A Board meeting was held at the office of the West Virginia Board of Examiners for Registered Professional Nurses at 101 Dee Drive, Suite 102, Charleston, WV 25311-1620, on June 17 & 18, 2009.

BOARD MEMBERS PRESENT:

PAMELA L. ALDERMAN, MSN, RN, PRESIDENT

CYNTHIA PERSILY, Ph.D., RN, SECRETARY
(Absent for Day Two)

DIANA BOYLE, MSN, RN-CS, FNP

ROBIN WALTON, EdD, RN

LINDA WILLIAMS, CRNA, J.D
(Absent for Day Two)

JUDY NYSTROM, PUBLIC MEMBER

BOARD STAFF PRESENT:

LAURA S. RHODES, MSN, RN, EXECUTIVE DIRECTOR

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

MARGARET “MARTY” ALSTON, SECRETARY II/ACCOUNTING ASSISTANT II

NOTE: Agenda items appear in the meeting minutes in the order in which they were addressed by the Board.
DAY ONE
JUNE 17, 2009

CALL TO ORDER

The meeting was called to order by Pamela Alderman, Board President, at 9:15 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.

1. ACCEPTANCE OF AGENDA

1. The Board reviewed the proposed agenda. A motion was made by Robin Walton to approve the agenda. The second was offered by Linda Williams. Motion carried.

2. APPROVAL OF MINUTES FOR MARCH 12, 2009 REGULAR BOARD MEETING AND MAY 13, 2009 SPECIAL BOARD MEETING

2. The meeting minutes for the March 12, 2009 Board meeting were reviewed. A motion was made by Robin Walton to accept the minutes as corrected. The second was offered by Diana Boyle. Motion carried.

The meeting minutes for the May 13, 2009 Special Board meeting were reviewed. A motion was made by Cynthia Persily to accept the minutes as submitted. The second was offered by Diana Boyle. Motion carried.

3. OPEN FORUM

3. During the Open Forum a guest expressed concern regarding the placement of the Board meeting agenda and minutes on the Board’s Website. The matter was discussed and the Executive Director expressed the Board’s plan to have this occur in a more timely manner.

4. LICENSING

4.A. PAPERLESS LICENSING

4.A. The Executive Director reminded the Board that this concept of paperless licensing was presented
during the last meeting. She reported that the LPN Board is implementing a paperless licensing system whereby they issue a paper license the first time a person is licensed and from then forward, the license will be in an electronic format with no wallet card other than the original one issued. One of the concerns related to the availability of the Internet during a disaster situation. The Executive Director further explained that the LPN Board is part of NURSYS which is the national database maintained by NCSBN. Should their system go down, their database information is available through NURSYS which has multiple back up systems. The RN Board is not part of NURSYS and it will take 48 hours to re-establish our database if we had an incident that included the Board’s office building. She provided the Board with information as directed as to how many other boards were going “paperless” and were not part of NURSYS. An online survey of NCSBN Member Boards asked if the Board currently issues a paper license and then if the Board was considering going paperless. 48 Member Boards responded out of 59. Of the 48, 17 Boards are NOT on NURSYS. Of those 17 that are NOT on NURSYS, 7 are considering going paperless. KY, VA, OH and MD are all on NURSYS. PA is not. Of these states, KY is already paperless and VA, OH and MD are considering going paperless. PA is not.

The Board directed the staff to continue to gather information regarding this topic including clarifying whether other credentialing or certifying bodies need a actual current copy of the RN license to certify individuals. The topic was deferred to the October Board meeting.

5. BUDGET

5.A. FY2009 THIRD QUARTER EXPENDITURES

5.A. The Board reviewed the FY 2009 Third Quarter Expenditures and the Expenditures To Date reports. A motion was made by Cynthia Persily to approve the FY 2009 Third Quarter Expenditures Report and the Expenditure To Date reports. The second was offered by Diana Boyle. Motion carried.

