



SOUTH DAKOTA BOARD OF NURSING
4305 S. LOUISE AVENUE, SUITE 201
SIOUX FALLS SD 57106

SEPTEMBER 11-12, 2007
MINUTES

CALL TO ORDER & ROLL CALL 11:48 a.m.

Diana Berkland, RN – excused
Linda Bunkers, RN
Teresa Disburg, RN
Dori Dufault, LPN
John Jones, Public Member
June Larson, RN, President
Adrian Mohr, Public Member
Christine Pellet, LPN, Secretary
Deb Soholt, RN, Vice President; present Sep 11, 2007; arrived 9:30 a.m. on Sep 12, 2007
Patricia Wagner, LPN
Robin York, RN

BOARD STAFF PRESENT

Gloria Damgaard, Executive Director
Nancy Bohr, Nursing Program Specialist
Linda Young, Nursing Program Specialist
Andrew Albers, Nursing Program Specialist
Kristine O’Connell, Attorney for the Board
Robert Garrigan, Senior Accountant
Winora Robles, Recording Secretary

GUESTS: SEPTEMBER 11, 2007

Julia Bronner, National American University
Diana Kostrzewski, National American University

MINUTES of the June 20-21 2007 Board Meeting were approved as presented in a unanimous voice vote.

AGENDA was approved with allowance for rearrangement as needed in a unanimous voice vote.

FINANCIAL REPORTS: Senior Accountant Bob Garrigan reported that Department of Health is piloting an accounting system in an effort to streamline reporting of informational budgets with the Board of Nursing. He will be attending on-site training in Pierre.

Motion by Robin York to accept the Financial Reports as presented was seconded by Patricia Wagner; in a unanimous Roll Call vote, the Motion carried.

NURSING EDUCATION ASSISTANCE LOAN Report & Request for Additional Authorization: Senior Accountant Bob Garrigan reviewed a written report with the Board. Sufficient funds remain for a few more loans.

Motion by Linda Bunkers that South Dakota Board of Nursing award nursing education assistance loans of \$500 to each of the fourteen applicants was seconded by Dori Dufault; in a unanimous Roll Call vote, the Motion carried.

NCSBN EXECUTIVE OFFICER SEMINAR, June 26-28, 2007 – Gloria Damgaard attended the seminar in Lake Tahoe. The meetings were productive, although some states’ representatives are unable to attend due to their states’ rules on travel. G. Damgaard is on the committee to plan next June’s Executive Officer Seminar. The Executive Officers of all Boards of Nursing meet on an annual basis.

CENTER FOR NURSING WORKFORCE: Linda Young presented based on Governance Council Minutes of June 29, 2007. Copies of the 2007 Nursing Workforce Report were also made available to Board members.

NCSBN DELEGATE ASSEMBLY, August 7-10, 2007, Chicago IL – Gloria Damgaard, June Larson, Andrew Albers, and Nancy Bohr attended. G. Damgaard received an award for five years of service to NCSBN, and was also inducted as a Fellow into the Institute of Regulatory Excellence. Actions taken at Delegate Assembly are summarized in the handouts. The 2008 NCLEX-PN test plan was adopted; a statement on regulation and pain management was approved; Pearson VUE was reapproved as exam vendor; Bylaws revisions were also approved. The next Delegate Assembly will be held in Nashville, TN, the second week of August 2008. G. Damgaard was nominated as Chair of Nurse Licensure Compact Administrators for another two-year term.

ANNUAL APN ADVISORY COMMITTEE MEETING, August 17, 2007: Linda Young shared the Minutes of that meeting with the Board.

NURSING LEADERSHIP COALITION CONFERENCE, August 24, 2007 in Sioux Falls: Linda Young reported that over 100 people attended; cost of putting on the event was more than revenue generated, but well worth it. Overall participant comments were very good. Some of the points raised by the speaker are being utilized by the Governance Council. Following the Conference, four participants applied for the at-large member position; those applications will be considered at the next meeting of the Governance Council.

NCLEX REPORT 2ND QUARTER: Nancy Bohr presented. Pass rates of South Dakota nursing programs were reviewed. June Larson, Director of Nursing Education at USD, said that the exit exam, which had been done away with, will be reinstated as the final exam at USD.

