

**WEST VIRGINIA BOARD OF EXAMINERS FOR  
REGISTERED PROFESSIONAL NURSES  
March 20 - 21, 2008**

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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:**

PAMELA ALDERMAN, MSN, RN, PRESIDENT

CYNTHIA PERSILY, Ph.D., RN, SECRETARY

DIANA BOYLE, MSN, RN-CS, FNP

LINDA WILLIAMS, CRNA, J.D.

ROBIN WALTON, EdD, RN, APRN-BC

JUDY NYSTROM, PUBLIC MEMBER

**BOARD STAFF PRESENT:**

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR

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

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

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

**MARCH 20, 2008**

**CALL TO ORDER**

The meeting was called to order by Pamela Alderman, Board President 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.

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### 1. ACCEPTANCE OF AGENDA

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

### 2. APPROVAL OF MEETING MINUTES

#### A. OCTOBER 25 - 26, 2007

- 2.A. The October minutes were reviewed. Diana Boyle made a motion to approve the meeting minutes as amended. The second was offered by Cynthia Persily. The motion carried.

#### B. JANUARY 3, 2008

- 2.B. The January minutes were reviewed. Diana Boyle made a motion to approve the minutes as submitted. The second was offered by Cynthia Persily. The motion carried.

### 3. OPEN FORUM

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

### 4. EDUCATION COMMITTEE REPORT AND RECOMMENDATIONS PRESENTED BY DIANA BOYLE

#### A. REVIEW OF PROGRAMS AND 2007 PASS RATES

- 4.A. **Alderson-Broaddus College** - The Education Committee deferred action to the full Board relative to Alderson-Broaddus College. Theresia Witt, RN, MSN, Chairperson, was present for the review. During the October Board meeting the Education committee made a recommendation to approve the annual report and plan of action addressing the Chair's workload, faculty workload and student attrition, curriculum change towards improving the program NCLEX-RN pass rate and continued accreditation. A discussion ensued. A motion was made by Cynthia Persily to approve the report, continue accreditation for the baccalaureate program at Alderson Broaddus College with the following:
  1. Concern regarding the NCLEX pass scores
  2. Assurance of the additional faculty for Fall 2009 for the Philippines project.
  3. Concern regarding faculty overload.
  4. Concern regarding Chairperson faculty workload

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5. Recommendation to continue curriculum review, content mapping, evaluation of testing policies and GPA for progression and graduation.

The second was offered by Robin Walton. Motion carried.

**Robin Walton recused herself from the discussion and vote related to Marshall University and left the room.**

**Marshall University** - The Education Committee recommended to the full to Board approve the report and continue accreditation of the Marshall University baccalaureate program on the Huntington campus and Point Pleasant campus.

**Robin Walton returned to the meeting room and rejoined the meeting.**

**Linda Williams recused herself from the discussion and vote related to Mountain State University and left the room.**

**Mountain State University (MSU)** - The Board reviewed information provided regarding Mountain State University. Dr. Patsy Haslam and Karen Daniels were present for the review.

The Education Committee recommended to the full Board to approve the report and additional information, accept the update for the non-traditional programs and continue accreditation for MSU's Lewisburg LPN-BSN, Roane/Jackson LPN-BSN, Charleston LPN-BSN, Welch LPN-BSN and Teays Valley LPN-BSN cohorts. The recommendation received unanimous approval.

The Education Committee recommended to the full Board to accept the corrective action plan submitted regarding verification of faculty licensure. The recommendation received unanimous approval.

The Education Committee recommended to the full Board to continue accreditation of the MSU Martinsburg campus LPN-BSN program. The recommendation received unanimous approval.

The Education Committee recommended to the full Board to continue accreditation of the MSU Summersville campus LPN-BSN cohort and request a plan of action addressing the NCLEX-RN pass rate of 52%. The recommendation received unanimous approval.

The Education Committee recommended to the full Board to continue provisional accreditation of the Parkersburg LPN-BSN cohort, Keyser LPN-BSN cohort, Clarksburg LPN-

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BSN cohort, Morgantown LPN-BSN cohort, Elkins LPN-BSN cohort, Buckhannon LPN-BSN cohort, Martinsburg traditional program and the Martinsburg BABS-BSN program until the first graduating class pass rate is known. The recommendation received unanimous approval.

