



SOUTH DAKOTA BOARD OF NURSING
CONFERENCE ROOM
SIOUX FALLS, SOUTH DAKOTA
SEPTEMBER 15-16, 2010
MINUTES

The Meeting was called to order by President Deb Soholt at 8:35 a.m.
On the second day, the meeting readjourned following the Joint Board Meeting.

BOARD MEMBERS

Diana Berkland, RN
Linda Bunkers, RN; Vice President
Christine Callaghan, LPN
Teresa Disburg, RN; Secretary
John Jones, Public Member
June Larson, RN
Adrian Mohr, Public Member
Kristin Possehl, RN
Deb Soholt, RN; President
Patricia Wagner, LPN

BOARD STAFF PRESENT

Gloria Damgaard, Executive Director
Nancy Bohr, Nursing Program Specialist
Kathleen Rausch, Nursing Program Specialist
Linda Young, Nursing Program Specialist
Kristine O'Connell, Board Attorney
Erin Matthies, Licensure Operations Manager
Winora Robles, Program Assistant

New Board of Nursing member Kristin Possehl was welcomed.

MINUTES of the June 30-July 1, 2010 Meeting, with deletion of a specified sentence on page 3, were approved.

AGENDA for today's meeting was approved as presented.

FINANCIAL REPORTS: Business Manager Robert Garrigan presented based on written reports. Board FY2010 income, expenses, and balances were reviewed, as were August 2010 finances.

MOTION to approve the FY2010 Financial Report was approved in a unanimous voice vote.

MOTION to approve the August 2010 Financial Report was approved in a unanimous voice vote.

CNA 2ND QUARTER – N. Bohr presented based on the report that had been distributed for Board review.

QUARTERLY NCLEX EXAMINATIONS – N. Bohr shared with the Board the South Dakota NCLEX results; RN pass rates are comparable to national statistics; LPN NCLEX pass rates are somewhat down compared with recent statistics for our state.

2010 NCSBN DELEGATE ASSEMBLY was held in Portland, Oregon, August 11-13, 2010. Executive officer coaching sessions conducted by professional coaches are being offered through NCSBN; G. Damgaard will participate in twelve sessions, mainly via teleconference. G. Damgaard chaired the Elections Committee; L. Young served as Delegate; N. Bohr served her final session on Leadership Succession Committee; L. Young and N. Bohr were panel members during the Regulatory View session. The NLCA meeting was also held. Bermuda and Alberta Nursing Councils have joined as associate members.

CITIZENS ADVOCACY CENTER 2010 ANNUAL MEETING – G. Damgaard and one or more Board members may attend.

NCSBN RAISES PASSING STANDARD National Nurse Aide Assessment Program – G. Damgaard and N. Bohr noted that this is not the assessment program used in South Dakota, but the raising of the standard does reflect the tendency to expand the role of the CNA.

2010 NCSBN SCIENTIFIC SYMPOSIUM – G. Damgaard shared that recipients of NCSBN research grants will present the results of the research. L. Young will attend the symposium for the South Dakota Board of Nursing.

JOINT STATEMENT FROM THE TRI-COUNCIL for Nursing on Recent RN Supply and Demand Projections – Reliability of the data used for these projections was discussed. The data appears to overestimate the number of nurses being produced, underestimate future demand, and neglect to take into account that more nurses of higher qualification will also be needed. Two more of today's agenda items, the Forum of State Nursing Workforce Centers Press Release on Economic Modeling Specialists Workforce Study, and New RNs Find Job Market Tight from the USA Today, were also briefly discussed.

COUNCIL ON STATE GOVERNMENTS E-Newsletter R_x Drug Monitoring Compact Nears Completion – G. Damgaard shared that in South Dakota, progress is currently being made in drug monitoring.

NCSBN PRESS RELEASE: Passing Standard for Pearson Test of English – G. Damgaard shared that in South Dakota, the need to test English proficiency does not often arise among nursing applicants, but Pearson is prepared for such situations. It was noted that NEDDs would very likely be interested in this item.

2010 HEALTHCARE FRAUD Taskforce Meeting – K. Rausch attended, and described it as an informative meeting.

ANNUAL DOH MEETING with Licensing Boards – G. Damgaard attended, and summarized for this Board the requirements regarding legislative proposals, minutes of Board meetings, and other topics of discussion.