5.B. FY2010 APPROPRIATIONS

5.B. The Board reviewed and discussed the FY2010 Appropriations. A discussion ensued regarding the need to request additional funding be added to our budget bottom line. A motion was made by Robin Walton to approve the FY2010 Appropriations keeping in mind the need to request additional funding to our bottom line budget. The second was offered by Robin Walton. Motion carried.

5.C. PURCHASE CARD REPORT

5.C. The Board reviewed the Purchase Card Report provided on purchases from February 2009 through April 2009. A motion was made by Cynthia Persily to approve the Purchase Card Report. The second was offered by Diana Boyle. Motion carried.
6. **DIALYSIS TECHNICIAN REPORT**

6.A. **BUDGET**

6.A. The Board reviewed the Third Quarter Expenditures report for Dialysis Technicians. A motion was made by Cynthia Persily to approve the Third Quarter Expenditures report for Dialysis Technicians. The second was offered by Diana Boyle. Motion carried.

6.B. **UPDATE**

6.B. The Executive Director provided an update on the progress of the Dialysis Technicians. She reported that there are currently 156 Dialysis Technicians certified in West Virginia. She also reported that the renewal process is ongoing and is being done completely online and paperless.

7. **BOARD MISSION STATEMENT AND GOALS**

7.A. **REVIEW/REVISE/REAFFIRM**

7.A. The Board reviewed the Mission, Goals and Objectives. A motion was made by Diana Boyle to accept the mission statement as amended. The second was offered by Robin Walton. Motion carried.

8. **BOARD CONFLICT OF INTEREST STATEMENT**

8.A. **REVIEW/REVISE/REAFFIRM**

8.A. Robin Walton made the motion to reaffirm the Conflict of Interest Statement as written. The second was offered by Linda Williams. Motion carried. The Board Conflict of Interest Statement was reviewed, reaffirmed, and signed by the Board members.

9. **BOARD CODE OF CONDUCT**

9.A. **REVIEW/REVISE/REAFFIRM**

9.A. Cynthia Persily made the motion to reaffirm the Code of Conduct as written. The second was offered by Linda Williams. Motion carried. The Code of Conduct was reviewed, reaffirmed, and signed by the Board members.
10. BOARD MEMBER APPOINTMENT UPDATE

10. The Executive Director reported letters have been mailed to the Governor and to the West Virginia Nurses Association (WVNA) regarding the following vacancies on the Board:

Pamela Alderman’s term expires June 30, 2009 and she is not eligible for reappointment.
Judy Nystrom’s term expires June 30, 2009 and she is eligible for reappointment.
Diana Boyle’s term expired June 30, 2008 and she is not eligible for reappointment as she has completed her second consecutive term and is continuing to serve until another appointment is made.

There were no new appointments at this time.

11. NCSBN

11.A. DELEGATE ASSEMBLY

11.A.1. APPOINTMENT OF DELEGATES AND ATTENDEES:
AUGUST 11 - 14, 2009
PHILADELPHIA, PA

11.A.1. The Board was provided with information regarding the NCSBN Delegate Assembly Annual meeting scheduled to be held in Philadelphia, Pennsylvania on August 11-14 2009. The Executive Director explained that NSCBN will provide funding for two (2) attendees. Cynthia Persily made a motion to approve funds for four (4) additional representatives to attend the meeting. The second was offered by Linda Williams. Motion carried.

11.A.2. NCLEX-RN TEST PLAN

11.A.2. The Executive Director reported that the NCSBN-RN Test Plan has been updated.

11.A.3. SLATE OF CANDIDATES

11.A.3. The Board was provided with the 2009 Slate of Candidates for Delegate Assembly. The Executive Director reported that the Area II Director is running unopposed.
11.A.4. APPROVAL OF ASSOCIATE MEMBERS

The Executive Director reported that there are several Associate Members eligible for approval by the Delegate Assembly. An Associate Member must be the nursing regulatory body of another country.