CNA REPORT 2ND QUARTER: Nancy Bohr presented based on the reports previously provided. An increased number of equivalency requests was noted. As of yesterday, 64% of CNAs are renewing online.

POLICY PERSPECTIVES: Gloria Damgaard shared with the Board that Rhode Island has become the 23rd state to approve the Nurse Licensure Compact, with anticipated implementation in 2008. Colorado will become the 22nd active member state on October 1, 2007. Nurse Licensure Compact participation was defeated in Montana and Wyoming legislatures this year, and withdrawn in Nevada.

CRIMINAL BACKGROUND CHECK RESULTS: Andy Albers reviewed the results with the Board.

NEWS FROM ATTORNEYS GENERAL OFFICES: Andy Albers reviewed the handout with the Board.

NATIONAL AMERICAN UNIVERSITY – FORMAL REPORT, Interim Chair Position Change: Nancy Bohr introduced Dr. Julia Bronner, Dean of Nursing, and Diana Kostrzewski, RN-BSN Program Director at NAU. Dr. Bronner explained that she will relocate from Minnesota to Rapid City very soon; Diana Kostrzewski will remain in Minnesota; both have obtained South Dakota nursing licenses. NAU team members have been elevated to Directors. The mission statement and philosophy have been revamped; the improvement and assessment process will be driven by the mission and philosophy. Program outcomes for the graduate are linked to the student learning course outcomes, which are linked to the mission and the vision for NAU. In response to a question from the Board regarding authority, control, and responsibility for the NAU RN-BSN budget, Dr. Bronner said that she has seen the budget, and how it is dispersed; Diana Kostrzewski will have control of her own budget as Director of that program. Dr. Bronner went on to say that she is aware that budget control at NAU has been a concern of this Board, but having seen what is in place, it is not a concern for her now. She has been shown that they are behind the nursing programs, really support the programs. A strategic plan is being developed to maintain cohesiveness. Two directors are in place now; their first class, in Kansas City, has just graduated its first class at 80%. Dr. Bronner will hold administrative responsibilities for the four program locations; Diana Kostrzewski has administrative responsibility for the online RN-BSN completion program. There are five faculty members, all part-time, system-wide; two faculty members are from South Dakota. Corporate headquarters are in Rapid City. Faculty are already involved, in that they have been asked for input. The Board of Directors is made up of people from all walks; from healthcare and other industries. Dr. Bronner thanked Nancy Bohr, who has been extremely helpful. This report satisfies the Board's April 2007 directive that a report be submitted by NAU by September 2007. This Board wishes them well; the current Interim Status can be revisited once the first class has graduated.

FINAL CORE Report: Gloria Damgaard shared with the Board that, based on a survey that was submitted to stakeholders, complainants and respondents, the South Dakota Board of Nursing ranked very well. Regarding effectiveness in protecting the public, this Board ranked first out of 24.

CERTIFIED NURSE MIDWIFE UPDATE: The Board reviewed discussion that occurred earlier today at the meeting of the Joint Boards.

Motion by Robin York that June Larson, Deb Soholt, and Kristine O'Connell be the South Dakota Board of Nursing members for the subcommittee examining the Certified Nurse Midwife issue.

The motion was seconded by Patricia Wagner, and in a unanimous vote, the Motion carried.

PROPOSED DIABETES LEGISLATION: Gloria Damgaard presented. Proposed legislation from the American Diabetes Association allows non-medical trained persons to administer insulin. The main sponsor of the legislation, Representative Steele, and others met; G. Damgaard also attended the meeting. It was proposed that the legislation include a definition of “school health nurse”. G. Damgaard suggested that, in Section 8, the phrase “do not constitute the practice of nursing” be removed, and the group agreed to that change. This Board brought up two questions: on page 204, Section 4, “expertise” may need clarification; and the “follow up with training” clause should specify how often such training is to occur.

LICENSURE SOFTWARE: Gloria Damgaard reported that options are being explored. Representatives from System Automation will visit here in October 2007.

AMERICAN ACADEMY OF FAMILY PRACTICE PHYSICIANS RESOLUTION – NPs Update: Gloria Damgaard reviewed the handout with the Board.

CLINICAL ENRICHMENT PROGRAMS: Nancy Bohr presented based on reports submitted by each of the Programs.