STATE RELIES ON NURSES TO REPORT THEIR OWN CONVICTIONS, INDYSTAR.com – D. Soholt noted the item regarding funding for criminal background checks, which may prove to be of interest in this state.

NO HARM FOUND WHEN NURSE ANESTHETISTS WORK WITHOUT SUPERVISION BY PHYSICIANS, Health Affairs, August 2010 – G. Damgaard briefly reviewed this item with the Board.

JUSTICE DEPARTMENT ENTERS SETTLEMENT WITH RAINBOW RIVER CHILD DEVELOPMENT CENTER ON CARE FOR CHILDREN WITH DIABETES – This daycare facility, which had refused to provide care for a child with diabetes, was sued under the Americans with Disabilities Act and was required to provide the service.

TROUBLED NURSES SKIP FROM STATE TO STATE UNDER COMPACT, ProPublica, USA Today – D. Soholt pointed out some questionable information in the article.

MAJORITY OF NURSES HONORABLY SERVE PATIENTS, USA Today Editorial – G. Damgaard remarked that nursing remains one of the most respected professions.

DORGAN INVESTIGATES ALLEGATIONS OF GROSS MISMANAGEMENT WITHIN INDIAN HEALTH SERVICE – Provided as an informational piece.

HEALTH WORKFORCE NEWS: What's New in Nurse Practice Regulation, Nursing Supply Data Collection, and Research Opportunities Q & A with Kathy Apple, CEO, NCSBN – Provided as an informational piece.

DOCTORS VS. NURSES VS. PATIENTS, Des Moines Register – Provided as an informational piece.

NURSES PROTEST OUTSIDE WHITMAN'S HOME, San Francisco Chronicle – Provided as an informational piece.

FACING DOCTOR SHORTAGE, 28 STATES MAY EXPAND NURSES' ROLE, USA Today – G. Damgaard briefly reviewed the handout with the Board.

JUDGE RULES PENNSYLVANIA BOARD MUST ANSWER NURSE'S METHADONE SUIT, Law.com – G. Damgaard described the case of a nurse addicted to methadone who was not allowed to practice as a nurse and who sued based on the Americans with Disability Act.

CALIFORNIA'S CRIMINAL NURSES AND CA NURSES ASSOCIATION, Hogue News – Provided as an informational piece.

SCHOOL NURSES ARE IN SHORT SUPPLY, Marketwatch.com – G. Damgaard reviewed some national statistics regarding ratios of nurses to the citizenry they serve.

HOSPITAL EXPERTS DEBATE WISDOM OF USING STUN GUNS TO CONTROL VIOLENT PATIENTS, Washington Post – Provided as an informational piece.

PRESCRIPTION DRUG MONITORING PROGRAM Advisory Council – Nancy Kertz, RN, CNP represents the Board of Nursing on the PDMP Advisory Council.

NCSBN TRANSITION TO PRACTICE Pilot Study – G. Damgaard reviewed the written report with the Board.

VIRTUAL NURSING CARE MODEL FOR CHILDREN WITH DIABETES IN THE SCHOOL SETTING – An update was provided by G. Damgaard and L. Young. The first installment of the grant is expected to arrive soon, but work has already begun. Eleven schools with 25 children are now signed up to participate. G. Damgaard outlined the financial system that will be in place to account for grant funds.

NPDB/HIPDB REPORTING – An update was provided by G. Damgaard. Compliance issues are being addressed.

JUST CULTURE: David Marx Presentation July 27, 2010 – L. Young presented a report on the very positive event. Plans for future efforts on this topic were discussed, depending on level of interest in the state, whether for nurses only, or to include other disciplines.

NURSYS DATA INTEGRITY – G. Damgaard shared that National Council will provide funding for the Board's database cleanup project.

MOTION: D. Berkland moved that the South Dakota Board of Nursing investigate and pursue NCSBN funding for the Nursys data integrity project.

Seconded by J. Larson; Motion carried in a unanimous roll call vote.

RFP FOR LICENSURE SOFTWARE – E. Matthies provided an update. Once the state has issued final approval, we will be able to move forward with the project. Also, another RFP project has begun for electronic forms.