11.A.5. EDUCATION INNOVATIONS MODEL RULES

The Executive Director explained that proposed Model Rules provide for innovations in nursing education. She informed the Board that Cyndy Haynes, Director of Education and Practice served on this committee. Ms. Haynes provided a report on the work of the Committee.

11.B. NCSBN/NLCA RELATIONSHIP UPDATE

The Executive Director reported that discussion has begun to look at the relationship of the Nurse Licensure Compact Administrators to the NCSBN. The leadership of each group met in late May to talk about the relationship possibilities. The Board was provided with the. Essentially, the goal is for a different structure that demonstrates a more unified organization. Currently, the NLCA is a separate organization. This structure has created an environment of exclusion for those Member Boards not in the Compact. Additional information will be provided as it is distributed by NCSBN.

BREAK
10:25am -10:40am

12. MEETINGS

12.A. REPORT ON MEETING ATTENDED

12.A.1. INVESTIGATOR CONFERENCE

12.A.1. Marty Alston, Secretary II/Accounting Assistant II, attended this conference and provided the highlights of the conference to the Board.
12.A.2. The Executive Director attended this meeting and reported that during this meeting discussion including concern of agencies assisting disabled individuals to be more independent. The concern is that there are regulations that prohibit Medications Aides from administering medications in the community setting. At the last meeting the recommendation from OHFLAC was to wait until the Nursing Council, required to review the AMAP Curriculum, is reconvened this fall and ask that group to look at other settings for AMAPs.

The Executive Director also reported discussion regarding conversation coming from the Nursing Homes. This group wants medication aides to be permitted to administer medications in the Nursing Home setting. It has been rumored that an Interim Study has been proposed by the legislature to study the use of medication aides in the nursing home setting.

A discussion ensued. The topic was tabled to be revisited on Day Two of the meeting.

12.A.3. The Director of Education and Practice attended this meeting and provided a report on the meeting agenda items.


12.B. SELECTION OF REPRESENTATIVES FOR MEETINGS

12.B.1. A motion was made by Judy Nystrom to approve a total of four (4) representatives to attend the CLEAR Annual Conference to be held in Denver, Colorado on September 10-12, 2009
The second was offered by Robin Walton. Motion carried.

12.B.2. **CITIZENS ADVOCACY CENTER (CAC)**

12.B.2. A motion was made by Cynthia Persily to approve a total of four (4) representatives to attend the CAC Annual Meeting to be held in Orlando, Florida on October 28-30, 2009. The second was offered by Diana Boyle. Motion carried.

13. **LEGISLATIVE UPDATE**

13.A. **PRESCRIPTIVE AUTHORITY RULE**

13.A. The Executive Director reported that the rule was Final Filed on 6/5/09 and the implementation date will be July 1, 2009.

13.B. **EDUCATION RULE**

13.B. The Executive Director reported that the rule was Final Filed on 6/5/09 and the implementation date will be July 1, 2009.

13.C. **FEES RULE**

13.C. The Executive Director reminded the Board of the withdrawal of the fees rule last year based upon the economy and increased revenues. She reported that the Board of Medicine is moving forward with a fee increase request of $100.00 for physicians and $50.00 for Physician Assistants, $50 of the $100 is for the Physician Health Program - or the Impaired Program for Physicians.

14. **PRACTICE**

14.A. **SCOPE OF PRACTICE AND DELEGATION DOCUMENT (PURPLE BOOK) UPDATES**

14.A. The Executive Director reported that the Joint Committee of the RN and LPN Boards has reviewed and made minor modifications to this document. The models changed by adding the word “current” to the steps directing nurses to other documents such as the law and rules and language regarding title protection. References were also updated. The document will be reviewed during the Joint RN/LPN Board meeting where a vote will be taken. There were no changes to the medication aides in the community settings at this time.
14.B.  SCOPE OF PRACTICE QUESTIONS

14.B.  The Board Executive Staff recommended that this be a standing agenda item and if there are no questions the Board can move forward with business. If there are questions, even ones that come at a later time, but before the meeting, if all the information is available that is needed then the staff can present them for Board consideration under this agenda item. The Board agreed by consensus.

