



SOUTH DAKOTA BOARD OF NURSING

4305 S Louise Avenue Suite 201
Sioux Falls, South Dakota 57106

June 28, 2018 9:00 AM CDT

Board Members		Board Staff Present	
Darlene Bergeleen, RN	Present	Gloria Damgaard, RN	Executive Director
Carla Borchart, RN	Present	Abbey Bruner	Senior Secretary
Rebekah Craddock, Public Member	Present	Glenna Burg, RN	Nursing Education Specialist
Doneen Hollingsworth, Public Member	Present	Lauren Furth	Board Intern
Deborah Letcher, RN, Secretary	Present	Erin Matthies	Licensure Operations Manager
Nancy Nelson, RN, President	Present	Francie Miller, RN	Nursing Program Specialist
Sharon Neuharth, LPN	Present	Shelly Munson	Board Attorney
Robin PetersonLund, RN, APRN	Present	Kristine O'Connell	Board Attorney
Kristin Possehl, RN	Present	Tessa Stob, RN	Nursing Program Specialist
Mary Schmidt, LPN, Vice President	Present	Linda Young, RN	Nursing Program Specialist
Lois Tschetter, RN	Present	Others Present	
		Catherine Dunewald	Administrative Law Judge
		Terri Schildhauer	Registered Professional Reporter

Guests: June 28, 2018

Leann Horsley, South Dakota State University
 Mary Anne Krogh, Mount Marty College
 Lori Bork, National American University
 Carena Jarding, Mitchell Technical Institute
 Carol Stewart, Mount Marty College
 Roberta Olson, South Dakota State University
 DeAnn Eastman-Jansen, Sinte Gelska University
 Cheryl Medearis, Sinte Gelska University
 Christi McArthur, Western Dakota Technical Institute
 Tiffany Howe, Western Dakota Technical Institute
 Ann Bolman, Western Dakota Technical Institute

1. Call to Order and Roll Call - President N Nelson called the meeting to order at 9:00 a.m. on June 28, 2018.

2. Board of Nursing Minutes

Board Action: S Neuharth moved to approve the April 28-29, 2018 Board Meeting minutes with revisions, seconded by K Possehl. The minutes were approved with revisions in a unanimous voice vote.

3. Agenda Approval

Board Action: D Hollingsworth moved to approve the agenda, seconded by D Letcher. The agenda was approved in a unanimous voice vote.

4. Financial Reports – E Matthies presented the Financial Report for July-May 2018 (FY18). Final numbers of new graduate RN and LPN applicants for licensure by examination were lower than projected; RN and LPN renewal applicants were higher than projected; and advanced practice registered nurse (APRN) applications were higher than projected. G Damgaard presented the FY19 budget. Each year the annual budget is submitted to the legislature by the South Dakota Department of Health (SD DOH) for legislative approval during session. The FY19 budget was approved by the legislature in March 2018. G Damgaard will submit a projected budget to the SD DOH for FY20 in August 2018 for subsequent legislative approval in 2019.

Board Action: K Possehl moved that the South Dakota Board of Nursing approve the Financial Report for FY18 (July-May) as presented. Seconded by M Schmidt.

Bergeleen	YES	Neuharth	YES
Borchart	ABSENT	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	YES
Nelson	YES	10 YES	MOTION Carried

5. Reports

A) Licensure and Operations Report - E Matthies presented the June 2018 South Dakota Board of Nursing's licensure and operations report. As of June 2018 there were 18,446 RN's, 2,596 LPN's, 34 CNM's, 1,008 CNP's, 67 CNS's and

489 CRNA's actively licensed in South Dakota. APRN applications have almost doubled from last year at this time. Board staff are moving forward with providing more online services for unlicensed assistive personnel (UAP); certified nurse aide (CNA) endorsement applications are in being tested with the intent to have this online service available soon.

B) Center for Nursing Workforce – L Young presented information on upcoming emerging workforce meetings and strategic plan for the Center.

