

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

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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 Teresa Ritchie. 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 Hulseley 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.

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

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