The Education Committee recommended to the full Board to place the Beckley traditional program, the Beckley BABS to BSN program, Mercer LPN-BSN cohort and Cabell LPN-BSN cohort on provisional accreditation as the NCLEX-RN pass rates for these programs has been below the Board's standard for two of the past three years; require the program to provide an update to the plan of action previously reported. The recommendation received unanimous approval.

The Education Committee recommended to the full Board to remove provisional accreditation of the Beckley LPN-BSN program. The recommendation received unanimous approval.

**Linda Williams returned to the room and rejoined the meeting.**

**Shepherd University** - The Education Committee recommended to the full Board to approve the report, continue provisional accreditation of Shepherd University's baccalaureate program and require the program to provide an update to plan of action previously reported. The recommendation received unanimous approval.

**University of Charleston - Baccalaureate** - The Education Committee recommended to the full Board to approve the report and place University of Charleston baccalaureate program on provisional accreditation as the NCLEX-RN pass rates for this program has been below the Board's standard for two of the past three years and require the program to provide an update to the plan of action previously reported. The recommendation received unanimous approval.

**West Liberty State College** - The Education Committee recommended to the full Board to approve the report and continue accreditation of West Liberty State College's baccalaureate program. The recommendation received unanimous approval.

**Cynthia Persily recused herself from the discussion and vote related to West Virginia University.**

**West Virginia University** - The Committee recommended to the full Board to approve the report and continue accreditation of West Virginia University's baccalaureate program. The recommendation received unanimous approval.

**Cynthia Persily returned to the meeting room and rejoined the meeting for the discussion only regarding West Virginia Institute of Technology.**



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**West Virginia University Institute of Technology (WVUIT)** - The Board reviewed the information and request provided from WVUIT. Georgia Narsavage, WVU Dean and Evelyn Klocke, WVUIT Chair were present for the review. The Board was provided with the Consultant report and recommendations regarding this program.

### EXECUTIVE SESSION

Pamela Alderman, 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 Diana Boyle that the Board recess and reconvene in an Executive Session to discuss the confidential section of an internal memo provided to the Board by Dr. Narsavage regarding WVUIT. The second was offered by Robin Walton. Motion carried. The Board reconvened in Executive Session.

### PUBLIC SESSION

A motion was made by Robin Walton to reconvene the regular meeting. The second was offered by Judy Nystrom. Motion carried. The Board reconvened in Public Session.

A motion was made by Robin Walton to defer any action on this matter until Day Two of the meeting to allow the Board time to further review the information. The seconded was offered by Judy Nystrom. Motion carried.

**West Virginia Wesleyan** -The Committee recommended to the full Board to approve the report and continue accreditation of the West Virginia Wesleyan baccalaureate degree program. The recommendation received unanimous approval.

**Wheeling Jesuit University** - The Committee recommended to the full Board to approve the report and continue accreditation of Wheeling Jesuit University's baccalaureate program with concern as to that assurance of adequate faculty for the number of students enrolled in all nursing programs. The recommendation received unanimous approval.

### BREAK

11:10 - 11:30

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**Bluefield State College** - The Committee recommended to the full Board to approve the report and continue accreditation of Bluefield State College's associate degree program and request a plan addressing the pass rate on the Beckley campus. Sandra Wynn, MSN, RN, CFNP was present for the review. The recommendation received unanimous approval.

The Education Committee recommended to the full Board the approval of Sandra Wynn as Director of the associate degree nursing program at Bluefield State College. The recommendation received unanimous approval.

**Blue Ridge Community & Technical College** - During their February 2008 meeting, the Education Committee recommended to the full Board to continue provisional accreditation and to prohibit admission of any students for Fall 2008 until maintaining adequate faculty to accomplish content review mapping of curriculum and test blueprinting; to require the program to provide a progress report thirty (30) days prior to each Board meeting for the next year; to require that the curriculum consultant for the program has associate degree experience as an educator; and the understanding that if the Director vacancy is not filled prior to the current Directors last day of employment, the Board may take further action; and to provide the Board with a plan of action regarding employment of a Director for each meeting.