C) External Meeting Reports -

- **Code of conduct and conflict of interest policy for use by state authority, board, commission, and committee members.** G Damgaard presented each board member with a copy of the document.
- **Department of Health (DOH) Annual Meeting with Board Executive Directors** - G Damgaard shared the topics of discussion which included: Board Portal / Live Streaming of meetings; Code of Conduct and fiscal update.
- **Dakota Digital Network (DDN) Update** G Damgaard updated Board members on our transition to the DDN; the Board of Nursing should have our November Board Meeting available for audio live streaming.
- **Governor's Federal Trade Commission (FTC) Training** was held in Pierre on June 12th it was attended by G Damgaard and K O'Connell.
- **National Council of State Boards of Nursing's (NCSBN) Executive Officers Summit** G Damgaard presented information regarding the summit. A topic of concern was the difficulty states have in passing the APRN compact due to requirements for APRN transition to practice hours. These hours conflict with the current compact language. Executive directors provided recommendations to NCSBN to accept transition to practice hours as a part of the APRN compact language.
- **International Consortium of Parse Scholars Conference** – D Letcher, G Damgaard, and L Young attended. D Letcher provided information on her presentation: Reverence and Awe: International Perspectives.
- **NCSBN IT OPS Conference** - E Matthies presented topics discussed during the conference, including: preventing and detecting fraud, safeguarding against a network attack and security awareness, and preparing for an FBI audit.
- **NCSBN Discipline Case Management Conference** - F Miller presented a summary. Since Colorado legalized marijuana, they have eliminated the black market sale of the drug and use among teenagers has declined. Colorado has increased their state revenue by over a billion dollars. Discussion on how the state handles nurses testing positive for marijuana use was shared and discussed. A CRNA also spoke about his personal struggle with addiction and the importance of monitoring.
- **NCSBN Board Presidents Networking Call** - N Nelson reported that refresher courses were discussed
- **National Forum of State Nursing workforce Conference**- L Young presented a summary.

6. Open Forum – N Nelson, President, provided the opportunity for guests to address the Board, no one requested to do so.

7. Environmental Scan – An NCSBN News Release announced G Damgaard will be awarded the prestigious R. Louise McManus Award. She was chosen because she has made “sustained and significant contributions through the highest commitment and dedication to the mission and vision of NCSBN. NCSBN also announced that SD State Senator Deb Soholt, MS, RN, and former Board of Nursing member, will be receiving the Distinguished Achievement Award. She is honored to receive this award which is given “to individuals whose contributions or accomplishments have impacted NCSBN’s mission and vision.”

8. Unfinished Business

A) Avera Health SOP Request on Medication Administration- L Young presented the request to the Board.

Board Action: R PetersonLund moved that the South Dakota Board of Nursing has determined that the following two situations are consistent with the practice of nursing pursuant to SDCL 36-9-3, 36-9-4, and ARSD 20:48.

- Determining which medication to administer when an authorized prescriber orders more than one medication for the same therapeutic indication.

- Determining the dose to administer when an authorized prescriber orders an as needed, PRN medication with a range of doses.

Seconded by D Bergeleen.

Bergeleen	YES	Neuharth	YES
Borchardt	RECUSE	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	ABSENT
Nelson	YES	9 YES	MOTION Carried

9. New Business

A) Western Dakota Technical Institute (WDTI): Request Prerequisite Approval for LPN to RN Program – G Burg presented background information. WDTI representatives, C McArthur, T Howe, and A Bolman, were present via conference call. Board Action: D Bergeleen moved that the South Dakota Board of Nursing grant prerequisite approval status for LPN to RN Program to Western Dakota Technical Institute with the understanding that the Program Director meet the requirements of ARSD 20:48:07:22 #2. Seconded by S Neuharth.

