



SOUTH DAKOTA BOARD OF NURSING
SOUTH DAKOTA DEPARTMENT OF HEALTH
4305 S LOUISE AVENUE SUITE 201 ♦ SIOUX FALLS SD 57106-3115

MINUTES
NOVEMBER 17-18, 2011

The Meeting was called to order at 9:00 a.m.

BOARD MEMBERS

Diana Berkland, RN; President – Excused
Christine Callaghan, LPN
Teresa Disburg, RN; Secretary
John Jones, Public Member
June Larson, RN; Vice President
Adrian Mohr, Public Member – Excused 2nd Day
Nancy Nelson, RN
Sharon Neuharth, LPN
Kristin Possehl, RN
Mary C. Schmidt, LPN
Deb Soholt, RN

BOARD STAFF PRESENT

Gloria Damgaard, Executive Director
Stephanie Orth, Nursing Program Specialist
Kathleen Rausch, Nursing Program Specialist
Linda Young, Nursing Program Specialist
Kristine O’Connell, Board Attorney
Erin Matthies, Program Assistant II

New Board staff member Stephanie Orth was introduced and welcomed.

Kathleen Rausch was congratulated on her selection to the IRE 2012 cohort.

MINUTES of the September 2011 Board Meeting, with the correction of a typo, were approved in a voice vote.

AGENDA for today’s meeting was approved in a unanimous voice vote.

FINANCIAL REPORTS were presented by Robert Garrigan, Business Manager. Cash Center Balances and Revenue Reports were reviewed based on the handouts provided.

MOTION: The Financial Reports were approved as presented in a unanimous voice vote.

REPORTS

NCSBN POLICY PERSPECTIVES: The data show an increased number of people with criminal records.

NCSBN LETTER FROM THE PRESIDENT: Discussion centered on the Financial Committee, nurses pushing the system, and the NLCA Interface Group.

NCSBN LEADERSHIP AND PUBLIC POLICY SEMINAR was briefly discussed.

AANP ANNUAL REGION 8 INVITATIONAL LEADERSHIP MEETING was held in Fargo, ND; commonality among NPs was an important focus of discussion.

“THE COMPLEXITIES OF NATIONAL HEALTH CARE WORKFORCE PLANNING” was provided as an informational piece.

NCLEX 3RD QUARTER REPORT: Written reports were provided and reviewed by the Board.

HEALTH PROFESSIONALS ASSISTANCE PROGRAM: Maria Eining and Sherry Grismer provided an update regarding increasing HPAP enrollment. Associated costs to the participating boards were discussed.

OPEN FORUM – NO ONE REQUESTED THE OPPORTUNITY TO ADDRESS THE BOARD

ENVIRONMENTAL SCAN

NATIONAL LEAGUE FOR NURSES: June Larson, RN, MS, ANEF was elected to the 2011 NLN Board of Governors.

PROPUBLICA: “Trying to Understand Jerry Brown’s Veto of California Nursing Board” was provided as an informational piece.

RWJF NEWS DIGEST: Nursing “South Dakota College Programs Sprout to Address Scarcity of Nurses” article was provided as an informational piece.

LA TIMES “Brown vetoes bill to extend California nursing board” was provided as an informational piece.

NCSBN CENTER FOR REGULATORY EXCELLENCE GRANT Program Awards: This was an informational piece.

ANA CALLS IOWA DECISION A SETBACK FOR PATIENTS: Distributed as an informational piece.

UNFINISHED BUSINESS

JOINT BOARD LASER POLICY was approved by the Joint Board of Nursing and Medical and Osteopathic Examiners at the September 2011 Joint Board meeting. The policy has been posted on both Boards' websites and published in the Dakota Nurse Connection.