1. Avera McKennan Hospital & University Center
2. South Dakota Human Services Center
3. Rapid City Regional Hospital
4. St. Michael’s Hospital Avera

Motion by Robin York that the South Dakota Board of Nursing accept the clinical enrichment reports and approve continuation of the clinical enrichment programs for: Avera McKennan Hospital & University Center, South Dakota Human Services Center, Rapid City Regional Hospital, and St. Michael’s Hospital Avera.

The Motion was seconded and, in a unanimous voice vote, the Motion carried.

2007 ANNUAL REPORT TO DEPARTMENT OF HEALTH: Gloria Damgaard reviewed the report with the Board. Licensure, Discipline, and Revenues and Expenses are outlined in this report.

HEALTH PROFESSIONALS ASSISTANCE PROGRAM FEE STRUCTURE: Gloria Damgaard shared a memo received from Maria Eining, HPAP Director, regarding fees. Higher drug testing costs will be a financial hardship for some enrollees and prevent them from participating. The Board considered whether to help relieve such hardship, and methods available for doing so.

Motion by Adrian Mohr that the South Dakota Board of Nursing waive the participation fee for individuals enrolled in the South Dakota Health Professionals Assistance Program services.

The Motion was seconded by Dori Dufault, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	ABSENT
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	NO	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	8 YES, 1 NO – MOTION CARRIED	

CARNEGIE NATIONAL NURSING EDUCATION STUDY RECOMMENDATIONS: Gloria Damgaard reviewed those recommendations relevant to regulation. Further discussion of this topic is expected on the national level.

SINTE GLESKA UNIVERSITY: Nancy Bohr shared with the Board the proposed program changes submitted by Mary Ann Fanning, LPN Nursing Program Director. To help meet the challenges for many of the students who live in remote, rural areas, web-based courses are considered a good option. This Board will conduct a site visit to Sinte Gleska University in October 2007.

DISCIPLINE

FY 2006-2007 Discipline Report: A. Albers reviewed written reports with the Board regarding Complaints, Board Monitored Nurses, and Board Mandated HPAP Participants for the previous fiscal year.

Discipline Committee Minutes from the August 29, 2007 meeting, which were approved by the Discipline Committee members via email vote on September 4, 2007, including Discipline Committee Recommendations on specific cases, were distributed to Board members.

THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF DISCIPLINE

THE BOARD MOVED INTO OPEN SESSION

CONSENT AGENDA:

1. KA – Dismissal
2. Sharolyn Aman – Rescind Letter of Reprimand
3. Kathy Dedrickson – Deny Request to Revise Probationary Order
4. TF – Dismissal
5. SF – Release from HPAP
6. Gaylene M. Funell – Rescind Letter of Reprimand
7. Margaret C. Harlow – Accept Voluntary Surrender
8. AM – Andrew Albers updated the Board that AM has agreed to sign a Voluntary Surrender. This case will be reconsidered at the November Board meeting.
9. Mary M. Pistulka – Rescind Letter of Reprimand
10. TS – Release from HPAP
11. GS – Dismissal
12. DV – Andrew Albers updated the Board that DV has agreed to sign a Voluntary Surrender. This case will be reconsidered at the November Board meeting.
13. CW – Mandate HPAP with Single-state license

Motion by Deb Soholt to approve the Consent Agenda with the removal of #8 Ann M. Mechtenberg and #12 Donna M. Voetberg. The Motion was seconded and, in a unanimous voice vote, the Motion carried.

NANCY J. KORBEL – Request for Reinstatement, September 11, 2007, 3:00 pm. Andrew Albers, Nursing Program Specialist, presented background on this case. Ms. Korbel was present to address the Board.

Motion by Linda Bunkers that South Dakota Board of Nursing reinstate the RN license of Nancy J. Korbel on Probationary status with terms and conditions to be monitored by HPAP for a total of five years.

The Motion was seconded by Robin York, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	YES
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	10 YES – MOTION CARRIED	

JAYNE M. MARSHALL – Request for Reinstatement, September 11, 2007, 1:00 pm. Andrew Albers, Nursing Program Specialist, presented background on this case. Ms. Marshall was present to address the Board.

Motion by Deb Soholt that South Dakota Board of Nursing deny the Request for Reinstatement of RN license of Jayne M. Marshall.