Bergeleen	YES	Neuharth	YES
Borchardt	YES	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	ABSENT
Nelson	YES	10 YES	MOTION Carried

B) Rules Hearing – See Rules Hearing Minutes

C) APRN Advisory Committee Appointment – L Young presented background on the committee and the open certified nurse midwife (CNM) seat, which is a 3-year term. One application was received from L VanGerpen, CNM. She has met qualifications to be considered for appointment by the board.

Board Action: L Tschetter moved that the South Dakota Board of Nursing approve Lisa VanGerpen, CNM to the APRN Advisory Committee for a 3 year term. Seconded by D Bergeleen.

Bergeleen	YES	Neuharth	YES
Borchardt	ABSENT	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	YES
Nelson	YES	10 YES	MOTION Carried

D) Sinte Gleska University (SGU) Site Visit Report – G Burg presented the site visit report for SGU’s practical nursing program which was conducted by G Burg and G Damgaard on April 18, 2018.

Board Action: C Borchardt moved that the South Dakota Board of Nursing grant full approval status to Sinte Gleska University, seconded by M Schmidt.

Bergeleen	YES	Neuharth	YES
Borchardt	YES	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	ABSENT
Nelson	YES	10 YES	MOTION Carried

E) Dean of the College of Nursing at South Dakota State University (SDSU) – G Burg informed the board that SDSU’s previous Dean Nancy Fahrenwald resigned; effective May 11, 2018 Dr. Roberta K. Olson, PhD accepted the position of Interim Dean and will serve in this capacity until a new Dean is appointed.

F) Staff Updates at Mount Marty College (MMC) – G Burg presented information regarding changes in MMC’s Nursing Administration. Mary Anne Krogh, PhD was named Dean of Nursing and Health Sciences effective June 1, 2018. Jennifer Oakes, DNAP, CRNA was named Program Director for MMC’s Nurse Anesthesia Program. Diane Smith, PhD and former Chief Nurse Administrator, was named Sacred Heart Endowed Chair for Nursing.

G) North Carolina Dental Decision Outline – K O’Connell, Board Attorney presented background and outlined the current status of the North Carolina Dental Decision.

H) **RN Scholarships** – G Burg informed the Board that \$72,520 is available for RN scholarships.

Board Action: K Possehl moved that the South Dakota Board of Nursing approve the distribution of RN scholarship funds to RN students, with two-thirds of funds awarded to students attending state supported schools, and one-third of funds awarded to private schools. Seconded by C Borchardt.

Bergeleen	YES	Neuharth	YES
Borchardt	YES	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	ABSENT
Nelson	YES	10 YES	MOTION Carried

I) **Executive Session** – The Board moved to enter executive session, pursuant to SDCL §1-25-1(3) for the purpose of personnel.

10. Compliance

A) Compliance Committee Recommendations

Compliance Committee Consent Agenda- June 28, 2018 Board Meeting

Accept Voluntary Surrender: 1. Julie Bergstrom-R025444 2. Megan Chapman-R037649
Summarily Suspend and Notice for Hearing: 1. Kayla Nelson-P010875
Close Probation: 1. Sonya Fisher-P009193
Reinstate with Mandated HPAP: 1. Patrick Toussignant-R045653
Letter of Concern with Remediation: 1. A.D. 2. E.H. 3. D.S.
Letter of Concern: 1. M.B. 2. P.D.
No Action: 1. S.B. 2. H.S. 3. C.T.
Dismiss: 1. C.N.

Board Action: D Hollingsworth moved that the South Dakota Board of Nursing approve the Compliance Consent Agenda, seconded by M Schmidt.

Bergeleen	RECUSE	Neuharth	YES
Borchardt	RECUSE	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	ABSENT
Nelson	YES	8 YES	MOTION Carried

B) **Review of Compliance Process** – F Miller detailed the updated Compliance Review Process to the Board. Reference: 20:48:08:12. Board action following notification of misconduct.

