

TENNESSEE BOARD OF NURSING
227 French Landing, HRB Conference Room
Heritage Place, Metro Center
Nashville, TN 37243
January 21, 2010
Meeting and Rulemaking Hearing
MINUTES

Call to Order	Dr. Cheryl Stegbauer, Chairperson called the meeting to order at 9:30 a.m.
Roll Call/Declaration of a Quorum	The Chairperson declared a quorum present.
Members Present	Cheryl Stegbauer, R.N., Chairperson Carol Thompson, A.P.N., Vice-Chairperson Terri Bowman, L.P.N. Barbara Brennan, R.N. Kathleen Harkey, Consumer Member Betty Thompson, R.N. Marilyn Dubree R.N. Arthur Thompson, L.P.N.
Members Absent	Marian Stewart, R.N. Debbie Malina, A.P.N. Debbie Holliday, L.P.N.
Introduction of Staff	Lund and Carter introduced staff.
Staff Present	Elizabeth Lund, Executive Director Martha Barr, Associate Exec. Director Donna Fairchild, Nurse Consultant Ashley Carter, Deputy General Counsel Marc Guildford, Assistant General Counsel Joan Harper, Administrative Director Alison Cleaves, Sr. Deputy General Counsel
Conflict of Interest Statement	Ashley Carter reviewed the Conflict of Interest Statement.
Agenda	Dr. Stegbauer reviewed the agenda with

Ashley Carter, Deputy General Counsel

Guests in the Audience

Stegbauer recognized and welcomed guests in the audience.

**Conduct Rulemaking Hearing:
Medication Aides Certified**

Ashley Carter called the Rulemaking hearing to order at 9:48 a.m. The process, stated method of notification and purpose of meeting were stated by Ms. Carter.

Video clips of legislative hearings of the MAC bill were shown.

Ms. Carter explained documentation Board of Nursing had before them-NCSBN – delegation paper, “Working with Others: A Position Paper”, TNA delegation paper and Board of Nursing LPN policy statement, pp. 30-35.

Address Comments to Rules

Ms. Carter reported that two written comments have been received by the Board: one from Tennessee Health Care Association (THCA) and one from the Tennessee Nurses Association (TNA). Speaking from those associations were Debra Henney and Linda Jennings, THCA and Sharon Adkins, TNA.

Additional written comments were received from The Tennessee Association of Homes and Services for the Aging (TNAHSA). Speaking to the comments – Carrie Ermshar.

Additional comments from the audience were received from Chelle Travis, Tennessee Board of Regents (TBR), Lois Wagner, Tennessee Center for Nursing, Wanda King, director of the nurse aide registry, and Laura Beth Brown, Vanderbilt Home Care.

Board discussed and asked questions related to the video, written comments and oral testimony. Alison Cleaves, Deputy General Counsel commented on the medication aide

statute.

A. Carter summarized the hearing stating that the board heard discussion related to delegation/supervision, education/classroom, hours, finance/fees, professional assistance program, drug specificity and the term licensed nurse.

Vote to Adopt Medication Aide Certified Rules

B. Thompson, RN moved that the wording licensed nurse remain as published in the rulemaking notice. Marilyn Dubree seconded. Motion carried. Roll Call vote – 7 yes, 1 abstain (Bowman).

C. Thompson, APN moved that the ratio for didactic faculty, p. 10, 3 (f) be removed. B. Brennan seconded. Motion carried. 7- yes, 1 – abstain (Bowman).

B. Brennan moved to accept the fee schedule as published. Dubree seconded. Motion carried. 7-yes, 1 – abstain (Bowman).

The board asked OGC staff to provide a copy of rules reflecting changes in wording agreed upon relative to citations of law, including definitions in cited law; professional assistance program; and medications that cannot be administered as stated in statute. Carter responded the Board will be provided with the written updated rules after a break and prior to a vote.

Copies of rules reflecting changes agreed upon were distributed and reviewed.

A. Carter summarized that the board has had the benefit at the rulemaking hearing of the following: NCSBN 2005 Position paper, TNA delegation paper, TN BON policy statement on LPN practice, positions by speakers relative to THCA written comments, TNA written comments,

TNAHSA and legislative sessions' video. Carter turned the meeting over to the chair, Dr. C. Stegbauer. Dr. Stegbauer called for a motion. C. Thompson moved to accept the rules as amended. B. Thompson seconded. Motion carried. 7-yes, 1- abstain (Bowman).

**M. Dubree excused herself
at 4 p.m.**

OGC Report

A. Carter reported on the number of closed cases from 2005-2009 – 156, 182, 159, 185, and 309 for each year respectively.

**Sunset Review/Audit
Recommendations/Board Response**

Dr. C. Stegbauer spoke to the sunset review/audit, recommendations and board response.

Financial Report

The Board received copies of a report of the timeline from 2007 to present regarding financial oversight taken from minutes/agenda with notes added. The Board also had a report titled Revenue Generated by Renewal Fee Increase for RNs & LPNs per Year & per Two Years (based on renewal numbers for 2008). Libby Lund spoke to the timeline and revenues.

**Consider Renewal of Contracts:
Tennessee Center for Nursing
and Tennessee Professional
Assistance Program**

The Board discussed the efficacy of renewing its contracts with the Tennessee Professional Assistance Program (TnPAP) and the Tennessee Nurses Foundation (TCN). FY2009 contract with the Tennessee Nurses Foundation (TNF) equals \$581,489. Tennessee Center for Nursing is funded currently at \$382,917. There was in depth discussion about TnPAP program and TCN deliverables and expectations. B. Thompson moved to continue current funding for TNF and TCN for one year beginning July 1, 2010. C. Thompson seconded. Motion passed unanimously.

Adjourn

4:30 p.m.