The Motion was seconded by Dori Dufault, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	YES
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	10 YES – MOTION CARRIED	

MARTYN L. PHILLIPS – Request for Reinstatement, September 11, 2007, 4:00 pm. Andrew Albers, Nursing Program Specialist, presented background on this case. Ms. Phillips was present to address the Board.

Motion by Dori Dufault that Martyn Phillips be denied her Request for Reinstatement of her RN license.

The Motion was seconded by John Jones, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	YES
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	10 YES – MOTION CARRIED	

SHELLY R. GROSSHUESCH: Andrew Albers, Nursing Program Specialist, reviewed this case with the Board.

Motion by Linda Bunkers that South Dakota Board of Nursing issue a Summary Suspension with a Notice of Hearing to Shelly Grosshuesch.

The Motion was seconded by Dori Dufault, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	YES
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Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	10 YES – MOTION CARRIED	

E HH: Andrew Albers, Nursing Program Specialist, reviewed this case with the Board.

Motion by Deb Soholt that South Dakota Board of Nursing offer Voluntary Surrender of RN license to E HH. If this is not acceptable to E HH, then Summarily Suspend and Notice for Formal Hearing.

The Motion was seconded by Adrian Mohr, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	YES
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	10 YES – MOTION CARRIED	

SUSAN E. PALOMBO: Andrew Albers, Nursing Program Specialist, reviewed this case with the Board.

Motion by Robin York that the South Dakota Board of Nursing Summarily Suspend the nursing license of Susan Palombo and Notice for a Formal Hearing.

The Motion was seconded by Christine Pellet, and a Roll Call vote was taken.

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	YES
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	10 YES – MOTION CARRIED	

JACQUELINE L. WONNENBERG: Kristine O'Connell, Board Attorney, provided an update for the Board. A Hearing will be conducted with Ms. Wonnemberg in the near future.

APN ADVISORY COMMITTEE: Linda Young reported to the Board that current members Kathy Zambo, CNP and Teri VanderStouwe, CNM have requested reappointment to the Advanced Practice Nursing Advisory Committee, each for a second 3-year term to expire in September 2010.

Motion by Deb Soholt to approve the appointments of Kathy Zambo, CNP and Teresa VanderStouwe, CNM to their second 3-year terms to the APN Advisory Committee.

The Motion was seconded by Linda Bunkers and, in a unanimous voice vote, the Motion carried.

MEDICATION ASSISTANT-CERTIFIED MODEL CURRICULUM: Gloria Damgaard reviewed progress being made on the certification program. South Dakota presently requires a 20-hour training course; this may be a good opportunity to consider upgrading the curriculum; copies were provided for Board members.

Motion by Linda Bunkers that South Dakota Board of Nursing explore the implementation of a Medication Assistant – Certified Model Curriculum and the development of a registry.

The Motion was seconded by Christine Pellet, and a Roll Call vote was taken:

Diana Berkland	ABSENT	John Jones	YES	Deb Soholt	ABSTAIN
Linda Bunkers	YES	June Larson	YES	Patricia Wagner	YES
Teresa Disburg	YES	Adrian Mohr	YES	Robin York	YES
Dori Dufault	YES	Christine Pellet	YES	9 YES, 1 ABSTENTION – MOTION CARRIED	

GUIDING PRINCIPLES OF NURSING REGULATION: June Larson presented; copies of these principles that were brought up at National Council were provided to Board members. The Competence Principle in particular can affect the way this Board interacts with other organizations.

STRATEGIC PLANNING: June Larson proposed that a two-day Board Meeting be scheduled for the purpose of strategic planning. Guiding Principles of Nursing Regulation, Qualitative Interviews, the CORE Report, decision-making, and best methods for handling rehabilitation are some topics that may be explored. The meeting will be held November 27-28, 2007, or December 3-4, 2007, depending on participants' schedules, at Cedar Shores Resort in Chamberlain.

ANNOUNCEMENTS

SDNA Convention, October 7-9, 2007, Aberdeen

Citizens Advocacy Center Annual Meeting, October 29-31, 2007, Seattle WA

NCSBN Member Boards Operations Staff Seminar, November 19, 2007, Chicago IL

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:34 a.m.