The Board was provided with information regarding a request from an APRN to do a variety of procedures that are accomplished with radiation. The Director of Education and Practice reported that this included for example, liver biopsy, PICC line insertion and many others. The APRN will NOT set the radiation dose or “push the button” to deliver the radiation. Some of the procedures are out of the scope of practice for an APRN based upon our initial review of information and the Scope of Practice Model. A survey has been sent out and staff are in the process of contacting other APRNs to learn more. An update will be provided to the Board as soon as possible.

14.C.  ANNOUNCEMENT OF ADVANCED PRACTICE

14.C.  The Executive Director reported that the American Psychiatric Nursing Association and ANCC have combined the CNS and APRN exams for psychiatric mental health nursing. This change is not congruent with the NCSBN Model Rules for APRNs. The Board separately identify the certification of these groups.

RECESS MEETING - LUNCH
12:00 NOON

JOINT RN/LPN BOARD MEETING
1:00 P.M.

RECONVENE
2:00 P.M.

17.  DISCIPLINARY REVIEW REPORT

17.A.  PRESENTATION OF CASES

17.A.  Leslie Morris, Discipline Assistant provided the Board with the Disciplinary Review Committee (DRC) report for March, 2009 through June, 2009. A total of thirty-three (33) cases were reviewed.
17.B. APPROVAL OF DECISIONS

17.B. The DRC recommended the Board approve the report as written. The recommendation received unanimous approval. A copy of the report is filed herewith.

18. ELECTION OF OFFICERS

18.A. PRESIDENT

18.A. The floor was open for nominations for Board President. Robin Walton made a motion to re-elect Pamela Alderman for Board President. The second was offered by Linda Williams. Motion carried. Ms. Alderman was re-elected as President.

18.B. SECRETARY

18.B. The floor was open for nominations for Board Secretary. Linda Williams made a motion to re-elect Cynthia Persily for Board Secretary. The second was offered by Robin Walton. Motion carried. Dr. Persily was re-elected as Secretary.

19. APPOINTMENT OF COMMITTEE MEMBERS

19. The Board President reviewed the following committee assignments:

Disciplinary Review Committee: Judy Nystrom and Cynthia Persily
Education Committee: Diana Boyle, Linda Williams and Robin Walton
Advisory Council-Dialysis Technicians: Linda Williams

The assignments remained the same by consensus.

RECESS MEETING

Diana Boyle made a motion to recess the meeting at 6:00 p.m. The second was offered by Linda Williams. Motion carried.
CALL TO ORDER

The meeting was called to order by Pamela Alderman 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.

REVIEW OF AGENDA

The agenda was reviewed. The Executive Director explained that the review for first section of the Education report was being presented as an Consent Agenda all of the items on the agenda are recommendations from the Education Committee. This agenda includes items that are expected to not require further discussion and decision and the to approve the items will be agreeable to all Board Members. Cynthia Persily made a motion to accept the Board meeting agenda as well as the Consent Agenda for Education. The second was offered by Robin Walton. Motion carried.

20. EDUCATION

20.A. COMMITTEE REPORT

20.A. The Board reviewed the items listed below on the Consent Agenda. All of the items on the agenda are recommendations from the Education Committee:

1. Review of First Quarter NCLEX-RN Report
   For information only. The national pass rate for the first quarter is 88.07%. WV pass rate is 82.14%.

2. Alderson-Broaddus College - Recommends the Board accept the progress report related to the programs faculty vacancies and their work related to the plan of action regarding the pass rate for the traditional program.

3. Bluefield State College - Recommends the Board accept the plan of action for the NCLEX-RN pass rate for the Bluefield Campus and the report updating the Board on the program’s attrition.

