

**WEST VIRGINIA BOARD OF EXAMINERS FOR
REGISTERED PROFESSIONAL NURSES
APRIL 3, 2020**

An Emergency Board meeting was held by the West Virginia Board of Examiners for Registered Professional Nurses by conference call, on April 3, 2020.

BOARD MEMBERS PRESENT:

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

TERESA RITCHIE, DNP, APRN FNP-BC,

NANCY V. ATKINS, MSN, APRN, WHNP-BC

L. ANN BOSTIC, DNP, MSN APRN FNP-BC

DORIS BURKEY,
(Joined meeting at 3:25pm)

JOHN MARTIN, PUBLIC MEMBER

THERESA L. DENNISON, PUBLIC MEMBER

BOARD STAFF PRESENT:

DR. SUE PAINTER, DNP, RN, EXECUTIVE DIRECTOR

ALICE FAUCETT, JD, GENERAL COUNSEL AND DIRECTOR OF DISCIPLINE

MARGARET "MARTY" ALSTON, DIRECTOR OF FINANCE AND OPERATIONS

ROBIN A. LEWIS, ED D, MSN, APRN, FNP-BC, DIRECTOR OF PRACTICE AND EDUCATION

2. CALL OT ORDER

The meeting was called to order by the Board President at 3:00 p.m.

3. QUORUM

A Quorum was established on the call.

4. ANNOUNCEMENTS AND INTROUDUCTION OF MEMBERS, STAFF AND GUESTS

The Board President welcomed all visitors that were on the call and did a roll call of Board members and Staff in attendance.

5. MISSION REVIEW

Tara Hulseley, Board President provided a review of the Board’s mission.

6. REVIEW AND CONSIDERATION OF AGENDA

The Board reviewed the proposed agenda. The agenda was approved by consent.

7. REVIEW OF EXECUTIVE ORDER 17-20 ON MARCH 31, 2020

The Board President provided a brief timeline of events related to Executive Order 17-20 on March 31, 2020 and events up to this meeting held on April 3, 2020.

8. REVIEW AND CONSIDERATION OF SUBMITTED ISSUES OR CONCERN FROM THE PUBLIC IN LIEU OF OPEN FORUM

The Board President explained that in lieu of an Open Forum the Board had provided stakeholders the opportunity to submit comments, questions and request by email up to midnight on April 2, 2020. Dr. Hulseley provided a summary of the comments and explained that all comments and issues would be addressed during the meeting.

9. REVIEW AND CONSIDERATION OF PROPOSED APRN PRACTICE IN RESPONSE TO THE COVID-19 PANDEMIC

- 1 Ann Bostic made a motion that pursuant to the Governor’s Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses, in their discretion, to suspend or modify the requirements for the administration of anesthesia, the Board suspends and modifies the requirement contained in W. Va. Code 30-7-15 that requirements for supervision or presence of any other healthcare provider when anesthesia is administered by a certified registered nurse anesthetist (CRNAs) (WV Code §30-7-15) is suspended and to remove the supervision by a

physician or dentist for a CRNA. The second was offered by Teresa Ritchie. The motion carried.

- 2 Teresa Ritchie made a motion that pursuant to the Governor's Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses, in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements, contained in W. Va. Code 30-7-15a, 30-7-15b, 30-7-15c), the Board suspends and modifies the requirements the advanced practice registered nurse shall practice in conformity with the advanced practice registered nurse's education, training, and certification and in accord with the delineation of privileges granted to the advanced practice registered nurse by the hospital/facility to use the advanced practice registered nurse to the fullest extent possible. The second was offered by Nancy Atkins. The motion carried.

- 3 Ann Bostic made a motion that pursuant to the Governor's Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses, in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements, contained in W. Va. Code 30-7-15a, 30-7-15b, 30-7-15c), the Board suspends and modifies the requirements for West Virginia APRNs, who have been approved to practice in West Virginia during the State of Emergency, the requirement for collaborative agreements with physicians for the prescribing of medications is suspended and automatically reinstated when the declared emergency is lifted. The second is offered by Theresa Dennison. The motion carried.

4 Teresa Ritchie made a motion that pursuant to the Governor’s Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses, in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements, contained in W. Va. Code 30-7-15a, 30-7-15b, 30-7-15c), the Board suspends and modifies the requirements For West Virginia APRNs with prescriptive authority, who have been approved to practice in West Virginia during the State of Emergency, Schedule II drugs of the Uniform Controlled Substances Act and antineoplastics, if the patient has been on these medications, are permitted to be refilled if the refill is required during the declared emergency. The prescribing physician’s name must be written on the prescription as well as the last date the prescription was filled. Doris Burkey offered the second. The motion carried.