The Board received additional information for consideration in response to the Education Committee's February recommendation to the full Board. The Committee deferred consideration of the additional information to the full Board for consideration. A discussion ensued. Dean Carol Plantz, Susan Layos, BSN, MS, RN, BC, and Elizabeth Rini, RN, MSN were present for the review.

A motion was made by Diana Boyle to continue provisional accreditation with the following provisions:

1. To limit the admission of students for Fall 2008 to sixteen (16) achieving full-time faculty of seven (7) plus the Director with the Director having no teaching responsibilities
2. Maintaining adequate faculty to accomplish content review mapping of curriculum and test blueprinting.
3. To require the program to provide a progress report thirty (30) days prior to each Board meeting for the next year.
4. To require that the curriculum consultant for the program have associate degree experience as an educator.
5. The understanding that if the Director vacancy is not filled prior to the current Directors last day of employment the Board may take further action.
6. To provide the Board with a plan of action regarding employment of a Director for each meeting until the position is filled.

The second was offered by Robin Walton. Motion carried.

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**Davis & Elkins College** - The Education Committee recommended to the full Board to approve the report and continue accreditation of Davis & Elkins College's associate degree program with a request to submit a plan of action addressing the pass rate for 2007 for review at the June Board meeting. The recommendation received unanimous approval.

The Committee provided the Board with a request from Dr. McArthur for review of the qualification of a candidate for the program Director.

A motion was made by Cynthia Persily that the Board recess and reconvene in an Executive Session to discuss the confidential information provided by Davis and Elkins. The second was offered by Diana Boyle. Motion carried. The Board reconvened in Executive Session.

### EXECUTIVE SESSION

Pamela Alderman, 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.

### PUBLIC SESSION

A motion was made by Robin Walton to reconvene the regular meeting. The second was offered by Judy Nystrom. Motion carried. The Board reconvened in Public Session.

The Board requested that the staff prepare a response to Dr. McArthur, Vice President for Academic Affairs and Dean of the Faculty for Davis and Elkins College reporting that the candidate does not meet the legal requirements for a nursing program administrator.

**Fairmont State University** - The Education Committee recommended to the full Board to approve the report, acknowledge the progress report on program space and continue accreditation of Fairmont State University's associate program with a request to submit a progress report regarding program space concerns for review at the June Board meeting. The recommendation received unanimous approval.

**Board member Robin Walton recused herself and left the room during all discussions and votes regarding St. Mary's Hospital/Marshall University Cooperative.**

**St. Mary's Hospital/Marshall University Cooperative** - The Education Committee recommended to the full Board to approve the report including additional budget information and continue accreditation of St. Mary's Hospital/Marshall University Cooperative associate



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programs.

**Board member Robin Walton rejoined the meeting.**

**Pamela Alderman recused herself from the meeting and left the room during discussion of Southern West Virginia Community and Technical College. Cynthia Persily, Board Secretary took over as presiding Chair.**

**Southern West Virginia Community & Technical College (SWVCTC)**- The Education Committee recommended to the full Board to approve the report, acknowledge the plans regarding attrition on Logan campus and continue accreditation of Southern West Virginia Community & Technical College's associate programs at the Logan, Institute and Moorefield campuses. The recommendation received unanimous approval.

The Committee recommended to the full Board to approve the visit report to the New Building on the Logan Campus of SWVCTC with concern regarding the lack of enough storage space for the skills lab supplies. The recommendation received unanimous approval.

**Pamela Alderman returned to the meeting and resumed her role as Chair.**

**University of Charleston - Associate Degree Program** - The Education Committee recommended to the full Board to approve the report, acknowledge the plans regarding attrition and continue accreditation of the University of Charleston's associate degree program requesting a plan of action addressing the 2007 pass rate. The recommendation received unanimous approval.

**West Virginia Northern Community College (WVNCC)** - The Education Committee recommended to the full Board to approve the report, acknowledge the plans regarding attrition and continue accreditation of the West Virginia Northern Community College associate degree program. The recommendation received unanimous approval.

The Committee recommended to the full Board to request a plan of action addressing the New Martinsville campus pass rate and a program report on student attrition to be submitted for Board review at the June Board meeting. The recommendation received unanimous approval.

