

TENNESSEE BOARD OF NURSING
227 French Landing, Iris Room
Heritage Place, Metro Center
Nashville, TN 37243
September 25, 2009

MINUTES

Call to Order	Cheryl Stegbauer, Chairperson, called the meeting to order at 8:40 a.m.
Roll Call/Declaration of a quorum	The Chairperson declared a quorum present.
Members Present	Cheryl Stegbauer, A.P.N., Chairperson Terri Bowman, L.P.N. Marilyn Dubree, R.N. Kathleen Harkey, Consumer Member Debbie Holliday, L.P.N. Marian Stewart, R.N. Betty Thompson, R.N. Carol Thompson, A.P.N.
Members Absent	Donna Roddy, R.N., Vice-Chairperson Barbara Brennan, R.N. Judy Messick, L.P.N.
Staff Present	Elizabeth Lund, Executive Director Elizabeth Miller, Director, Health Related Boards Alison Cleaves, Senior Deputy General Counsel Martha Barr, Nurse Consultant Donna Fairchild, Nurse Consultant Joan Harper, Administrative Director Diana Merickle, Administrative Assistant Al Partee, General Counsel Lexie Whittemore, Deputy General Counsel
Introduction of Staff	Elizabeth Lund introduced the staff.

Guests in the Audience	Stegbauer welcomed and recognized guests in the audience.
Conflict of Interest Statement	Cleaves reviewed the Conflict of Interest Statement and the Confidentiality Policy.
Approval of Minutes: September 2-3, 2009	Stewart made a motion to approve the minutes as amended. Bowman seconded the motion. The motion carried.
Consent Agenda	B. Thompson made the motion to approve the consent agenda as presented. C. Thompson seconded the motion. The motion carried.
Reports	9:00
Investigations Report	Juanita Stone presented a report and responded to board member questions. Mr. Partee elaborated on the report. He pointed out that case completion is exceeding the number of open cases. There are currently 320 complaints involving 300 nurses. There is a plan to hire a new attorney to push cases through. Mr. Partee explained the increase in complaints against APNs. C. Thompson pointed out that CRNA complaints exceed other APN roles. After discussion, C. Thompson moved to accept the investigations report. The motion carried after being seconded.
Executive Director's Report	Ms. Lund provided a written and oral report. The office of the attorney general has a request for an opinion as to whether the term "nurse practitioner" in 63-7-123 includes all four advanced practice roles as historically interpreted by the Board of Nursing.
HRB Report	Ms. Miller gave an update on replacement of the RBS licensure database. The State of Tennessee will soon resubmit a request for proposal for a new system.
Financial Report	A written report will be mailed to the

Rules Report

Rulemaking Hearing to
Increase RN and LPN
Licensure Renewal Fees
By \$25

Board in November.

Ms. Cleaves opened the rule-making hearing and explained the requirements of the hearing process. The purpose of the hearing was to hear comments on an increase of nursing licensure fees. There were no written or oral comments. C. Thompson made a motion to adopt the proposed rules to increase RN and LPN licensure renewal fees by \$25. The motion was seconded. The motion carried unanimously on role call vote.

Vote to Hold a Rulemaking Hearing to Amend Rules re: Nurse licensure Compact to be in Compliance with NLCA Rules-

Continued to December meeting

Vote to Have a Rulemaking Hearing on Rules re: continued Competency, Certification Credential and Advertising Rules

Continued to December meeting

Vote to Have a Rulemaking Hearing re: Medication Aides Certified (MAC)

Ms. Cleaves explained the statutory deadline of February 1, 2010 for holding a rulemaking hearing. After discussion, Dubree recommended to the chairman that she call a meeting to discuss the MAC rules as soon as possible. The board agreed and set the meeting to review, discuss and vote to hold a rulemaking hearing November 10, 2009, 12-5.

Education Rules

Ms. Cleaves discussed the education rules which have been under Office of Attorney General review. The AG has recommended that the Board withdraw the rules due to legal issues. Ms. Cleaves suggested that the Board follow the AG's recommendation to withdraw the rules and begin anew to draft rules that eliminate the constitutional issues. C. Thompson moved to withdraw the education rules. B. Thompson seconded the motion. The motion carried.