BOARD MEMBER RECOGNITION – D. Soholt and G. Damgaard showed the plaques that will be sent, along with a thank-you from the Board for their service, to recently retired Board members Dori Dufault and Robin York.

STRATEGIC PLANNING SESSION: November 17, 2010 – The location has yet to be determined.

REQUEST FOR CNS LICENSURE USING ANCC Core Examination – L. Young presented based on documents that were distributed earlier. Pamela Koepsell, RN, CNS Applicant, briefly shared some of her nursing background and explained how she came to this situation. Discussion followed.

MOTION: L. Bunkers moved that the South Dakota Board of Nursing approve the ANNC certification exam “Clinical Nurse Specialist (CNS) Core Certification” as meeting the certification requirement for CNS licensure for Pamela Koepsell.

Seconded by J. Larson

Berkland	RECUSED	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		9 YES – MOTION CARRIED

USD REQUEST for Prerequisite Status for RN-BSN Program – N. Bohr presented background; from USD, Beverly Jorgenson, Debra Leners, Kelly Deal, and Becky Wolff were present to address the Board. They hope to admit an initial cohort of 32 students. Content will be online, and the curriculum will be finalized soon. It is anticipated that 80-90% of their associates degree students would continue to work towards the baccalaureate immediately after completing the associates RN degree. A recent survey determined that non-baccalaureate degree nurses report feeling disadvantaged in the workplace.

MOTION: L. Bunkers moved that the South Dakota Board of Nursing grant Prerequisite Status for the RN-BSN Program at USD.

Seconded by C. Callaghan

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

MOUNT MARTY COLLEGE REQUEST FOR INTERIM STATUS LPN Program – N. Bohr presented background. Jacquie Kelley, present to represent Mount Marty College Nursing Program, said that some things have changed since the original proposal, such as admission criteria, which have been made more precise. J. Kelley said that AHEC conducted a survey to determine the need for such a program, and that it became apparent that growing geriatric populations, rural areas, and Native American communities are in need of more LPNs. The Board of Trustees are in support, and funding has been secured. The program expects to accept sixty candidates within five years. Mount Marty has an LPN to RN program which provides LPNs the opportunity to continue nursing education while in the workforce. An alliance with Sinte Gleska is being explored.

MOTION: June Larson moved that the South Dakota Board of Nursing approve the request by Mount Marty College for Interim Status for a Licensed Practical Nurse (LPN) Program.

Seconded by C. Callaghan

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

SDSU BSN Site in Sioux Falls – N. Bohr shared with the Board the notification from SDSU that the Board of Regents has approved the SDSU BSN site in Sioux Falls for students enrolled in the nursing program.

SISSETON WAHPETON NURSING – N. Bohr reported that Alta Jacquet is serving as Interim Director; it is not clear from the submitted letter whether the status is full time or part time. If the status is confirmed to be part time, the following motion will be in effect:

MOTION: C. Callaghan moved that the South Dakota Board of Nursing notice the Sisseton Wahpeton Nursing Program that the program is no longer meeting the standards for approval of Nursing Education Programs as set forth in ARSD 20:48:07. The Program must be in compliance by the beginning of the 2011 Spring Semester.

Seconded by D. Berkland

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		

Disburg

YES

| Mohr

YES

| 10 YES – MOTION CARRIED

DISCIPLINE Discipline Committee Minutes were approved by the Discipline Committee prior to this meeting.

THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF DISCIPLINE

THE BOARD RECONVENED IN OPEN SESSION

CONSENT AGENDA

2. M.M.E. – Continue Investigation
3. K.N.F. – Letter of Concern and Mandate HPAP enrollment within 30 days; if not, Summarily Suspend and Notice for Hearing
4. L.A.R. – Mandate HPAP enrollment within 30 days, if not; Summarily Suspend and Notice for Hearing
5. J.J.W. – Mandate HPAP enrollment within 30 days; if not, Summarily Suspend and Notice for Hearing
6. Heidi Marlene Houghtaling, P006831 – Accept Voluntary Surrender
7. Monte J. Riggs, R018079 – Accept Voluntary Surrender
8. L.M.H. – Letter of Concern
9. G.R.L. – Letter of Concern
10. M.L.F. – Board Dismissal
11. A.M.U. – Board Dismissal
12. S.K.B. – Board Dismissal
14. E.M.N. – Board Dismissal
16. L.M.L. – Board Dismissal
17. L.S.C. – Board Dismissal
18. D.K.S. – Board Dismissal
20. I.K.Z. – Letter of Concern plus Remediation
21. A.M.A. – Letter of Concern plus Remediation
23. D.J.J. – Board Dismissal
24. B.M.H. – Board Dismissal
25. C.R.A. – Board Dismissal
26. M.E.S. – Board Dismissal
27. D.M.L. – Board Dismissal
28. B.B.G. – Board Dismissal
29. E.M.D. – Board Dismissal
30. Karla Arlene Baker, R027355 & CP000406 – Letter of Reprimand on SD RN license
31. Angela Richelle Deraad, P009251 – Letter of Reprimand
32. Deane Albert Zimmerman, CR000374 – Letter of Reprimand

MOTION: T. Disburg moved that the South Dakota Board of Nursing accepts the Disciplinary Consent Agenda with the removal of cases 1 TD, 13 AT, 15 DH, 19 BH, and 22 EF.

Seconded by P. Wagner

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

T.B.D. – K. Rausch presented background. Board action will be deferred pending more information.

A.L.T. – K. Rausch presented an update. Records will be requested; action is deferred pending more information.

E.K.F. – K. Rausch, Nursing Program Specialist, and K. O’Connell, Board Attorney, provided background.

MOTION: L. Bunkers moved that the South Dakota Board of Nursing mandate E.F. to HPAP for one year.

Seconded by C. Callaghan

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	RECUSED
Callaghan	YES	Possehl	RECUSED		
Disburg	YES	Mohr	YES		8 YES – MOTION CARRIED

DENISE RENAE HANISCH, P010055 – K. Rausch, Nursing Program Specialist, provided background.

MOTION: L. Bunkers moved that South Dakota Board of Nursing issue one year Probation and require that Denise Hanisch successfully complete SDSU LPN Refresher Course modules within six months.

Seconded by J. Larson

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

BONNIE LEE HOFER, R028428 – K. Rausch, Nursing Program Specialist, presented background.

MOTION: C. Callaghan moved that South Dakota Board of Nursing require Bonnie Hofer be placed on two years Probation and successfully complete SDSU RN Refresher Course modules within one year.

Seconded by J. Larson

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

SARAH M. ENGLEBERT, P008885 – Formal Hearing September 15, 2010 1:00 p.m. Board President D. Soholt announced that this is the time and place for the Formal Hearing of Sarah Englebert. S. Englebert, although duly noticed, did not appear. Kristine O’Connell, Board Attorney, presented background. Char Skovlund, HPAP, also presented information for the Board’s consideration.

MOTION:T. Disburg moved that South Dakota Board of Nursing suspend the LPN license of Sarah Englebert.

Seconded by P. Wagner

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

LOREE N. PRICE, R024780 – Formal Hearing September 15, 2010 2:00 p.m. Board President Deb Soholt announced that this is the time and place for the Formal Hearing of Loree Price. Kristine O’Connell, Board Attorney, presented background. L. Price, although duly noticed, did not appear.

MOTION: T. Disburg moved that the South Dakota Board of Nursing suspend the license of Loree Price.

Seconded by P. Wagner

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

SUZANNE RENE LYMAN, R027317 & CR000507 – Request for Reinstatement of CRNA License. S. Lyman was present to address the Board. Char Skovlund and Tandra Baker of HPAP were also present.

MOTION: C. Callaghan moved that the South Dakota Board of Nursing issue Suzanne Lyman a Probationary CRNA license following the stipulations of HPAP, 3 years Probation monitored by HPAP, mandated to wear a medical alert bracelet. Once employed, administration of antagonist /mixed agonist be required to be witnessed. Hair sampling as determined by HPAP.

Seconded by L. Bunkers

Berkland	RECUSED	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		9 YES – MOTION CARRIED

SLOAN JAMES, R035763 – Request for Reinstatement. K. Rausch, Nursing Program Specialist, provided background. S. James was present to address the Board.

MOTION: C. Callaghan moved that the South Dakota Board of Nursing deny Reinstatement of the RN license of Sloan James at this time.