USD PRESS RELEASE on BSN Program: Carla Dieter, Chair, USD Nursing Department, announced that the school was approved by the Board of Regents to offer a generic baccalaureate nursing program on their Vermillion, Rapid City, and Sioux Falls campuses. USD has admitted their first cohort of RN-BSN students this fall. Additionally, they plan to continue to offer the associate degree in nursing program on their Pierre campus; and transitioning the Watertown campus to 50% of their LPN to RN program content delivered via online/distance learning methods. Timeline of Events (USD Nursing) per Dr. Carla Dieter:

- 1) Fall 2012, the last ADN class will be admitted in Vermillion, with anticipated graduation Spring 2014
- 2) Spring 2013, the first class of BSN will start in Vermillion. Start dates for Sioux Falls and Rapid City sites are currently being evaluated
- 3) Ongoing survey of students shows excitement, particularly with the traditional cohort (RC, SF, Vermillion will offer BSN)
- 4) The BOR emphasized that provision of ADN option will continue responding to demand for the programming.
- 5) USD will continue their partnership with LATI providing programming for the second year of the 1+1 program
- 6) RN-BSN has started first cohort Fall, 2011; Beverly Jorgensen resigned; Dr. Ellie Brooks is acting Director for RN-BSN program
- 7) USD Nursing is on target for CCNE visit September 12-13, 2012 with Spring 2013 anticipated Accreditation
- 8) Watertown decreased F2F students from 40 to 25 starting Fall semester 2011. Fall 2012 the 1+1 program in Watertown will be folded under Distance
- 9) USD Distance students (including Watertown students) have 51% of curriculum delivered online. (All clinical, lab, and simulation occur F2F)
- 10) USD Nursing is approaching their 50th year Anniversary.

APRN CONSENSUS Task Force: Linda Young reviewed the handout; it was noted that the recommendation in the consensus model for "independent" practice may be misleading. Board members D. Berklund and D. Soholt met with G. Damgaard and L. Young in November to organize the task force and plan to meet again this month.

NURSES COMMUNICATING PRESCRIPTION DRUG RENEWALS/REFILLS FOR NON-CONTROLLED DRUGS ON BEHALF OF PRESCRIBER: Gloria Damgaard reported that she, Linda Young, Margaret Hanson, Executive Director, SD Board of Medical and Osteopathic Examiners, Randy Jones, Executive Director, SD Board of Pharmacy, and representing attorneys met and agreed that the best solution was to allow the Board of Pharmacy to promulgate rules that would address the issue of an authorized prescriber communicating or delegating the authority to sign a prescription order to an agent of the prescriber. Randy Jones agreed to remove from the SD Board of Pharmacy webpage the July 2010 Inspector's Notes comments.

VIRTUAL NURSING CARE for Children with Diabetes in the School Setting: Gloria Damgaard and Linda Young provided an update for the Board. Both Avera and Sanford virtual nurses are assisting and delegating to unlicensed assistive personnel (UAP) to assist children with diabetes in the schools. The virtual nurses have provided training to the UAPs and have validated their competencies. Approximately 18 schools are involved in the project and the technology has been or is nearly completed. The project should run through this school year and outcomes will then be analyzed to determine next steps. Additionally, a Resource Panel meeting will be held December 15, 2011; multiple stakeholders have been invited and their input will be sought on recommendations and future guidance for the project.

DATA INTEGRITY PROJECT: Erin Matthies provided an update regarding costs and progress with the Board.

NEW BUSINESS

OPERATING ROOM CIRCULATING RN PROPOSED LEGISLATION: Susan McNaboe, RN provided background on her proposed legislation, sponsored by State Representative Conzet. This legislation would amend 36-9 to require a minimum of one perioperative RN per surgical suite. Gloria Damgaard and Linda Young explained that the nursing board does not have jurisdiction over healthcare facilities and could not enforce staffing requirements. Ms. McNaboe was encouraged to contact DOH Licensure and Certification, as that agency has jurisdiction over licensed healthcare facilities and would be responsible for enforcing changes.

NATIONAL AMERICAN UNIVERSITY – Communication was received announcing that Julia Bronner has resigned. Dodie Serafini, RN, BS, MSN, PhD(c), CNE has been named Interim Dean.

CLINICAL ENRICHMENT PROGRAM Evaluations were reviewed. Applications were submitted for summer programs by Sanford Health 2011 Summer Excellence Program, St. Michael's Hospital, and Avera McKennan Hospital.

MOTION: Deb Soholt moved that the South Dakota Board of endorse continued approval for the Clinical Enrichment Programs at Sanford Health USD Medical Center, St. Michael's Hospital Avera, and Avera McKennan Hospital & University Center.