Requests for Advisory Letter Rulings Continued until the December meeting.

Update on Contract Tennessee Center for Nursing 9:45 a.m.

Update on Contract—Revised Scope of Services
Lois Wagner, Executive Director, TCN, presented an oral and written report. Dr. Wagner pointed out that the Board books contain the TCN scope of services and strategic plan. She presented the nursing workforce organization survey conducted by TCN and reported the results of the research survey to determine the Board's research agenda.

Research
The highest priority of the Board was patient safety with discipline and alternative programs following at second and third place respectively. Dr. Wagner suggested research on the Medication Aide Certified (MAC) program would be timely. The board agreed. She discussed an electronic database for school reports. TCN has an appointment to meet with staff regarding data for tracking RN and LPN data.

Report from Subcommittee
Minutes approved September 2, 2009.

Tennessee Professional Assistance Program 10:00

TNPAP Oversight Committee
Ms. Lund discussed TNPAP's request for a public member on the TNPAP Oversight Committee. Holliday moved and Stewart seconded a motion to appoint B. Thompson and Harkey as members in addition to current representative Barbara Brennan.

Report from Mike Harkreader
Executive Director, TNPAP
Mr. Harkreader, Tennessee Professional Assistance program presented a 2008-2009 report. There are now data for five years. All axis diagnoses are now going to be in database and will be valuable for research. Nurses working in Tennessee, even if they

are not residents, are eligible for services. Mr. Harkreader informed the Board that there is federal block grant money for impaired professionals unable to pay for services.

Consent Orders

10:30

Terry Michael RN 57937

Currently under TNPAP and compliant. Probation and multi-state privilege revoked. C. Thompson moved to approve. Stewart seconded. Motion carried

Maureen Green RN 113360

M. Stewart moved not to rescind the order from December 2007. B. Thompson seconded the motion. Motion carried.

Children’s Services

10:40

Kristi Faulkner, Legal Counsel
Department of Children’s Services

Ms. Faulker brought the “Assistance with Self administration of Medication Policy” for final approval. The policy would apply to unlicensed personnel who would, under law, assist with the self administration of medications to children in group homes. This revised policy incorporates the revisions previously recommended by the Board. C. Thompson made a motion to accept the policy as amended. D. Holliday seconded the motion. The motion carried.

New legislation

11:15

Update on administrative bill request

Ms. Lund reported that there is no new information at this time regarding the final draft of the bill. Ms. Miller suggested the board consider alternative approaches to get the desired legislation

introduced in the event the request does not make the final cut. The Board is limited to making rules, not laws. The Board may consider asking a professional association to bring legislation forward.

BME/BON Joint Committee

11:20 a.m.

Dr. Stegbauer reported on the Joint Committee. The committee agreed to a public meeting on supervision and the Board of Medical Examiners supported the recommendation. Stegbauer pointed out that the committee has a vacancy as member Donna Roddy is not eligible for reappointment. She announced the appointment of C. Thompson to fill the position left by Roddy. Stegbauer suggested that the BON notify BME that the BON is in a transitional period with membership composition changing and that a joint meeting should be delayed at this time. Ms. Miller stated that a joint meeting would be helpful in managing current issues. Dr. Stegbauer volunteered, as the chairperson of the joint committee, to update Dr. Mutter, Co-chairman of the board's current status of flux and to discuss future plans.

Open Forum--opportunity for members of the public to address the board

11:45

The chairman announced an open forum. No one requested to speak.

School Hearing

11:45

Freed Hardeman

Linda Gibson, Director started her report. The Board recessed for lunch at 12:00.

Recess

12:00-1:00

Reconvene

1:00

A quorum was present: Cheryl Stegbauer, A.P.N., Chairperson, Terri Bowman, L.P.N., Marilyn Dubree, R.N., Kathleen Harkey, Consumer Member, Debbie Holliday, L.P.N., Marian Stewart, R.N., Betty Thompson, R.N., Carol Thompson, A.P.N.

Nursing Program School Hearings contined

1:00 p.m.