The Committee also recommended to the full Board to approve the visit report to the New Building on the Wheeling Campus of WVNCC. The recommendation received unanimous approval.

**West Virginia State Community & Technical College** - The Education committee recommended to the full Board to approve the report, acknowledge the program's pass rate

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having met the Board's standard, ratify the removal of provisional accreditation using the Board parameters and continue accreditation of the associate program and to acknowledge the update regarding student attrition of the associate program at West Virginia State Community & Technical College. Sue Forsbrey was present for the review. The recommendation received unanimous approval.

**Cynthia Persily recused herself from the meeting and left the room during discussion of West Virginia University at Parkersburg.**

**West Virginia University at Parkersburg** - The Education Committee recommended to the full Board to approve the report, to acknowledge concerns and plans regarding student attrition and pass rates, and continue accreditation of the West Virginia University at Parkersburg associate degree program. The recommendation received unanimous approval.

**Cynthia Persily returned to the meeting.**

### **LUNCH**

**12:30 - 1:30 p.m.**

### **RECONVENED**

**1:30 p.m.**

#### **4.B. REQUESTS FROM SCHOOLS OF NURSING**

##### **4.B.1. FAIRMONT STATE UNIVERSITY**

**4.B.1.** The Board reviewed the curriculum change request from Fairmont State College associate nursing program. The Committee recommended to the full Board to approve the request. The recommendation received unanimous approval.

##### **4.B.2 UNIVERSITY OF CHARLESTON - BSN - REQUEST FOR FALL VISIT**

**4.B.2** The Board reviewed the request from the University of Charleston to move the 2008 Spring on site visit to the Fall 2008. The Education Committee recommended to the full Board to approve the request and to schedule a onsite visit for the Fall of 2008. The recommendation received unanimous approval.

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### **4.B.3. CAMC TEAYS VALLEY (FORMERLY PUTNAM GENERAL HOSPITAL) - REQUEST AND VISIT REPORT**

**4.B.3.** The Education Committee recommended to the full Board to approve CAMC Teays Valley as a clinical site for nursing education programs. The recommendation received unanimous approval.

### **4.B.4. WEST VIRGINIA UNIVERSITY AT PARKERSBURG - FACULTY REQUEST**

**4.B.4.** The Education Committee deferred recommendation regarding this request until the June 2008 Board meeting.

**Pamela Alderman recused herself from the meeting and left the room during discussion of Southern West Virginia Community and Technical College. Cynthia Persily, Board Secretary took over as presiding Chair.**

### **4.B.5. SOUTHERN WEST VIRGINIA COMMUNITY & TECHNICAL COLLEGE - COORDINATOR FOR INSTITUTE CAMPUS**

**4.B.5.** The Education Committee recommended to the full Board to approve Ms. Rebecca J. Donohoe, RN, MSN, CFNP as Coordinator for the Institute campus associate degree program of Southern West Virginia Community and Technical College. The recommendation received unanimous approval.

**Pamela Alderman returned to the meeting and resumed her role as Chair.**

### **4.C. REVIEW OF STAFF ACTIVITY RELATED TO EDUCATION PARAMETERS**

#### **4.C.1. FACULTY APPROVAL REPORT**

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- 4.C.1.** A copy of the faculty qualification report was provided for Board review. The Education Committee recommended to the full Board to ratify the report. The recommendation received unanimous approval.

### **4.D. REVIEW OF PASS RATE STANDARDS**

- 4.D.** A copy of the current parameters was provided for Board review. The Education Committee recommended to the full Board to approve the parameters as revised and to begin the revised standards with the 2008 pass rate. The recommendation received unanimous approval.

### **4.E. REVIEW OF ANNUAL REPORT**

- 4.E.** The Board was provided with a copy of the annual report for their review. The Education Committee recommended to the full Board to approve the proposed revisions. The recommendation received unanimous approval.

### **4.F. REVIEW OF TITLE 19 SERIES 1**

- 4.F.** A copy of 19CSR1 was provided for Board review. The Committee recommended to the full Board to defer the review until the June 2008 Board meeting. The Committee discussed the opportunity to have a retreat regarding this item. The recommendation received unanimous approval.

