

**WEST VIRGINIA BOARD OF EXAMINERS FOR
REGISTERED PROFESSIONAL NURSES
MARCH 20, 2020**

An Emergency Board meeting was held by teleconference call at the office of the West Virginia Board of Examiners for Registered Professional Nurses at 90 MacCorkle Avenue, Suite 203, South Charleston, WV 25303, on March 20, 2020.

BOARD MEMBERS PRESENT (via teleconference call):

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

TERESA RITCHIE, DNP, APRN FNP-BC, SECRETARY

NANCY V. ATKINS, MSN, APRN WHNP-BC

THERESA L. DENNISON, PUBLIC MEMBER

JOHN MARTIN, PUBLIC MEMBER

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

BOARD MEMBERS ABSENT:

L. ANN BOSTIC, DNP, APRN CRNA

BOARD STAFF PRESENT:

DR. SUE A. PAINTER, DNP, RN, EXECUTIVE DIRECTOR

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

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

MARGARET E. ALSTON, DIRECTOR OF FINANCE AND OPERATIONS

LESLIE K. JORDAN, ASST. DIRECTOR OF DISCIPLINE & OPERATIONS

1. CALL TO ORDER

The meeting was called to order by, Board President at 1:10 p.m.

2. QUORUM

A quorum was established.

3. ACCEPTANCE OF AGENDA

3. The Board reviewed the agenda. Teresa Ritchie made a motion to review and consider the approval of the October 2019 Board meeting minutes which was deferred from the meeting on March 13, 2020 to make clarification and corrections. Doris Burkey seconded the motion. The motion carried.

4. REVIEW AND CONSIDERATION OF RULES TO SUSPENDED DURING A DECLARED EMERGENCY BY THE GOVERNOR OF WEST VIRGINIA

A. APPLICANT FOR EXAMINATION EDUCATED IN THE UNITED STATES OR TERRITORIES

1. ELECTRONIC CRIMINAL HISTORY (RULE 19-3-3.1.a.4.)

4.A.1 Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) suspend Rule 19-3-3.1.a.4 to permit the waiver of CBC in the Identogo Enrollment Center is closed until the center reopens and another center is not within reasonable distance from the applicant location. When the Center reopens the CCBC needs to be completed. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. The second was offered by Doris Burkey. The motion carried.

2. TEMPORARY PERMIT TO PRACTICE AS REGISTERED NURSE (RULE 19.3-4.2)

4.A.2 Doris Burkey made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional

Nurses (Board) suspend Rule 19.3-4.2 to extend the expiration date beyond the ninety (90) days as required by rule. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Teresa Ritchie offered the second. The motion carried.

B. RN ENDORSEMENT

1. LICENSURE VERIFICATION PROCESS (RULE 19.3-7.1.d)

- B.1. Nancy Atkins made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) suspend Rule 19.3-7.1.d to permit Board staff to use Nursys and/or a state license verification site during the emergency so the applicant does not have to request a state to submit the verification directly in writing to the board office. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Theresa Dennison offered the second. The motion carried.

2. ELECTRONIC CRIMINAL HISTORY (RULE 19-3.7.1.e)

- B.2. Nancy Atkins made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) suspend Rule 19-3.7.1.e to permit the waiver of CBC in the Identogo Enrollment Center is closed until the center reopens and another center is not within reasonable distance from the applicant location. When the Center reopens the CCBC needs to be completed. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. The second was offered by Teresa Ritchie. The motion carried.

**3. ENDORSEMENT
TEMPORARY PERMIT (RULE
19-3-7.2.c)**

- B.3. Nancy Atkins made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) suspend Rule 19-3.7.2.c. to extend the expiration date beyond the ninety (90) days as required by rule to such time the emergency declaration from the Governor is lifted. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. John Martin offered the second. The motion carried.

C. APRN

**1. LICENSURE VERIFICATION
PROCESS (19.3-11)**

- C.1. Nancy Atkins made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) suspend Rule 19.3-11 to permit Board staff to use Nursys and/or a state license verification site during the emergency so the applicant does not have to request a state to submit the verification directly in writing to the board office. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Theresa Dennison offered the second. The motion carried.

D. PRESCRIPTIVE AUTHORITY

**1. DOCUMENTED
REQUIREMENTS FOR
PHARMACOLOGY IN
CLINICAL PRACTICE (RULE
19-8-3.1.b)**

- D.1. Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance

therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) suspend Rule 19-3-8.3.b permit the waiver of this requirement from the program director's during this emergency. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Theresa Dennison offered the second. The motion carried.