5 Doris Burkey made a motion that pursuant to the Governor’s Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses, in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements, contained in W. Va. Code 30-7-15a, 30-7-15b, 30-7-15c), the Board suspends and modifies the requirements for West Virginia APRNs with prescriptive authority, who have been approved to practice in West Virginia during the State of Emergency, the Drugs listed under Schedule III shall not be limited to a thirty day supply and are permitted to be refilled if the refill is required during the declared emergency. The second was offered by Ann Bostic. The motion carried.

6 Ann Bostic made a motion that pursuant to the Governor’s Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses,

in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements, contained in W. Va. Code 30-7-15a, 30-7-15b, 30-7-15c), the Board suspends and modifies the requirements that the fee for initial prescriptive authority shall be waived until 30 days after the state of emergency is lifted by the Governor. John Martin offered the second. The motion carried.

- 7 Ann Bostic made a motion that pursuant to the Governor's Executive Order 17-20 permitting the West Virginia Board of Examiners for Registered Professional Nurses, in their discretion, to temporarily suspend or modify the requirements for the authorization for prescriptive authority, collaborative requirements for prescriptive authority, prescriptive formulary limitations, prescriptive refill and supply limitations, and other prescriptive limitations including continuing education and renewal requirements, contained in W. Va. Code 30-7-15a, 30-7-15b, 30-7-15c), the Board suspends and modifies the requirements the APRN certifications renewal extension is based on certifying body policy. Teresa Ritchie offered the second. The motion carried.

10. MISCELLANEOUS

A.1. CONSIDERATION OF MEETING DATES THROUGH APRIL 30, 2020, APRIL 10, APRIL 17 & APRIL 24

A.1. The Board reviewed future meeting dates through April 30, 2020 review and consider matters related to the WV Board of Examiners for Registered Professional Nurses ongoing response to the COVID-19 pandemic, including review and consideration of the emergency regulatory changes in response to gubernatorial Executive Orders and the current State of Emergency. A motion was made by Teresa Ritchie to schedule Board Meetings through April 30, 2020 on the following dates, April 9, April 17 & April 24 beginning at 3 pm via conference call. The second was offered by Nancy Atkins. The motion carried.

A.2. THE POSTING OF MINUTES OF BOARD MEETINGS AFTER APPROVAL FROM THE SECRETARY IN A DRAFT FORMAT TO PERMIT REVIEW OF THE PUBLIC UNTIL MINUTES CAN BE APPROVED BY THE FULL BOARD MEMBERSHIP

A.2. A motion was made by Doris Burkey to post the board meeting minutes in draft format after the approval from the Board Secretary to permit review by the public until the minutes can be approved by the full Board. The second was offered by Ann Bostic. The motion carried.

B. REVIEW OR REQUESTS FOR THE WEST VIRGINIA BOARD OF NURSING TO REDUCE THE AMOUNT OF CLINICAL HOURS REQUIRED IN A HOSPITAL CLINICAL SETTING IN ORDER TO ALLOW HUNDREDS OF NURSES TO ENTER THE WORKFORCE AND PROVIDE MUCH-NEEDED RELIEF TO OUR HEROIC NURSE

B. The Board reviewed requests for the West Virginia Board of Registered Professional Nurses to reduce the amount of clinical hours required in a hospital clinical setting in order to allow hundreds of nurses to enter the workforce and provide much-needed relief to our heroic nurses. 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 to suspend and modify the clinical requirements contained in 19 CSR 1-8 as follows:

§19-1-8. Curriculum.

8.3. Simulation. A pre-licensure nursing education program ("program") may use simulation as a substitute for traditional clinical experiences, ~~not to exceed fifty percent (50%) of its clinical hours.~~ A program that uses simulation shall adhere to the standards set in this section. Clinical requirements can be met utilizing any available mechanism including, simulation, telecommunications or by any other acceptable form as determined by the school.

Board approved schools shall file a report with the Board at least thirty days prior to its October Board meeting outlining how the clinical requirements were met during the declared state of 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.

1. ADJOURN

With no further business before the Board, a motion to adjourn the meeting was made by Ann Bostic. The motion was seconded by Doris Burkey. The motion carried. Meeting adjourned at 3:43 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