### **4.G. APPLICATIONS FOR REVIEW**

- 4.G.** There were no applications for Board review.

### **4.H. MISCELLANEOUS**

- 4.H.** There were no items for discussion under this topic.

## **5. LEGISLATIVE UPDATE**

### **A. STATUS OF BILLS OF INTEREST**

- 5.A.** The Executive Director presented a report on the status of bills of interest from the 2008 Legislative Session to the Board. The Board's bill regarding title protection for the word "nurse" passed. The additional bills of interest are provided in the report filed herewith.

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### 5.B. FUTURE LEGISLATIVE AGENDA

- 5.B. The Board plans to review changes to Series 1 related to Nursing Education Programs during the June 2008 meeting. The Prescriptive Authority Rules are on the agenda for discussion at a later time.

### 6. REVIEW OF MEETING DATES FOR 2009, 2010 and 2011.

6. The Board reviewed the meeting dates for 2009, 2010 and 2011. The motion was made by Cynthia Persily set the 2011 meeting dates for February 18; March 17 - 18; June 15, 16 and 17; and October 20-21, 2011. The second was offered by Diana Boyle. The motion carried.

### EXECUTIVE SESSION

Pamela Alderman, 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 Cynthia Persily that the Board recess and reconvene in an Executive Session to discuss financial/budgetary matters. The second was offered by Diana Boyle. Motion carried. The Board reconvened in Executive Session.

### PUBLIC SESSION

A motion was made by Cynthia Persily to reconvene the regular meeting. The second was offered by Robin Walton. Motion carried. The Board reconvened in Public Session.

### 7. BUDGETARY INFORMATION

#### A. REQUEST FOR ADDITIONAL APPROPRIATIONS FOR FY 2008

- 7.A. Robin Walton made the motion to approve the request for additional appropriations of \$30,000.00 for FY 2008. The second was offered by Linda Williams. The motion carried.

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### B. FY 2008 2<sup>ND</sup> QUARTER EXPENDITURES

- 7.B. FY2008 second quarter expenditures were reviewed by the Board. Discussion ensued. A motion was made by Cynthia Persily to approve the second quarter report. The second was offered by Diana Boyle. The motion carried.

### C. PURCHASE CARD EXPENDITURE REPORT

- 7.C. The Purchase Card Expenditure Report was provided to the Board for review. Discussion ensued. A motion was made by Diana Boyle to approve the Purchase Card Expenditure Report. The second was offered by Robin Walton. The motion carried.

### D. EXPENDITURES TO DATE

- 7.D. A report of the Expenditures to Date was provided to the Board for review. Discussion ensued. A motion was made by Diana Boyle to approve the Expenditures to Date report. The second was offered by Robin Walton. The motion carried.

1:55 PM      **The Board recessed for the Prescriptive Authority Stakeholders Meeting**

2:45 PM      **The Board reconvened the Board Meeting**

## 10. NATIONAL COUNCIL OF STATE BOARDS OF NURSING (NCSBN) UPDATE

### 10.A. MID-YEAR MEETING

- 10.A. The Executive Director provided an overview of the issues discussed during the NCSBN Mid-Year meeting. No action taken.

### 10.B. HIPDB DATA REPORTING

- 10.B. The Board approved the Executive Director's request to have NCSBN as the reporting agent for HIPDB for the Board.

### 10.C. LICENSE MODEL FOCUS GROUP

- 10.C. Laura Rhodes, Executive Director provided a report on this meeting consisting of members from boards of nursing issuing a single state license and those issuing both a single state and

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Compact license. The purpose of the Focus Group was to provide an opportunity to identify issues of concern from single state and multi-state jurisdiction.

### **10.D. MISCELLANEOUS**

**10.D.** There were no items for discussion under this topic.

## **11. MEETING REPORTS**

### **11.A. FARB**

**11.A.** Alice R. Faucett, General Counsel provided a report on this meeting also attended by Board Member Judy Nystrom, and Board Staff member Marty Alston. Multi-generational issues as they related to discipline and open meetings issues were highlights of the event. A copy of the report is filed herewith.

