKEY, DNP, MSN, APRN FNP-BC

JUDY NYSTROM, PUBLIC MEMBER

THERESA L. DENNISON, PUBLIC MEMBER

BOARD MEMBER ABSENT:

L. ANN BOSTIC, DNP, APRN CRNA

BOARD STAFF PRESENT:

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR

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

ROBIN A. LEWIS, Ed.D., MSN, RN, FNP-BC, ASSOCIATE DIRECTOR

APRIL 28, 2016

CALL TO ORDER

The meeting was called to order by Dr. Tara Hulsey, Board President at 9:00 A.M.

QUORUM

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

1. ACCEPTANCE OF AGENDA

A. AGENDA

- 1.A.** Doris Burkey made a motion to accept the agenda as revised. Nancy Atkins offered the second. The motion carried.

**2. REVIEW AND CONSIDERATION OF
MARCH 21-22, 2016 MEETING MINUTES**

- 2.** Nancy Atkins made a motion to accept the minutes as submitted. The second was offered by Teresa Ritchie. The motion carried.

**3. EXECUTIVE SESSION FOR PURPOSES OF
INTERVIEWING A CANDIDATE FOR THE
EXECUTIVE DIRECTOR POSITION:
REBECCA KING, MSN, MEd, RN, NCSN**

- 3.** 9:03 A.M. Teresa Ritchie made a motion for the Board to enter into Executive Session. Doris Burkey was the second. The motion carried. The Board went into Executive Session at 9:03 A.M.

Tara Hulsey, 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 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.

9:55 A.M. Nancy Atkins made a motion for the Board to end the Executive Session and return to Public Session. Doris Burkey offered the second. The motion carried and the Board re-entered Public Session.

**4. REVIEW AND CONSIDERATION OF THE
BOARD'S POSITION STATEMENT
REGARDING ADVANCED PRACTICE
REGISTERED NURSES DELEGATING TO
MEDICAL ASSISTANTS**

4. The Board reviewed its current position statement regarding the Advanced Practice Registered Nurse (APRN) delegating to Medical Assistants in the out patient clinical setting. Discussion ensued. It was noted that the separate reference to the Certified Nurse-Midwife (CNM) should be stricken as the separate section of the law related to CNMs was repealed during the 2016 Legislative Session and the specialty is categorized under the general category of APRN. The discussion then centered on the various exams available to Medical Assistants. Teresa Ritchie made a motion to revise the position statement by removing all separate references to the CNM and to add the following certification exams as ones the Medical Assistant can take to meet the certification requirement: American Association of Medical Assistants, American Medical Technologists Medical Assistant, National Center for Competency Testing, and National Healthcareer Associations. The second was offered by Doris Burkey. The motion carried. The revised statement is as follows:

Board Position Statement

Delegation of Medication Administration by an Advanced Practice Registered Nurse (APRN) Licensed
by the
West Virginia Board of Examiners for Registered Professional
to
Qualified Medical Assistants in the Primary Care Setting.

The Advanced Practice Registered Nurse (APRN) holding a license issued by the West Virginia Board of Examiners for Registered Professional Nurses, whose license and certification is in good standing, is permitted to delegate medication administration to qualified medical assistants in primary care settings under the following conditions:

1. Patient safety is maintained;
2. In person patient assessment has been completed by the APRN;
3. Circumstances don't allow for further decision making by the qualified Medical Assistant;
4. Patients are determined to have a stable condition;
5. The administration of medication has an expected specific determined outcome; and,

6. Facility policies support the practice.

Prior to delegating any medication administration, the APRN is responsible for validating the credentials of the medical assistant to assure completion of a nationally recognized accredited program of study with a curriculum that included pharmacology and medication administration, the medication assistant has a current national certification through the American Association of Medical Assistants, American Medical Technologists Medical Assistant, National Center for Competency Testing, and National Healthcareer Association related competencies have been validated within the past twelve months. Each APRN must validate the competencies of the medical assistant. This validation includes direct observation of all routes of medication delivery to patients across the lifespan. This validation must be documented and verified by the signature of the APRN. Each APRN is responsible for the delegated act and related follow through.

Board Revised Statement Approved: April 28, 2016

**6. REVIEW AND CONSIDERATION OF
CHANGES RELATED TO HOUSE
BILL 4334**

**B. REVIEW AND
CONSIDERATION OF THE
EDUCATION PLAN RELATED
TO SIGNING DEATH
CERTIFICATES**

- 6.B.** HB4334 permits APRNs to complete and sign a death certificate, among other documents, once the APRN has completed related education provided by the Board. The Executive Director provided an update regarding progress toward developing the related education program. Staff is working with the Division of Vital Statistics, Gary Thompson and WV Interactive, Will Smith in developing the program and managing related documentation. Information related to the programs from Arizona and Virginia were provided. Board staff was seeking direction on which format the Board prefers, an attestation of the completion of the program or a program that includes a post test. The current plan is for this program to be available by mid-May 2016. Discussion ensued. Teresa Ritchie made a motion to move forward with the program planned with Vital Statistics and WV Interactive which incorporates an attestation to the fact that the APRN reviewed the information and evidence of completing the program which may be used as 1.5 CE under the self-study category. Nancy Atkins offered the second. The motion carried.

**5. EXECUTIVE SESSION FOR
PURPOSE OF INTERVIEWING
CANDIDATE FOR THE EXECUTIVE
DIRECTOR POSITION: MARK
EICKBUSH, MSN, RN**

11:05 A.M. Doris Burkey made a motion for the Board to enter into Executive Session for the purpose of interviewing a candidate for the executive director position. Teresa Ritchie offered the second. The motion carried.