5. REVIEW AND CONSIDERATION OF STATUTES TO BE SUSPENDED BY AN EXECUTIVE ORDER BY THE GOVERNOR

A. RN ENDORSEMENT

1. CONTINUING EDUCATION

- A.1. Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same, and because these rules have corresponding code, I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) submit the following code sections to the Governor for suspension in whole or in part as follows; W.Va. Code 30-2-7(a) and W.Va. Code 30-1-7(a) permitting the waiver of CE for these topics during the emergency. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Nancy Atkins offered the second. The motion carried.

2. TEMPORARY PERMIT (LAW 30-7-6(d))

- A.2. Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same, and because these rules have corresponding code, I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) submit the following code sections to the Governor for suspension in whole or in part as follows; W.Va. Code 30-7-6(d) to remove the expiration of ninety (90) days. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency,

whichever occurs first. Nancy Atkins offered the second. The motion carried.

**B. REINSTATEMENT OF LAPSED,
RETIRED OR INACTIVE RN LICENSE**

**1. CONTINUE EDUCATION
(LAW 30-1-7A)**

- B.1. Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same, and because these rules have corresponding code, I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) submit the following code sections to the Governor for suspension in whole or in part as follows; W.Va. Code 30-1-7(a) permitting the waiver of CE for these topics during the emergency. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Nancy Atkins offered the second. The motion carried.

**2. CRIMINAL HISTORY
(LAW 30-7F-3)**

- B.2. Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same, and because these rules have corresponding code, I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) submit the following code sections to the Governor for suspension in whole or in part as follows; W.Va. Code 30-7F-3 permitting the waiver of CBC if the Identogo Enrollment Center is closed until the Center reopens and another Center is not within reasonable distance from the application location. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. Doris Burkey offered the second. The motion carried.

**6. REVIEW AND CONSIDERATION OF
MODIFICATION OF CONSENT
AGREEMENTS OR MONITORING
AGREEMENTS WITH THE BOARD ARE
REQUIRED TO:**

**A. ATTEND 12 STEP MEETINGS,
GROUP COUNSELING SESSIONS
AND/OR INDIVIDUAL COUNSELING
SESSIONS WILL BE PERMITTED TO
DO SO ONLINE OR BY UTILIZING
ANY OTHER FORM OF
TECHNOLOGY NOT REQUIRING A
FACE TO FACE, IN PERSON
MEETING.**

- 6.A. Doris Burkey made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) approve the licensee to attend 12-step meetings, group counseling sessions and/or individual counseling sessions online or by utilizing and other forms of technology not requiring a face-to-face, in person meeting. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. The second was offered by Theresa Dennison. The motions carried.

**B. PRESENT FOR RANDOM DRUG
SCREEN**

- 6.B. Teresa Ritchie made a motion that pursuant to the Governor's issued State of Emergency Declaration related to the outbreak of the COVID-19 virus in which he delegated authority to state agencies to suspend rules, if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency and pursuant to the Governor's Executive Order directing the same. I move the West Virginia Board of Examiners for Registered Professional Nurses (Board) approve to suspend random drug testing but to continue daily check-ins with Affinity if labs are unavailable during the emergency but restart testing as soon as the labs become available for licensees under a consent agreement. Such suspension shall take effect immediately and shall cease upon the filing of a Notice lifting the suspension or upon the termination of the State of Emergency, whichever occurs first. The second was offered by Nancy Atkins. The motions carried.

**7. REVIEW AND CONSIDERATION OF
REQUEST TO APPROVE SENIOR NURSING
STUDENTS WHO HAVE ACCEPTED
POSITION AT FACILITIES, COMPLETED
GRADUATION REQUIREMENTS OR
OTHERWISE COMPETENT, TO PROVIDE
ADDITIONAL NURSING CARE DURING A
DECLARED EMERGENCY BY GOVERNOR**

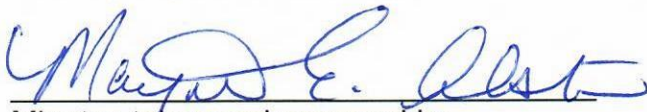
- 7.B. A discussion ensued. A motion was made by Tara Hulseby to table this topic until meeting scheduled for April 3, 2020. The second was offered by Teresa Ritchie. The motion carried.

8. MISCELLANEOUS

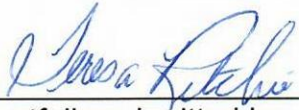
There were no issues to review under this topic.

9. ADJOURN

With no further business before the Board, a motion to adjourn the meeting was made by Teresa Ritchie. The motion was seconded by Nancy Atkins. The motion carried. Meeting adjourned at 2:15 p.m.



Minutes taken and prepared by
Margaret E. Alston
Director of Finance and Operations



Respectfully submitted by
Teresa Ritchie, DNP, APRN FNP-BC
Board Secretary