### **11.B. WV ASSOCIATION OF LICENSING BOARDS**

**11.B.** Cyndy Haynes, Director of Education and Practice provided a report on this meeting.

### **11.C. CONTROLLED SUBSTANCES WORKGROUP**

**11.C.** Laura Rhodes, Executive Director provided a report on this meeting. This group was brought together to talk about drug diversion and abuse in West Virginia and to see how the groups can work together to decrease substance abuse in WV and to perhaps seek legislative action to establish the Controlled Substance Advisory Board.

## **RECESS MEETING**

Cynthia Persily made a motion to recess the meeting at 4:00 p.m.. The second was offered by Robin Walton. Motion carried.

## **RECONVENE DAY TWO MARCH 21, 2008**

### **CALL TO ORDER**

The meeting was called to order by Pamela Alderman at 9:10 a.m.

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### QUORUM

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

### REVIEW OF AGENDA

The Board reviewed the proposed agenda.

#### 4.A. WEST VIRGINIA UNIVERSITY INSTITUTE OF TECHNOLOGY (Continued from Day One)

- 4.A. This topic was revisited from Day One of the meeting. Dr. Georgia Narsavage, Dean of West Virginia University School of Nursing was contacted by telephone to join the discussion

**Cynthia Persily recused herself from the meeting and left the room during discussion of West Virginia University Institute of Technology.**

A motion was made by Robin Walton to continue provisional accreditation of the baccalaureate nursing program at WVUIT Montgomery Campus and the Glenville Campus to continue from March 21, 2008 through October 31, 2008 with the following provisions:

1. No more than twenty-four (24) students will be admitted to the program for the next sophomore class scheduled to begin Fall 2008. The intent of this provision is to reduce the number of students thus permitting faculty the opportunity to address the immediate needs of the program. A change in class admissions must be approved by the Board in advance of implementing such a change. It is expected that the total number of students will not increase by more than the twenty-four (24) students admitted this fall whether they are new to the program or students re-entering the program.
2. At minimum, current faculty will be maintained, which includes one (1) nursing director at WVUIT, one (1) nursing director at the Glenville WVUIT campus, one (1) full-time nursing faculty at the Glenville campus, eleven (11) full-time nursing faculty at WVUIT and nine (9) adjunct nursing faculty at WVUIT. All faculty members must meet the Board's qualifications and must be approved by the Board.
3. Course content review, mapping of the curriculum and test blueprinting will be accomplished and submitted to the Board on or before end of business on May 20, 2008.



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4. The program will provide a progress report to the Board thirty (30) days prior to each Board meeting beginning at the June 2008 meeting.
5. Students accepted for the Fall 2008 semester may be notified of provisional admission to the nursing program pending the Board's review and approval of item 3.

The seconded was offered by Diana Boyle. Motion carried.

The Board also made note of the following:

In reviewing the program, the Board found several areas that need to be addressed by the institution, which may have strongly, adversely affected the continued proficiency of the program. Further, the Board finds that if these are not immediately addressed, the program will continue on a downward decline forcing the Board to take further action regarding the accreditation of the program.

First and foremost, the Board finds that there is a breakdown in the channeling of information and directives of the program. The Board finds that it will be close to impossible to successfully maintain the goals and objectives of the program for an extended period of time with the current program administrative structure.

The curriculum appears to come from West Virginia University; however, the decisions regarding staff and budgetary support come from the administrators at WVUIT. There has to be some cohesiveness between the two entities. Those responsible for directing staff and budget issues need to understand the support that is needed to carry out a successful curriculum. The Board makes note of the fact that in review of the final report from Marilyn J. Lotas, PhD, RN, the consultant who reviewed the program, the above point is also raised.

**Cynthia Persily returned to the meeting.**

### **5.B. PRESCRIPTIVE AUTHORITY RULE (Continued from Day One)**

- 5.B. This topic was revisited from Day One of the meeting. A discussion ensued regarding the Board's position on this topic. After considering information heard during the Prescriptive Authority Stakeholder meeting held yesterday, March 20, 1008 the Board made some additional changes to the proposed rule. Cynthia Persily made a motion to submit the proposed changes to WV19CSR8 Limited Prescriptive Authority for Nurses in Advanced Practice to the Secretary of State's Office for Public Comment. Judy Nystrom offered the second. The motion carried.