Seconded by Nancy Nelson

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	YES	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	10 YES – MOTION CARRIED	

LIMITED OB ULTRASOUND REQUEST – Sandra Goodman, CNM submitted a request to perform limited OB ultrasound with collaborating physician Jeffrey Bendt, MD.

MOTION: Kristin Possehl moved that the South Dakota Board of Nursing approve the modification to the Collaborative Agreement for Sandra Goodman, CNM, to perform limited OB Ultrasound.

Seconded by John Jones

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	YES	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	10 YES – MOTION CARRIED	

NOTICE OF HEARING for the Proposed Rules for Assisted Living Centers and for the Proposed Rules for Birthing Centers, ARSD 44:69 were discussed by the Board.

DISCIPLINE

DISCIPLINE COMMITTEE MINUTES of November 2011 were approved prior to this meeting.

CONSENT AGENDA

- 1) ~~A.E.D. – Accept Voluntary Surrender~~
- 2) Jesse J. Freeburg – Accept Voluntary Surrender
- 3) ~~C.A.H. – Deferred~~
- 4) Beverly M. Fiedler – Accept Voluntary Surrender
- 5) No Action at this time
- 6) M.L.W. – Letter of Concern with Remediation:
 1. Medication Administration Errors
 2. Professional Accountability and Legal Liability for Nurses
 3. Sharpening Critical Thinking Skills
- 7) D.M.W. – Mandate HPAP
- 8) Deborah K. Benson – Request Voluntary Surrender; if not agreed upon, Issue Summary Suspension
- 9) L.A.H. – Mandate HPAP
- 10) Pamela Sue Tanner – Mirror Texas Board of Nursing Action regarding Probation and Remediation
- 11) Jennifer Jean Wyman – Letter of Reprimand and Mandate SD HPAP
- 12) ~~A.C.R. – Mandate HPAP as Rule Out Risk~~
- 13) J.H.T. – No Action
- 14) N.A.T. – Letter of Concern and Remediation:
 1. Medication Administration Errors
 2. Documentation
 3. Sharpening Critical Thinking Skills

MOTION: Deb Soholt moved that the South Dakota Board of Nursing approve the Consent Agenda as presented with the following cases removed: #1 A.E.D.; #3 C.A.H.; #12 A.C.R.

Seconded by Christine Callaghan

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	ABSENT	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	9 YES – MOTION CARRIED	

THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF DISCIPLINE

THE BOARD RECONVENED IN OPEN SESSION

ANTHONY E. DREYER: Nursing Program Specialist Kathleen Rausch presented background.

MOTION: Terry Disburg moved that the South Dakota Board of Nursing accept the Voluntary Surrender of Anthony Dreyer.

Seconded by Mary Schmidt

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	ABSENT	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	9 YES – MOTION CARRIED	

A.C.R.: Nursing Program Specialist Kathleen Rausch presented background.

MOTION: Deb Soholt moved that South Dakota Board of Nursing mandate HPAP as rule-out-risk for A.C.R.

Seconded by John Jones

Berkland	ABSENT	Larson	YES	Possehl	RECUSED
Callaghan	YES	Mohr	ABSENT	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	8 YES – MOTION CARRIED	

T.M.W.: FORMAL APPEARANCE – Nursing Program Specialist Kathleen Rausch presented background.

MOTION: Deb Soholt moved that South Dakota Board of Nursing approve the request for licensure for T.M.W.

Seconded by Kristin Possehl

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	YES	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	10 YES – MOTION CARRIED	

WESTERN DAKOTA TECHNICAL INSTITUTE On-Site Visit: Stephanie Orth reviewed the report and provided recommendations to the Board. Jani Lerback, Nursing Department Chair, Western Dakota Technical Institute provided an oral report to the Board.

MOTION: Kristin Possehl moved that South Dakota Board of Nursing accept the site visit report and recommendations for improvement for the PN Program at Western Dakota Technical Institute. Due to the long-standing nature of the deficiencies, the Board places the program on Probation, and requires a timeline report for bringing deficiencies into compliance by February 1, 2012, pursuant to ARSD 20:48:07:43.

Seconded by Deb Soholt

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	YES	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	10 YES – MOTION CARRIED	

2011 LPN NURSING EDUCATION LOAN ASSISTANCE Program Awards: Business Manager Robert Garrigan presented.

MOTION: Deb Soholt moved that the South Dakota Board of Nursing award \$1000 to each of the ten applicants for the 2011 LPN Nursing Education Loan Assistance Program.