4. Blue Ridge CTC - Recommends the Board accept the progress report since the March meeting regarding their enrollment increase, follow-up on second year students, curriculum review and approve Dr. Kyle as the curriculum consultant.
Blue Ridge Director requested that the Board change their requirement related to the number of faculty to have in place by this fall. The Education Committee is not recommending this change to the Board and therefore the Board’s decision from March 2008 remains in place.

5. Davis & Elkins College - Recommends the Board accept the progress report related to their pass rate and to accept the on-site report and visitor report, and for the Board to request documentation of curriculum mapping and test blueprinting be submitted to the Board 30 days prior to the next Board meeting; monthly reports updating the Board on the status of the concerns in the report which will be outlined in the letter (not meeting outcomes; consistency in documentation in student records; implementation of student policies; budgetary constraints; leadership transition; faculty workload; progress on simulation equipment and secretarial support) to be submitted by the 15th of every month until the October Board meeting.

6. Mountain State University - Recommends the full Board accept the progress report and request an update on the status of the NLNAC recommendations be submitted prior to the next Board meeting.

7. St. Mary's- Recommends the full Board accept the plan of action related to NCLEX-RN results.

8. University of Charleston AD - Recommends the Board accept the progress reports for the AD program with a letter detailing the following concerns: requesting a response from UC providing how the concerns are being addressed and the Board’s expectations related to these.

9. University of Charleston BSN - Recommends the Board accept the progress reports for the BSN program.

10. West Virginia University Institute of Technology - Recommends the Board accept the progress report regarding the Board’s decisions from the March meeting (admissions; status of GSC students; faculty positions; progress on pass rate plan; skills lab update and organizational structure update).

11. West Virginia University at Parkersburg- recommends the Board accept the update report on their enrollment increase; accelerated admission process; OVU student cohort and simulation evaluation.

NURSING PROGRAM REQUESTS

12. Alderson Broaddus College Curriculum Change - Recommends the Board approve the curriculum changes presented.

13. Davis & Elkins - Recommends the Board approve Dr. Cochran as the Director and Chair of the BSN Program.

14. University of Charleston BSN - Recommends the Board approve Robin Lewis, MSN, EdD as Interim chair of the BSN program.

15. Marshall University - for information only, the interim Dean for the College of Health Professions is Gretchen E. Oley, MD.

ANNUAL REPORT FOR SCHOOLS

16. The electronic Annual Report for Schools of Nursing is being updated to an online
format and will be ready to send to programs in June.

FACULTY APPROVALS BY STAFF USING BOARD PARAMETERS

17. Recommends the Board ratify the report.

UPDATE ON EDUCATION GOALS

18. No action item: Staff will plan for a conference in July. This conference will include an update on the changes to WV 19CSR8 related to Limited Prescriptive Authority. Board staff have increased school visits. When a scheduled visit is made efforts are made to visit schools in the same area to “check in” with the directors of those programs.

UPDATE ON NEW PROGRAM APPLICATIONS

19. No action item: Two private organizations have requested applications for new nursing programs ITT in Huntington, WV and Salem Teikyo University in Salem, WV.

All of the recommendations from the Consent Agenda (Items 1 thru 19) received unanimous approval.

ADDITION CONSENT AGENDA ITEMS

The Board reviewed the following additional Consent Agenda items from the Education Committee.

1. Davis & Elkins College -
Recommends the Board accept the June progress report related to their pass rate and request an explanation clarifying the programs admissions standards with the next report.

2. Mountain State University -
Recommends the full Board accept the progress report and update on the status of the NLNAC recommendations be submitted prior to the next Board meeting.

Recommends the full Board accept the on-site visit report to the BABS to BSN program at Martinsburg and request a progress report regarding the site visit concerns to be submitted prior to the October Board meeting.