Seconded by P. Wagner

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	YES	Mohr	YES		10 YES – MOTION CARRIED

B.A.L. – Request for Licensure. Kathleen Rausch, Nursing Program Specialist, provided background. B.A.L. was present to address the Board.

MOTION: C. Callaghan moved that the South Dakota Board of Nursing grant LPN licensure for B.A.L. upon successful completion of the NCLEX-PN.

Seconded by L. Bunkers

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		

Disburg RECUSED | Mohr YES | 9 YES – MOTION CARRIED

PRESENTATION COLLEGE – NLNAC Letter of Accreditation (AD program) – Provided as an informational piece.

WESTERN DAKOTA TECHNICAL INSTITUTE Letter of Resignation and Appointment of Interim Director – N. Bohr reviewed the handouts with the Board. It will be determined whether the Director is working full-time.

CLINICAL NURSE SPECIALIST Core Competencies – L. Young presented based on the report distributed earlier.

SB 104, An Act to Revise Certain Provisions Regarding Disclosure of Public Information – G. Damgaard reviewed the handout with the Board. The law went into effect July 1, 2010.

SDSU Update on RN and LPN Refresher Courses – N. Bohr shared that there have been recent some changes in administration and fees.

MOTION to approve the report carried in a unanimous voice vote.

APN ADVISORY COMMITTEE August 27, 2010 Meeting – L. Young presented based on the handout.

APN ADVISORY COMMITTEE – L. Young shared that members Teri VanderStouwe, CNM and Kathy Zambo, CNP have requested reappointment to the committee.

MOTION to reappoint for a third term Teri VanderStouwe, CNM and Kathy Zambo, CNP to the APN Advisory Committee carried in a unanimous voice vote.

CENTER FOR NURSING WORKFORCE GOVERNANCE COUNCIL – L. Young reviewed topics discussed at the recent meeting. G. Damgaard shared that a new, unique leadership model is being explored.

CLINICAL ENRICHMENT PROGRAM, Rapid City Regional Hospital – N. Bohr presented this request for reapproval.

MOTION by D. Berkland that the South Dakota Board of Nursing support continued approval of the Clinical Enrichment Program at Rapid City Regional Hospital carried in a unanimous voice vote.

2010 ANNUAL REPORT TO DOH – Robert Garrigan, Business Manager, reviewed the 2010 Board of Nursing’s Report to the Department of Health.

MOTION to approve the 2010 Report to the Department of Health was approved in a unanimous voice vote.

UPCOMING EVENTS September 26, 2010; NCSBN Scientific Symposium, Washington DC
September 27-30, 2010; NCLEX Item Review Subcommittee, Chicago IL
October 3-4, 2010; SDNA Convention, Mitchell SD
October 29, 2010; NCLEX Regional Workshop, Omaha NE
November 11-12, 2010; Citizen Advocacy Center Annual Meeting, Washington DC
January 12-13, 2011; NCSBN APRN Summit, San Diego

MOTION: Linda Bunkers moved that the South Dakota Board of Nursing approve travel for:

- September 26, 2010; NCSBN Scientific Symposium, Washington DC – L. Young
- September 27-30, 2010; NCLEX Item Review Subcommittee, Chicago IL – L. Young
- October 29, 2010; NCLEX Regional Workshop, Omaha NE – up to five people (driving)
- November 11-12, 2010; Citizen Advocacy Center Annual Meeting, Washington DC – up to two people
- January 12-13, 2011; NCSBN APRN Summit, San Diego – up to three people

Seconded by C. Callaghan

Berkland	YES	Jones	YES	Soholt	YES
Bunkers	YES	Larson	YES	Wagner	YES
Callaghan	YES	Possehl	YES		
Disburg	ABSENT	Mohr	YES		9 YES – MOTION CARRIED

STAFF ACTIVITIES

Linda and Gloria Presentation to SDAHO Council on Clinic and Medical Providers, 08/03/2010
Gloria SDSMA Invitational Meeting, 08/26/2010
Kathy SD Healthcare Fraud Task Force, 08/30/2010, Teleconference
Gloria Annual Meeting of State Licensing Boards, 08/30/2010, Teleconference
Linda and Gloria Presentation to SDNA District #10, 08/31/2010
Kathy and Nancy Presentation to SDSU students, 09/08/2010

ADJOURNMENT: 1:28 p.m.