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**BREAK**

**10:40am -10:55am**

**EXECUTIVE SESSION FOR DISCIPLINE**

**CLOSED TO THE PUBLIC**

Pamela Alderman, 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 Diana Boyle that the Board recess and reconvene in an Executive Session by the request of the petitioner for reinstatement. The second was offered by Judy Nystrom. Motion carried.

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

**16. PETITIONERS FOR REINSTATEMENT**

**16. REBECCA FRAZIER**

16. The Board's General Counsel and Director of Discipline gave an overview of the case concerning Rebecca Frazier to the Board. Ms. Frazier addressed the Board to petition for reinstatement of her nursing license. The Board asked her several questions relating to the circumstances surrounding her license being suspended. Ms. Frazier's attorney Neil Bovchiller also addressed the Board on her behalf.

**PUBLIC SESSION**

A motion was made by Robin Walton to reconvene the regular meeting to make motion related to Executive Session regarding petitions for petitioner for reinstatement. The second was offered by Linda Williams. Motion carried. The Board reconvened in Public Session.

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

**16. REBECCA FRAZIER**

16. Diana Boyle made a motion to reinstate Ms. Frazier's license, and place the license on PROBATION for a period of three (3) years. The terms of probation are as follows:

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

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9. She shall submit to unannounced, witnessed drug-screening tests. Said tests shall be on demand and to the specifications of the Board and at her 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. She shall abstain from the use of alcohol and limit her 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. She shall provide a copy of this Agreement to any prescribing physician, dentist or nurse practitioner. She shall cause her 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. She agrees that if she accepts a prescription for narcotic or psychotropic drugs, the Board may impose additional probationary terms.
11. She shall coordinate any health care services she 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. She shall provide this individual, who serves as her point of contact for health care needs, with a copy of this agreement.
12. She shall execute a release to permit the Board to obtain medical or other health care records, which may be requested at any time while her license is on probation, regarding her physical or mental health and any treatment rendered.
13. She shall annually submit to the Board a written personal statement regarding her 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. She 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 her progress and her compliance with the aftercare program. She shall visit her approved treatment provider at least one (1) time every other month during the term of this agreement. This requirement may be modified upon request to the Board by the certified addictions counselor.
15. She shall submit or have submitted to the Board evidence of participation in 12-Step meetings. She 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.

## March 2008 Board Meeting Minutes

The second was offered by Robin Walton. Motion carried.

### 17. FINAL ORDER IN THE MATTER OF JESSICA MARTIN

Diana Boyle presented the Board with an overview of the Hearing Officer's Findings of Fact and the Conclusions of Law and ORDERS in the case of Jessica Martin. A discussion ensued. Diana Boyle made a motion to adopt the Hearing Officers Findings of Fact with an addition of the following fact: Add Klonopin to the list of medications she was taking; the Conclusions of Law and Recommendation as follows: Suspension for one (1) year; To petition for reinstatement after the one (1) year suspension Martin must be evaluated by a certified addictions counselor evaluation; Provide documented evidence of following recommendations of the certified addictions counselor; Provide a letter from her current primary physician speaking to her current health status and ability to engage in the practice of nursing; Provide a letter from her current employer if employed; Provide evidence of negative random drugs screens indiccating the absense of use of substances of abuse or not prescribed for her for the immediate 12 months prior to reinstating; and, full reinstatement of her license in all other states in which she is licensed as a registered professional nurse. The second was offered by Robin Walton. The motion carried.

### 15. DISCIPLINARY REVIEW COMMITTEE (DRC)

#### 15.A. REPORT

15.A. Leslie Morris, Discipline Assistant provided the Board with copies of the Disciplinary Review Committee Report. Discussion ensued. The recommendation from the Committee is to approve the report. The recommendation received unanimous approval. A copy of the report is filed herewith.

#### 15.B. DRC RECOMMENDED PARAMETERS

15.B. There were no items under this topic.

#### 15.C. MISCELLANEOUS

15.C. There were no items under this topic.

#### LUNCH

12:15 - 1:00 p.m.

#### RECONVENED

1:00 p.m.