Board Action: D Hollingsworth moved that the South Dakota Board of Nursing accept the Compliance Committee Policy, seconded by M Schmidt.

Bergeleen	YES	Neuharth	YES
Borchardt	YES	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	ABSENT
Nelson	YES	10 YES	MOTION Carried

C) **Formal Hearings: Call to Order** – Administrative Law Judge (ALJ) C Dunewald called the meeting to order at 9:13 a.m. on June 28, 2018. The following cases were heard:

1. **Deena Rojero, SD P011236, Formal Hearing** –with ALJ C Dunewald presiding. Licensee served with notice. Licensee did not appear. K O’Connell represented the Board. F Miller provided testimony.

Board Action: M Schmidt moved that the South Dakota Board of Nursing suspend the license of Deena Rojero, SD P011236.

Bergeleen	RECUSE	Neuharth	YES
Borchardt	RECUSE	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	YES
Nelson	YES	9 YES	MOTION Carried

2. **Shelley Fox, SD P010132, Formal Hearing** –with ALJ C Dunewald presiding. Licensee served with notice. Licensee did not appear. K O’Connell represented the Board. F Miller provided testimony.

Board Action: M Schmidt moved that the South Dakota Board of Nursing suspend the license of Shelley Fox, SD P010132.

Bergeleen	RECUSE	Neuharth	YES
Borchardt	RECUSE	PetersonLund	YES
Craddock	YES	Possehl	RECUSE
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	YES
Nelson	YES	8 YES	MOTION Carried

11. Board Member Development – Deferred

12. Upcoming Events

G.Damgaard – NCSBN Board of Directors Meeting, July 12-13, 2018; Chicago, IL

NCSBN Annual Meeting, August 15-17, 2018; Minneapolis, MN

Board Action: K Possehl moved that the South Dakota Board of Nursing fund travel for up to 9 Board members and staff to attend the NCSBN annual meeting in Minneapolis, MN August 15-17,2018. Seconded by L Tschetter.

Bergeleen	YES	Neuharth	YES
Borchardt	ABSENT	PetersonLund	YES
Craddock	YES	Possehl	YES
Hollingsworth	YES	Schmidt	YES
Letcher	YES	Tschetter	YES
Nelson	YES	10 YES	MOTION Carried

13. Staff and Board Member Activities

G.Damgaard – NCSBN Finance Committee Meeting, April 26, 2018; Chicago, IL

F.Miller – SETI Student Presentation, May 14, 2018; Sioux Falls, SD

G.Damgaard- DOH Annual Meeting with Board Executive Directors, May 14, 2018, Pierre

E.Matthies – NCSBN IT/ Operations Conference, May 15-16, 2018; Albuquerque, NM

L.Young – SETI Student Presentation, May 24, 2018; Sioux Falls, SD

G.Damgaard, L.Young, D.Letcher – Int. Consortium of Parse Scholars, June 1-3, 2018; Pittsburgh, PA

L.Young – Natl. Forum of State Nursing Workforce, June 6-8, 2018; Chicago, IL

F.Miller – NCSBN Discipline Case Management Conference, June 6-8, 2018; Denver, CO

F.Miller – SETI Student Presentation, June 12, 2018; Sioux Falls, SD

G.Damgaard- Governor’s FTC Training, June 12, 2018, Pierre, SD

L.Young – SDSU Student Presentation, June 14, 2018; Sioux Falls, SD

G.Damgaard – NCSBN Executive Officer Leadership Summit, June 18-20, 2018; Kohler, WI

L.Young, G.Burg – Lake Area Tech Nursing Program 50th Anniversary, June 19, 2018; Watertown, SD

L.Young, G.Burg - South Dakota State University Nursing Leadership Meeting, June 20, 2018; Brookings, SD

L.Young, G.Burg – Nursing Education Deans & Directors Annual Conference, June 22, 2018; Sioux Falls, SD

Meeting adjourned at 4:34 p.m. June 28, 2018.