Seconded by Kristin Possehl

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	YES	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	10 YES – MOTION CARRIED	

2012 LEGISLATION: Legislation has been approved for Criminal Background Checks for CNPs and CNMs for the 2012 Legislative Session.

2012 BOARD MEETING SCHEDULE: February 21-22 ♦ April 26-27 ♦ June 21-22 ♦ September 11-12 ♦ November 15-16

ELECTION OF OFFICERS: Diana Berkland was reelected President, June Larson was reelected Vice President, and Teresa Disburg was reelected Secretary of the Board for the coming year; all votes were unanimous.

THE BOARD MOVED INTO CLOSED SESSION FOR PURPOSES OF PERSONNEL

THE BOARD RECONVENED IN OPEN SESSION

MOTION: It was moved and seconded that the South Dakota Board of Nursing approve contractual help for the growing caseload within the disciplinary area.

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	ABSENT	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	9 YES – MOTION CARRIED	

RNS SUPERVISING CARDIAC STRESS TESTS: Linda Young presented a request by Rita Haxton, Vice President of Patient Care Services, Rapid City Regional Hospital, to allow registered nurses who have received additional education, validated competence, and with physician support and emergency support readily available to supervise cardiac stress tests. The Board determined that a letter may be drafted by Linda Young outlining that this is within the RN scope of practice based on SDCL 36-9 and ARSD 20:48.

ROBERT WOOD JOHNSON FOUNDATION: Discussion was held regarding RWJF state-based Action Coalition Teams, formed to advance the work of the RWJF as outlined in the Future of Nursing: Leading Change, Advancing Health Report. This Board recommends that the South Dakota Center for Nursing Workforce participate and begin the application process to form a RWJ Action Coalition Team for this state.

UPCOMING EVENTS

- NCSBN Education World Café December 8-9, 2011
- CORE Committee, December 12-13, 2011
- Basic National Certified Investigator Training, Madison WI, January 23-25, 2012
- Institute of Regulatory Excellence, January 24-26, 2012
- Nurses Day at the Legislature, February 6-7, 2012
- NCSBN Midyear Meeting March 12-14, 2011

MOTION: Deb Soholt moved that the South Dakota Board of Nursing approve travel for:

- the Executive Director to attend all CORE Committee obligations;
- Institute of Regulatory Excellence, up to three persons, January 24-26, 2012;
- Basic National Certified Investigator Training, Madison WI, up to two persons, January 23-25, 2012;
- NCSBN MidYear Meeting, up to four persons, March 12-14, 2012;
- Kathleen Rausch to attend all IRE obligations;
- Linda Young for all NIRSC obligations.

Seconded by Kristin Possehl

Berkland	ABSENT	Larson	YES	Possehl	YES
Callaghan	YES	Mohr	ABSENT	Schmidt	YES
Disburg	YES	Nelson	YES	Soholt	YES
Jones	YES	Neuharth	YES	9 YES – MOTION CARRIED	

STAFF AND BOARD MEMBER ACTIVITIES

- Gloria and Linda – Presentation to SDONE in Rapid City, September 22, 2011
- Kathy – Presentation to SDSU senior students, September 26, 2011
- Gloria, Linda, Kathy, and Deb Soholt – NCSBN Leadership and Public Policy Seminar, October 4-6, 2011
- Gloria – NLCA Executive Committee Meeting, Boulder, CO, October 8-10, 2011
- Gloria and Diana Berkland – Meeting with Board of Regents, October 11, 2011
- Linda and Erin – Collaborative Leadership Conference Call, October 11, 2011
- Kathy – Presentation to Good Samaritan Luther Manor nursing staff, October 13, 2011
- Gloria – NCSBN CORE Committee Meeting, Chicago, October 17-18, 2011
- Gloria and Linda – Prescription Authorization Meetings, October 26 & November 2, 2011
- Gloria, Linda, Deb Soholt, Diana Berkland – APRN Consensus Planning Meeting, November 3, 2011
- Stephanie Orth and June Larson, WDTI Site Visit, November 9-10, 2011

ADJOURNMENT