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### 18. EXECUTIVE SESSION

Pamela Alderman, 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 Cynthia Persily that the Board recess and reconvene in an Executive Session to discuss personnel matters. The second was offered by Judy Nystrom. Motion carried. The Board reconvened in Executive Session.

### RECONVENE PUBLIC SESSION

A motion was made by Cynthia Persily to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Linda Williams. Motion carried. The Board reconvened in Public Session.

### 19. MOTIONS RELATED TO EXECUTIVE SESSION

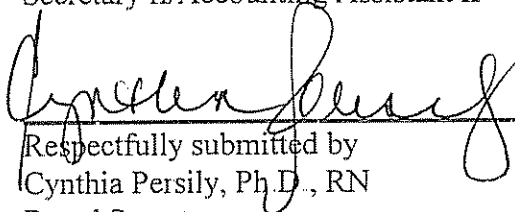
19. Cynthia Persily made a motion to approve: 1) increasing the current Office Assistant II part time position to a full time position; 2) Adding a new professional staff position for a Director of Practice; and, 3) increase the following fees First Time Licensure Examination Fee - \$75.00; Second or Other than Initial Licensure Examination Fee - \$150.00 and Renewal Fee - \$50.00.

### ADJOURN

With no further business, a motion to adjourn the meeting was made by Judy Nystrom at 1:45 pm. The second was offered by Robin Walton. Motion carried.



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



Respectfully submitted by  
Cynthia Persily, Ph.D., RN  
Board Secretary

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### VISITORS:

#### MARCH 20, 2008

Sue Forsbrey, RN, Ed.D	West Virginia State Community & Technical College (WVSCTC)
Kim Carlton, BSN, RN	Charleston Area Medical Center (CAMC)
Evelyn Klocke, MSN, RN	West Virginia University & Technical College
Patsy Haslam, RN, EdD	Mountain State University
Karen Daniels, MSN, RN	Mountain State University
Susan Layos, BSN, MS, RN, BC	Blue Ridge Community & Technical College
Carol Plantz	Blue Ridge Community & Technical College
Georgia Narsavage, PhD, CRNP,FAAN	West Virginia University
Megan McGhee	West Virginia University
Stephen Brown	West Virginia University Institute of Technology
Erica Conart, RN	West Virginia University
Candy Roach	West Virginia University
Marcia McKee	West Virginia University
Linda Shelek, RNC,MSN,NP-BC	West Virginia Northern Community College
Theresa Witt, EdD,MSN,BSN,RN	Alderson-Broadus College
Cynthia Caurse	University of Charleston
Katie Barnette	University of Charleston
Elizabeth V. Rini, RN, MSN	Blue Ridge Community & Technical College
Amber Kidd, RN	West Virginia University
Lisa Hoffman, RNC	West Virginia University
Anna Holliday, RN, BSN, FNPS	West Virginia University
Mindy Dolan, RN, BSN	West Virginia University
Adrea Leach, RN	West Virginia University
Thomas Brown	University of Charleston
Bethany Bradley	University of Charleston
Cassy Taylor, CRNA, DNP, DMP. CNE	
Amy McGuire, RN	West Virginia University
Amanda Hahn, RN	West Virginia University
Kimberly Hahn, RN	West Virginia University
Sandra Wynn, MSN,RN,APRN-BC	Bluefield State College
Julie Sparks, RN	West Virginia University/WVUH
LaShonda Bare, RN, MSN	Marshall University
Brian Stanley	University of Charleston
Jessica Arnold	University of Charleston

## March 2008 Board Meeting Minutes

### MARCH 21, 2008

Angie Wilmonk  
Nancy Chandler, RN, BSN  
Evelyn Klocke, MSN, RN  
Karen Daniels, MSN, RN  
Sharon Woods  
Stephen Brown  
LaShonda Bare, RN, MSN  
Neil Bovchiller  
Rebecca Frazier

WVU-MSN-FNP Student  
WVU-MSN-FNP Student  
West Virginia University Institute of Technology  
Mountain State University  
WVU-MSN-FNP Student  
West Virginia University Institute of Technology  
Marshall University  
Attorney  
Petitioner for Reinstatement



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