3. University of Charleston AD -
Recommends the Board accept the June progress report for the AD program.

4. University of Charleston BSN -
Recommends the Board accept the June progress report for the BSN program.
5. West Virginia University at Parkersburg - Recommends the Board accept the update on their OVU student cohort.

6. Southern West Virginia Community and Technical College - Recommends the Board approve the request for an enrollment increase on the Logan Campus and include a statement reminding the program about the Board process for requesting enrollment increases prior to acting on the increase.

7. University of Charleston BSN - Recommends the Board approve the curriculum changes for the BSN program.

8. West Liberty University - Recommends the Board accept Sara Smith, MSN, RN as Interim Director for the BSN program.

All of the recommendations from the Consent Agenda (Items 1 thru 8) received unanimous approval.

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 a personnel issue at West Virginia Northern Community and Technical College. The second was offered by Robin Walton. Motion carried. The Board reconvened in Executive Session.

RECONVENE PUBLIC SESSION

A motion was made by Robin Walton to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Diana Boyle. Motion carried. The Board reconvened in Public Session.

West Virginia Northern Community and Technical College

a. Expansion of Program - The Board reviewed a request from West Virginia Northern Community College (WVNCC) for increased student enrollment. Linda Sheleke was present for the discussion. A discussion ensued. Diana Boyle made a motion to table the request for an enrollment increase for the Wheeling Campus associate nursing program at West Virginia Northern Community College in order to obtain additional information. And require they submit to the Board current information on total faculty numbers (full-time and part-time)
thirty (30) days, prior to the October 22, 2009 Board meeting. The second was offered by Robin Walton. Motion carried.

b. **Question about the new Education Rule** - The Board reviewed the request from the Human Resources Department of West Virginia Northern Community College regarding teaching requirement as per WV19CSR1. A discussion ensued. Representations from WVNCC joined the meeting by phone along with Ms. Shelek who was also present for the discussion. The Board clarified the definition of nursing administrator workload as no more than more six (6) academic credit hours per calendar year and no more than three (3) per semester.

**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 Judy Nystrom that the Board recess and reconvene in an Executive Session to discuss Executive Staff Evaluations and Compensation. The second was offered by Robin Walton. Motion carried. The Board reconvened in Executive Session.

**RECONVENE PUBLIC SESSION**

A motion was made by Robin Walton to reconvene the regular meeting to make motions related to Executive Session regarding evaluations and compensation for Executive Staff. The second was offered by Judy Nystrom. Motion carried. The Board reconvened in Public Session.

22. **MOTIONS RELATED TO EXECUTIVE SESSION**

22.A. **EXECUTIVE STAFF EVALUATION & COMPENSATION**

A motion was made by Diana Boyle to continue the appointment of Laura Skidmore Rhodes, MSN, RN, as the Board’s Executive Director and to approve a salary increase in the amount of 3% increase. The second was offered by Robin Walton. Motion carried.
22.B. STAFF COMPENSATION FY2010

A motion was made by Diana Boyle to approve a salary increase in the amount of 3% for Alice R. Faucett-Carter, J.D., General Counsel and Director of Discipline, and Cyndy R. Haynes, MSN, RN, Director of Education and Practice. The second was offered by Robin Walton. Motion carried.

UNLICENSED MEDICATION AIDES IN THE COMMUNITY AND NURSING HOME SETTINGS (CONTINUED FROM DAY ONE)

12.A.2 The Board revisited this issue that was tabled from Day One. Further discussion ensued regarding this topic. A motion was made by Diana Boyle to direct Board Staff to move forward with the Board support of unlicensed medication aides in the community and nursing home setting as long as the RN Board regulate the group. The second was offered by Robin Walton. Motion carried.

ADJOURN

The motion to adjourn the meeting was made by Diana Boyle at 11:35 pm. The second was offered by Linda Williams. Motion carried.

[Signature]
Minutes taken and prepared by
Margaret “Marty” Alston
Secretary II/Accounting Assistant II

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