11:45-12:00 and 1:00- 2:10 AD
Freed-Hardeman – Review of associate degree program and vote on approval status

Linda Gibson, Program Director, reported on the progress of the program. Following document review, questions and discussion, B. Thompson made a motion to not grant Board approval and not permit new admissions to the program due to repeated low pass rates on NCLEX. Marian Stewart seconded the motion. Dr. Stegbauer abstained and the motion passed unanimously by roll call vote. For clarification, C. Thompson stated that Freed Hardeman’s current nursing classes would remain on conditional approval such that graduates will be eligible for licensure.

Break

2:15-2:30

Remaining School Hearings

2:30-3:35 A quorum was present: Cheryl Stegbauer, A.P.N., Chairperson, Terri Bowman, L.P.N., Marilyn Dubree, R.N., Kathleen Harkey, Consumer Member, Debbie Holliday, L.P.N., Marian Stewart, R.N., Betty Thompson, R.N., Carol Thompson, A.P.N.

Lincoln Memorial University – request approval of a letter of intent and initial approval

Generic Baccalaureate

Speaking to the program, Dr. Mary Anne Modrcin, Dean. Following review of documents, questions and discussion, Dubree made a motion to

approve the letter of intent and grant initial approval for a generic BSN program at LUM. Stewart seconded the motion. The motion carried.

Nashville State Community College – request initial approval AD

Speaking to the program: Dr. Francisca Farrar, Consultant. Request initial approval for an associate degree program. Following review of documents, questions and discussion, Dubree made the motion to approve Nashville State Community College for initial approval of an AD program. Stewart seconded the motion. The motion carried.

Pellissippi Community College – request initial approval AD

Susan Sanders, Consultant, spoke to the program. After review of documents, questions and discussion, B. Thompson made a motion to grant initial approval for an associate degree program at Pellissippi Community College. Stewart seconded the motion. The motion carried.

Tennessee Technology Center at Dickson- Request approval for a satellite program in Ashland City PN

Speaking to the program, Ms. Laura Travis, PN Coordinator and Mr. Mark Powers, Director. After review of documents, questions and discussion, Stewart made a motion to grant approval for a satellite program in Cheatham County, Ashland City. Dubree seconded the motion. The motion carried.

Marilyn Dubree excused. Plateau Valley Regional Practical Nursing Program- review and vote on approval status. PN

3:00
Speaking to the program Elizabeth Dolfie, Coordinator. After review of the progress report, questions and discussion, Holliday made a motion to grant full approval to the practical nursing program

Trevecca University – Review of Trevecca/Belmont BSN

Chris Algren, Associate Dean, spoke to the program. Following review of documents, questions and discussions,

Collaborative
Baccalaureate Nursing
Program

C. Thompson made a motion to grant full approval to the baccalaureate nursing program at Trevecca in partnership with Belmont. Stewart seconded the motion. The motion carried.

Bethel University- Review of Baccalaureate Nursing Program BSN

Speaking to the program, Mary Bess Griffith, Director. Following review of documents, questions and discussion B. Thompson made a motion to lift conditional approval and grant full approval to the BSN program at Bethel University.

Consent Order
Rebecca Turnbo Bates RN 104957

3:25 p.m.
Following review and discussion on the consent order, Stewart made the motion to not accept the order, but to hear the case before the Board at a future meeting. Thompson seconded the motion. The motion carried

Election of Vice Chairperson

4:20
After discussion, B. Thompson made a motion to elect C. Thompson Vice Chairperson of the Board. Stewart seconded the motion. The motion carried.

Future Meetings

BON Called meeting- November 10, 2009, 12:00-5:00 PM for discussion on Medication Aides Certified and vote to hold a rule-making hearing

BME/BON Joint Meeting-TBA

BON Meeting-December 2-3, 2009, 8:30 a.m., Iris Room.

BON Meeting- March 3-4, 2010, 8:30 a.m., Iris Room

BON Meeting- June 2-3, 2010, 8:30
a.m., Iris Room

BON Meeting- September 1-2, 2010,
8:30 a.m., Iris Room

BON Business Meeting -February 18,
2010, 8:30 a.m., Iris Room.

BON Business Meeting - October 7,
2010, 8:30 a.m., Iris Room.

Adjournment

The meeting adjourned at 4:30 p.m.

These minutes were ratified by the Board at the December 2, 2009, meeting.