Tara Hulseley, 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 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.

12 Noon Judy Nystrom made a motion for the Board to adjourn the Executive Session and re-enter Public Session. Nancy Atkins offered the second. The motion carried. The Board re-entered Public Session.

The Board recessed for Lunch

**6. REVIEW AND CONSIDERATION OF
CHANGES RELATED TO HOUSE BILL 4334
A. REVIEW, CONSIDERATION AND
SELECTION OF ADVANCED
PRACTICE REGISTERED NURSE
CANDIDATES TO INTERVIEW FOR
THE APPOINTMENT TO THE JOINT
ADVISORY COUNCIL FOR LIMITED
PRESCRIPTIVE AUTHORITY**

6. Letters and resumes from APRNs interested in being considered for appointment to the Joint Advisory Committee were reviewed. The Board heard from Hallie Mason, representative for the West Virginia Nurses Association, who encouraged the Board to not wait until June to interview candidates as it would decrease the time available for the Governor to have the names and add to a long agenda for the Board. She also indicated she had been in contact with the Governor's office and they seem interested in moving the appointments along. Discussion

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ensued among Board members. The deadline for submitting a letter of interest and resume was April 26, 2016. Theresa Dennison made a motion that the Board review the candidate spreadsheet and select the top 20 candidates and return it to the Executive Director by May 6, 2016; the Executive Director will compile a list of the overall top 20 candidates to send back to the Board members who will then select the top 12 for interviewing during the May 19, 2016 Board Meeting. Nancy Atkins offered the second. The motion carried.

1:00 P.M. Judy Nystrom made a motion to enter in Executive Session for the purposes of interviewing candidates for the position of Executive Director. Nancy Atkins offered the second. The motion carried.

Tara Hulsey, 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 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.

**7. EXECUTIVE SESSION FOR THE
PURPOSE OF INTERVIEWING
CANDIDATES FOR THE EXECUTIVE
DIRECTOR POSITION: DR. SUE ANN
PAINTER, DNP, RN AND DR. NANCY
K. DUNN, EDD, APRN, FNP-BC**

2:05 P.M. Doris Burkey made a motion to adjourn from Executive Session and return to Public Session. Teresa Ritchie offered the second. The motion carried.

**6. REVIEW AND CONSIDERATION OF
CHANGES RELATED TO HOUSE
BILL 4334**

**C. REVIEW AND
CONSIDERATION OF THE
PRELIMINARY DRAFT OF
RULE CHANGES RELATED
TO LIMITED PRESCRIPTIVE
AUTHORITY FOR
CONSIDERATION AND INPUT
FROM INTERESTED PARTIES**

- 6.C.** The Board reviewed WV Title 19 Code of State Rules Series 8 Limited Prescriptive Authority proposed revisions based upon the changes in the law resulting from the passage of HB4334. The Board President recognized Hallie Mason, representative for the West Virginia Nurses Association who reported she had a meeting with the Secretary of State's office including Judy Cooper, Charles Roskovinsky and Jeff Johnson, Legislative Attorneys and attorney for the Secretary of States office regarding rule making. She offered recommendations for the Board's consideration regarding the time line for the legislative and emergency rule. Discussion ensued. The Executive Director reported that she has been in contact with the Secretary of State; and then, at the request of the Board, read aloud the Emergency Rule requirements. Once the rule was reviewed and comments and revisions identified by the Board, discussion ensued regarding the process. The question regarding timing of filing the Emergency Rule centered around the language in HB4334 relate to the Joint Advisory Council (JAC). The JAC may assist the board in developing and proposing emergency rules. The JAC is to be established by July 1, 2016.

There is a list of duties the JAC may perform. When reviewing the totality of the history and process related to the passage of this bill the Board's Legal Counsel and Assistant Attorney General both advise that it is prudent for the Board to allow the JAC to determine what part, if any, it wants to play in assisting the board in developing and proposing emergency rules. And, as a result advise the Board to move forward with the emergency rule making process in such a way as to allow this opportunity to occur. Discussion ensued. Finding that it is important to move forward with the rule making process as quickly as possible, and finding it important for the Board to do this in such as way as to, at minimum, provide the opportunity for the JAC to be

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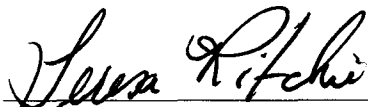
appointed and meet and determine the role it wants to play in assisting the board in developing and proposing emergency rules, Nancy Atkins made a motion for the Board staff to garner input from interested parties related to the rule revisions identified by the Board today such that the comments are available for the Board's review and consideration during the June 9-10, 2016 Board meeting, and file the rules in such a way that there is the opportunity for the JAC to review the Emergency Rule during the comment period, should it be established by that time. Teresa Ritchie offered the second. Discussion ensued. The motion carried.

**9. PUBLIC SESSION FOR
MOTIONS OR
ACTIVITY RELATED
TO THE EXECUTIVE
SESSION**

9. There were no motions from the Executive Session. The Board directed the Executive Director to follow up on next steps in vetting the Executive Director Candidate and report to the Board President. By consensus the Board Members gave the President the authority to move forward with the hiring process as discussed.

10. ADJOURN

10. Nancy Atkins made a motion to adjourn. Judy Nystrom offered the second. The motion carried. The meeting adjourned at 4:30 P.M.



Respectfully submitted by
Teresa Ritchie, DNP, APRNFNP-BC
Board Secretary



Minutes prepared by
Laura Skidmore Rhodes
Executive Director